# Fewer than one in ten UK food businesses ready for HFSS advertising ban despite looming restrictions



Many UK food and beverage establishments, especially pubs, bars, and restaurants, are grappling with the impending changes in advertising regulations concerning foods high in fat, salt, and sugar (HFSS). Recent confirmation from the Government has extended the deadline for the implementation of the Less Healthy Food (LHF) regulations to January 2026. However, a voluntary commitment by 20 leading organisations—representing advertisers, broadcasters, and online platforms—will see restrictions coming into play this October.

New research from the creative marketing agency Linney highlights a concerning trend: fewer than one in ten food and beverage businesses have completed the necessary preparations for compliance with the LHF regulations. Only 8.8% have fully adapted their marketing strategies, while a significant 6.4% remain unclear about the specifics of what the legislation entails. Alarmingly, just 43.6% of the businesses surveyed reported feeling “very confident” about their readiness, with confidence notably trailing among operators within the pub and restaurant sectors, indicating a pressing need for further support.

The LHF legislation is a crucial component of the Government's broader strategy to combat rising obesity rates in the UK. This initiative will prohibit television advertisements for HFSS foods before 9 p.m. and impose restrictions on all paid online advertisements for such products. Almost half of the businesses surveyed by Linney reported plans to alter their promotional strategies in response to these upcoming regulations. Over 41% also indicated intentions to redesign their point of sale or modify their product offerings to ensure compliance.

Despite widespread awareness of the LHF legislation—with 92.4% of respondents indicating familiarity—only 14% stated they fully understood it. This knowledge gap was particularly pronounced among older respondents and employees in the pub and restaurant sectors. Jonathon Rhodes, co-director at Linney, expressed cautiously optimistic sentiments regarding the survey findings, noting the potential for businesses that act now to not only ensure compliance but also position themselves advantageously against competitors.

While many businesses still struggle with compliance, the survey reveals a strong recognition of the importance of such regulations, with 64% of respondents believing that these changes will contribute positively to public health. However, this optimism is coupled with apprehensions regarding food accessibility; 70% of those surveyed voiced concerns that compliance could inadvertently hinder access to affordable food and drink options, reflecting the complex challenges the industry faces as it strives to balance health initiatives with consumer affordability.

The delay in the implementation of regulations may provide a temporary reprieve for businesses, allowing them to adapt more thoughtfully to the evolving landscape of food advertising. Initially set to come into force in October 2025, the guidelines underwent revisions after lobbying from food businesses and broadcasters; they raised concerns about brand promotions potentially being unduly impacted by the restrictions. Nevertheless, the Department of Health remains steadfast in its commitment to combating childhood obesity, underscoring the necessity for regulatory frameworks that will dictate advertising practices around unhealthy food products.

As businesses navigate these changes, they have the opportunity not only to comply with new standards but to enhance their operational agility and align more closely with evolving consumer expectations. By anticipating the impact of these regulations early, establishments can foster an environment that prioritises public health while addressing affordability, ultimately ensuring a sustainable future for both their business and their clientele.

## Reference Map:

* Paragraph 1 – [[1]](https://www.decisionmarketing.co.uk/news/pubs-and-bars-struggling-to-get-in-shape-for-lhf-ban), [[2]](https://www.ft.com/content/a4a5d5f8-a3b7-4073-a41d-01fd23581d64)
* Paragraph 2 – [[1]](https://www.decisionmarketing.co.uk/news/pubs-and-bars-struggling-to-get-in-shape-for-lhf-ban), [[5]](https://www.iabuk.com/news-article/whats-happening-hfss-ad-ban-0), [[6]](https://www.ofcom.org.uk/tv-radio-and-on-demand/advertising/regulation-of-less-healthy-food-and-drink-advertising)
* Paragraph 3 – [[3]](https://www.gov.uk/government/publications/health-and-care-bill-factsheets/health-and-care-bill-advertising-of-less-healthy-food-and-drink), [[4]](https://www.gov.uk/government/collections/less-healthy-food-or-drink-advertising-and-promotions-restrictions), [[7]](https://www.asa.org.uk/news/new-rules-on-ads-for-less-healthy-food-and-drink-products.html)

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.decisionmarketing.co.uk/news/pubs-and-bars-struggling-to-get-in-shape-for-lhf-ban> - Please view link - unable to able to access data
2. <https://www.ft.com/content/a4a5d5f8-a3b7-4073-a41d-01fd23581d64> - The UK government has announced a delay in implementing a ban on junk food advertising before 9pm, originally scheduled to take effect on October 1, 2025. The postponement, now extending the enforcement to January 5, 2026, aims to allow changes in guidance so that pure brand advertising—such as using company names without promoting specific high-fat, salt, or sugar (LHF) products—can be excluded from the ban. The delay follows lobbying from food brands and broadcasters, who argued that the initial interpretation by the Advertising Standards Authority (ASA) threatened brand promotions even when unhealthy products were not featured. While all major retailers have agreed to voluntarily abide by the 9pm restriction from October, health advocates are likely to criticise the revised approach, fearing that brand advertisements could still influence children. The Department of Health emphasised the public health necessity of tackling childhood obesity and confirmed that from January 2026, there will be a legal obligation preventing LHF product ads before 9pm on TV and anytime online.
3. <https://www.gov.uk/government/publications/health-and-care-bill-factsheets/health-and-care-bill-advertising-of-less-healthy-food-and-drink> - The Health and Care Bill introduces a 9pm watershed for advertising of less healthy food or drink on TV, and a restriction on paid-for advertising of less healthy food or drink online, simultaneously, from 1 January 2023. All on-demand programme services (ODPS) under the jurisdiction of the UK, and therefore regulated by Ofcom, will be included in the TV watershed. Other ODPS will be subject to the online restriction because they are not regulated by Ofcom. This policy will be implemented UK-wide. The restrictions will only apply to advertising of identifiable less healthy food and drink products that are of most concern to childhood obesity. A 2-stage approach will be used to determine whether or not a product is less healthy. The TV watershed prohibits advertising of less healthy food and drink on TV between 5:30am and 9pm. The online paid-for advertising restriction prohibits paid-for advertising of less healthy food and drink products online at any time. Exclusions and exemptions from the TV watershed and online paid-for advertising restriction include brand advertising (online and 9pm watershed) and small medium enterprises (SME) (online and 9pm watershed).
4. <https://www.gov.uk/government/collections/less-healthy-food-or-drink-advertising-and-promotions-restrictions> - The UK government has introduced new restrictions on the advertising and promotion of less healthy food or drink, also known as foods high in fat, salt or sugar (HFSS). These include a 9pm watershed for less healthy food or drink advertising on TV, including all on-demand programme services (ODPS) under UK jurisdiction and regulated by Ofcom, and a total restriction on paid-for advertising of less healthy food or drink online, including non-Ofcom regulated ODPS and internet protocol television (IPTV). The restrictions take effect from 1 October 2025. The restrictions apply to advertising of identifiable less healthy food and drink products that are of most concern to childhood obesity. The TV watershed prohibits advertising of less healthy food and drink on TV between 5:30am and 9pm. The online paid-for advertising restriction prohibits paid-for advertising of less healthy food and drink products online at any time. Exclusions and exemptions from the TV watershed and online paid-for advertising restriction include brand advertising (online and 9pm watershed) and small medium enterprises (SME) (online and 9pm watershed).
5. <https://www.iabuk.com/news-article/whats-happening-hfss-ad-ban-0> - In 2022, Parliament passed the Health and Care Act, which included new restrictions that prohibit paid-for online ads for 'less healthy' food and drink products. The new restrictions were introduced as part of a wider Government push to tackle perceived drivers of childhood obesity. Less healthy products are a subset of products classified as high fat, salt or sugar (HFSS), which have all been subject to dedicated restrictions in the UK Advertising Codes since 2007. The less healthy product rules constitute a new prohibition on this subset of HFSS products. The new less healthy product rules will apply in addition to CAP and BCAP’s existing HFSS rules. The Government’s original intention was to bring these new ‘less healthy’ advertising restrictions into force in early 2023. However, the implementation date was delayed several times because the relevant secondary legislation – which provides crucial clarity on how the ban will work in practice - had not been passed into law. As it stands, the ban is due to come into force on 1 October 2025.
6. <https://www.ofcom.org.uk/tv-radio-and-on-demand/advertising/regulation-of-less-healthy-food-and-drink-advertising> - Between 21 February and 21 April 2023, Ofcom consulted on proposals for implementing new statutory restrictions on advertising and sponsorship for less healthy food and drink products. The Health and Care Act – which received Royal Assent on 28 April 2022 – amended the Communications Act 2003 to introduce new restrictions on advertising and sponsorship for certain food and drink products that are high in fat, salt or sugar (HFSS). These new restrictions apply to advertising on Ofcom-regulated TV and on-demand programme services (ODPS) and also online. The restrictions: prohibit TV services from including advertising and sponsorship for less healthy food and drink products between 5.30am and 9pm; prohibit ODPS from including advertising and sponsorship for less healthy food and drink products between 5.30am and 9pm; and prohibit paid-for advertisements for less healthy food and drink products that are aimed at UK users from being placed online at any time. These restrictions take effect from 1 October 2025. Ofcom is the statutory regulator with responsibility for advertising on TV and ODPS. Our consultation proposed to: designate the Advertising Standards Authority (ASA) as a co-regulator for the new prohibition on advertising for less healthy food and drink products in paid-for online space; and amend the Broadcast Committee of Advertising Practice (BCAP) Code and the Broadcasting Code to reflect the new restrictions that apply to advertising and sponsorship on TV.
7. <https://www.asa.org.uk/news/new-rules-on-ads-for-less-healthy-food-and-drink-products.html> - Today, we’re issuing a consultation on the implementation of new rules further limiting food and drink advertising to children on TV, and in on-demand programme services (ODPS) and paid online ad media. In 2022, the UK Government introduced legislation mandating additional restrictions on ads for 'less healthy' food and drink products aiming to further mitigate the potential impact of advertising on children’s dietary choices. Ofcom is the statutory body responsible for the new restrictions and the ASA has been appointed as the frontline regulator. Rules reflecting the new restrictions will be incorporated into the UK Advertising Codes. The new less healthy product rules will come into effect from October 2025. They will prohibit ads for identifiable less healthy products from being included in Ofcom-regulated TV services and ODPS between 5:30am and 9:00pm, and from being placed in paid-for space in online media at any time.