

**Consultation Response from the Nuffield Council on Bioethics  
The Scottish Government: The Future for Food in Scotland**

Prepared for online submission at:

<http://www.scotland.gov.uk/consultations/health/foodfuture.asp>

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Responding	On behalf of a group or organisation
The name and address of your organisation <b>will be</b> made available to the public (in the Scottish Government library and/or on the Scottish Government website). Are you also content for your <b>response</b> to be made available?	Yes
We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in the future in relation to this consultation response?	Yes
Comments	
<p>In November 2007 the Nuffield Council on Bioethics published <i>Public health: ethical issues</i>, which considers the ethical and social issues arising when designing measures to improve public health, illustrating the discussion by reference to case studies, including that of obesity, which raises a number of issues around food and food policy. The report can be downloaded from <a href="http://www.nuffieldbioethics.org/go/ourwork/publichealth/introduction">http://www.nuffieldbioethics.org/go/ourwork/publichealth/introduction</a>.</p> <p>The Council concluded that the state has a duty to help people lead a healthy life and to reduce inequalities. It proposes a 'stewardship model' (see paragraphs 2.41–2.45), which outlines how this can be justified and achieved, and an 'intervention ladder' (see paragraphs 3.37–3.38) as a way of thinking about the acceptability of different public health measures.</p>	

We are pleased to see the emphasis on health and your reference to obesity as a priority issue in *The Future of Food in Scotland*. We support in particular your principles of “encouraging and supporting people to make healthier food choices” and “helping vulnerable people and those on lowest incomes, especially pregnant women, babies and young children, and older people, to access affordable healthy food”. These principles are consistent with the values established in our stewardship model.

Below, we draw your attention to several conclusions and recommendations from *Public health: ethical issues* that are relevant to food policy. The quotes include paragraph numbers which refer to the extended discussion in the report.

“Businesses, including the food industry, have an ethical duty to help individuals to make healthier choices. The food and drink industries should therefore review both the composition of products that they manufacture and the way they are marketed and sold. Where the market fails to uphold its responsibility, for instance in failing to provide universal, readily understandable front-of-pack nutrition labelling or in the marketing of food more generally, regulation by the government is ethically justifiable” (paragraph 5.25).

“Due to the special vulnerability of children it would be desirable not to advertise to children foods high in fat, salt and sugar by any medium, including on the Internet... Following the planned review of the EU Strategy on obesity in 2010, the European Commission should consider whether there are cases in which self-regulation of food advertising for children has proved unsatisfactory and whether more binding regulation across the EU is required” (paragraph 5.23).

“When the Food Standards Agency (FSA) has reviewed its commissioned study on the effectiveness of labelling schemes, and the findings have been peer reviewed, they should form the basis for adoption by the food industry of the most effective scheme. If, however, the food industry does not accept the scheme, it would be appropriate for the UK Government to pursue legislation (if appropriate, at the European level). As we have noted elsewhere, such information-based schemes could increase health inequalities, and this should be monitored” (paragraph 5.25).

“The stewardship model’s emphasis on circumstances that help people to lead healthy lives, especially if they are in vulnerable positions (paragraphs 2.41–2.44), leads to an ethical justification for the state to intervene in schools to achieve a more positive culture towards food, cooking and physical activity. [...] The UK Government departments responsible for food, health and education should develop long-term strategies for schools with the aim of preventing obesity, and changing food and exercise culture,

accompanied by monitoring and follow up." (paragraph 5.36)