

Tastemaker Supper Club

hosted by POWERHOUSE

“Less Healthy Foods” Edition



In collaboration with

**ADVERTISING
ASSOCIATION**

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CLEARCAST

Background

There's still a lot of confusion around what is and isn't allowed when it comes to advertising less healthy products, and much of it stems from a misunderstanding of what actually falls within the regulations. Many brands still mix up HFSS (High Fat, Salt, Sugar) with LHF (Less Healthy Foods), use the terms interchangeably, or assume all "unhealthy" products are automatically banned. The reality is more nuanced.

HFSS VS. LHF: WHAT'S THE DIFFERENCE?

- HFSS is a nutrient profiling model that scores products to determine whether they're considered high in fat, salt, or sugar.
- LHF (Less Healthy Foods) is the regulatory category used in advertising restrictions, based on whether a product scores above the HFSS threshold.
- So: all LHF products are HFSS, but not all HFSS products are automatically restricted. It comes down to the final nutrient profile score.

PRODUCTS IN SCOPE (RESTRICTED / LHF)

These cannot be directly advertised, promoted by influencers, or shown visually in certain media placements:

- Confectionery
- Chocolate
- Ice cream
- Most soft drinks with added sugar
- Many cereals
- Savoury snacks (crisps, some nuts)
- Certain ready meals, pizzas, and fast food items

PRODUCTS OUT OF SCOPE (ALLOWED)

These are either not considered LHF or fall into exemption categories:

- Products that meet the nutrient profiling threshold
- Zero sugar or diet soft drinks
- Many fresh and whole foods
- Non-identifiable or generic ingredients
- Finger foods that are not positioned as a meal (a big one at Christmas)
- Certain categories like drinks with no added sugar or reduced-fat formulations

The big misconception

It isn't the brand that's restricted, it's the specific product.

A brand can advertise itself, run events, or create content as long as no LHF product is shown, referenced, or identifiable. That's why compliance is increasingly about creative interpretation rather than creative limitation.

A group of UK advertising's trade bodies including the Advertising Association, ISBA, the IPA, IAB UK have put together a one pager that perfectly sums up the regs. Take a look here: [LHF Ad Restrictions Quick Tips](#)

Most raised questions

Now that you have some context, let's dive into the key learnings from our event series, shaped by ***the questions we heard most often.***

Gifting = payment in the eyes of regulation

Influencers receiving products, even as "gifts", are considered to have been paid. This means:

- Brands should avoid gifting LHF products entirely or risk fines.
- Any form of product exchange triggers advertising rules, so gifting can quickly become non-compliant.

Influencer involvement is allowed... with strict limits

Influencers can take part in brand events, create content and talk broadly about the brand or a specific range.

However:

- They cannot discuss, show, or promote a specific LHF product on any channel other than the brand's owned, organic spaces.

Clearcast compliance is case by case and subjective

To meet Clearcast requirements:

- LHF forms must be completed carefully.
- Every submission is assessed individually, with no guaranteed precedent.
- This subjectivity means teams need to factor in more time, more detail, and more back-and-forth.

Longer lead times are essential for ad clearance

Agencies and brands should plan for:

- Longer approval windows
- Additional rounds of compliance review
- Building regulatory stages directly into campaign development timelines
- This is becoming a non-negotiable part of production strategy.

Non-descriptive ingredients and generic products seem to be safe

If the brand itself is compliant, ads can show:

- Ingredient close-ups
- Unbranded or non-identifiable product shots
- Because regulators can't determine the exact LHF content or how it was made, these visuals remain permissible.

Cross-industry campaigns need extra scrutiny

Collaborations (ie. food + fashion) must consider:

- Licensing agreements
- What can/can't be shown in relation to LHF regulations
- Both brands in the partnership need to be aligned on compliance boundaries.

Risks of ignoring voluntary compliance (pre-January 2026)

- The government **may** tighten legislation.
- Exemptions that currently allow some brand activity could be removed.
- The industry's flexibility could be reduced for everyone.

How are brands pivoting their budget spend?

With all of the above in mind, what channels or strategies are brands likely to pivot towards?

Brands will increase investment in retail media

With growing restrictions on traditional LHF advertising, brands are shifting spend into:

- Retail media networks
- First-party data partnerships
- In-store shopper & digital activations
- This gives brands compliant ways to target shoppers closer to the point of purchase.

Radio is set to grow as an exempt channel

Radio isn't currently restricted, so brands can still build emotional and brand-led campaigns.

To maximise effectiveness:

- Brands will need distinctive sonic assets and straplines (think McDonald's "I'm Lovin' It")
- Consistency will become even more important across audio touchpoints.

OOH remains a valuable, though evolving, exempt channel

While outdoor locations have faced restrictions for years, OOH itself is still allowed under existing HFSS guidelines that restrict placement around locations like schools. Brands are responding by:

- Exploring proximity-based placements (ie. near supermarkets)
- Using contextual creative to drive immediate action and footfall.

Organic referral pathways are on the rise

To stay compliant, brands are using indirect digital journeys:

- Ads might include a QR code leading to a generic landing page.
- Only after that can consumers be directed to an LHF product page.
- Direct links to LHF items in ads are banned, so brands are finding creative, multi-step solutions.

With all the above considered, it's worth understanding the implications of falling foul of restrictions from next year.

On every channel other than TV, falling foul of restrictions falls back on the brands, regardless of whether the activity that broke rules was led by their agencies.

On TV, it falls to Clearcast to get things right during the clearance process, but it's best practise to provide them with as much information as possible about products & their nutrient profiles to help things progress through the system smoothly.

We predict that digital channels will be where most brands are caught out. Algorithms are constantly monitoring millions of ad creatives & content, but there's currently no trade body protecting or enforcing regulations on this channel.

As it stands, there's no clear way to distinguish between "gifted/paid-for" activity and authentic, user generated content that has no involvement with the brands or their agencies, so this presents a big challenge to get enforcement right.

So if you do get caught out, what's the implication? Big fines? Legal action? Advertising bans?

Realistically, it'll be a stern telling off and slap on the wrist for occasional breaks meaning brands won't be heavily penalised for genuine mistakes. Repeat offenders however run a bigger risk. If they end up being reported to OfCOM, fines & legal activity may come into play. The biggest risk that brands run is that with regular rule breaking and no real change in behaviour from brands, the Government will tighten up the restrictions and begin including more channels like OOH & radio to restrictions.



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