



Banning the sale of high-caffeine energy drinks to children

The consultation is open for 12 weeks and will close at **11:59pm on 26 November 2025**.

Consultation doc and portal: [Banning the sale of high-caffeine energy drinks to children - GOV.UK](#)

- [Banning the sale of high-caffeine energy drinks to children: impact assessment](#)
- [Evidence Repository](#) (hosted by Sustain)
- [Regulatory Policy Committee](#) (previous impact assessment in 2019)

This consultation seeks views on banning the sale of high-caffeine energy drinks to children under the age of 16 years (that is, children aged 15 years and under). This includes proposals on:

- the minimum age of sale for high-caffeine energy drinks
- the products and businesses in scope of the ban
- how the ban will apply in vending machines
- the length of time that businesses and enforcement authorities need to implement the ban
- how the ban would be enforced

The proposed ban would apply in England only, since policy relating to high-caffeine energy drinks is a devolved matter

About the Obesity Health Alliance

Action on Salt and Sugar is a registered UK charity (1098818) based at Queen Mary University of London, working to improve population health and food environments through impactful research on the nutritional content of food and drink. We inform policy, influence the food industry, raise awareness, and build advocacy for salt and sugar reformulation.

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Question 1

Do you agree or disagree with the proposal to ban the sale of high-caffeine energy drinks based on age?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please provide any specific information or evidence to support your answer (optional, maximum 300 words)

Long answer (300 words max)

High-caffeine energy drinks are “not suitable for children,” and the Government must fulfil its manifesto commitment to restrict sales to children. Despite labelling and some voluntary supermarket policies, energy drinks remain easily accessible, heavily marketed with misleading “health halos” [1], and widely consumed by young people [2]. Voluntary measures have not prevented underage sales, create an uneven playing field across retailers, and are seen by young people as ineffective [3].

A legal age-of-sale restriction would provide a clear, consistent standard across all food and drink outlets, strengthen parents’ ability to set boundaries, support school enforcement, and mirror age-restricted policies for tobacco, alcohol, vapes, lottery tickets and knives.

Public support for this measure is strong. Polling of 2,018 UK adults (Savanta, 2025) shows 76% support, rising to 84% among parents of under-18s.

A 2024 systematic review [4] showed regular consumption is linked to more frequent headaches, irritability, stomach aches, poorer sleep, and higher rates of stress, anxiety and depression. It also connects to risky behaviours including smoking, alcohol and substance

¹ Stewart, G., Lake, A.L and Moore, H. (2025) A Mixed Method Study Exploring Children and Young People's Perception of Energy Drinks and Analysing Consumption Patterns. Journal of Human Nutrition and Dietetics. V 38 (5). <https://doi.org/10.1111/jhn.70140>

² Visram S, Crossley SJ, Chaeetham M, Lake A (2017) Children and young people’s perceptions of energy drinks: A qualitative study. PLOS ONE 12(11): e0188668. <https://doi.org/10.1371/journal.pone.0188668>

³ Vogel C, Shaw S, Strömmer S, et al. Inequalities in energy drink consumption among UK adolescents: a mixed-methods study. Public Health Nutrition. 2023;26(3):575-585. doi:10.1017/S136898002200259a2

⁴ Ajibo, C et al., (2024) Consumption of energy drinks by children and young people: a systematic review examining evidence of physical effects and consumer attitudes. Public Health. V.227. <https://doi.org/10.1016/j.puhe.2023.08.024>

use, unsafe driving, violence, unsafe sex, truancy and bullying. Poor dietary patterns, such as skipping breakfast and consuming fast foods and sugary drinks, were more common among regular users. Evidence also shows that energy drinks, even low- or zero-sugar versions, can harm oral health [^{5,6,7}].

Energy drinks may impair attention, learning and behaviour, affecting educational outcomes. The Department for Education reports 82% of parents are concerned, and 61% of teachers see negative impacts on pupil health and wellbeing.

Recent research confirms energy drinks remain regularly consumed by young people, especially for children in more deprived communities, driven by marketing, branding, peer influence, low cost and easy access, with many perceiving them as healthier than they are [^{1,2,3}]. Studies link consumption to insufficient sleep and longer sleep latency [⁸].

Question 2

Do you agree or disagree that the minimum age of sale for high-caffeine energy drinks should be 16 years?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

⁵ Bleich SN & Vercammen KA (2018) The negative impact of sugar-sweetened beverages on children's health: an update of the literature. BMC Obesity doi.org/10.1186/s40608-017-0178-9

⁶ Royal College of Surgeons of England (2021) Clinical guidelines for dental erosion: Diagnosis, prevention and management of dental erosion.

⁷ Sully C (2003) Drug effects on salivary glands: dry mouth. Oral Diseases <https://doi.org/10.1034/j.1601-0825.2003.03967.x>

⁸ Kaldenbach, S., Leonhardt, M., Lien, L. et al. Sleep and energy drink consumption among Norwegian adolescents – a cross-sectional study. BMC Public Health 22, 534 (2022). <https://doi.org/10.1186/s12889-022-12972-w>

If you do not agree with the proposal, what should the minimum age of sale be?

Long answer (300 words max)

We believe that the proposed age limit should be set at 18 for the following reasons:

Legal alignment: UK law and the UN Convention on the Rights of the Child define anyone under 18 as a child; 16–17-year-olds therefore deserve the same protections. EFSA states there is *no safe caffeine limit for children* and does not distinguish between under-16s and under-18s⁹.

Consistency with other age-restricted products: An under-18 limit matches restrictions on tobacco, vapes, alcohol, and gambling products. Evidence from tobacco control shows higher age limits strengthen norms, reduce acceptability, and limit access¹⁰. We disagree that energy drinks are not as harmful as other products restricted at 18; the minimum age for lottery tickets recently increased from 16 to 18.

Practical enforcement benefits: 18-year-olds have easier access to valid ID; many 16-year-olds, especially from low-income households, cannot afford a provisional licence¹¹. Clear alignment simplifies implementation for retailers. Some retailers, for example Morrison's and Uber Eats, already state shoppers 'must be 18 or over'.

International precedent: Latvia, Lithuania, Estonia, and Poland already use an under-18 limit. Major Norwegian health bodies advocate raising Norway's current limit from 16 to 18.

Greatest impact on consumption: 16–18-year-olds are the highest consumers; excluding them would weaken the policy and enable black-market sales among pupils. An under-18 limit protects Key Stage 4 students, including most pupils taking their GCSEs.

⁹ European Food Safety Authority (2015) Scientific Opinion on the safety of caffeine [online] Available at: <https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2015.4102>

¹⁰ Khan, J. (2022) Making smoking obsolete Independent review into smokefree 2030 policies: Dr Javed Khan OBE [online] Available at: <https://assets.publishing.service.gov.uk/media/62a0c3f38fa8f503921c159f/khan-review-making-smoking-obsolete.pdf>

¹¹ Health Foundation (2025) Trends in households without access to a car [online] Available at: <https://www.health.org.uk/evidence-hub/transport/transport-trends/trends-in-households-without-access-to-a-car>

Supports government health goals: Aligns with the mission to raise the healthiest generation of children. Helps tackle health inequalities, as consumption is higher in more deprived communities¹².

Public support: Polling (Nov 2025) shows 50% of adults and 56% of parents support an under-18 limit, versus far lower support for under-16.

Builds on voluntary retailer action: Extending restrictions to 18 strengthens existing voluntary under-16 measures and delivers greater public-health impact.

Question 3

Do you agree or disagree that the ban should apply to any drink, other than tea or coffee, that contains over 150 milligrams of caffeine per litre?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Please provide any specific information or evidence to support your answer, including information on other relevant caffeinated products (optional, maximum 300 words).

If you do not agree with the proposal, how should we define the products in scope and why? Please include in your answer any additional product categories you think should be in scope of any ban (maximum 300 words).

Long answer

We agree that the ban should apply to any drink, other than tea or coffee, that contains over 150 milligrams of caffeine per litre. This is in line with the Food Standards Agency recommendation, which states that drinks that contain caffeine from whatever source at a

¹² Vogel C, Shaw S, Strömmer S, et al. Inequalities in energy drink consumption among UK adolescents: a mixed-methods study. Public Health Nutrition. 2023;26(3):575-585. doi:10.1017/S1368980022002592

level over 150mg per litre (mg/l) must state: 'High caffeine content. Not recommended for children or pregnant or breast-feeding women' [¹³].

While moderate caffeine from tea or coffee is generally considered safe for older adolescents, energy drinks contain high levels of caffeine combined with sugar and other stimulants, amplifying risk. Due to current moderate levels of tea and coffee consumption amongst under 18s, we agree plain tea and coffee should be exempt from the policy.

However, as part of the Post Implementation Review (PIR), we encourage this to review any potential displacement to other high caffeine products and any new and emerging products which may be in scope. This could include pre-packaged sweetened coffee drinks, which are growing in popularity and accessibility. The pre-packed coffee market is forecasted to grow by 6.4% over the next 5 years. In May 2025, we analysed the caffeine content of 21 pre-packed sweetened coffee drinks with caffeine levels labelled on pack from websites of four major UK retailers. On average the pre-packaged sweetened coffee drinks contained 420 mg of caffeine per litre, with levels ranging from 270 mg to 590 mg per litre. Additionally, four of the pre-packaged sweetened coffee drinks exceeded 500 mg per litre. The current length of the PIR is five years, but we recommend this should be reduced to one year to ensure the policy is reviewed and fit for purpose on a more regular basis and to have a greater understanding of how the policy is being implemented.

Question 4

Do you agree or disagree that the ban should apply to all sellers, retailers and businesses, both in store and online, who operate in England?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with our proposal, which sellers, retailers and businesses should be in scope of the ban? (select all that apply)

¹³ Food Standards Agency (2025) Food additives [online] Available at: <https://www.food.gov.uk/safety-hygiene/food-additives#:~:text=Caffeine%20in%20drinks,per%20100g%20or%20per%20100ml>

- Retailers that primarily sell food and drink (such as supermarkets and convenience stores)
- Retailers not primarily selling food and drink (such as clothes retailers and newsagents)
- The eating out of home sector (such as restaurants, takeaways and delivery services, pubs and cafes)
- Individual sellers
- Online sellers, retailers and businesses
- None
- Don't know
- Other retailer

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Long answer (300 words)

We strongly agree that the ban should apply to all sellers, retailers, and businesses, both in store and online, who operate in England. This ensures consistent compliance across all retailers, avoiding the inconsistencies seen with voluntary measures and aligning with other age-restricted products.

Recent polling of 2,018 UK adults commissioned, conducted by Savanta in 2025, shows strong support for banning sales of high-caffeine energy drinks to children by all sellers, both in store and online, with 76% of adults and 81% of parents of under-18s supporting a ban by online retailers, 75% of adults and 82% of parents supporting a ban in corner shops and other small retailers, and 75% of adults and 80% of parents supporting a ban in supermarkets.

The government should ensure the ban is applied across all venues and settings that may sell energy drinks, including garage forecourts, vending machines, leisure centres, amusement parks, venues, colleges, schools, gyms, bars, pubs and cafes.

While voluntary codes exist - for example, through the Association of Convenience Stores and guidance for vending machines - these are unenforceable, inconsistently applied, and have not reduced consumption among under-18s, especially those from more deprived

communities. A comprehensive ban is the only way to close loopholes, protect all children wherever they live and however they shop, and provide a clear basis for enforcement.

Zero-sugar varieties of high-caffeine energy drinks are still permitted in restricted areas of medium and large supermarkets, under the The Food (Promotion and Placement) (England) Regulations 2021 as they pass the Nutrient Profiling Model. Whilst a sales restriction will prevent children from purchasing these drinks, we encourage the government to consider the appropriateness of such drinks to be placed at key locations from a policy coherence perspective. We propose implementation guidance is issued alongside, discouraging placement in prominent locations.

Question 5

For online sales of high-caffeine energy drinks, how should retailers ensure the ban is applied? (optional)

- Age verification at the point of sale
- Age verification at the point of delivery
- Don't know
- Another approach

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Long answer

We believe a combination of implementing age verification at both the point of sale and delivery is essential for enforcing the ban on high-caffeine energy drinks for children. This dual-layer approach aligns with existing legal frameworks and industry best practices for alcohol and tobacco, ensuring that age-restricted products are not sold to minors. The current protocol is through third-party verification services during the transaction, and delivery personnel must also confirm the recipient's age upon delivery, refusing to hand over the order without valid proof of age.

However, we recommend that a review of how reliable and secure these methods currently are for all age-restricted sales. Some age verification methods online simply ask the buyer for their date of birth, meaning this can be easily overcome. Upon delivery, there are concerns that age verification checks are not routinely completed, with delivery drivers being rushed to complete the delivery and lack of awareness the order contains age restricted products such as alcohol¹⁴.

Consideration to how alcohol purchased through online food and drink delivery platforms, such as Just Eat, Deliveroo and Uber Eats should also be taken. This is emerging as another potential route for minors to acquire age-restricted products with a growing number of supermarkets, corner shops and convenience stores now operating on these apps, and it is unclear what level of training delivery drivers have on conducting such checks.

Question 6

To ban the sale of high-caffeine energy drinks to children under 16 years in all locations where these drinks are sold, the Government must also ban their sale from vending machines. Vending machines are automated and often unsupervised, meaning it is not easy to prevent the sale of specific items based on age. The Government has identified 2 main options to apply this policy to vending machines.

Option 1: banning sales from all vending machines regardless of the age of the person buying them Option 1 is the most straightforward for businesses to implement and the relevant authorities to enforce. However, it would stop high-caffeine energy drinks being sold to people aged 16 and over, even though they are not in scope of the proposed ban. This option may also increase the impact on businesses.

Option 2: the business or organisation where the vending machine is located is responsible for the age of sale ban.

¹⁴ Alcohol Change UK (2020) Effective age-gating for online alcohol sales [online] Available at: <https://s3.eu-west-2.amazonaws.com/sr-acuk-craft/documents/Effective-age-gating-for-online-alcohol-sales-Final-Report.pdf> [Accessed: 17.11.25]

Do you agree or disagree that the sale of high-caffeine energy drinks should be banned from all vending machines?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with the proposal, how should the ban apply in vending machines and why?

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Long answer (300 words)

We strongly support option 1 presented in the consultation. Vending machines are commonly located in spaces used by children and young people, including leisure centres and gyms, FE colleges, and entertainment venues - and the vending market is experiencing significant growth, with an estimated 70% of vending machines selling beverages, snacks and food. There is no practical method for age verification on vending machines in these settings, making them a high-risk point of access for children.

The UK Food Standards Agency's [guidance](#) on Healthier and More Sustainable Vending advises against placing high-caffeine energy drinks in vending machines. Extending a legal ban to cover all vending machines is essential to close this loophole, protect children from easy access, and ensure a consistent and simplified approach.

Recent polling of 2,018 UK adults conducted by Savanta during November 2025 reveals 76% of all adults believe sales of high-caffeine energy drinks should be banned in vending machines. This rises to 81% for parents with children under 18s.

The consultation acknowledges that Option 2 could result in children still being able to buy these products in some locations, undermining the policy and creating a loophole. This would result in placing a significant resource burden on retailers.

We urge the government to take a bold approach to vending machines, and include them within the legislation.

Question 7

Do you agree or disagree that the person who controls or manages the premises where the machine is located should be liable for any underage sales of high-caffeine energy drinks from vending machines? (optional)

- **Agree**
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with the proposal, who should be liable for any underage sales from vending machines and why?

Please provide any specific information or evidence to support your answer (maximum 300 words).

Long answer

We agree that the owner, manager, or person controlling the premises where vending machines are located should be held responsible for any illegal sales of high-caffeine energy drinks to children. This approach aligns with established practices for other age-restricted products and is essential for effective enforcement.

Experience with tobacco vending machines highlights the difficulty of relying solely on age verification to prevent underage access. Research indicates that children still obtain products from these machines, which, according to the UK government's 2012 impact assessment, disproportionately serve underage customers. Consequently, it is essential to hold establishments accountable for preventing illegal sales, and the most straightforward way to ensure compliance is to ban energy drinks from vending machines entirely.

Question 8

Do you agree or disagree that 6 months is an appropriate length of time for businesses and enforcement authorities to prepare to implement the ban?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with the proposal, how long should the implementation period be? Enter the number of months. If you do not have an alternative suggestion, please enter '0' (zero).

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

We believe that 6 months is an adequate amount of time for businesses to prepare to implement the ban, especially given the amount of notice given by the government since election in 2024, the consultation held in 2018 by the previous government, and that there are already voluntary measures in place across many retailers for a number of years.

The government must ensure that there is sufficient guidance provided to businesses, as well as sufficient additional resources provided to trading standards teams and local authorities to ensure effective implementation and compliance monitoring, who are already

overstretched. To ensure the ban is effective and sustainable, sufficient funding and clear guidance must accompany any new regulatory requirements.

There is learning to be taken from The Food (Promotion and Placement) (England) Regulations 2021 on enforcement. Evaluation of the HFSS locations restrictions contained concerns from retailers that the guidance was too complicated and difficult to understand, although ultimately it was achievable, enforceable and effective¹⁵. We propose any guidance is simplified and clear in its intention.

Question 9

Should powers under the Regulation of Investigatory Powers Act 2000 be extended to allow local authorities to assess compliance with the age restriction on the sale of high-caffeine energy drinks?

- Yes
- No
- Don't know

Please provide any specific information or evidence to support your answer, including detail of any alternative approaches that could be considered to assess compliance (optional, maximum 300 words).

Long answer

Yes, we agree, provided that local authorities are appropriately placed and can be properly resourced to carry out this work effectively. Extending powers to assess compliance is a reasonable enforcement approach, and compliance checks could likely be integrated into

¹⁵ Dhuria, P., Muir, S., Jenner, S. *et al.* "If government is saying the regulations are important, they should be putting in funding to back it up." - An in-depth analysis of local authority officers' perspectives of the Food (Promotion and Placement) (England) Regulations 2021. *BMC Med* 22, 514 (2024). <https://doi.org/10.1186/s12916-024-03720-5>

existing processes for other age-restricted products such as alcohol and tobacco. However, successful implementation will require:

Ringfenced funding: Resources must be earmarked specifically for enforcing age restrictions on high-caffeine energy drinks, rather than being absorbed into general budgets. This ensures that trading standards teams have the capacity to prioritise this work.

Adequate staffing and training: Local authority trading standards teams must have sufficient staff, training, and guidance to carry out checks effectively, including intelligence-gathering and use of test purchases where appropriate.

Experience from The Food (Promotion and Placement) (England) Regulations 2021 highlights the barriers local authorities currently face in taking on extra responsibilities, and the lack of funding that is provided to carry out these duties¹⁶. In 2023 a survey was conducted with 40 trading standards officers with a responsibility for enforcing the above legislation¹⁷. There was good awareness of the legislation amongst the officers we spoke to, however training opportunities and the number of inspections carried out were minimal. Officers reported staffing issues and competing priorities as key issues and confidence in reporting of potential breaches in-store was identified as a challenge. This was also echoed in another study with local authority enforcement officers¹⁸.

Adequately resourced enforcement provides both deterrence and accountability, protecting children from illegal sales and supporting broader public health goals.

¹⁶ The Grocer. (2022). Trading Standards set to receive just £35k to enforce HFSS rules [online] Available at: <https://www.thegrocer.co.uk/stores/trading-standards-set-to-receive-just-35k-to-enforce-hfssrules/679144.article>

¹⁷ Obesity Health Alliance and Food Active (2023) Location, location, location [online] Available at: https://foodactive.org.uk/wp-content/uploads/2023/11/Location_Location_Location_Winter2023_FINAL.pdf

¹⁸ Muir S, Dhuria P, Roe E, Lawrence W, Baird J, Vogel C. UK government's new placement legislation is a 'good first step': a rapid qualitative analysis of consumer, business, enforcement and health stakeholder perspectives. BMC Med. 2023 Jan 26;21(1):33. doi: 10.1186/s12916-023-02726-9. PMID: 36703194; PMCID: PMC9878939.

Question 10

Do you agree or disagree that 28 days is an appropriate length of time to make representations and objections or to discharge liability for a notice of intent?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with the proposal, how many days is an appropriate length of time to make representations and objections or to discharge liability for a notice of intent?

Enter number of days. Suggestions must be less than 28 days. If you do not have an alternative suggestion, please enter '0' (zero).

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Answer

We agree if this is aligned with approaches for other age-restricted products.

Question 11

Do you agree or disagree that a person or retailer should be able to discharge liability for a fixed monetary penalty at a rate of 50% of the penalty within 28 days of being issued a notice of intent?

- **Agree**
- Neither agree nor disagree
- Disagree
- Don't know

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Answer

We agree if this is aligned with approaches for other age-restricted products.

Question 12

Do you agree or disagree that 28 days is an appropriate length of time to pay a final notice?

- **Agree**
- Neither agree nor disagree
- Disagree
- Don't know

If you do not agree with the proposal, how many days is an appropriate length of time to pay a final notice? Enter number of days. Suggestions must be less than 28 days. If you do not have an alternative suggestion, please enter '0' (zero).

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Answer

We agree if this is aligned with approaches for other age-restricted products.

Question 13

Do you agree or disagree that failure to pay or appeal a final notice within 28 days should result in the penalty being increased by 50%?

- **Agree**
- Neither agree nor disagree
- Disagree
- Don't know

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Answer

We agree if this is aligned with approaches for other age-restricted products.

Question 14

Do you agree or disagree that the proposed amounts for fixed monetary penalties are appropriate?

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

Table 1: proposed fixed monetary penalties for underage sales of high-caffeine energy drinks

Person or business	Sum of the fixed monetary penalty	Sum to discharge liability (50% of the fixed monetary penalty) within the specified time	Sum for any penalty that is unpaid and has not been appealed after the specified time
Individual, micro and small businesses (less than 50 employees)	£1,500	£750	£2,250
Medium and large businesses (50 employees or more)	£2,500	£1,250	£3,750

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

If you do not agree with the proposed amounts, what should the fixed monetary penalty for individual, micro and small businesses be?

If you do not agree with the proposed amounts, what should the fixed monetary penalty for medium and large businesses be?

For these questions, please enter an amount in pound sterling (£). If you do not have an alternative suggestion, please enter '0' (zero).

Please provide any specific information or evidence to support your answer (optional, maximum 300 words).

Answer

Disagree. We believe the proposed fixed monetary penalties for underage sales of high-caffeine energy drinks are insufficient and inconsistent with penalties for other age-restricted products. The current proposals suggest fines of up to £3,750, which are lower than those for alcohol, tobacco, and vaping products.

Alcohol: The maximum penalty for underage sales is £5,000, as outlined in the Licensing Act 2003, reflecting the high deterrence threshold deemed necessary to prevent breaches.

Tobacco and Vaping Products: Retailers can face on-the-spot fines of £200, with potential fines up to £2,500 for other nicotine products/ repeated offences

Lottery Tickets: Penalties can reach up to £5,000, with potential imprisonment for serious offences up to 2 years

Question 15

Do you think that this proposal would be likely to have an impact on people who share a protected characteristic in a way that is different from those who do not share it?

- Yes
- No
- Don't know

Which protected characteristics do you think this applies to? Select all that apply.

- age
- Disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity

- race (including colour, nationality, ethnic or national origin)
- religion or belief
- **Sex**
- **Sexual orientation**

Please provide any specific information or evidence about how the proposal might impact people differently because of any of these protected characteristics, including whether the impact is likely to be positive or negative (optional, maximum 300 words).

The proposed age of sale restriction primarily applies to age, protecting children and teenagers from the harmful effects of high-caffeine energy drinks. Focusing on this group is likely to have positive secondary effects for other populations:

Pregnancy and maternity: Raising awareness among teenagers can help reinforce the risks of high caffeine consumption during pregnancy and breastfeeding, supporting efforts to reduce teen pregnancy-related harms.

Sex: Evidence indicates that high-caffeine energy drinks have historically been more heavily marketed to boys and young men. Restricting sales to under-18s may help address this gendered consumption pattern and reduce related harms.

While the measure is not explicitly targeted at other protected characteristics, it could indirectly support public health outcomes across pregnancy/maternity and sex, without introducing inequities.

Helps tackle health inequalities, as consumption is higher in more deprived communities¹⁹.

¹⁹ Vogel C, Shaw S, Strömmer S, et al. Inequalities in energy drink consumption among UK adolescents: a mixed-methods study. *Public Health Nutrition*. 2023;26(3):575-585. doi:10.1017/S1368980022002592

Question 16

Please provide any further evidence or data you want us to consider in our final impact assessment. You can upload up to 3 files.

The Action on Salt and Sugar are submitting the references supporting this consultation response as a separate Word document. The list cited in this response is pasted below for your reference.

1. Stewart, G., Lake, A.L and Moore, H. (2025) A Mixed Method Study Exploring Children and Young People's Perception of Energy Drinks and Analysing Consumption Patterns. Journal of Human Nutrition and Dietetics. V 38 (5).
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12. Vogel C, Shaw S, Strömmer S, et al. Inequalities in energy drink consumption among UK adolescents: a mixed-methods study. Public Health Nutrition. 2023;26(3):575-585. doi:10.1017/S1368980022002592
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Any other questions

If applicable, you can raise any further matters about this consultation (optional, maximum 300 words).

We welcome this consultation as an important next step to ending the sale of high-caffeinated drinks to children, and look forward to working with the government to move into the implementation phase swiftly. Whilst restricting the sale of energy drinks to children through legislation is a significant milestone, there is still more the government can do to address the other drivers of energy drinks consumption, appeal and accessibility.

Of particular concern is the marketing of energy drinks through sport to children, that will continue post implementation of the sales restriction through the brand advertising exemption (whereby energy drink brands will still be able to advertise their brand under the forthcoming food and drink marketing legislation from 5th January), and for zero-sugar high caffeine energy drinks which pass the current NPM. Energy drink manufacturers have been associated with extreme sports including F1 for decades (i.e. Red Bull F1 team), and this is now growing to other sports including football. Sport is a powerful vehicle to market products through, reaching large audiences - many of whom are young^[1]. We urge the government to consider how they can build on the sales restriction to protect children from the persuasive marketing of energy drinks.

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