

Restrict price and location promotions on high fat, sugar and salt (HFSS) products



NCD Alliance Scotland is calling on the Scottish Government to implement restrictions on price and location promotions on high fat, sugar and salt products following its most recent 2022 consultation: Restricting promotions of food and drink high in fat, sugar or salt.

The need for restrictions on price promotions has been recognised by the Scottish Government since 2017. The 2019/2020 Programme for Government committed to the introduction of a bill to introduce restrictions, but this has since been delayed.

We welcome the consultation that was launched by the Scottish Government on 1st July 2022, on restricting price and location promotions of HFSS products, which recognises the need for action in this area. It is, therefore, crucial that legislation is brought forward as soon as possible to implement these measures.

We encourage the Scottish Government to implement this policy with urgency as we have already seen significant delays to this action.

Price promotions increase the amount we buy

The UK has the highest proportion of food and drink purchased on promotion in the whole of Europe,¹ and the majority of price promotions in Scotland are on unhealthy HFSS products.²

Price and location promotions are employed by retailers and industry to increase the volume of HFSS products bought and consumed by the Scottish public, through techniques like meal

deals, multibuy, temporary price reductions, and end of aisle displays. Evidence shows that a significant proportion of HFSS products bought in Scotland are purchased on promotion, with 32% of all calories purchased into the home in Scotland in 2018 being bought on price promotion.³ Increased consumption of HFSS foods can lead to increased levels of overweight and obesity and, consequently, non-communicable diseases (NCDs).

Promotions cause consumers to buy 18% more food than they normally would,⁴ and the majority of this increase is on unhealthy, discretionary HFSS products. Data from Food Standards Scotland (FSS) shows that a greater proportion of discretionary foods are bought on promotion (36.9%) than non-discretionary foods (24.7%).⁵ Furthermore, a report by NHS Health Scotland found that promotions increase the volume of food and drink purchased during a shopping trip, with no reduction in the volume purchased at subsequent trips.⁶

Price and location promotions lead not only to increased volume purchased and increased spending, but also increased consumption. Those who purchase the most foods on price promotion have been found to purchase more from unhealthy food categories, compared to shoppers who buy the least amount of food on promotion.⁷ Public Health England evidence highlights how promotions promote

overconsumption, with the extra volume bought consumed faster and in higher quantities.⁸ This encouragement of overconsumption means that price and location promotions have strong links to overweight and obesity. A Cancer Research UK study found that high promotional purchasers had a 53% greater chance of having a BMI classified as overweight or obese, compared to low promotional shoppers.⁹

Modelling by the Scottish Government shows that restricting all price promotions on HFSS products could result in a net reduction of 613kcal per person per week, showing an effective reduction of calories consumed.¹⁰ Further, research has found that removing discretionary foods, like sweets and crisps, from supermarket checkouts is associated with significantly lower volumes of unhealthy snacks purchased.¹¹ The study found that there were 76% fewer purchases of sugary confectionary, chocolate and crisps from supermarkets that had checkout location restrictions for HFSS products compared to those that did not.¹² Bringing forward legislation within this Parliament to restrict the price and location promotions is an efficient and effective way for the Scottish Government to align its healthy weight goals with the implementation of public health interventions.

Price promotions increase the amount we spend

Price and location promotions also lead to overall additional spending, with the Money Advice Service estimating that these offers can cause consumers to spend almost £1,300 more a year.¹³ Promotions appeal to people from all demographic groups, and frequently lead to consumers purchasing more. Items on promotion are purchased by everyone, not just low-income consumers. Therefore, restricting price promotions will have a positive effect on the whole population by influencing the food environment and options available to consumers.¹⁴ Other evidence also suggests that location promotions lead shoppers to increase purchases without offering any better value.¹⁵ People in Scotland are not benefitting from price promotions and are instead encouraged to spend more money on non-staple, unhealthy HFSS products.

Without the implementation of measures on these promotions, the Scottish Government will miss its target of reducing childhood obesity by 50% by 2030.

Evidence has emerged that shows childhood obesity increased during the pandemic. The Primary 1 BMI statistics for 2020/21 found that 15.5% of children were at risk of obesity, the highest figure on record, and an increase from 10.3% in 2019/20. The gap between the most and least deprived also increased with 21% of children in the most deprived areas were at risk of obesity compared to 8% in the least deprived areas, meaning children in more deprived areas are around 2.5 times more likely to be at risk of obesity than children from the least deprived areas.¹⁶ Action on price promotions is needed now to safeguard future generations.

Data from the 2020 Food Standards Scotland Consumer Tracking Survey shows that 68% of consumers worried that HFSS foods seemed to be promoted more often than healthy foods, and 50% believed that promotional offers on HFSS products should be banned.¹⁷ There is real public concern about the current impact of promotions on HFSS products. By restricting price promotion of HFSS products we can shift retail and industry focus to healthy products and staple foods.

Restrict the advertising of alcohol, HFSS products, and vaping and tobacco related products



NCD Alliance Scotland is calling on the Scottish Government to restrict the advertising of alcohol, high fat, salt and sugar (HFSS) products and vaping and tobacco related products. This includes advertising outdoors, in public spaces and sport and event sponsorships.

Evidence shows there is a causal link between exposure to advertising of health harming products and the consumption of them.^{1,2,3} The tools used by industry to influence consumers attitudes, behaviours and consumption levels have become increasingly sophisticated and this is at the detriment of our nation's health. Young people and those in recovery from hazardous use of some of these products are particularly susceptible to the influence of advertising, and this must be addressed.⁴

The Scottish Government hold significant devolved powers to legislate to restrict advertising, as outlined in their 2018 Alcohol Framework and Diet and Healthy Weight Delivery Plan. These powers must be employed to implement law within this Parliament which restricts, advertising, and sponsorship of alcohol, HFSS products and vaping and tobacco related products.

Advertising influences our choices, starting from childhood

Advertising is not simply about short-term influencing, it also allows brands to establish an ongoing relationship with consumers that will persist for years.

The widespread nature of advertising means both adults and children are exposed to alcohol,

vaping and tobacco related products, and HFSS products through sport, in outdoor settings including on billboards and public transport, television and online. This pervasive landscape of advertising changes attitudes and behaviour, influences the future relationship children have with health harming commodities, and targets people who are already consuming products at high levels, who are at most risk of harm.⁵

Research has established a link between children and young people's exposure to alcohol and HFSS food advertising and consumption of these products. Research by Cancer Research UK found that young people who remember being exposed to daily HFSS food and drink advertising on billboards, social media and TV are twice as likely to have obesity.⁶ Similarly with alcohol, it has been concluded that alcohol advertising causes youth drinking,⁷ leading young people to start drinking earlier, to drink more if they are already drinking, and to drink at heavy or problematic levels.⁸

Advertising of health harming commodities is widespread

Concerningly, we see this association in sport, with alcohol and HFSS brands regularly being high-profile sponsors of major sporting events. Research found that children aged 10-11 years old strongly associated football clubs and

tournaments with beer brands that sponsor them, with these children being more aware of certain beer brands than leading brands of crisps and ice cream.^{9,10}

In addition to this, broadcasts of the fifteen 2019 Guinness Six Nations Championship games delivered an estimated 758 million Guinness related branded impressions to children aged under 16 in the UK,¹¹ and during a match between Scotland and England, alcohol was referenced every 15 seconds.¹² E-cigarette brands have partnered with the two most supported football clubs in Scotland and even produced club-themed vape flavours during this period.¹³

Similarly, Coca-Cola sponsorship of the Olympic Games and UEFA football tournaments,¹⁴ Irn-Bru has previous sponsorship of the Scottish Football League,¹⁵ Tunnock's caramel wafer sponsoring the Scottish Challenge Cup,¹⁶ and McDonald's sponsorship of millions of youth club sports kits every year, further reinforces the ways in which advertising of health harming products influences the consciousness of children and young people. We believe sport should be associated with being active and healthy, rather than being used as a promotional vehicle for health harming products.

The public wants to see action on the advertising of health harming commodities

Public consultation and opinion polling indicates support for implementation of increased alcohol advertising restrictions.

YouGov polling from March 2022, commissioned by the NCD Alliance Scotland, found that 62% of adults support implementing restrictions on alcohol advertising, sponsorship, promotion online, in public spaces and at sport and cultural events; 52% would support banning online/tv advertising for HFSS products; and 78% of adults support banning advertising of all tobacco and recreational nicotine products.¹⁷

We have seen successful policy developments internationally to restrict advertising of alcohol and HFSS products in countries such as France, Finland and Australia. For example, in 2015 Finland prohibited the advertising of alcohol both in indoor and outdoor public spaces such as bus stops, public transport, billboards and shopping centres.

Similarly, for unhealthy food and drink, restrictions were implemented on the advertising of HFSS products across the Transport for London network. Evidence shows the impact of the policy to be positive, with an association between its implementation and households in London purchasing fewer unhealthy foods; with weekly average calorific intake dropping by 6.7%, or 1,001 calories, after introduction.¹⁸

We urge the Scottish Government to align their policies with those successfully implemented internationally and take bold steps to reduce the harms caused by the advertising of health harming products.

Introduce an Alcohol Harm Prevention Levy



NCD Alliance Scotland is recommending that the Scottish Government introduce an Alcohol Harm Prevention Levy within this Parliament, with proceeds being used to fund prevention activity and support services.

As we recover from the pandemic, with increased pressure on health and social care services in Scotland, we believe the polluter pays principle should be applied to the sale of alcohol, meaning retailers should pay a levy towards mitigating the health and social costs caused by the products they sell. This will generate funds for local prevention, treatment, and care services. We believe that retailers, who benefit from the sale of these products, should share the financial burden that they impose on our society. In addition, retailers should not be allowed to retain the additional profits arising from minimum unit pricing.

Alcohol is negatively impacting the nation's health, widening existing health inequalities and creating an unhealthy environment for future generations in Scotland. It also has a significant negative impact on our NHS and economy. Estimates suggest that ill health and disability caused by alcohol costs the Scottish economy £3.6 billion every year, including almost £500 million in health and social care costs and £727 million in alcohol-related crime.¹ At the same time, companies make billions from the sale of these products.²

An alcohol harm prevention levy for alcohol would offset the costs of alcohol harm

The levy should be raised through a supplement on non-domestic rates for retailers, applying to premises licensed to sell alcohol for consumption off the premises. There is a precedent for this kind of levy; for example, the public health supplement, which applied to large retailers selling both alcohol and tobacco, ran between 21 April 2012 and 31 March 2015. It aimed to “address the health and social problems associated with alcohol and tobacco use” and to generate income for preventive-spending measures,³ raising £95.9 million over its 3-year duration.⁴

We know that industry earns significant profits from the sale of alcohol. These profits will have increased since the introduction of minimum unit pricing (MUP), as although total off-trade sales have reduced by 3.5%,⁵ profit margins on many products have increased. Prior to implementation, it was estimated that MUP would generate a 9.6% net revenue increase (after accounting for VAT and duty) for the off-trade of £41 million per annum.⁶ It is also likely that retailers have seen increased revenue as a result of on-trade Covid-19 restrictions,⁷ with the proportion of alcohol bought from the off-trade increasing from 73% in 2019 to 90% in 2020, and remaining above pre-pandemic levels in 2021 (85% of all alcohol purchased).⁸

Industry profits are highly reliant on those people who drink at high levels, but who also suffer the greatest harm from alcohol. Researchers estimate that in England the heaviest drinking 20% of the population account for 70% of the total quantity of alcohol sold, with the heaviest drinking 4% accounting for almost a quarter of industry revenue.⁹ By generating funds for prevention, enforcement, and treatment and support services, the alcohol harm prevention levy would ensure that industry contributes to the costs their products impose upon society, whilst alleviating the financial pressure placed upon the NHS and the Scottish economy.

The polluter pays principle – that those who produce pollution should bear the costs of managing it to prevent damage to human health or the environment – has been widely accepted within environmental policy and law and sets a precedent for how this framework can be applied to alcohol. Extended producer responsibility¹⁰ is an example of this in the UK, where producers must pay for the waste management of their products. This includes the Deposit Return Scheme in Scotland, with producers required to pay a fee for each container to cover the costs of recovering and recycling their drinks packaging material.

A levy could also be used to address harm by HFSS, tobacco and related products

Transformative policy change is also required to tackle obesity and tobacco use. Obesity-related deaths from non-communicable diseases like heart disease and cancer are predicted to increase by 10% by 2026 in Scotland, and the Scottish Government's 2034 tobacco free generation target is set to be missed.¹¹

Obesity in Scotland costs the NHS between £360 million and £600 million annually, with analysis taking into consideration the loss of productivity attributable to loss of life or impaired life quality, direct health care costs and investment to mitigate the impact of obesity.¹² Similarly for tobacco, this costs the NHS on average £323 million and approximately £1.1 billion annually in costs to society.¹³

There are examples of how levies on unhealthy food and drink and tobacco can be beneficial in driving changes in industry behaviour and in raising revenues. The UK Government's Soft Drinks Industry Levy has been widely successful, with significant reductions in the volume of sugar purchased within these products.¹⁴ In the US, tobacco manufacturers pay a certain percentage according to the proportion of sales volume to pay for tobacco regulation. In 2021, \$712 million was raised using this fund.¹⁵

In addition to the implementation of an alcohol harm prevention levy, the Scottish Government should work to understand the mechanisms through which levies on HFSS products and tobacco and related products could be introduced.

Create a mandatory requirement to provide health information (including drinking guidelines and health warnings), ingredient and nutrition information on alcohol labels



NCD Alliance Scotland recommends that the Scottish Government create a mandatory requirement to provide health warnings, ingredient, and nutritional information, including calories, on alcohol labels. In 2018, as part of their Alcohol Framework, the Scottish Government committed to considering a mandatory approach to alcohol labelling, but this has not yet been introduced.

We encourage the Scottish Government to introduce legislation within this Parliament to require the inclusion the Chief Medical Officers' drinking guidelines, health warnings (including risks during pregnancy and of developing cancer), ingredient and nutritional information (including calorie information), on alcohol labels.

Alcohol is an age-restricted health harming product, but its labelling requirements are less comprehensive than those of other food and drink products, requiring only the volume of the drink, alcohol content and any allergens to be included. The failure of the current voluntary adherence system of labelling is well evidenced and shows that industry is not doing enough to ensure comprehensive alcohol labelling.

We know the burden of alcohol-related harm and NCDs in Scotland is significant mandatory alcohol labelling would help ensure consumers are fully informed when purchasing and drinking alcohol.

Mandatory alcohol labelling would support public risk awareness

YouGov polling has revealed limited awareness of alcohol health harms amongst the public; for example, 77% do not know the weekly drinking guideline¹ and 55% do not know that alcohol causes cancer.² When implemented effectively, alcohol labelling is a simple and effective way to communicate health information to drinkers. A study in Canada has shown that alcohol warning labels are effective in increasing awareness of health risks and guidelines,³ and can even contribute to reduced consumption.⁴ Health warnings on tobacco packaging have increased knowledge of the health effects of smoking and intentions to quit smoking, and reduced consumption and the likelihood of smoking uptake.^{5, 6}

People can unknowingly raise their calorie intake by drinking alcohol, with 75% of the public not knowing the calorie content of drinks.⁷ On average, men consume 1,100 calories per week and women on average consume 810 calories from drinking, likely contributing to levels of

overweight and obesity.⁸ Without clear nutritional information, the sugar content of alcohol is also largely unknown to consumers and can pose a risk to health.⁹

The current voluntary labelling system is not working

Reports show that industry has not taken the steps required to ensure that all health-related information is easily found on alcohol products,¹⁰ perpetuating low public awareness on alcohol health harms. A review into alcohol labelling in the UK in June 2022 found that more than a third (35%) of products failed to display current drinking guidelines and 97% did not warn of the dangers to health from drinking.¹¹ Only 5% of products in this study displayed full nutritional information, highlighting a significant gap in on-pack information available to consumers.

Labels commonly refer to industry-funded websites rather than official health advice^{12, 13} and often feature responsible drinking messages.¹⁴ However, such websites have been shown to misrepresent the evidence of the health harms of drinking,^{15, 16} and research has found that responsible drinking messages are strategically ambiguous and ineffective.^{17, 18}

It is not in the interests of industry to make health warnings, calorie, and nutritional information easily accessible to consumers.¹⁹ WHO Europe has found that voluntary labelling approaches are ineffective and fail to meet guidelines, with alcohol health information much further behind than provisions for warnings on tobacco and food in most European countries.²⁰

The public supports mandating health information on alcohol labels

Recent YouGov polling commissioned by NCD Alliance Scotland shows that people in Scotland support regulation requiring companies to provide more information on labels: 68% support including

health warnings; 69% support including nutritional information such as calories, salt and sugar; and 63% support including the Chief Medical Officer's weekly low risk drinking guidelines.²¹

Mandatory requirements for alcohol labelling have been introduced by other countries

A requirement for comprehensive and mandatory requirements on alcohol was introduced in Ireland under Section 12 of the Public Health (Alcohol) Ireland Act 2018. We urge the Scottish Government to introduce similar legislation.

This will allow the Scottish Government to align itself with other nations in Europe who are taking bold, progressive policy actions on alcohol labelling and reposition the Scottish Government once more as leaders in public health policy.

The Scottish Government would be supporting the right to informed decision making and protecting the health of consumers by holding industry to legal requirements on labelling and raising awareness of health risks from drinking, thus, closing the public knowledge gap around the dangers of alcohol.

The Scottish Government should set the parameters of how labelling information and health warnings appear on alcohol products and this should be monitored and enforced through an independent body.

Restrict the advertising and promotion of vaping products



NCD Alliance Scotland believes that the Scottish Government should bring forward legislation within this Parliament to create further restrictions on the advertising and promotion of vaping products to take account of new developments since the 2016 legislative provisions on which it recently consulted.

E-cigarettes and other nicotine products should only ever be used by smokers looking to quit. However, these products are currently primarily being marketed as recreational products. This marketing as a recreational product has the potential to create further harm through encouraging non-smokers and young people to take up vaping. Regulation on the marketing of these products is needed to help to control their marketing as a recreational product and ensure they are only used by smokers looking to quit.

There are recent reports that indicate that the uptake of vaping amongst children and young people is increasing. With the long-term impact of e-cigarettes unclear, there are concerns that an increase in young people using e-cigarettes could add to the burden of NCDs in the future, through the use of these products, as well as future movement to use smoked tobacco.

There are concerns about e-cigarette advertising targeting non-smokers and children and young people

There are significant concerns about the current marketing of e-cigarettes and its attractiveness to children and young people. A report from Cancer Research UK, published in 2021, found

that between 2017 and 2019, the percentage of young people noticing e-cigarette promotion increased from 21.6% to 25.2%, with the biggest area of marketing noticed billboards and posters, with 37.9% of young people noticing marketing in the 2019 sample.¹

The WHO has recently stated that it “is concerned that children who use these products are up to three times more likely to use tobacco products in the future”.²

Advertising and branding of e-cigarettes is being designed to be attractive to children and young people. A 2022 report from The Society of Chief Officers of Trading Standards in Scotland, indicated the use of product names prohibited by the UK Tobacco and Related Products (TARP) regulation are common. The project discovered that there were several products being sold which had flavour names which used the word “Energy” such as “Energy Burst,” “Strawberry Energy,” and “Energy Ice”.³ Bright colours and cheap prices, plus the recent widespread availability of disposable vaping products, are also fuelling youth uptake.

To meet the Scottish Government’s tobacco free generation target by 2034, over 530,000 people in Scotland would need to be supported to quit or not take up smoking or relapse.⁴

Whilst e-cigarettes are not available on NHS prescription, they are widely used by people quitting smoking. It is important that those selling e-cigarettes, many of which also sell tobacco products, and use displays designed and paid for by tobacco companies to sell e-cigarettes and related products, are not able to market them at non-smokers, especially young people.

The *Determining the Impact of Smoking Point of Sale Legislation Among Youth (DISPLAY)* study,⁵ which measured the impact of the point-of-sale tobacco display ban on young people in Scotland, found that young people's awareness of tobacco products was once prominent but has now largely faded following the ban. However, it also showed that young people's knowledge and awareness of e-cigarettes became "prominent and ubiquitous" in the retail environment and suggested that e-cigarette advertising was undermining the positive impacts of the tobacco point of sale ban. The research found that young people recall seeing e-cigarette displays in retail outlets, and that this visibility was associated with them experimenting with these products.

Scottish Health survey figures from 2019 show that 7% of adults in Scotland currently use e-cigarettes with three per cent of adults reporting that they currently use both e-cigarettes and conventional cigarettes (dual users). E-cigarette use is also associated with deprivation, with current e-cigarette use higher in the most deprived than the least deprived areas (10% compared to 4%), and dual use also higher in the most deprived areas than the least deprived areas (4% compared to 1%).⁶

The most recent 'Smoking in Scotland' data release from 2021 shows 72 per cent approval for restricting e-cigarette advertising to prevent uptake by young people.⁷ Polling by YouGov from March 2022, commissioned by NCD Alliance Scotland, found that 78% of adults supported a ban on advertising on tobacco and recreational nicotine products.⁸

The companies who produce cigarettes, many of which are owned by the tobacco industry, are using marketing to target non-smokers and young people. NCD Alliance Scotland are concerned about any attempt to use marketing to attract children and young people to use e-cigarettes. Therefore, it is important that actions are taken to tackle these practices.

Make the tobacco control register conditional



NCD Alliance Scotland is calling for legislation to add conditions to the tobacco control register within this Parliament. These conditions would allow trading standards and local authorities to take action more easily against retailers who sell these products to people under the age of 18 and could help keep tobacco and nicotine products out of the hands of children and young people.

Businesses that sell tobacco and nicotine products must join the Register of Tobacco and Nicotine Vapour Products Retailers. This register was designed to ensure that retailers do not sell tobacco or nicotine vapour products (NVPs) – like e-cigarettes – to young people under the age of 18. However, past registering their business on the register, there are no further requirements for retailers to remain on the register and it can be difficult for trading standards and local authorities to take action against retailers who break age restriction laws.

A conditional register would also provide a statutory mechanism to allow for the addition of future measures on the sale of vaping and tobacco related products agreed as regulations, allowing for more agile response to novel nicotine products as Scotland continues towards its goal of a tobacco free generation by 2034.

A conditional register could streamline enforcement of existing tobacco control measures

Evidence from the Society of Chief Officers of Trading Standards in Scotland (SCOTSS) indicates that some retailers do not exercise enough diligence when selling these products and repeatedly fail test purchases.^{1,2} There are also issues with the enforcement of existing legislation. Under the current system, a local authority can apply to the courts to have the retailer banned from selling these products for up to 12 months if they are found to be in breach of legislation three times within a two-year period. In practice this system is too burdensome and too easily challenged.

Making the register conditional – where a condition of membership is adhering to age restriction laws – could streamline this process by giving local authorities the power to remove sellers who are found persistently in breach of the law without having to go through the courts.

A conditional register would allow quick action on novel vaping and tobacco related products

In addition to improving the enforceability of existing legislation, a conditional register could provide a mechanism for introducing new measures on the availability and price of tobacco and nicotine products without the need for further legislation. This would allow Scottish Government to respond more quickly to developments and issues as they emerge, which would be particularly useful in relation to the growing and evolving market for vaping products.

For example, we have seen recent evidence of an increase in the use of disposable vapes amongst young people³ and incidences of them being sold to people under the age of 18.⁴

A conditional register could also help minimise disruption to sellers when new measures are introduced. A study by Cancer Research UK suggests that tobacco retailers found the register useful for keeping informed of policy changes and ensuring that they are compliant with the relevant regulation.⁵ However, the recent rise in availability of disposable vaping products includes retail premises such as hairdressers and gift shops that did not traditionally sell tobacco or nicotine products.

The NCD Alliance Scotland believes that introducing a conditional register could help improve the enforceability of existing regulation and give Scottish Government the flexibility it needs to introduce and debate regulations to close loopholes and respond quickly to issues as they emerge without the need for additional legislation.

The public support stronger and more effective action on tobacco control measures

A conditional tobacco register would play a crucial role in ensuring more effective and stricter enforcement against those who breach rules for the sale of tobacco and nicotine products and provide protection for the next generation. This measure is overwhelmingly supported by the public. A poll by YouGov in March 2022, commissioned by NCD Alliance Scotland found that 82% of Scottish adults support stricter enforcement and fines for retailers selling tobacco and nicotine products to those underage, a measure that could be made possible through a conditional register enabling regulations passed by Parliament to be implemented.⁶

Introduce automatic uprating of the minimum unit price for alcohol



NCD Alliance Scotland recommends that the Scottish Government uprates the minimum unit price for alcohol (MUP) to at least 65p per unit now and introduces a mechanism to automatically uprate the price to ensure alcohol does not become more affordable in future by pegging it to a set level of affordability. This will optimise the effectiveness of MUP in saving and improving lives.

Scotland was the first country in the world to implement minimum unit pricing for alcohol, introducing a 50p MUP in 2018 to reduce alcohol consumption and related health and social harms. MUP was introduced with a 'sunset clause', meaning that it will expire by 30th April 2024 unless the Scottish Parliament vote in favour of the policy remaining in place.

MUP is currently under review by the Scottish Government. Evidence from the evaluation led by Public Health Scotland so far has shown that that MUP has been effective in reducing the consumption of alcohol, particularly amongst heavier drinkers. There are positive indications that this has translated into effects on health harms.

Evidence base

It is well established that regulating the price of alcohol is an effective way to reduce the harm caused by alcohol consumption.¹ Increasing the price of alcohol is recognised by the World Health Organization (WHO) as one of the most effective methods of reducing alcohol consumption and harm.²

MUP is being thoroughly evaluated under the Monitoring and Evaluating Scotland's Alcohol Strategy (MESAS) programme, overseen by Public Health Scotland. Evidence so far indicates that leading up to the start of the pandemic, MUP had the intended effect of reducing alcohol consumption and alcohol-related harms: off-trade per adult alcohol sales reduced by 3.5% in the first year of MUP,³ to the lowest level in 26 years.⁴ Alcohol-specific deaths reduced by 10% in the first full year after MUP was introduced (the lowest level since 2013),⁵ and there was a small reduction in hospital admissions from liver disease in each of the first two years of the policy.⁶

Evidence also suggests that MUP is having the intended effect of targeting people who drink the most and who are most likely to experience harm. Reductions in household alcohol purchases have been observed most in households that bought the most alcohol before MUP.^{7,8} The greatest impact has been on sales of cheap, high-strength products such as strong white cider,^{9,10} own brand vodka and gin, and super-strength lager, drinks favoured by the heaviest drinkers at most risk of harm.¹¹

In addition, there have been high levels of compliance by retailers with no significant impacts on alcohol producers or sellers.^{12, 13} Studies have consistently found little evidence of unintended negative consequences, such as increased cross-border purchasing¹⁴ or increased use of non-beverage alcohol or illicit drugs.^{15, 16} Over 70% of the public are either neutral or in favour of MUP, with support for the policy having grown over time.¹⁷

Call for action

Despite recent reductions, alcohol consumption and harm remain stubbornly high in Scotland. 1 in 4 people are drinking at hazardous or harmful levels, increasing their risk of being involved in an accident, being involved in violence, or may lead to longer-term heart conditions such as heart disease, stroke, cancer and liver disease.¹⁸ Alcohol causes 3,700 deaths a year in Scotland; nearly 1 in 15 of all deaths.¹⁹ More than a quarter of these are due to cancers including of the breast and bowel.²⁰

Although we do not yet know the full impact of the pandemic on people's drinking habits and alcohol-related health problems, there was a tragic 17% rise in alcohol-specific deaths in Scotland in 2020 compared to the previous year.²¹ Indications from across the UK are that despite an overall decrease in population consumption during the pandemic,²² there has been an increase in the prevalence of risky drinking and increased consumption among risky drinkers.^{23, 24} This indicates that any initial health gains made by MUP may have been eroded due to the pandemic.²⁵

Minimum pricing is an important component of Scotland's alcohol strategy to reduce our high levels of alcohol consumption and harm. However, as highlighted by the WHO, minimum pricing policies must be regularly reviewed and revised to maintain and maximise their effectiveness.²⁶ Evidence from Canada suggests that ad hoc and inconsistent reviews of the MUP often mean the level at which it is set loses impact, which erodes its ability to regulate cheap alcohol and reduce health harms.²⁷

In Scotland, the effect of the current 50p minimum price has likely been significantly eroded by inflation since the policy was approved by the Scottish Parliament in 2012. Based on the retail price index, a minimum unit price of 50 pence in 2012 was equivalent to 70p in June 2022. The proportion of products affected by MUP has reduced over time, from 60% in 2012 when the legislation was passed²⁸ to 44% in April 2018 when the policy was introduced.²⁹

In line with WHO advice,³⁰ **NCD Alliance Scotland urges the Scottish Government to embed the adjustment of the minimum price into legislation, automatically increasing the MUP to ensure alcohol does not become more affordable by pegging it to a set level of affordability.** This has been done in the Ontario province in Canada, where off-trade minimum prices are automatically increased.³¹ Introducing an automatic uprating of MUP would optimise the effectiveness of the policy in reducing alcohol consumption and harm. Conversely, **failure to act will render alcohol more affordable and erode the gains made in preventing alcohol harm since MUP was first introduced.**

Further restrict the display and promotion of alcohol in shops so it is only visible to those seeking to browse or purchase alcohol



NCD Alliance Scotland are recommending that the Scottish Government legislate within this Parliament to restrict the display of alcohol products and advertisements in retail outlets, so they are only visible to those seeking to browse or purchase alcohol.

Levels of alcohol consumption and related harms in Scotland remain consistently high. 7 in 10 children have gotten drunk at least once by the age of fifteen¹ and around a quarter of adults drink at levels that put their health at risk.² There are over 3,700 deaths each year from alcohol (nearly 1 in 15 of all deaths).³ Considering the 17% increase in alcohol specific deaths in 2020,⁴ the Scottish Government have recognised alcohol harm in Scotland as a public health emergency.⁵

The widespread availability of alcohol makes it easy to obtain and establishes a message that regular alcohol consumption is normal. Scottish licensing laws currently restrict the display and promotion of alcohol in shops to a single display area, in an attempt to ensure that shoppers only encounter alcohol displays or promotions when they have a conscious intention to browse or select an alcohol product.⁶ However, these restrictions still allow for alcohol to be located in highly visible parts of a store.

It is imperative further action is taken to make alcohol products less visible for children, people in recovery, and those without the intention of browsing or purchasing alcohol, to reduce alcohol consumption and alcohol-specific harm.

The placement of alcohol in shops normalises its everyday use

Retailers place alcohol strategically throughout a store to increase its visibility, including on busy routes, in central aisles, beside essential items, or near the checkouts. In small shops, such as local convenience stores, alcohol is very often located behind the till, making it inevitable that every customer will see it. Point-of-sale promotions, such as price promotions, are common; for example, 25% of the alcohol in larger chain supermarkets was sold on promotion in 2021.⁷

How alcohol is displayed and promoted in shops and supermarkets influences purchasing behaviours. Displaying alcoholic drinks at the end of aisles has been shown to uplift sales in supermarkets by up to 46%.⁸ Point-of-sale promotions can lead to increased impulse purchases,⁹ likely affecting overall levels of alcohol consumption.¹⁰

Children in Scotland regularly see alcohol products and promotional activity in the retail environment.¹¹ This is significant because exposure to alcohol marketing is a cause of youth drinking;¹² it leads young people to start drinking earlier, to drink more if they are already drinking, and to drink at heavy or problematic levels.^{13, 14}

For example, exposure to alcohol displays in shops has been shown to predict the age of drinking onset for 13-year-olds.¹⁵

The retail environment is a particular challenge for people in recovery, with the display and promotion of alcohol a common environmental trigger.^{16, 17} A report by Alcohol Focus Scotland highlighted how an individual recovering from an alcohol problem had “relapsed a couple of times because of queuing next to it”.¹⁸ Many people report actively avoiding the alcohol aisles in bigger stores, as well as small shops where alcohol is often located behind the till, for fear it may trigger them to drink.^{19, 20}

Taking action on the display of alcohol

Restricting the display and promotion of alcohol in shops and supermarkets to those with intentions of browsing or purchasing alcohol products can be achieved by having a designated area for alcohol separated from the rest of the store by an appropriate physical barrier and ensuring that alcohol display areas are not visible from outside the shop. We recommend for smaller retailers who may find it difficult to separate alcohol products that alcohol should be kept behind the till point but concealed, like tobacco products.

Some countries already have in place means of limiting visibility in physical stores. Since November 2020, all mixed-trade retailers in Ireland have been required to physically separate alcohol products from other grocery items. South Australia has a ‘shop within a shop’ model where alcohol is kept separate from the rest of the shop. Estonia’s legislation states alcohol drinks must be placed separately from other goods, not visible from the rest of the store or outside; this resulted in a 15% decrease in the visibility of alcohol and halved the proportion of impulse buyers.²¹

Similar policies for other unhealthy products have been successfully implemented across the UK. The tobacco display ban was followed by a reduction in smoking susceptibility among adolescents,²² and English supermarkets with a policy not to locate confectionary, chocolate and crisps at checkouts saw a 15% reduction in sales of these products still present after a year.²³

The majority (69%) of the public support restrictions on how alcohol is displayed to make alcohol less visible in shops.²⁴ Children and young people in Scotland have expressed a desire for the visibility of alcohol promotion in and around shops to be addressed,^{25, 26} with primary school children (aged 9–11) calling for alcohol to be sold in adult-only sections of shops, separate rooms in regular shops, and supermarkets dedicated to alcohol sales.²⁷ People recovering from an alcohol problem have also called for change;^{28, 29} for example one interviewee in the study stated, “I would like to see more consistency and at the very least alcohol being hidden in the back corner, this would make things easier”.