



23rd May 2024

Via email to dietpolicy@gov.scot

GS1 UK Response to: Restricting promotions of food and drink high in fat, sugar or salt – Consultation on the proposed regulations

GS1 UK is a not-for-profit membership body that sets and enables global standards across industry. Our standards are used ten billion times per day and form the basis of a global business language that identifies, captures and shares key information on products around the world – with the best known being barcodes and QR codes.

We welcome the opportunity to respond to the consultation on the implementation of high in fat, salt or sugar (HFSS) regulations.

The Global Trade Identification Number (barcode) underpins the point of sale (POS) and logistical systems of many large retailers covered by the proposed regulations. It acts as a unique product identifier, to which retailers can attach a variety of data and information, such as price, size and weight of a product to their internal product databases.

In our view, the easiest way for retailers to implement the proposed regulations is to identify HFSS products on these internal databases, and then share this information across their network of stores. This means that when designing promotions or store locations, ineligible products are quickly identified via the GTIN.

Large retailers often have more advanced systems than smaller retailers, and therefore easier to implement. However, we note the proposed exemptions for those smaller retailers.

Kind regards,
Laura Mililo
Head of Retail

Question 4 - Is the proposed description of the following sufficiently clear for the purpose of implementation and enforcement:

a. Multibuy?

Yes – We believe that it will be relatively easy to identify HFSS products which are listed for multibuy promotion, as this promotion is often applied when that same GTIN (barcode) is scanned multiple times at POS.

Additionally, the GTIN can contain link to the internal database that a product is HFSS, and therefore restrict the types of promotion (or location) that can be applied on that product in store.

Question 6 - What, if any, implications do you expect there would there be for businesses if meal deals are included within scope of this policy? (please include evidence where available)

If meal deals are included within the scope of this policy, we would expect retailers to include a HFSS identification against the GTIN of applicable products within their databases. This means that when designing meal deals, it is quick and simple to identify products which are in and out of scope.

This would then also feed through to their product locations in store, and price at till (POS), as each of these are underpinned by the GTIN.

Question 9 - What, if any, implications do you expect there would be for businesses if TPRs are included within scope of this policy? (please include evidence where available)

We believe that this would be a relatively easy measure for the majority of retailers to implement. This is because within the vast majority of retailers systems, product price is an attribute linked to the GTIN (Barcode), which enables POS (point of sale) systems and restocking.

When a TPR occurs on a product, retailers update this price change in their databases against the GTIN so it can be reflected at POS.

Therefore identifying TPR products with HFSS restrictions is a relatively simple task, where HFSS products already have been identified against that GTIN in the database.

Question 13 - Please provide any additional comments on the proposals for in-store locations within scope of the policy.

As with previous implementations, many large retailers use the GTIN to map out product placement on shelves digitally before transferring into the real world (often done from a more central office than at store).

If retailers identify a product as HFSS against its GTIN, then when designing product location for store, relevant restrictions can be taken into account.

This is likely to be a much bigger challenge for smaller retailers, who may not necessarily have the same advanced systems in place, nor the resources to prioritise this task.

Question 20 - Do you foresee any impacts on the ability of businesses to trade either within the UK market or internationally from any of the proposed measures?

The vast majority of these proposals for large retailers are to be made on the software and product database end, identifying HFSS products and the relevant GTIN. Once complete, it would then be a process for retailers to identify which stores are in scope of the regulations, and which are not (i.e. those in Scotland, and those elsewhere).

Provided that a HFSS identification can be attached to the GTIN databases without the need for additional on pack labelling, we see no reason why this would create a divide for producers, and much of the heavy lifting of this policy can be done digitally by the large retailers.

Dan Bellis

Head of policy

GS1 UK

M +44 (0) 7970 77 81 49

E Daniel.Bellis@gs1uk.org