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Engagement Report

Energy Drinks

Analysis of engagement on the Energy Drinks Consultation

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Welsh

Overview

This document provides a summary of engagement for the Energy Drink Consultation.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

[Link to the consultation documentation](#)

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Executive Summary

- i. Research shows that up to a third of children in the UK are consuming at least one energy drink a week, with high levels of consumption linked to headaches, sleep problems, alcohol use, smoking, irritability and school exclusion.
- ii. In the context of the significant public health concern this presents for Wales, the Welsh Government launched a public consultation between 9 June 2022 and 1 September 2022 to ask people to consider whether there should be a ban the sale of high-caffeine energy drinks for children under 16. The consultation went on to ask if any ban should include vending machines and online environments, and if any ban should be widened to include tea and coffee.
- iii. Within this period, a series of qualitative workshops and surveys were carried out by independent research consultants (Miller Research and Cazbah), engaging with stakeholders within the food and drink sector and the health profession, as well as the wider public.

Public Priority Groups

- iv. Miller Research held three workshops between 20 July and 18 August. In total 21 participants engaged. The groups included primary and secondary aged children, as well as parents and carers.
- v. Most primary and all secondary aged participants were aware of the negative health impacts of consuming energy drinks, citing poor dental hygiene, 'sugar crashes' and stomach aches. This is despite nearly half of the secondary age group claiming to consume them on a regular basis for sports performance or to give them energy.
- vi. There was a consensus amongst primary aged children that there should be a ban on the sale of energy drinks to children aged under 16, whilst secondary aged children were more unsure. Amongst parents and carers there was a general agreement that a ban should be enforced.

- vii. Both primary and secondary pupils were against raising the age of the ban to children under 18, whereas parents and carers were more supportive of the proposal.
- viii. There was no support across groups for widening the ban to include tea or coffee

‘Your Views and Voices’ event

- ix. On 19 July 2022, Cazbah held an all-day engagement event with stakeholders, including health professionals, relevant non-governmental organisations (NGOs) and food industry representatives to gain their views on the proposals.
- x. There was a strong consensus among delegates for a ban on energy drink sales to children (87 per cent). Of these, 52 per cent of delegates thought that the restriction should be for those under the age of 16, with 35 per cent claiming the mandatory age limit should be 18.
- xi. There was a high level of agreement among delegates that widening the ban to tea and coffee was unnecessary.
- xii. There was also consensus on including online stores within the ban, with 90 per cent of delegates agreeing.
- xiii. There was a difference in opinion in relation to vending machines. Most delegates were supportive of restricting children’s access to energy drinks from vending machines. However, the food industry group thought this was a not a big issue and not worth including within restrictions.

Roadshow events

- xiv. Between July and August 2022, seven public engagement events were held in different locations across Wales. In total 354 surveys were taken by Cazbah.
- xv. When asked was if it was a good idea to ban the sale of energy drinks to children under the age of 16, 86 per cent of respondents said yes, making it the most popular proposal within the survey, which also

included questions about the healthy food environment consultation. Reasons for agreeing with the proposal included comments that energy drinks cause hyperactivity and can be addictive.

1. Introduction

Background

- 1.1 Research suggests that preventative action may be needed to protect children and young people from associated health harms from consumption of energy drinks. Research shows that up to a third of secondary school age children in the UK are consuming at least one energy drink a week, with high levels of consumption linked to headaches, sleep problems, alcohol use, smoking, irritability and school exclusion.
- 1.2 Energy drinks captured by the proposal will be those that contain over 150mg of caffeine per litre. These energy drinks are already legally required to display warnings that they are not recommended for children due to their high caffeine content. A single serving of energy drink typically contains between 72mg and 150mg of caffeine, with many energy drinks brands containing two to three servings in one beverage can. Combined with the volume of certain energy drinks products, the caffeine content can be as high as 294mg per can. In comparison, a double espresso coffee contains around 80mg of caffeine.
- 1.3 As well as the high caffeine content of energy drinks, many beverages also contain a very high sugar content. A 2017 study found that regular energy drinks contain, on average, 65 per cent more sugar than other regular soft drinks. They are therefore of concern in terms of contributing to obesity and dental problems in children and young people.

Approach to Consultation

- 1.4 In the context of the significant public health concern this presents for Wales, the Welsh Government has considered the need to ban the sale of energy drinks to children. A public consultation was launched to ask people to consider issues such as:

- if people agree with the proposal to ban the sale of energy drinks for children under 16
 - whether the ban include online sales and vending machines
 - should any ban be widened to include tea and coffee.
- 1.5 The consultation went live on 9 June 2022 seeking views from industry representatives, Non-Governmental Organisation (NGOs) and the wider public and closed on 1 September. The consultation phase provided a vital opportunity for all stakeholders to offer input ahead of further decision-making by the Welsh Government.
- 1.6 Prior to the consultation's launch, Miller Research, in collaboration with Working Word and Cazbah, was commissioned to undertake an independent consultation analysis, consisting of workshop consultations with specific groups within the general public, and analysis of the responses to the Welsh Government's online consultation.

Methodology

- 1.7 The first element of qualitative engagement as part of the consultation was the 'Your Views and Voices' event, which took place on 19 July 2022.
- 1.8 This one-day online event included a short plenary section with presentations explaining the background to the consultation before delegates took part in group discussions. Over 50 people representing stakeholders from across Wales were split into six groups, which were independently facilitated and scribed.
- 1.9 Participants were from organisations such as the National Health Service (NHS), Public Health Wales (PHW) and Sports Wales alongside local authorities, health charities, and representatives from the food industry.
- 1.10 The 'Your Views and Voices' event was closely followed by seven public engagement roadshow events held across Wales in July and

August of 2022, engaging with Welsh communities as part of the consultation process.

1.11 The events took place as follows:

- Royal Welsh Show, Builth Wells – 20 July
- Ty Pawb, Wrexham – 21 July
- Swansea City Centre – 25 July
- St David's Centre, Cardiff – 27 July
- National Eisteddfod, Tregaron – 3 August
- Tonypandy Market – 5 August
- Anglesey Show – 9 and 10 August.

1.12 The aim of the events was to raise awareness of the energy drink consultation and gather the opinions of event attendees. People were invited to complete a short survey. It should be noted that many people declined, with some commenting that they were not interested in the topic area.

1.13 The final component of the consultation's qualitative engagement took place between 20 July and 18 August. Miller Research conducted three workshops covering areas of discussion under the Energy Drinks consultation. Each workshop lasted one hour.

1.14 In total, 21 participants engaged via the workshops. There were three focus groups:

- primary aged children (aged 10 – 11)
- secondary aged children (aged 12 – 16)
- parents and carers.

1.15 Specifically, topics of discussion for these groups included:

- personal consumption habits and the rationale behind them
- awareness of the health impacts of energy drinks
- thoughts on the proposed ban to those under 16, and the possible extension to those under 18

- extension of the ban to include other high caffeine drinks i.e. tea and coffee
- challenges associated with implementing the ban.

1.16 Each focus group conducted by Miller Research had a minimum of two facilitators, where information was transcribed and subsequently quality assured. After the workshops were completed, an online collaborative mind mapping tool was used to process, categorise and analyse these responses and draw out key themes and group ideas.

Report Structure

1.17 This report summarises the findings of these various engagement approaches. Chapter 2 explores the public engagement workshops conducted by Miller Research. Chapter 3 summarises the findings of the 'Your Views and Voices' stakeholder event and Chapter 4 discusses the results of the series of roadshow events. The stakeholder event and roadshows were managed by Cazbah.

2. Public Engagement: Workshop Responses

2.1 This chapter presents the findings from three workshops with primary and secondary aged children, as well as parents and carers. The focus groups were asked questions around the proposal to ban the sale of energy drinks to children under the age of 16. The questions varied slightly between focus groups, so as to be age appropriate.

Consumption Habits

2.2 Out of a total of seven primary aged participants, four stated they had tried energy drinks at some point, with three claiming they have never tried an energy drink. Alternative sugary drinks, such as lemonade or cola were more likely to be drunk on a daily or weekly basis.

2.3 Most primary aged children were aware of the negative health impacts of consuming energy drinks, saying they had a high caffeine content. Recognised side effects amongst participants included a 'crash' following a surge in energy, followed by feeling unwell.

2.4 All secondary aged children stated they have tried energy drinks at some point, with three out of eight participants claiming to drink energy drinks on a more frequent basis. One participant stated they drank them every day before school, whilst the remaining two participants said they consumed them 'every so often' for sports performance and energy.

2.5 Secondary aged participants who did not consume energy drinks said their reason behind not drinking them was because they are bad for your teeth and overall health. They also felt people became 'too reliant on them'.

2.6 Peers who drank energy drinks were most likely to consume them on the bus to and from school, with corner shops the most common setting where they were purchased. According to participants, the main reason why peers bought energy drinks was because they are easily influenced, drinking them for social acceptance.

2.7 The secondary age group were aware of the health impacts of drinking energy drinks, referencing 'shakiness' and an elevated heart rate as long-

term effects. However, participants felt a lot of peers were unaware of the health risks, thinking they were no worse or the same as other sugary drinks.

Proposed ban on the sale of energy drinks to children under 16

- 2.8 There was a consensus amongst primary aged children that there should be a ban on the sale of energy drinks to children aged under 16. Secondary aged children were more split, with two participants in favour of the ban, two disagreeing and four unsure.
- 2.9 Amongst parents and carers there was a general agreement that a ban should be enforced as they felt consumption can lead to teeth rotting, unsociable behaviour and unknown health impacts for those on medications. Some participants were surprised that there was not a ban already in place stating, “kids do not need that amount of energy”. One parent claimed their child was allowed to have one occasionally as a treat, but they were not allowed to purchase them.

Mandatory age limit of 18 to purchase an energy drink

- 2.10 Both primary and secondary pupils were against raising the age of the ban to children under 18, claiming that at by the age of 16 “you are old enough to make your own decisions”.
- 2.11 Parents and carers were more supportive of raising the limit to 18, stating children are more aware of their own health at 18.

Benefits and challenges of implementing the proposed ban

- 2.12 Parents and carers raised the importance of enforcing the ban well, for it to be effective. The issue of sponsorships was also raised, with energy drink brands seen as marketing their products as sporty and safe to drink. One participant cited the ban on cigarette companies sponsoring sports events and suggested that a similar ban for energy drink companies should follow suit.
- 2.13 Participants also felt there should be some restrictions on how energy drinks are packaged, as companies can package energy drinks in a way that looks trendy, encouraging consumption.

Widening the ban to other drinks typically high in caffeine e.g. tea and coffee

- 2.14 Primary aged children had little opinion as to whether the ban should be widened to coffee. However, over half the group drank tea regularly so were not keen on a ban extending to tea.
- 2.15 The secondary age group were in agreement that the ban should not include tea or coffee.
- 2.16 There was also a consensus amongst parents and carers that the ban should not be widened. This was because tea and coffee were not viewed as being dangerously high in caffeine or the cause of antisocial behaviour.

3. Stakeholder Engagement – ‘Your Views and Voices’ event findings

Background

- 3.1 This section summarises key points from group discussions held as part of the Healthy Food Environment and Energy Drinks - Your Views and Voices event, on 19 July 2022.
- 3.2 The event provided health professionals, relevant non-governmental organisations and food industry representatives with the opportunity to discuss some of the key themes of two consultations:- ‘Healthy Food Environment’ and the ‘Proposal to end the sale of energy drinks to children under 16’. The findings below are focused exclusively on discussions surrounding the energy drinks proposal.
- 3.3 Participants were from organisations such as NHS Wales, PHW and Sport Wales alongside local authorities, health charities and representatives from the food industry.
- 3.4 The food industry representatives were allocated the same group for the discussions. The remaining delegates were split more randomly into the remaining five groups. For the purposes of the analysis below, these delegates are referred to as belonging to the NGO groups.

Benefits and Challenges

Do you agree with the proposal to end the sale of energy drinks to children under 16 in Wales?

- 3.5 There was a strong consensus overall from delegates that energy drink sales to children should be banned, with 87 per cent agreeing with a ban at either 16 or 18 years. This is comprised of 52 per cent of delegates agreeing that the age limit should be 16 and a further 35 per cent stating that the mandatory age limit should be 18. However, all of the food industry delegates were unsure about the proposals.
- 3.6 Benefits identified by NGO groups included a positive contribution towards reducing childhood obesity as well as improved mental health and general wellbeing. The addictive nature of energy drinks was also raised – banning

the sale of energy drinks to children may result in less adults having an unhealthy relationship with energy drinks in the future. Respondents felt the restrictions would highlight the harm caused by energy drink consumption in childhood and send out a clear message that supports a culture shift with changing norms.

- 3.7 Challenges listed by NGO groups included the size and power of the energy drink industry and its marketing capabilities, as well as policing the restriction and ensuring enforceability. The introduction of further restrictions was seen as increasing the risk of children rebelling for the sake of independence.
- 3.8 Delegates suggested actions to address the identified challenges. Ideas included clear communication with manufacturers and retailers, education for parents and children, and addressing the root cause – why young people want to consume these drinks. Creating social change through education, and the use of social media influencers and sports celebrities in campaigns, was seen as having the capability to change mindsets but it was recognised that this would take time.
- 3.9 Food industry representatives all said that, although not opposed to the proposal in principle, they were unsure if it should be delivered in practice. They pointed out that almost all retailers adhere to the current voluntary code of conduct/practice which entails not selling or marketing energy drinks to under 16 year olds. They were not convinced that further legislation or restrictions would bring additional benefits.
- 3.10 Benefits of the legislation identified by food industry representatives included a consistent, clear policy that will be easier to implement and enforce. A familiarity of the restrictions within the retail sector, due to existing voluntary restrictions already being in place, was also cited as a benefit.
- 3.11 Another challenge identified was ensuring that staff have access to any new guidelines and are trained to enforce them. Possible divergence with the rest of the UK was raised as a potential issue which could cause implementation difficulties and increased costs.

Mandatory age restriction of 18

- 3.12 Reasons to set a lower age limit of 16 for the sale of energy drinks, rather than 18, include alignment with England's energy drink commitments. The food industry participants were particularly keen on the limit being 16, arguing that energy drinks should not be on the same footing as alcoholic drinks and tobacco. Consistency with the definition of a child according to the UK advertising regulations code (which defines a child as under 16) was also cited as a reason for capping the age limit at 16.
- 3.13 Those in favour of the lower age limit being 18 suggested that it might be beneficial for the restriction to align with other age restricted products, such as alcohol and tobacco. It was also thought that it would send a clearer message to include all school children under the restrictions, whereas if the age was 16 it would "muddy the waters".

Should the proposal be widened to consider other drinks typically high in caffeine such as tea and coffee?

- 3.14 Both the food industry and NGO groups agreed that this was unnecessary as tea and coffee consumption not an issue for children. Tea and coffee were widely regarded as having significantly less caffeine and sugar content than many energy drinks and, as such, were not seen as comparable.

The Retail Environment

Do you agree that ending the sale of energy drinks to children under 16 should cover all shops, including through online environments?

- 3.15 In total, 90 per cent of respondents from the NGO and food industry groups agreed that the proposal should cover all stores, including online.
- 3.16 For the NGO groups, this was thought to provide a consistent approach that will give clarity to parents and young people. By avoiding any loopholes, it will ensure the restriction is widely applied resulting in widespread health benefits for children and young people.
- 3.17 All industry participants felt that there should be a level playing field for all retailers to prevent a potential competitive advantage for online retailers.

- 3.18 Challenges mentioned included difficulties associated with policing and enforcing age restrictions with online deliveries, with the additional risk of proxy sales taking place. The existing lack of adherence to age-based restrictions for alcohol amongst some corner shops was cited as an indication that this will also be the case with energy drink restrictions. The likelihood that ‘entrepreneurial children’ will access it through non-legitimate sources in unregulated environments was raised as a risk. The need to support local businesses and retailers through consistent information and a staggered implementation period was suggested.

What are your thoughts about restricting children and young people’s access to energy drinks from vending machines?

- 3.19 There was widespread support for this restriction from the NGO groups. There were concerns however as to how it would be policed. Delegates asked if it would be possible for vending machines to verify age. However, restricting access to energy drinks was also seen as an opportunity to re-evaluate the content of vending machines more widely, so that healthier products could be offered.
- 3.20 The food industry groups held a contrasting view as they considered vending machines to be a non-issue. This is partly due to the lack of vending machines in most supermarkets and convenience stores. They did, however, raise the effective policing of restrictions as a challenge. They suggested siting vending machines selling energy drinks in places which are predominantly adult-only. Vending machines without energy drinks could be in settings where children and young people are more likely to be present.

Impact on different groups

How do you think the proposal to end the sale of energy drinks to children under 16 might impact certain groups?

Children and Young People

- 3.21 Delegates felt that children and young people would be positively impacted. This is because fewer children would suffer adverse health effects, such as having teeth removed under general anaesthetic. It may also ease the element of peer pressure relating to the consumption of these products.

Food industry representatives highlighted a possible risk if the age of restriction is 18 as opposed to 16. Delegates also highlighted that some children and young people may feel that they have been negatively impacted and there was therefore a need to mitigate any backlash by explaining the risk of these products to young people.

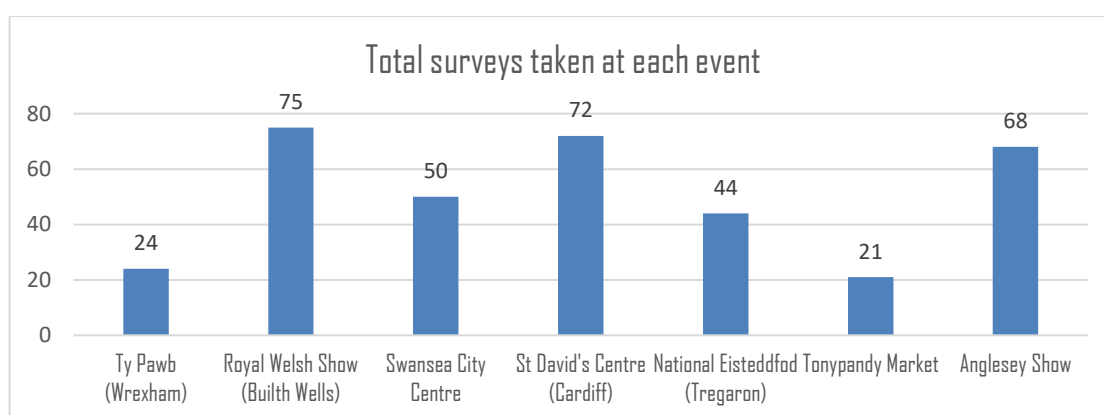
Socio-economic groups

- 3.22 Comments on how specific socio-economic groups, such as those in unemployment or low-paid jobs, could be affected highlighted the risk of a possible alternative trade in energy drinks. However, food industry groups suggested that evidence on impact was limited.

4. Public Engagement Roadshow: Survey Results

4.1 There were a total of 354 surveys taken at the seven events across Wales. Of these, only 17 were not completed fully. The partially completed survey results have been included within the data. The table below shows the number of surveys taken per location. To note that the data for Swansea and Cardiff were combined, so the respective figures are approximate.

Figure 1 Total surveys taken at each event



4.2 The results below only highlight the findings that are relevant to the energy drinks consultation (Question 8 of the roadshow survey). The remainder of the survey findings relate to the healthy food environment consultation and so are set out in the 'Healthy Food Environment Consultation: Engagement and Analysis Report'.

4.3 Question 8: Do you think it's a good idea to ban the sale of energy drinks to children under 16?

Answer Choices	Responses	Percentage	Count
Yes		86.83%	290
No		6.89%	23
Not sure		6.29%	21

4.4 The question had a very high level of approval, with 87 per cent of respondents agreeing that energy drinks should not be sold to children under 16. Typical reasons for approving a ban included a link with hyperactivity and the addictive nature of energy drinks:

- "Makes them too hyperactive and as a teacher I would support this"

- “Is it not banned already?”
- “It causes heart arrhythmia”
- “Excessively high amount of sugar”

4.5 Some of those who agreed with a ban felt that it might backfire:

- “Yes, but this could make them more attractive to children - they want what they can’t have!”

4.6 Those that opposed a ban felt that it was for parents to decide what their children should consume.