



Science and Technology Committee

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From Rt Hon Norman Lamb MP, Chair

Andy Burman
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Dear Andy Burman.

Energy drinks and children Report

I was disappointed to read the guest blog post "It is time to ban the sale of energy drinks to children in the UK" on the BDA's website (<https://goo.gl/2FpxEe>) regarding my Committee's recent Report on Energy drinks and children. The blog post, which I know was not written by the BDA itself, contained a number of misrepresentations and inaccuracies relating to my Committee's Report, which I seek to address in this letter.

The post argues that "the Committee has failed to engage with the fact that gathering "quantitative evidence" on the impact of energy drinks on child health would be unethical". This misrepresents our Report. At paragraph 38 of our Report we set out evidence from Dr Lake, one of the blog's contributors, on the ethical questions related to conducting studies on children:

Dr Amelia Lake, told us that there were ethical issues related to carrying out research on children: "it would be very unethical to give caffeine to children to see the effect", which meant that the evidence available was necessarily limited.

In our related conclusion and recommendation (paragraph 44) we acknowledged the ethical issues and stated:

In our view, there is insufficient evidence as to whether children's consumption habits are significantly different for energy drinks compared with other caffeinated products such as tea and coffee. We recommend that in the next six months the Government should commission independent research to establish whether energy drinks have more harmful effects than other soft drinks containing caffeine in order to support evidence-based decision-making. There are ethical questions related to undertaking research on the effects of energy drink consumption on

children, which would need to be borne in mind when designing further research.

In addition, we are not the only body to call for further evidence. During the course of our inquiry we heard calls from others for more research (see paragraph 41 of our Report):

Professor Russell Viner, President, Royal College of Paediatrics and Child Health, for example, told us that there was a need for more research as the impact of caffeine was “an area in which we do not have a huge amount of research”. The Association of Convenience Stores also supported this call for more research. The Minister, Steve Brine MP, agreed and explained that he “would be the first to say that more research is needed fully to understand their impact on children”.

The post also criticises our understanding “of the strategies required to address complex and multifactorial” diseases (such as tooth decay) which are associated with energy drink consumption. As we allude to in our Report, the bar for banning a product is a high one. Our Report focused on the caffeine content of energy drinks and as we set out at paragraph 33 the caffeine content of energy drinks is comparable to some other drinks (such as coffee). Therefore, consideration has to be given to why energy drinks should be treated differently to such products. We also noted that the amount of sugar in energy drinks was comparable with other soft drinks such as Coca Cola (paragraph 31), for which no age-restriction is currently proposed. We considered that sugar concerns relating to energy drinks would be covered by the Soft Drinks Industry Levy, rather than restrictions on sale, and were being addressed through the Government’s obesity strategy.

That is why we made a recommendation (paragraph 60) based on the precautionary principle, which the post insinuates we do not understand, on the approach the Government may wish to take:

On balance, the current scientific evidence alone is not sufficient to justify a measure as prohibitive as a statutory ban on the sale of energy drinks to children. [...] However, we recognise that it might be legitimate for the Government to go beyond the quantitative evidence available and implement a statutory ban on the basis of societal concerns and qualitative evidence, such as the experience of school teachers. If the Government decides to introduce a statutory ban it should set out the reasoning for its decision.

Finally, the post argues that “the call of the Committee for more effective labelling measures should not be envisaged as providing an alternative to a ban on the sale of energy drinks to minors”. We do not argue that a ban and improved labelling are mutually exclusive. What we acknowledged (see paragraph 70) was that “the evidence threshold for including more prominent advisory notices is lower than for prohibiting their sale”. Therefore, we recommended that with regard to labelling the Government should act and “use the opportunity of leaving the EU to introduce, within 18 months of exit day, additional labelling requirements to ensure that advisory messages are more prominent on energy drinks packaging and not merely in ‘the small print’”. We concluded that this could help parents to make informed choices on the products they allow their children to consume.

I am copying this letter to Professor Amandine Garde, Dr Amelia Lake and Dr Shelina Visram who contributed to the blog post. I am also writing in similar terms to the Jamie Oliver Food Foundation who published a very similar post on its website.

Yours sincerely,



Rt Hon Norman Lamb MP
Chair