

**The News Media Association's Response to Ofcom's Consultation:
"Regulation of advertising of less healthy food and drink".**

1. The News Media Association (the "**NMA**") is the voice of UK national, regional and local news media in all their print and digital forms - a £4 billion sector read by more than 47.2 million adults every month. Our members publish around 900 news media titles - from The Times, The Guardian, The Daily Telegraph and the Daily Mirror to the Manchester Evening News, Kent Messenger, and the Monmouthshire Beacon.
2. The NMA opposes the prohibition on advertising for Less Healthy Food and Drink ("**LHF**") products online as a means of addressing childhood obesity, particularly within the context of advertisements shown on news publisher websites. This is principally because the government's own evidence does not demonstrate a compelling causal link between advertising exposure and childhood obesity. Children accessing news online and consequently viewing LHF advertising is de minimis, and a ban would only exacerbate the already existing sustainability challenges faced by the news media industry.
3. However, as LHF advertising restrictions are set to be implemented by 2025, it is imperative to ensure that they are regulated efficiently and appropriately by a trusted body. Therefore, with regards to **Question 3**, the NMA endorses Ofcom's proposal to appoint the Advertising Standards Authority ("**ASA**") as a co-regulator for the prohibition on advertising for LHF products online. The ASA's extensive experience in co-regulating broadcast, on-demand, and VSP advertising equips them to efficiently enforce new online advertising restrictions for LHF products. By leveraging the ASA's existing infrastructure, processes, and expertise, the new rules can be more seamlessly enforced, while maintaining the current self- and co-regulatory system in the UK.
4. The ASA is well-established as a 'one-stop shop' for advertising complaints across all media. Appointing the ASA as a co-regulator for online advertising restrictions on LHF products would ensure consistency with the existing co-regulatory arrangements between Ofcom and the ASA across several advertising channels. As such, this would minimise the risk of creating a confusing regulatory landscape for consumers and industry stakeholders to navigate.

19 April 2023