



VOX POP?

CHRISTOPHER SNOWDON

questions government

moves to ban the

sale of energy drinks

to under-16s...

I remember a faint air of excitement when the first energy drinks made it to my neck of the woods in the mid-1990s.

Rumour had it that they contained a mystical ingredient that would put a spring in your step (or give you wings, if you will). The exhilaration did not survive contact with the product, however.

The supposedly magic ingredient – taurine – was neither therapeutic nor psychoactive and the only stimulant in it was a dose of caffeine equivalent to a standard cup of instant coffee.

Like that other staple of 1990s student life, *Pro Plus*, energy drinks were a handy source of caffeine for people who didn't like hot drinks. They have been a significant part of the UK soft drinks market ever since, but it is only recently that they have become the subject of a moral panic. The government now intends to ban their sale to

anyone under the age of 16.

Age restrictions are generally placed on the sale of products that can cause demonstrable harm to the user (e.g. alcohol, tobacco, solvents) or to others (e.g. knives, fireworks). Energy drinks do not cause harm to others, so the government must think they harm the user, but it is unclear what harm is being done.

The government proposed the ban in its Childhood Obesity Plan, but there is no evidence that energy drinks play much of a role in making kids fat.

A can of *Red Bull* contains less sugar than a can of *Pepsi*, and many energy drinks contain no sugar at all. Unless the government is also planning to ban the sale of cake, sweets and lemonade to children, a ban on energy drinks seems unscientific and arbitrary.

Perhaps it's not sugar and calories that are the issue, but caffeine? If so, it's not clear why the government isn't

proposing a ban on the sale of other caffeinated drinks. There is more caffeine in many of the drinks sold in Starbucks and Costa than there is in a large can of *Monster* – and no one is proposing a ban on those.

Perhaps surprisingly, 10 to 17-year-olds get only just 11% of their caffeine from energy drinks. They get the rest from tea (39%), cola (33%), coffee (10%) and chocolate (7%). Even the heaviest adolescent consumers of energy drinks only get 17% of their daily caffeine intake from them.

There is no campaign to ban the sale of tea, coffee and cola to anyone under the age of 18, so what is special about energy drinks? They are not particularly high in sugar and caffeine and the government has not identified any other ingredients in them that could pose a risk to health.

In 2018, several supermarkets responded to a campaign by Jamie Oliver by voluntarily banning the sale of

energy drinks to people under 16. In doing so, they lost sales to independent retailers and now hope to use the law to constrain the competition.

The government says there have been "strong calls" for legislation from "some industry bodies and retailers" and argues that a ban "would create a level playing field for businesses". It seems big retailers are trying to nobble their smaller competitors with a state-sanctioned "level playing field".

Banning the sale of energy drinks to minors on the basis of their sugar and/or caffeine content would set a troubling precedent. It would be no surprise if, having secured legislation, campaigners complain about the "loophole" that allows adolescents to buy drinks that contain more sugar or caffeine than those which had just been banned.

A ban would affect adults as well as children. If it goes ahead, anyone who does not look well over the age of 18 will have to provide ID when buying an energy drink.

If the government also proceeds with its proposal to ban the sale of energy drinks in vending machines and from certain buildings, it will reduce consumer choice for adults and children alike.

Most people would regard a ban on the sale of tea, coffee and sugary products to teenagers as disproportionate and ridiculous. There is no scientific reason to view a ban on the sale of energy drinks to teenagers any differently.●

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