

Diabetes UK is one of Europe's largest patient organisations. Our mission is to improve the lives of people with diabetes and to work towards a future without diabetes through care, research and campaigning. With a membership of over 175,000, including over 6,000 health care professionals, Diabetes UK is an active and representative voice of people living with diabetes in the UK.

There are 2.6 million people with diabetes in the UK and up to half a million who are undiagnosed (1). Of all serious conditions Type 2 diabetes has the strongest link with obesity (2). Children are more likely to grow up to be obese if they are obese in childhood. In 2006, almost one in four children in England measured in reception year were overweight or obese. In Year 6 in England, the rate was nearly one in three (3).

Diabetes UK welcomes the DCMS consultation on Product placement on Television. Diabetes UK strongly opposes product placement on television because it would increase children's exposure to high fat, salt or sugar food and drinks (HFSS). HFSS food product placement plays an influential role in the food choices children make. Recent research suggests that sugar-sweetened beverages maybe the largest contributor to the obesity epidemic (4). Being that in 2008 Coca-Cola was the company paying for the most product placements (5) it is by nature impossible for parents to protect children from such marketing.

Recent data for the National Child Measurement Programme (NCMP) for 2007/08 and from Health Survey for England (HSE) for 2007 suggests, as a nation we are seeing some success in halting the risk in childhood obesity however it has been thirty years in the making and we will not solve the obesity epidemic overnight. Healthy Weight Healthy Lives promotes creating a social environment that makes it easier for individuals and families to maintain a healthy weight. Included in this it states as a nation we will do more to support children in the important early years of their development through a single set of evidence based messages on healthy eating and active play (6).

The response below is restricted to the answers where we feel we can most effectively contribute.

1. What, if any, viewer and other safeguards there should be additional to those required by the AVMS Directive?

Diabetes UK believes that product placement of HFSS in UK made television programs should not be permitted. Because 71% of children's viewing takes place outside of children's airtime (7) a ban must be made on all UK television programs not just children's.

2 How should those additional safeguards be imposed - by law, or by means of the Ofcom Code?

Commercial advantages

3. Is the range of figures for the potential financial benefit of introducing television product placement set out a Part 3 of this document (between £25m and £140m p.a.) still broadly applicable?

- 4 Is it possible to narrow this wide range of estimates?
- 5 Are there grounds for thinking that the potential benefits have increased or decreased since last year?
- 6 Has any new evidence emerged about the possible benefits since the earlier consultation?

Programme genres

7. If product placement is allowed in programmes made by or for UK television, should any of the programme genres permitted by the AVMS Directive be excluded?
8. Should UK controls on product placement be more specific as to what is meant by 'films and series' in which product placement can appear?
9. Are there definable types of 'films and series' in which product placement either should or should not be permitted?
10. Should UK controls on product placement be more specific as to what is meant by 'sports programmes' in which product placement can appear?
11. Is there any reason to restrict product placement in particular types of sports programming?
12. Should UK controls on product placement be more specific as to what is meant by 'light entertainment' programmes in which product placement can appear?
13. Is there any reason to restrict product placement in particular types of 'light entertainment' programme?
14. Should there be a specific prohibition of product placement in
 - religious programmes
 - news programmes;
 - current affairs programmes;
 - consumer programmes; or
 - any other specific type of television programme?

Children

15. Should any or all product placement be restricted or prohibited in programmes with a disproportionately high child audience?

Because 71% of children's viewing takes place outside of children's airtime (7) a ban must be made on all UK television programs not just children's.

16. If so, how should that assessment be made in advance of a programme being broadcast?

17. How could a 'disproportionately high child audience' be defined?

18. Should there be restrictions on placing certain types of products (e.g. HFSS foods or alcohol) in programmes with a disproportionately high child audience?; and if so

19. Should those restrictions be the same as or greater than those which are currently in place for the scheduling of spot advertising of those products?

Editorial independence; undue prominence

20. How could 'undue prominence' be avoided, given the commercial imperative for audiences to recognize the products and services that have been placed?

21. At what point should the Government, or Ofcom, draw the line between legitimate paid placement of goods or services and illegitimate 'direct encouragement' to purchase or hire them?

22. Are rules – in addition to those that prevent 'undue prominence' and the promotion of placed products – needed to safeguard editorial integrity? If so, what should these be?

Tobacco, alcohol, HFSS foods, gambling

23. Should television placement of smoking accessories such as cigarette papers and pipes be prohibited?

yes

24. Should television placement of alcohol, HFSS foods or gambling be subject to an outright prohibition; or, if not prohibited, should it be subject to restrictions of some kind?

All HFSS foods should be prohibited. HFSS can be defined using the Food Standards Agency traffic light labeling criteria. If foods are green in fat, sugar, saturates and salt then they are not HFSS. If a product does not exhibit this labeling they can still be defined by the criteria.

25. If it is not practicable to apply the detail of the BCAP Code rules on alcohol advertising to alcohol product placement, would the simple AVMS Directive rules that alcohol advertising must not be aimed specifically at minors and must not encourage immoderate consumption provide adequate safeguards?

26. Are there any alternative forms of safeguard that may be appropriate?

Monitoring

27. What methods of assessment and monitoring would be most effective in ensuring that there was accurate and reliable information about the actual effects of any introduction of product placement in these areas?

28. Would it be possible or desirable to levy a charge on product placements to enable monitoring and/or research to take place?

Other types of product

29. Are there any other product or service categories whose placement should be subject to prohibition or restriction?

30. If so, what, and why?

Terms of trade

31. If television product placement is allowed, what models might there be for revenue sharing between broadcaster and producer?

32. Does the industry anticipate that the commercial negotiation of product placement arrangements would form part of the terms of trade between broadcasters and producers?

Prop placement market

33. What impact would allowing television product placement have on the existing prop placement market, and on the ability of broadcasters to source props and services in this way?

Signalling product placement to viewers

34. How should television product placement be notified to viewers?

A complete ban on HFSS product placement should be implemented. If a warning messages is displayed on screen before a programme this draws additional attention to the advertiser. However if there is no warning message there is no indication to the parents to protect their children from it.

35. When should it be notified to viewers – should we go beyond the EU requirement for notification before and after the programme and after any ad breaks?

No

36. Should notifications to viewers mention the product(s) which has or have been placed?

37. Do you have any other views about alerting viewers to the presence of product placement in a television programme?

Thematic placement

38. Should the prohibition of ‘thematic placement’ extend to placements which feature only generic products and services or types of product and service rather than branded ones?

Ban all thematic placements.

39. Should the prohibition of ‘thematic placement’ extend to the placement in a programme of references to the beliefs, policies, aims or objectives of the placer?

Negative and simulated placements

40. If television product placement is to be allowed, should there be rules which prevent negative placements?

41. Should the regulation of television product placement, if it is to be allowed, contain specific controls on the use of simulated products?

References

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