SDIL Review – Response from Action on Salt and Action on Sugar based at Queen Mary University of London

Action on Salt
Action on Salt (formerly Consensus Action on Salt & Health, CASH) is an organisation supported by 24 expert members and working to reduce the salt intake of the UK population to prevent deaths, and suffering, from heart disease, stroke, kidney disease, osteoporosis and stomach cancer.

Action on Sugar
Action on Sugar is a group of experts concerned with sugar and obesity and its effects on health. It is working to reach a consensus with the food industry and Government over the harmful effects of a high calorie diet, and bring about a reduction in the amount of sugar and fat in processed foods to prevent obesity, type 2 diabetes and tooth decay.

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A) SDIL's current operation	
1. Pricing	Different manufacturers and retailers have taken varied approaches to pricing the same soft drink brands. Furthermore, the final retail pricing is at the discretion of individual retailers, who may adjust their margins for reasons unrelated to the actual costs of the SDIL. Some retailers have also chosen to highlight the levy's impact on pricing through price signposting. This is particularly evident on Sainsbury's website for Belvoir brand products[1], which contain between 5-8g sugar per 100ml, but not for other brands with higher sugar content, such as Coca-Cola Original Taste. This raises the question of whether an agreement exists between Sainsbury's and Coca-Cola to absorb the levy's cost, whereas no such agreement appears to be in place for Belvoir, resulting in the cost being passed on to consumers. We also refer to HMT to the analysis of industry responses done as part of the SDIL evaluation, including the paper on initial changes in price observed at the time of introduction[2].

[1] Sainsbury's Belvoir Raspberry Lemonade 750ml (Sugar levy applied). n.d. Available online at https://www.sainsburys.co.uk/gol-ui/product/belvoir-raspberry-lemonade-750ml

[2] Luick M, Bandy LK, Harrington R, Vijayan J, Adams J, Cummins S, Rayner M, Rogers N, Rutter H, Smith R, White M, Scarborough P. The impact of the UK soft drink industry levy on the soft drink marketplace, 2017-2020: An interrupted time series analysis with comparator series. PLoS One. 2024 Jun 6;19(6):e0301890. doi: 10.1371/journal.pone.0301890.

2. Health impact	There are several studies that link the SDIL to sugar reduction and positive health outcomes. • A study published in 2017 on energy drinks found 10% reduction in sugar in products through reformulation between 2015, after the announcement of the SDIL and 2017, before SDIL was enforced[3]. • A study published in 2019 showed sugar in carbonated drinks had decreased by 42% in the same products between 2014 and 2018[4], through reformulation. • Another study, published in 2023 on the first year of implementation of the levy, found the average household purchased 8g less sugar per week[5]. These levels of sugar reduction were mainly achieved through product reformulation and by shifting customers towards lower sugar options. • A study published in 2025, has shown that the SDIL is associated with a 7.5g per week reduction in average household sugar consumption in the second-year post introduction (to November 2019)[6]. Effects on sugar purchased were greatest in those with the highest pre-SDIL purchasing levels (70g/week reduction in low-income households and 56g in those with children). Therefore, the SDIL may contribute to reducing dietary inequalities.

[3] Hashem KM, He FJ, MacGregor GA. Cross-sectional surveys of the amount of sugar, energy and caffeine in sugar-sweetened drinks marketed and consumed as energy drinks in the UK between 2015 and 2017: monitoring reformulation progress. BMJ Open. 2017 Dec 14;7(12):e018136. doi: 10.1136/bmjopen-2017-018136.

[4] Hashem KM, He FJ, MacGregor GA. Labelling changes in response to a tax on sugar-sweetened beverages, United Kingdom of Great Britain and Northern Ireland. Bull World Health Organ. 2019 Dec 1;97(12):818-827. doi: 10.2471/BLT.19.234542.

[5] Rogers NT, Pell D, Mytton OT, Penney TL, Briggs A, Cummins S, Jones C, Rayner M, Rutter H, Scarborough P, Sharp S, Smith R, White M, Adams J. Changes in soft drinks purchased by British households associated with the UK soft drinks industry levy: a controlled interrupted time series analysis. BMJ Open. 2023 Dec 5;13(12):e077059. doi: 10.1136/bmjopen-2023-077059.

[6] Nina Trivedy Rogers, Steven Cummins, David Pell, Harry Rutter, Stephen J Sharp, Richard D Smith, Martin White, Jean Adams - Changes in household purchasing of soft drinks following the UK soft drinks industry levy by household income and composition: controlled interrupted time series analysis, March 2014 to November 2019: BMJ Nutrition, Prevention & Health 2025;:e000981. **https://nutrition.bmj.com/content/early/2025/01/16/bmjnph-2024-000981**

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Three studies published in 2023 and 2024, showed associations between the introduction of the SDIL and reductions in obesity prevalence for 10–11-year-old girls[7], reduction of hospital admissions for carious tooth extraction in children[8] and childhood hospital admissions for asthma in England[9].
In a study published in 2024, found the SDIL reduced sugar from purchased drinks in England by 15 g/household/week. The model predicted these reductions in sugar will lead to 3,600 fewer dental caries and 64,100 fewer children and adolescents classified as overweight or obese, in the first 10 years after implementation.[10] The changes in sugar purchasing and predicted impacts on health are largest for children and adolescents in the most deprived areas.

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<tr><td>3. SDIL's structure</td><td>We recommend the levy thresholds are adjusted to encourage further reformulation and reduction in consumption of sugar from soft drinks, with a lower threshold of 4g/100ml and the introduction of an upper tier of 10g/100ml:
<table>
<tr><th>Current Thresholds</th><th>Suggested Thresholds</th></tr>
<tr><td><5g/100ml: no levy</td><td><4g/100ml: no levy</td></tr>
<tr><td>5 – 8g/100ml: Lower Tier</td><td>4.1 – 6.9g/100ml: Lower Tier</td></tr>
<tr><td>>8g/100ml: Upper Tier</td><td>7-9.9g/100ml: Middle Tier</td></tr>
<tr><td></td><td>>10g/100ml: Upper Tier</td></tr>
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[7] Rogers NT, Cummins S, Forde H, Jones CP, Mytton O, Rutter H, Sharp SJ, Theis D, White M, Adams J. Associations between trajectories of obesity prevalence in English primary school children and the UK soft drinks industry levy: An interrupted time series analysis of surveillance data. PLoS Med. 2023 Jan 26;20(1):e1004160. doi: 10.1371/journal.pmed.1004160.

[8] Rogers NT, Conway DI, Mytton O, Roberts CH, Rutter H, Sherriff A, White M, Adams J. Estimated impact of the UK soft drinks industry levy on childhood hospital admissions for carious tooth extractions: interrupted time series analysis. BMJ Nutr Prev Health. 2023 Dec;6(2):243-252. doi: 10.1136/bmjnph-2023-000714.

[9] Rogers NT, Cummins S, Jones CP, Mytton OT, Roberts CH, Shaheen SO, Shah SA, Sheikh A, White M, Adams J. The UK Soft Drinks Industry Levy and childhood hospital admissions for asthma in England. Nat Commun. 2024 Jun 10;15(1):4934. doi: 10.1038/s41467-024-49120-4.

[10] Cobiac LJ, Rogers NT, Adams J, Cummins S, Smith R, Mytton O, White M, Scarborough P. Impact of the UK soft drinks industry levy on health and health inequalities in children and adolescents in England: An interrupted time series analysis and population health modelling study. PLoS Med. 2024 Mar 28;21(3):e1004371. doi: 10.1371/journal.pmed.1004371.

	This would bring the SDIL in line with the current nutrient profile model (NPM), as currently a drink with 4.6g of sugar per 100ml would be classed as 'less healthy' by the NPM, yet not be subject to the SDIL. Aligning the SDIL with the NPM would increase policy coherence and incentivise drinks manufacturers to further reduce sugar from their products, or raise additional revenue. This level is likely to be easily achievable by manufacturers, given a recent analysis found a median sugar content of 4.2g/100ml in sugar-sweetened soft drinks[11], which – while positive for health – will not lead to a large, sustained revenue. Therefore, to benefit both health and revenue, we also propose a new upper level of threshold of 10g - to address the market-leaders (primarily Coca Cola and Pepsi) who have stated that they will not reformulate their highly popular classic cola drinks. This new threshold would ensure those manufacturers who refuse to reduce sugar levels do not have an unfair advantage in the continued sale of excessively sugary drinks while other companies choose to commit to sugar reduction measures. In the first year of the introduction of the SDIL, many products, particularly own-label retailer products were reduced to below 5g sugar per 100ml. In recent years, further reductions have been made, to below 4.5g. In a quick analysis of 433 soft drinks products collected in 2023 from major supermarkets, we found 44 products contain ≥8g in sugar and 20 products between 5 and 8g/100ml. Several well-known soft drinks and energy drinks are in those higher levy thresholds, with many sold in 500ml bottles or cans, exceeding 50g of sugar per unit. Given these findings, we support measures that further incentivise reformulation or impose higher penalties on brands that do not reduce sugar levels. This will then further maintain SDIL revenue flows, which the Government must invest in children's health. We also found, 65 products contained between 5-4.5g sugar per 100ml and 69 products contained 4- 4.4g sugar per 100ml. Lowering the entry threshold to 4.5g could encourage further reformulation or revenue generation. However, to drive further significant sugar reduction at the lower end, the threshold would need to be reduced to 4g per 100ml or lower.

[11] Scarborough P., Adhikari V., Harrington R., Elhussein A., Briggs A. et al. Impact of the announcement and implementation of the UK Soft Drinks Industry Levy on sugar content, price, product size and number of available soft drinks in the UK, 2015-19: A controlled interrupted time series analysis. PLoS Med 17(2): e1003025

	Further reductions in thresholds, will highly likely lead to reformulation, with a reduction in sugar intake, particularly among children and young people, reducing sugar's harm on health.
4. Improvements to SDIL	SDIL has been a success, as noted in our response to Q2, but the success can be pushed further as noted in the response in Q3. However, there are still other groups of products, as noted below, which should be included in the SDIL to encourage further sugar reduction or generate revenue. **Non-sugar Sweetener Drinks** Please refer to response in Q5. **Alcoholic Drinks** Excessive alcohol consumption has a damaging impact on health. In addition to this harm, alcohol contains seven calories per gram, and many alcoholic drinks contain added sugar which further contributes to calorie intake. Many alcoholic drinks, such as fortified wines, sherries, liqueurs and cider contain added sugar, plus many spirits are mixed with sugary soft drinks. There has been a notable rise in the number of premixed, often fruit flavoured and spirit based alcoholic soft drinks and pre-mixed cocktails on the UK market. Our research shows these pre-mixed spirits and cocktails can contain up to 9 teaspoons of sugar in just 250ml[12]. However, while a sugar-sweetened lemonade is subject to the SDIL, a pre-mixed can of lemonade and vodka is exempt. Furthermore, most alcoholic drinks do not display nutrition information, leaving consumers in the dark when it comes to sugar and calorie levels in these drinks. All alcoholic beverages should be subject to the same sugar reduction criterion as other sugary drinks, as set out by the SDIL. **Out of Home Milk-based Drinks** Out of home milk-based drinks need to be included in the SDIL to push further reformulation and innovation in the sector. Aligning policies on drinks across sectors is important, including to ensure consumer taste palettes are changed which in turn makes it easier for further reformulation and ensure a level playing field between the retail and out of home sectors, and consistent sugar reduction in all milk-based drinks. **Toddler and Growing Up Milks**

[12]Action on Sugar. Sugar content of ready-to-drink alcoholic drinks. n.d. Available at https://www.actiononsugar.org/media/actiononsugar/Alcohol-Survey-Report.pdf

	There is also a market growth in commercial toddler and growing up milks, aimed at children aged 12-18 months, contributing significant amounts of free sugars to their diets. NHS advice is that there is no evidence to suggest that toddler or growing-up milks provide extra nutritional benefits for young children. Furthermore, government guidance states that young children should avoid any sugar-sweetened drinks and food, but this industry is not regulated or included in any current government policy. Any future review or consideration of the scope of the SDIL should consider these types of unnecessary milks.
5. International comparisons	**Non-sugar Sweeteners Drinks** Some countries have started to incorporate non-sugar sweeteners into sugar reduction policies, for example: soft drink levies apply to high-sugar and non-sugar-sweetened drinks in France,[13] Saudi Arabia and United Arab Emirates[14]; the public health product tax in Hungary[15] has expanded to apply to the content of non-sugar sweeteners as well as sugar. In France, the government has adjusted their tax rates over time to reflect its health goals. Taxes on added sugar drinks are based on sugar content per hectoliter. The higher the sugar content, the higher the rate. In 2024, drinks containing less than 1 kg of sugar per hl was subject to 3.17 €/hl (increased to 3.50 €/hl on 01/01/2025) and drinks containing 15kg of sugar per hl was 24.78€/hl (increased to 27.34 €/hl on 01/01/2025). Tax rates on sweeteners are set at €3.17 per hectoliter (increased to 3.50 €/hl on 01/01/2025). When the product contains both added sugars and

[13] Fiscalead. French taxes on sugary drinks: A sweetener-free solution to support public health. 2024. Available at https://www.fiscalead.com/en/french-taxes-on-sugary-drinks-a-sweetener-free-solution-to-support-public-health/#:~:text=2.-,Tax%20rates,to%20reflect%20its%20health%20objectives.&text=Tax%20rates%20on%20sweeteners%20are,is%20subject%20to%20both%20taxes.

[14] Al-Jawaldeh A, Perucic AM, Hammerich A, Moneim ARIA, Ibrahim ET, ALMatrooshi FE, Alkhalaf MM, Letaief M, Alali NK, Alghaith TM, Abbass MM. A review of sugar-sweetened beverages taxation in Saudi Arabia and United Arab Emirates. East Mediterr Health J. 2024 Dec 3;30(11):746-756. doi: 10.26719/2024.30.11.746.

[15] Bird & Bird. Hungarian "chips-tax" now applicable to all forms of "sweet taste" - significant changes affecting taxes on foodstuff and drinks effective as of 1 July 2022. Available at https://www.twobirds.com/en/insights/2022/hungary/hungarian-chips-tax-now-applicable-to-all-forms-of-sweet-taste

	sweeteners, the sale is subject to both taxes. The SDIL has contributed to the increased use of non-sugar sweeteners in drinks and it is currently not monitored. To learn from international examples, a base-rate levy on all soft drinks should be introduced, with higher rates for any products containing sugars, this will assist in reducing overall consumption of soft drinks, which have been on the rise, despite contributing no nutritional benefit. As advised in the UK Eatwell guide, these drinks should be consumed in small amounts and less frequently. To support consumers to do this, all soft drinks apart from milk and water should be subject to the levy, with rates increasing the higher the levels of sugar.
B) The UK soft drink market	
6. Market changes since 2018	**Recipe for Change Polling** YouGov polling conducted by Sustain/The Recipe for Change coalition in September 2024 indicated strong support for the SDIL and for going further to reduce sugar. Key views include: 65% of respondents felt it is harder now, or that it is still hard, for families to eat a balanced diet today, compared to 20 years ago because less healthy food costs less than healthier foods. 52% also believe this is due to food companies selling products which are high in salt, sugar and fat, 78% think the Government should be doing more to ensure that the food needed to achieve a balanced diet is more affordable 61% are worried about the levels of sugar in the food they buy. 71% strongly support legislation being introduced to regulate the amount of sugar, salt and saturated fat that was allowed in food and drink products. Only 13% believe that food and drink manufacturers will reduce the levels of sugar, salt and saturated fat in their products without Government intervention. When informed that, since 2018, the money raised from the sugar tax has been used to support initiatives like the National School Breakfast Programme and holiday food support for children. 68%

	supported the Government expanding this model of industry levies to other food and drink items that contain high levels of sugar, salt and/or fat. 44% believed the levy should apply to <u>all</u> foods that have high levels of salt and sugar. There is also an increase in support for going further on levies from the `Chief Medical Officer for England in his 'Health in Cities Report'[16], and in the House of Lords Report into Food, Diet and Obesity 'Recipe for health: a plan to fix our broken food system'[17]. **Non-sugar Sweetener Use** There are many more products containing non-sugar sweeteners on the market, compared to when the SDIL was announced. The types of sweeteners used have already expanded, preannouncement the main sweeteners used were aspartame, sucralose and Acesulfame K, now there is greater use of stevia or the synthetic version of stevia, steviol glycosides. Consumers are now purchasing products with different types of non-sugar sweeteners, which suggests wide acceptance of them. **More Options** When the SDIL was first introduced we were unable to find products at the lower levy threshold that did not contain non sugar sweeteners. However, now there are many options, including products that are lower in sugar and contain no non-sugar sweeteners. There are also some new ranges of products with no added sugar and no non-sugar sweeteners such as carbonated or still water-based drinks flavoured with very small amounts of fruit, herb or vegetable juice or concentrate. **Levy Signposting** As noted in the response to Q1, very few products are signposting the impact of the levy on price. This signposting may have an impact on purchase of those particular products.

[16] Chief Medical Officer's Annual Report 2024 Health in Cities. 2024 Available at https://assets.publishing.service.gov.uk/media/6756e67b43b2de5fee8dae87/cmo-annual-report-2024-health-in-cities.pdf

[17] HOUSE OF LORDS. Food, Diet and Obesity Committee. Recipe for health: a plan to fix our broken food system. 2024. Available at https://publications.parliament.uk/pa/ld5901/ldselect/ldmfdo/19/19.pdf

7. Product reformulation	
8. Health impact	
9. General background	
C) The milk-based drink exemption	
10. Health case	Plain milk is an important source of calcium, as well as many other foods. Public health nutrition policies should be supporting consumers to opt for sources of calcium with no or minimal amount of negative nutrients such as sugar. Therefore, SDIL should be improved to incentivise intake of milk-based drinks with no free sugars, or at least significantly reduce the levels of sugars in these drinks. There are a number of pre-packaged milk-based drinks on the market which currently exceed the 5g/100ml threshold due to added sugar. These products are currently exempt from SDIL, despite contributing unnecessary added sugar to diets. Removing the exemption could therefore play a role in incentivising reformulation and reducing the sugar content. Plain milk contains approximately 4.9g/100ml intrinsic milk sugars (lactose). However, many pre-packaged milk-based drinks sold in mainstream UK supermarkets in January 2025 contained 8-13g sugar per 100ml, well more than the levels of intrinsic lactose, and when typically sold in bottles or cartons of 250ml to 400ml, represent a significant amount of excess sugar consumption. We believe that this provides a strong evidence base for the inclusion of these drinks, and that HMT should design the policy to incentivise reduction well below 8g per 100ml, and support the companies offering milk-based drinks with no added sugars at all. **Out of Home Milk-based Drinks** Out of home milk-based drinks need to be included in the SDIL to push further reformulation and have a greater health impact. Please refer to response in Q24.
11. Reformulation	The threat of future expansion of SDIL has already supported some successful voluntary reformulation of milk-based drinks in the retail sector, although this is not consistent across all manufacturers. Removing the exemption may incentivise those companies that have not yet reformulated to do so, as we have seen with SDIL.

	Non-sugar sweeteners Many milk-based drinks on the market are targeted at children, therefore removing the exemption should not inadvertently encourage any product changes to replace free sugars with significant levels of non-sugar sweeteners.
12. Business impacts	**Out of Home Milk-based Drinks** Out of home milk-based drinks need to be included in the SDIL to push further reformulation and innovation in the sector. Aligning policies on drinks across sectors is important to ensure consumer taste palettes are changed which in turn makes it easier for further reformulation and ensure a level playing field between the retail and out of home sectors, and consistent sugar reduction in all milk-based drinks. Please refer to response in Q24.
13. Price impacts	
D) Milk substitutes	
14. Case for the milk substitutes exemption	Sugar-sweetened milk-substitutes should be treated alongside sugar-sweetened milk-based drinks. The SDIL should apply if products contain free sugars and exceed a set sugar threshold. Sugars contained in milk-substitutes vary between the types of milk substitutes, some contain added sugars, some contain sugars derived from natural sugars released in processing and some are totally sugar free. Consideration should be given to how this is reflected in the thresholds applied to milk substitute drinks. The sugar allowance created as part of the Sugar Reduction Programme should be used as a guide when considering the category for inclusion in SDIL. The allowance of 2g per 100ml was set for milk substitute drinks[18].
15. Impacts of removing the exemption	For policy coherence, the category should be included. However, we refer to the extensive consultation and work done by Public Health England on this category. As part of that work a sugar allowance was created and should be used as a guide when considering the category for inclusion in SDIL. Refer to response for Q13. Furthermore, there are also several milk substitute drinks containing added sugars, and total sugars in excess of 5 sugar per 100ml, therefore the inclusion of milk substitute drinks could incentivise reformulation.
16. Fortification of milk substitutes	Fortification of plant-based drinks is unlikely to be affected by changes to SDIL, as there are very strong reasons for companies to maintain levels of fortification in line with other Government regulations and position their drinks on the market as being fortified with essential nutrients.

[18] Public Health England. Sugar reduction: juice and milk based drinks. 2018 Available at https://assets.publishing.service.gov.uk/media/5b0294f1ed915d539354c67e/Sugar_reduction_juice_and_milk_based_drinks.pdf

E) Reducing the 5g total sugar per 100ml threshold – impacts	
17. Reformulation	As noted in the answer to Q3, lowering the threshold to below 4.6g would bring SDIL in line with other nutrition regulations, including promotion and advertising regulations, and the thresholds used in the Nutrient Profiling Model. In doing so, it would enhance policy coherence and ensure consistency between policies, creating more clarity for the food and drink sector by preventing situations where, for instance, a product avoids taxation but cannot be advertised or placed near a checkout. In a quick analysis of nutrition content of 433 soft drinks products collected in 2023 from major retailers, we found 25 products contained between 5 and 4.6g sugar per 100ml, therefore reducing the lower threshold is likely to encourage fewer products to reformulate, although it could help maintain current levels of revenue. However, we also found that 109 products contained between 4 and 4.5g sugar per 100ml, therefore, lowering the entry threshold to less than 4g could encourage further reformulation in far more products or generate revenue. When the SDIL was first introduced we were unable to find products at the lower levy threshold that did not contain non sugar sweeteners. However, now there are many options, including products lower in sugar and contain no non-sugar sweeteners. This illustrates the opportunity for industry to be pushed towards innovating further to offer consumers truly healthier products compared to many years ago. Therefore, lowering the thresholds, will only serve to bolster innovation further. As a result this will likely reduce sugar intake, particularly among children and young people, reducing sugar's harm on health.
18. Business impacts	There would be limited business impacts of lowering the thresholds, as reformulation is entirely possible, but businesses would benefit from clarity and coherence of policies by aligning SDIL with the Nutrient Profiling Model.
19. Price impacts	
20. Health impacts	Further reductions in thresholds, will highly likely lead to reformulation, with a reduction in sugar intake, particularly among children and young people, reducing sugar's harm on health. **Portion sizes**

	Reformulated products at the current lower threshold are often sold in 330ml cans or 500ml bottles and cans. This still can equate to over 20g sugar per bottle or can, two-thirds of an adult's maximum intake of sugar in a day. Soft drinks that contribute minimal nutritional benefit should not be sold in such volumes, which push consumers to easily exceed their maximum intake in a day. Lowering the threshold will create a greater incentive for companies to reduce the volume of product sold in a single serve too.
F) Third SDIL threshold at 10g total sugar per 100ml – impacts	
21. Reformulation	**Reformulation** In a quick analysis of 433 soft drinks products collected in 2023, we found 36 products contain 8-10g sugar per 100ml. Many best-selling brands of cola and energy drinks contain such levels of sugar. A new threshold would ensure those manufacturers who refuse to reduce sugar levels do not have an unfair advantage in the continued sale of excessively sugary drinks while other companies choose to reducing sugar. The rate should be set at a high level to push companies to reformulate their products, it is likely that such a strong incentive will drive some reformulation in those products. As stated above, about the multitude of innovations the industry have already done, clearly the push just needs to be a little stronger to motivate some companies to reduce the excess and unnecessary levels of sugar in their products. However, if those companies continue to choose to not reformulate, then this will generate much needed revenue to be spent on children's health interventions. Please refer to the Recipe for Change response for some costed out interventions. **Portion size** A number of those highest containing soft drinks are sold in bottles or cans of 500ml, therefore containing an excess of 50g sugar per serve. A higher third threshold will create a greater incentive for companies to reduce the volume of product sold in a single serve too.
22. Business impacts	
23. Price impacts	
24. Health impacts	Health impacts can be derived through various channels – from the direct sugar reduction that takes place through reformulation of the products themselves, through the disincentive it provides to companies to produce new drinks with higher levels of sugar, through the reduction in portion sizes

	to absorb the cost (as we saw with Coca Cola), and through differentials in pricing reducing consumer appeal. If companies choose to reformulate - In a product that currently contains 11g sugar/100ml, a 1.1g reduction/100ml to bring it below a 10g threshold would equate to a 5.5g sugar reduction in a 500ml bottle and could therefore be a significant contribution to reducing sugar consumption. If companies choose to pay the levy – we note that this intervention would serve to generate additional revenues from SDIL which could be used for investment in public health interventions. The Recipe for Change menu of policy interventions has costed out a number of interventions. Reducing sugar intake further will drive reductions in diet-related diseases associated with such high sugar intake such as overweight, obesity, tooth decay and type 2 diabetes. As evidenced in Q2.
G) Other relevant evidence	
25. Other relevant evidence	**Toddler and Growing Up Milks** There is a market growth in commercial toddler and growing up milks, aimed at children aged 12+ months, contributing significant amounts of free sugars to their diets. NHS advice is that there is no evidence to suggest that toddler or growing-up milks provide extra nutritional benefits for young children. Furthermore, government guidance states that young children should avoid any sugar-sweetened drinks and food, but this industry is not regulated or included in any current government policy. Any future review or consideration of the scope of the SDIL should include these types of unnecessary milks. **Out of home Sector** The most recent sugar reduction report for juice and milk-based drinks specifically, found only five out of the eleven product categories have met their target; in some categories sugar content increased. As mentioned in our response to Q9 it is the milk-based drinks in the out of home sector that have not achieved the desired levels of reformulation.

	We surveyed milk-based drinks in 12 major coffee shops in 2023[19], of which, 3 did not have sufficient nutritional information online to be included in the analysis. Where there was a choice in size, only medium-sized drinks were collected, and for drinks served with milk, semi-skimmed milk, where available, was selected for analysis. Of the 466 open cup drinks collected, 251 contained milk (excluding those likely to not contain any other sources of sugar including: plain tea, americano and espresso, flat white, babyccino, latte, cappuccino, macchiato and con panna). Of the 251 products, on average 31g of sugar per serve, and where nutrition information was available, 9g of sugar per 100g (171 products). 142 (57%) contained 30g or more sugar per serve (the recommended maximum of free sugars per day for an adult), and 65 (26%) contained between 15 and 30g of sugar per serve. The survey found the drink with the highest sugar per serve (which contained milk) was a Thick Shake Toffee Apple Crumble, at 73.6g/serve, 579kcals. The survey also gave examples of similar drinks with varying levels of sugar, revealing that reformulation in this category is possible. For example, a gingerbread latte from Soho Coffee Co. contained 14.7g/100g sugar, compared to a gingerbread latte from Costa which contained 3.8g/100g sugar. In a similar study looking at milkshakes in 2018[20], 140 products from 14 chains were eligible from high street restaurants and fast food chains with at least 20 outlets. Just 8 of these chains provided nutrition information online per serving and therefore just 46 products were included in the survey. All products included in this analysis would receive a 'red' (high) label for excessive levels of sugar per serving based on the front of pack colour coded labelling criteria for packaged food. The highest sugar containing milkshake sold in high street restaurants and fast-food chains contained 39 teaspoons of sugar (156g) and 1280 kcals per serving, 6 times the recommended daily maximum for a 7-10 year old. Some milkshakes sold in these out of home (OOH) establishments also contained half the daily recommended amount of calories for an adult. Supermarket milkshakes are much lower in sugar and

[19] Action on Sugar. Calls to extend industry levies as a shake and a cake sold in high-street coffee shops can contain a massive 39x teaspoons of sugar. 2023 Available at https://www.actiononsugar.org/sugar-awareness-week/sugar-awareness-week-2023/sugar-awareness-week-survey/#d.en.1107760

[20] Action on Sugar. Milkshakes. 2018. Available at https://www.actiononsugar.org/surveys/2018/milkshakes/

	calories per serving, which the highest sugar milkshake in a supermarket (42.8g/serve) containing 113.2g sugar less than the highest sugar milkshake in the OOH sector. Nesta's analysis of calorie consumption using Kantar Worldpanel data indicates that drinks contribute 12% of all calories consumed in the OOH sector[21]. Whilst 4% of this is derived from very high sales of coffee, their analysis also flags very high levels of sugar in flavoured milks and hot chocolate drinks, with averages in excess of 300kcal per drink. This is more than half the recommended calorie intake for any single meal occasion. These drinks, especially those produced in large out-of-home corporations, are produced to a standardised formula, and whilst it will require an adjustment to the SDIL regime there should be a way to apply an industry levy to high sugar drinks, including 'open cup' drinks served in the out-of-home sector. **Food Taxes** Please refer to Recipe for Change response to this. **Non-sugar Sweeteners** We note concerns that reformulation has largely been achieved by replacing sugars with non sugar sweeteners. The World Health Organisation has also now strongly advised against the use of non-sugar sweeteners in products as part of weight management. Some countries, such as France, have now incorporated these into their levy design (aligned rates for low sugar levels). Whilst not in scope of the current SDIL review, the industry should be encouraged to reduce both sugar and the levels of sweetness in drinks, as well as disincentivising the consumption of all forms of sweetened drinks. **Industry Engagement** As highlighted in the recent House of Lords Food, Diet and Obesity Committee report 'Recipe for health: a plan to fix our broken food system', there is a clear conflict of interest in Government engagement with industry during the policy development process. While it may be appropriate to engage with industry regarding the practical application of food industry regulation once it has been

[21] Nesta. How eating out contributes to our diets. n.d. Available at https://media.nesta.org.uk/documents/How_eating_out_contributes_to_our_diets_Nesta_Report.pdf

	decided upon, this must be subject to full transparency and clear rules of engagement. We support the recommendations made in the report as follows: The Government must: (a) Now make a decisive shift away from voluntary measures to a system of mandatory regulation of the food industry. (b) Fundamentally reshape the incentives for the food industry through a coherent and integrated set of policy interventions to reduce the production and consumption of less healthy foods, and drive production and sales of healthier foods. (c) Exclude food businesses that derive more than a proportion of sales (to be defined by the Food Standards Agency) from less healthy products from any discussions on the formation of policy on food, diet and obesity prevention. This should also apply to the industry associations that represent these businesses. (d) Devise and publish by the end of 2025 a code of conduct on ministerial and officials' meetings (whether in-person or virtually) with food businesses, to be employed consistently across all government departments. In order to achieve the above, and for HMT/HMRC to be able to access data on companies products in an unbiased way, we additionally propose the introduction of a mandatory framework for data (incl sales) collection, such as the Food Data Transparency Partnership.