

Sectoral news: HFSS, health and energy labelling

The European Commission has issued two non-legislative follow-up documents in reaction to the reports that were adopted by the European Parliament eight months ago, respectively [on the implementation of the Nutrition and Health Claim Regulation](#) (NHCR) and [on Non-Communicable Disease](#).

In its NHCR-related response, the EC reminds that the applicability of the NHCR to all commercial communications about food products in the EU, along with the contribution of the DSA and AVMSD to the protection of minors. Quoting AVMSD Article 9(4), the Commission notes that Member States shall encourage codes of conduct aiming to “effectively reduce the exposure of children to audiovisual commercial communications” for HFSS foods and beverages. Work on the Food Information to Consumer Regulation is depicted as “ongoing”, including the work on labels relying on nutrient profile models, despite the fact that [this legislative process](#) has not evolved since 2022. The objective of the [EU Code of Conduct on Responsible Food Business and Marketing Practices](#) to head towards a healthier food environment is also acknowledged.

The second follow-up paper of the Commission is a response to the [parliamentary report on Non-Communicable Disease](#) (NCD). Of relevance to the advertising ecosystem are the support expressed for the WHO guidance on healthy diets and sustainability, the mention of the upcoming study evaluating the Childhood obesity action plan (Q4) taking place in the auspices of the Beating Cancer plan, but also the 75 million€ [Joint Action PreventNCD](#) financed by EU funds which follows the previous Best-ReMap project. JA PreventNCD runs from January this year until end 2027, and it contains a workstream called [Control and counter the effects of advertisements and online marketing](#).

Turning now to the energy sector, it is worth noting that the Commission has [clarified](#) on 15th July the rules for energy labelling in visual advertising, in the wake of a [preliminary ruling](#) by the Court of Justice of the EU. In its [4-page Notice](#), the Commission explains how suppliers and retailers of energy-labelled products should show energy label classes in their visual advertising and promotional material, with the requirement for the product’s energy class (such as “A” or “B”) to be mandatorily accompanied by the full range of possible classes relevant to the product (such as “A to D”).

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