

The Rt Hon Victoria Atkins MP  
Secretary of State for Health and Social Care  
Department for Health and Social Care  
39 Victoria Street  
London  
SW1H 0EU

15<sup>th</sup> January 2024

Dear Secretary of State,

We look forward to working with you during 2024 in your role as Secretary of State for Health and Social Care to make our nation a healthier place to live, for everyone.

At the start of this new year, we wanted to bring an important issue to your attention. It has now been over four years since the Government pledged to introduce restrictions on the sale of energy drinks to under 16-year-olds, following extensive public consultation and examination of the evidence of the impact of these drinks on children's health and wider behaviour. The government's consultation in 2018 found that *over 90% of respondents* agreed that businesses should be prohibited from selling energy drinks to children<sup>1</sup>.

Since then, we have seen the energy drinks market boom; estimated sales of energy drinks grew by 21.6% to reach £2.2 billion in the year to December 2023<sup>2</sup>. Many of these drinks contain high amounts of caffeine, as much as between 160-200 mg per can in some cases, which is double the amounts found in an average cup of coffee (around 80 mg depending on the strength). As such, the packaging of these drinks states that they are not suitable for children. So why are children still able to purchase them? Whilst there are many sugar-free energy drinks now available, a large proportion still contain high levels of sugar as well as caffeine.

Researchers from Fuse, the Centre for Translational Research in Public Health, at Teesside University and Newcastle University have today published a review of the latest and best quality evidence relating to the impact of energy drinks on children and young people's health. The results suggest the effects of these drinks are **more significant and broader** than previously understood - in particular negative outcomes for children's mental health in addition to physical health<sup>3</sup>. How much more evidence is needed before Government action?

Of particular concern is the impact these drinks are having on children's school readiness, and teachers' unions have regularly spoken about the role energy drinks can play in poor pupil behaviour and how this presents a barrier to learning<sup>4</sup>.

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<sup>1</sup> Department for Health and Social Care (2019) Advancing our health: prevention in the 2020s – consultation document. <https://www.gov.uk/government/consultations/advancing-our-health-prevention-in-the-2020s/advancing-our-health-prevention-in-the-2020s-consultation-document>

<sup>2</sup> Source: The Grocer's Top Products 2023 in association with NIQ: 52 weeks to 9 September 2023: <https://www.thegrocer.co.uk/top-products/soft-drinks-carbonates-and-energy-drinks-2023-viral-drink-prime-steals-the-spotlight/686235.article>

<sup>3</sup> C. Ajibo et al., (2023) Consumption of energy drinks by children and young people: a systematic review examining evidence of physical effects and consumer attitudes. Public Health. <https://doi.org/10.1016/j.puhe.2023.08.024>

<sup>4</sup> NASUWT. Energy Drinks: <https://www.nasuwt.org.uk/advice/in-the-classroom/behaviour-management-for-teachers-in-the-classroom/energy-drinks.html#:~:text=The%20NASUWT%20is%20concerned%20that,risks%20associated%20with%20these%20products>

Deprivation and socio-economic disparity are key indicators for energy drinks consumption and other unhealthy eating behaviours by children and young people, and this is likely to be widening the stark inequalities in health our most vulnerable communities are experiencing<sup>5</sup>.

Whilst some retailers enforce their own voluntary sales restriction, there is no monitoring or enforcement of whether this is being upheld in practice at store level, nor does this include all retailers. Meanwhile these drinks are still readily available at many corner shops and convenience stores, which are often favoured by young people themselves, including on their way to and from school. We need to create a level playing field across *all* retailers and protect our children and young people's health and wellbeing.

We are calling on the government to uphold its promise and finally implement the national sales restriction on these harmful drinks to under 16s. Four years of inaction on this issue is simply too long.

We would welcome an opportunity to discuss this further, and if you and your officials are able to meet with the academic research experts and representatives of our organisations, we'd be very happy to arrange a suitable time.

CC: Rt Hon Andrea Leadsom MP, Parliamentary Under-Secretary of State in the Department of Health and Social Care

Yours faithfully,

Matthew Philpott, Executive Director, Health Equalities Group  
Kath Dalmeny, CEO, Sustain  
Katharine Jenner, Director, Obesity Health Alliance  
Professor Rachel Batterham, Chair, Obesity Empowerment Network  
James Toop, CEO, Bite Back  
Liz Stockley, CEO, British Dietetic Association  
Colette Marshall, CEO, Diabetes UK  
Pamela Healy OBE, Chief Executive, British Liver Trust  
Greg Fell, President, Association of Directors of Public Health (UK)  
Hannah Brinsden, Head of Policy and Advocacy, The Food Foundation  
Dr Helen Stewart, Officer for Health Improvement, Royal College of Paediatrics and Child Health  
Professor David Strain, Chair, BMA Board of Science Committee  
Eddie Crouch, Chair, British Dental Association  
Holly Gabriel, Campaign Lead, ShareAction  
Barbara Crowther, Children's Food Campaign Manager, Sustain  
Dr Alex Richardson, Founder Director, Food And Behaviour (FAB) Research  
Kim Roberts, Chief Executive, HENRY - Healthy Start, Brighter Future  
Michael Baber, Director, Health Action Research Group  
Dr Adrian Brown, Chair, Obesity Specialist Group, British Dietetic Association  
Professor Amelia Lake, Teesside University and Fuse, The Centre for Translational Research in Public Health  
Michelle Wilkins, Head of Services, Children's Liver Disease Foundation  
Dr Panagiota Mitrou, Director of Research, Innovation and Policy, World Cancer Research Fund  
Dr Nicola Heslehurst, Chair, Association for the Study of Obesity

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<sup>5</sup> Vogel, C., Shaw, S., Strömmer, S., Crozier, S., Jenner, S., Cooper, C., . . . Barker, M. (2023). Inequalities in energy drink consumption among UK adolescents: A mixed-methods study. *Public Health Nutrition*, 26(3), 575-585. doi:10.1017/S1368980022002592

Professor Christina Vogel, Deputy Director, Centre for Food Policy  
Dr Kawther Hashem, Campaign Lead, Action on Sugar  
Dr Lindsey MacDonald, Magic Breakfast  
Professor Maria Bryant, Fix our Food, University of York  
Professor John Wass, Professor and Consultant in Endocrinology, Oxford University  
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Dr Arif Rajpura, Director of Public Health, Blackpool Council  
Abdul Razzaq, Director of Public Health, Blackburn with Darwen Council  
Kuiama Thompson, Director of Public Health and Wellbeing, Rochdale Borough Council  
Professor Matthew Ashton, Director of Public Health, Food Active  
Wendy Burke, Director of Public Health, North Tyneside Council  
Sarah McNulty, Director of Public Health, Knowsley Council  
Alice Wiseman, Director of Public Health, Gateshead Council  
Lucy Perrow, Clinical lead Central London Community Healthcare Trust  
Victoria Eaton, Director of Public Health, Leeds City Council  
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