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| MINUTES | **Ref: NWG/24/026** |
| **Meeting date: 19 March 2024** | |
| **Group Meeting: Nutrition WG meeting** | |
| **Location: Teams** | |

**ATTENDEES**

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| Hayley Marson | Morrisons |
| Neil Spreadbury | Iceland |
| Grace Ricotti | Marks & Spencer |
| Ellie Howard | Asda |
| Sophie Rose | Asda |
| Fleur Key | Costa |
| Bryonie Hollaert | Co-op |
| Laura Farrell | Tesco |
| Nina Robins-Clark | Lidl |
| Sophie Finn | Amazon |
| Ellie Bain | Sainsbury’s |
| Emer Lowry | Waitrose |
| Amanda Gillies | Spar |
| Orla Prendiville | Starbucks |
| Katie Hipwell | Starbucks |
| Tony Cragg | Starbucks |
| Charlie Parker | Ocado |
| Jessica Martin | McDonalds |
| Caroline Trotman | Aldi |
| Helen Allan | Dominos |
| Alexandra Howard | Krispy Kreme |
| Andrea Martinez-Inchausti | BRC |

1. **FDTP**

Companies which are part of the FDTP health group have been asked to do some homework which encompasses having to test the criteria set for the few metrics which are actively being considered. These companies have to feedback by 2 April. The two reps in that groups, which also attend the nutrition WG, were unable to attend the meeting but recommended we set up a separate meeting to go through the proposals so members can give feedback.

ACTION: A meeting date to be set up.

1. **HFSS**

The Scottish Government has launched a consultation on detail elements of the implementation of their future HFSS legislation. SRC/BRC organised a meeting to have the first discussion about our response. We are now drafting a response which will be shared with members for comments shortly. One thing to point out, which was discussed extensively at the meeting is the fact that they are proposing the out of home sector is in scope of the provisions. There are quite a few questions due to the manner in which the text is written. For example, if the seating area in the store is exempt from the area which should count toward the included floor area, most out of home establishments will be below 2000 sqf. Workplace canteens are listed as being in scope, but many are run by a contractor. How should it be established if the company has more or less than 50 employees – on the named company, or on the contractor who runs it? We will be asking those questions in our response.

Andrea had a catch up with the Welsh Government. They have not been in touch before because the first Minister had put freeze on policy developments due to financial pressures.

They are working towards the detail they will be consulting on in the next few months. They are looking closely at the Scottish consultation but there is a main point of difference in their thinking. They are currently not considering including out of home businesses in scope, but they are considering including loose foods in scope.

Both Governments have made their intention to include meals deals in scope clear. The Scottish consultation provides 3 options on how to restrict meal deal. A fourth option is being considered by the Welsh Government. While our response to the consultation will push back on ready meals being included strongly, it is worth having an understanding of what option will be less challenging.

ACTION: Table to be shared with options so members can work out the practicalities, pros and cons of the options proposed.

1. **FOLIC ACID**

The summary of responses and government response to the amendment to the Bread and Flour Regulations which will require the fortification of flour with folic acid, were published a few months ago. The draft regulation is now with WTO. DEFRA is aiming to lay the draft law in Parliament before the summer recess. The law comes into force on 1 October 2024 and has to be complied with by 1 October 2026.

As previously discussed, the only way of making it work is by either underdeclaring folic acid or overdeclaring it on pack. DEFRA and the devolved administrations are not going to provide any official pragmatism of implementation. We are having a discussion about with local authorities at the next supermarket primary authorities meeting on 9 April.

On voluntary fortification, at a recent meeting with DHSC it was agreed they will confirm their position supporting margarines and breakfast cereals to continue to be voluntarily fortified.

BRC has to write to them, and they will respond to that letter. Members asked to include a question about levels expected in voluntary fortification. Some thought we had agreed 15% of the RDA but some cereals have higher levels. On margarines, we would also ask about the expectation for voluntary fortification of vitamin A and D.

1. **McCance**

Andrea will write to members asking for comments on how members use McCance data - what are the categories for which it is main used and therefore what should be prioritised on an update. This is preparation for a meeting with Quadram.

1. **UPF Parliamentary enquiry**

The group briefly discussed the House of Lords Food, Diet and Obesity Committee enquiry into Food, Diet and Obesity with a strong focus on ultraprocessed foods. So far, the evidence provided has been very unbalanced. The industry is coming out of this poorly. Minister Andrea Leadsom will be providing evidence towards the end of the enquiry. The FSA chief scientist and SACN’s chair have also been put forward to give evidence. BRC will be submitting written evidence (members asked for this to be shared for comments). A handful of members have been asked to give oral evidence. They have all contacted BRC and ask we give evidence instead. We have written to the clerk requesting this. We are waiting for a response.

Andrea explained a senior corporate affairs colleague had got in touch with BRC and concerned with the lack of balance in the debate has suggested a CEO meeting on UPF. There was some concern about this suggestion amongst nutritionists. CEOs do not understand the details and we do not want them making promises which are not practical. It feels we are in a melting point, but we have been here before with other issues. One of the concerns is that the experts who would speak authoritatively against UPFs have decided to stop talking because it is time consuming, and it is getting them nowhere.

1. **MINCEMEAT**

The group discussed whether we could reach consensus on mincemeat being HFSS or not. There were some compelling arguments for exempting it – all other cake and pie components are exempt. However, some members noted that the definition of category 9 includes fruit fillings.

1. **NEXT MEETING**

Members were supportive of a meeting in person. Andrea will gather views on what will work for the majority – the April or the May date.