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## EDITED BY

Alexandre Morais Nunes,  
University of Lisbon, Portugal

## REVIEWED BY

Andreia Matos,  
Technical University of Lisbon, Portugal  
Ricardo De Moraes E. Soares,  
Naval School, Portugal  
Duarte Tude Graça,  
Universidade de Lisboa, Portugal

## \*CORRESPONDENCE

Marta Figueira  
✉ martavsfigueira@dgs.min-saude.pt

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# Implementing a law restricting unhealthy food advertising in Portugal: a 13-year journey

Marta Figueira<sup>1,2\*</sup>, Pedro Graça<sup>1,2,3,4</sup>, Magdalena Muc<sup>5</sup> and  
Maria João Gregório<sup>1,2,3,4</sup>

<sup>1</sup>Faculty of Nutrition and Food Sciences, University of Porto, Porto, Portugal, <sup>2</sup>National Program for the Promotion of Healthy Eating, Directorate-General of Health, Lisbon, Portugal, <sup>3</sup>EPIUnit – Institute of Public Health, University of Porto, Porto, Portugal, <sup>4</sup>Laboratory for Integrative and Translational Research in Population Health (ITR), University of Porto, Porto, Portugal, <sup>5</sup>School of Education, Childhood, Youth and Sport, The Open University, Milton Keynes, United Kingdom

In 2019, Portugal approved a law introducing restrictions on the advertising of unhealthy foods and beverages to children under 16 years of age. This article describes the process of enacting this mandatory regulation, pioneering in Europe, from initial parliamentary discussions in 2012 to the first formal impact evaluation in 2024. Portugal faced significant technical and political challenges, including industry lobby, defining “unhealthy” foods and monitoring and enforcing the law. Despite its limitations, the law stands as a successful example that can support other countries in developing similar regulatory frameworks. Portugal’s experience illustrates the importance of political will and multisectoral collaboration in successfully implementing such restrictions. Further recommendations include clear nutrient profiling, strong monitoring and enforcement mechanisms and maintaining dialogue while anticipating potential opposition.

## KEYWORDS

advertisement, children, food marketing, HFSS foods, public health, public policy

## 1 Introduction

In 2019, the Portuguese Parliament approved Law No.30/2019 ([Assembleia da República, 2019](#)) introducing restrictions to the advertising of foods and beverages with high energy value, salt, sugar, saturated or trans fatty acid content (HFSS) to under-16 s. With this measure, Portugal became the first country in the European Union (EU) to enact comprehensive mandatory regulation to protect children from harmful food marketing, introducing restrictions not only in traditional media but also across digital media and within school environments ([World Health Organization, Regional Office for Europe, 2018](#); [World Health Organization, Regional Office for Europe, 2024](#)).

The law prohibits advertising such products in television programme services, on-demand audiovisual communication services and radio in the 30 min before and after children’s programmes, and television programmes with a minimum audience of 25% children under 16. Advertising is also restricted in cinemas for films rated for under-16 s; magazines aimed at children under 16; and on the internet, through websites or social media, as well as in mobile applications aimed at devices that use the internet, when their content is aimed at under-16 s. Furthermore, the law applies restrictions to the advertising of unhealthy food products in schools, public playgrounds and sports, and cultural and recreational activities organized by schools, as well as within a 100-meters radius from the entrance to these places.

However, its implementation faced various technical and political challenges, and the legislative and political process that led to its approval began approximately 8 years before, in 2012. This article describes the implementation process of a law restricting unhealthy food

advertising to children in Portugal, highlights the key challenges encountered, and presents practical lessons and recommendations for public health workforce and policymakers involved in similar regulatory efforts.

Figure 1 describes the implementation and evaluation process of Law No.30/2019, with key milestones identified, which will be further described in the next chapters.

## 2 Methods

This article adopts a narrative and descriptive policy analysis approach, drawing on secondary data and official documentation to reconstruct the 13-year process leading to the adoption and implementation of Law No. 30/2019 in Portugal. The information used in this study was collected from multiple official and institutional sources, including Parliamentary records, legislative documents, written submissions from stakeholders during the public consultation process, including food industry associations, consumer organizations, and public health institutions and documents of governmental bodies involved in the desing, implementation and evaluation of the law. All the publicly available documents produced at the different stages of the legislative process were included in this analysis. Qualitative analysis of the documents was performed by the first author to analyse the timeline, main actors, challenges and facilitators of the implementation process. The analysis was further validated through

expert review by the authors of this paper, who contributed to the process through institutional roles in the Directorate General of Health (DGS) and the National Programme for the Promotion of Healthy Eating (PNPAS). A table with the sources of information used in this paper, along with their corresponding references, is provided in [Supplementary Material 1](#).

## 3 From the first discussions in the parliament to the final approval of the law: 2012–2019

Portugal’s first legislative proposal to regulate the marketing of unhealthy foods to children was introduced in 2012 following international calls to action by the World Health Organization (WHO) and the EU to implement actions to prevent obesity. Key landmark documents, including the *European Charter on Counteracting Obesity* (World Health Organization, Regional Office for Europe, 2006), the establishment of the WHO *European Action Network to Reduce Marketing Pressure on Children* (World Health Organization, Regional Office for Europe, 2014), and the endorsement of the *Set of Recommendations on the Marketing of Foods and Non-Alcoholic Beverages to Children*, at the World Health Assembly, in 2010, World Health Organization (2010), played a key role in shaping this proposal.

At the same time, Portugal launched the first national action programme on nutrition and obesity, which further reinforced the

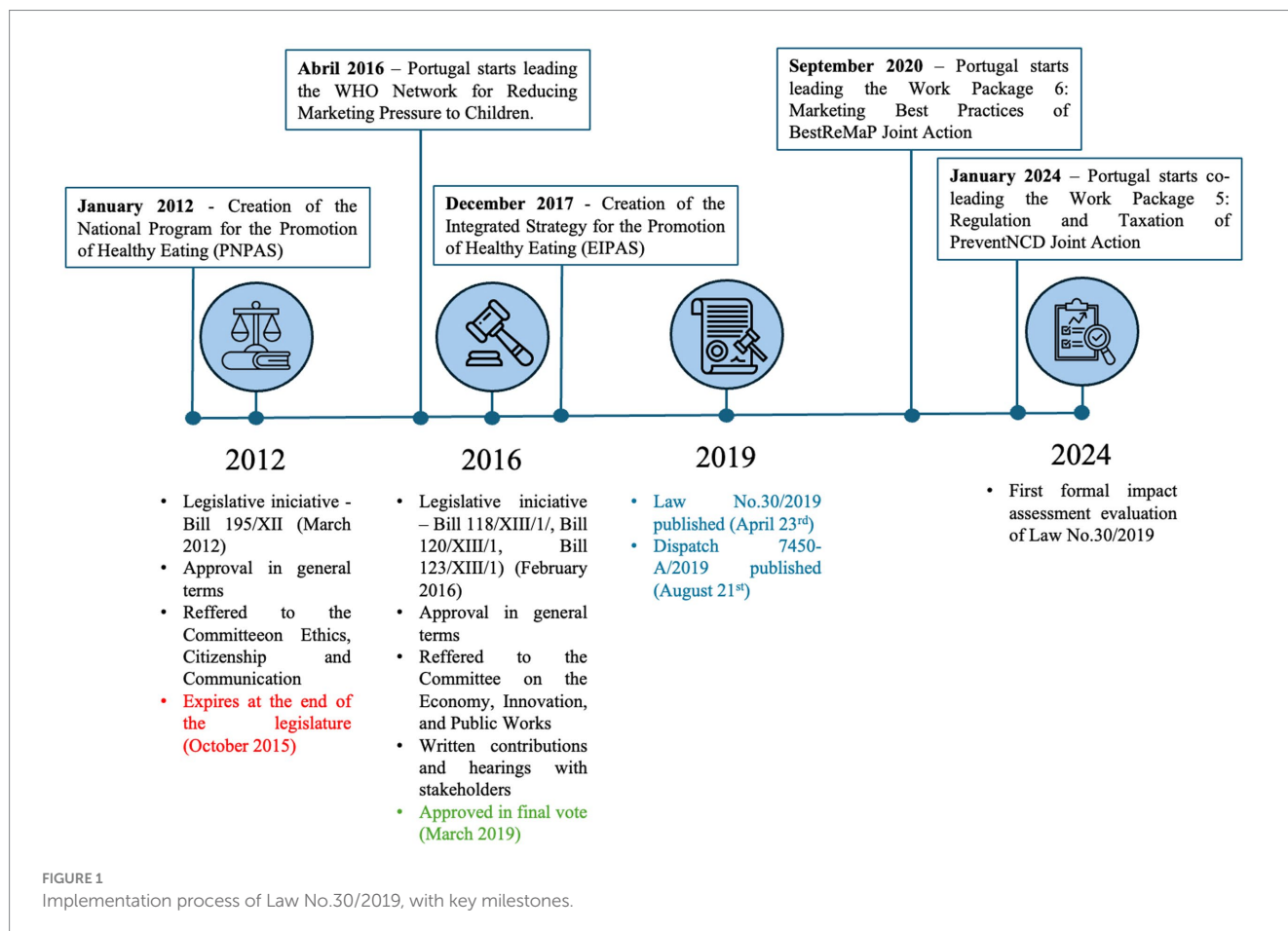


FIGURE 1 Implementation process of Law No.30/2019, with key milestones.

need of this legislative initiative. In January of 2012, the first National Program for the Promotion of Healthy Eating (PNPAS) (a national health priority program from the DGS in Portugal), proposed as one of its actions the need to encourage good practices regarding advertising and marketing of food products (*Direção Geral da Saúde, 2012*). Prior to this, the first mention of the need to address food marketing appeared in 2007 with the creation of the Platform Against Obesity by the DGS, aligned with European Charter on Counteracting Obesity. This public health initiative aimed to coordinate obesity prevention efforts, and one of its proposed measures was to legislate the marketing and advertising of food products aimed at children and adolescents (*Carvalho, 2011*).

These national and international commitments, combined with accumulating scientific evidence on the impact of food marketing on children's health, strongly supported the development of this policy to protect children from harmful food marketing (*Sadeghirad et al., 2016; Boyland et al., 2022a*).

### 3.1 Political and legislative process

In March of 2012, the Portuguese Parliament presented for the first time a draft law introducing restrictions to the advertising of certain food products directed at minors (term not specified in the draft) (Bill 195/XII), introduced by the Socialist Party (PS) (*Assembleia da República, 2012*). The draft law was approved in general terms in a parliamentary vote and referred to the Special Committee on Ethics, Citizenship and Communication, where after making no progress for almost 3 years, it expired at the end of the legislature in October of 2015. This lack of progress can partly be explained by the broader political, economic and social context in Portugal at the time. The country was emerging from an international financial intervention (2011–2014), during which it implemented a strict austerity programme supervised by the so-called “Troika” made by the European Commission, the European Central Bank, and the International Monetary Fund (*Hoernig, 2013*). This challenging environment may have affected the normal functioning of the legislative process and contributed to the stagnation of proposals such as Bill 195/XII.

With a new legislature and a renewed Parliament, in February of 2016, the PS, the People–Animals–Nature (PAN) and the Ecologist Party “The Greens (PEV) submitted new draft laws in this area (Bill 118/XIII/1, Bill 120/XIII/1 and Bill 123/XIII/1) (*Assembleia da República, 2016*). These proposals were again approved in general terms by the Portuguese Parliament and were referred this time to the Committee on the Economy, Innovation, and Public Works for further consideration, as the previously Committee had been extinguished in the end of 2015.

Both in 2012 and 2016, the proposals were approved in general terms by the same political parties: PS, PEV, the Left Bloc (BE), the Portuguese Communist Party (PCP), and in 2016 PAN, who had not held a parliamentary seat in 2012.

### 3.2 Consultation process with stakeholders

Following the approval of the bill in general terms and its referral to the competent Committee for further analysis, between 2016 and

2019, written contributions were requested from various public and private institutions, stating that hearings could be arranged upon request by the institutions. *Table 1* shows the institutions who provided written contributions to the consultation process and their position regarding the proposed law restricting unhealthy food marketing to children (*Assembleia da República, 2016*).

Among the identified stakeholders, the majority are opponents of marketing restrictions ( $n = 10$ ), while only two, in particular public health and consumer protection bodies, express clear support and two adopt a neutral or unclear stance. In this context, “opponents” refers to stakeholders who do not consider additional marketing restrictions necessary, consistent with findings from previous studies (*UNICEF and World Health Organization, 2023; World Health Organization, 2023*). These stakeholders generally oppose legal restrictions and put forward three main arguments:

- (1) Self-regulation works—Existing self-regulatory mechanisms, such as the EU Pledge, were seen as effective and having the potential to be further developed without the need for additional legislation.
- (2) Literacy and education over restrictive measures—Promoting training and education will raise awareness, helping families to adopt healthy habits and avoiding implementing regulatory measures.
- (3) Negative economic impact of regulation—The advertising sector has a very large economic and business impact and the introduction of very strict criteria, not aligned with other European countries, will introduce harmful distortions for the Portuguese companies and affect the competitiveness of the food industry.

This is despite evidence showing that self-regulatory restrictions are not effective, literacy cannot protect children from the effects of marketing (*Boyland et al., 2022b*) and that long-term financial gains from improved health of the population outweighs the economic cost of marketing ban (*Department of Health and Social Care, 2021*).

In addition, food industry, distribution and marketing/advertising stakeholders proposed lowering the age limit to 12 and increasing the minimum children's audience threshold to 30% on the television restrictions. Industry also proposed adopting the EU Pledge Nutrition Criteria White Paper instead of the WHO Nutrient Profile Model (NPM) to identify foods that should not be advertised to children, mentioning that, until that time, no government has adopted the WHO criteria. On the other hand, consumer protection organizations support regulating the marketing of unhealthy foods, proposing even stricter measures including extending restrictions to 250 meters around schools (similar to regulations on advertising for gambling) and extending restrictions to cinemas.

Moreover, two political parties—the Social Democratic Party (PSD) and the People's Party (CDS-PP)—submitted alternative draft texts to the original bill. Both parties suggested amendments to the NPM (adding the thresholds for energy and replacing total fat with saturated and trans fats) and implementation of a regular impact assessment all of which have been implemented in the final bill (see *Table 2*). Suggestions by PSD to lower the age limit to 12 and by CDS-PP to 14 have been rejected.

*Table 2* provides a summary of the main differences from the Draft Law proposal by the Committee and the final text of the law.

TABLE 1 Institutions that contributed to the consultation process and their position on the proposed law restricting unhealthy food marketing to children.

Type of institution	Sector	Institutions	Position
Private non-profit association	Food industry	- Portuguese Federation of Agro-Food Industries (FIPA)* - Mars Company	- Opponent - Opponent
	Hospitality and catering	Portuguese Association of Hotels, Restaurants and Similar (AHRESP)	- Opponent
Private non-profit association	Marketing/advertising	- Portuguese Association of Direct, Relational, and Interactive Marketing (AMD)**	- Opponent
		- Portuguese Association of Advertisers (APAN)*	- Opponent
	- Portuguese Association of Advertising Agencies (APAP)*	- Opponent	
	- Advertising Self-Regulation (ARP)/Institute for Business Communication and Advertising (ICAP)*	- Opponent	
	- Portuguese Association for the Development of Communications (APDC)	- Neutral	
	- Portuguese Press Association (API)*	- Opponent	
Private non-profit association with public utility status	Communications/press	- Portuguese Association of Distribution Companies (APED)	- Opponent
	Distribution/retail	- Portuguese Association for Consumer Protection (DECO)	- Opponent
Public entity	Consumer protection	- Directorate-General for Consumer Affairs (DGC)	- Supporter
	Public health	- Directorate-General for Health (DGS)**	- Neutral - Supporter

\*Institutions that requested hearings. \*\*Institutions invited for hearings by the Committee (Besides the DGS, experts representing the Faculty of Medicine of the University of Lisbon, Lisbon School of Health Technology and the National School of Public Health were also invited for hearings).

### 3.3 Factors creating momentum for legislative action

Finally, in March of 2019, the final vote took place, and the law was finally approved, positioning Portugal as the first European country and one of the few globally to introduce comprehensive statutory food marketing restrictions. At that time, the political context was shaped by a government supported through a parliamentary agreement with three left-wing parties, which may have created more favourable conditions for the approval of this law. Another contributing factor may have been the organization by the DGS, during the law’s discussion in the parliament, of a policy dialogue with political parties to raise awareness on the issue.

In 2016, PNPAS assumed leadership of the WHO European Action Network on Reducing Marketing Pressure to Children, potentially giving Portugal greater international visibility, while also placing a responsibility on the country to implement concrete national measures aligned with the network’s objectives.

Another factor that may have contributed was the launch of the Integrated Strategy for the Promotion of Healthy Eating (EIPAS) in late 2017—a consensual strategy developed jointly by seven different ministries. Among its intervention measures, EIPAS encouraged economic operators to adopt measures to limit the advertising of HFSS foods to minors, reflecting a potential political will to address the influence of marketing on childhood obesity (Diário da República, 2017).

## 4 From paper to practice—challenges in implementing and enforcing a law: 2019–2024

### 4.1 Defining the scope of unhealthy foods

After the law was approved, the responsibility for defining the NPM based on the WHO Regional Office for Europe NPM (World Health Organization Regional Office for Europe, 2015) and the Regulation (EC) No. 1924/2006 of the European Parliament and of the Council (European Parliament and Council, 2006) was assigned to the DGS.

The development process of the NPM was also a challenging step, particularly because Portuguese legislation defines nutritional criteria that differ from those included in the WHO model, specifying energy value, saturated fats, trans-fatty acids, sugars and salt as the criteria that should be considered. This made it necessary to create an adapted version of the WHO NPM. To achieve this, the DGS established an expert group composed of nutritionists and academic researchers. As several organizations requested to be consulted during the process, a stakeholder group was also created, bringing together representatives from the food industry, consumer protection associations, the College of Nutritionists, and the Portuguese Nutrition Association.

After this process, the PT-NPM was published in August 2019 through Dispatch No. 7450-A/2019 (Diário da República, 2019). The main differences between the PT-NPM and the WHO NPM arise from the constraints imposed by Law No. 30/2019. The law refers to foods that should not be marketed to children as “foods high in energy, saturated fats, trans-fatty acids, free sugars, or salt.” This terminology is aligned with the “general” term used in the WHO’s Set of

TABLE 2 Summary of the main differences between the draft law proposed by the Committee and the final text of Law No.30/2019.

Topic	Draft law (Committee)	Final text—Law No. 30/2019
Target age group	Minors (age not specified)	Minors under 16 years of age
Definition of unhealthy products	Defined by the Directorate-General of Health, based on the recommendations from WHO and EU as products high in sugar, fat, or sodium	Defined by the Directorate-General of Health, based on the recommendations from WHO and EU as products high in energy, salt, sugar, saturated and trans fats
Restricted locations	Schools (pre-school to secondary), playgrounds, and 100 m radius	Exception for advertisements placed on commercial establishments
Restricted events	Events and activities aimed at minors	Added sports, cultural and recreational activities organized by schools
TV and radio	Ban 30 min before and after children's shows and those with $\geq 20\%$ audience under 12	Audience and age raised to $\geq 25\%$ 16 years of age
Cinema	Not mentioned	Ban for films rated for under 16
Internet	Banned on websites aimed at minors	Broader: includes social media, mobile apps and all content aimed at under 16 s
Print publications	Banned in publications for minors	Defines minors as under 16
Advertisement content restrictions	Cannot encourage excessive consumption, associate product with health benefits, success, create a sense of urgency, etc	Added bans on use of licensed characters and on communicating health benefit of foods and for, omitting its harmful effects
Impact assessment	Not included	Provides for periodic impact assessment (every 5 years) of three outcomes: rates of commercial food communication aimed at children, changes in children's food consumption patterns, and their overall health status

*Recommendations on the Marketing of Foods and Non-Alcoholic Beverages to Children* (World Health Organization, 2010) and in the [World Health Organization Regional Office for Europe \(2015\)](#). Although, by explicitly listing these specific nutrient components (energy value, salt, sugars, saturated and trans-fatty acids), the Portuguese law created a legal restriction that prevents the inclusion of other relevant nutrient and non-nutrient criteria, such as total fat or artificial sweeteners, as considered in the detailed information of the WHO NPM. In addition, the use of the expression “*high in*” does not allow for a full prohibition of specific food categories—as recommended in earlier editions of the WHO NPM, for example in the case of chocolate products or edible ices ([Diário da República, 2019](#)).

Despite some differences, the PT-NPM remained highly aligned with the [World Health Organization Regional Office for Europe \(2015\)](#), as both models produced very similar (83.5% agreement) classification of food products eligible for advertising to children under 16, in a sample of 2,498 food products analysed ([Diário da República, 2019](#)). The main differences were identified for categories of plant-based beverages and soft drinks/soda beverages, due to the exclusion of sweeteners in the PT-NPM. Adapting the WHO NPM to the Portuguese context increased the law's local relevance, but excluding nutrients like total fat and sweeteners left some unhealthy products unregulated, affecting the law's effect on children's exposure to unhealthy food marketing.

## 4.2 Ambiguity in defining “advertising directed at children”

Although Law No. 30/2019 outlines specific contexts in which advertising of HFSS foods is prohibited, it does not clearly define what constitutes “advertising directed at children.” The food industry frequently invokes this definitional ambiguity to contest that certain

advertisements are not directed at children, and should therefore be allowed, which constitutes a central loophole in ongoing legal proceedings related to the law's enforcement.

This is problematic, as content does not need to be targeted at children to be appealing to them, and to impact them. Children are often exposed to marketing that does not explicitly target them; for example, advertising aimed at adolescents or adults may strongly appeal to younger children. According to the WHO, restrictions should apply to all marketing of HFSS foods children are exposed to, regardless of the stated target audience, to effectively reduce their exposure and mitigate the harmful effects ([World Health Organization, 2010](#)).

## 4.3 Monitoring and enforcement constraints

The Directorate-General for Consumer (DGC), as the authority responsible for monitoring compliance with the law and applying sanctions, launched five inspection actions between 2019 and 2023. In parallel, the DGS has conducted their own monitoring activities to assess children's exposure to food marketing across different media channels. In 2024, the first formal impact evaluation of the law was conducted, as mandated by the legislation. A summary of these actions and findings is presented in [Table 3](#).

For the impact assessment evaluation, a logic model was developed to capture the main outcomes and impact indicators of the legislation, focusing on the children's exposure to unhealthy foods marketing, the nutrient profile of foods and children's dietary behaviours and nutritional status. Data about commercial food communication aimed at children came from the results of the inspection and enforcement actions of the DGC ([Direção Geral da Saúde, 2020](#)) and the Portuguese Regulatory Authority for the Media

TABLE 3 Characteristics and main findings of the inspection actions, monitoring actions and impact assessment evaluation of Law No30/2019.

Directorate General for the Consumer	Inspection actions	Magazines (2019)
		Television (2020)
		Digital media (2021–2023)
	Main findings	Compliance rate of 96% across all media
		Approximately 80% of the infractions occurred in the online environment
Directorate General of Health—PNPAS	Monitoring actions	Television (2020–2021)
		Digital media (2020–2022)
		Environment around schools (2023)
	Main findings	Around 20% of food advertisements on television and food brand websites contained elements that appeal to children
		Over 65% of the advertisements in restricted settings promoted unhealthy products (PT-NPM).
Working group with representatives from the Directorate General of Health, Directorate General for the Consumer, Directorate-General for Food and Veterinary Affairs and Directorate-General for Education (dispatch No. 12980/2023)	Impact assessment evaluation	<p>Evaluated outcomes:</p> <ul style="list-style-type: none"> <li>- Changes in children's food consumption patterns</li> <li>- Commercial food communication aimed at children</li> <li>- Children's overall health status</li> </ul>
	Main findings	<p>Good compliance with the provisions of the Law No. 30/2019, but a clear shift towards less regulated channels, strategies and settings e.g.:</p> <ul style="list-style-type: none"> <li>- Brand marketing (where no specific product is shown)</li> <li>- Sponsorship</li> <li>- Introduction of age verification systems to access content</li> <li>- Advertisers started adding disclosure that the advertising is not aimed at children under 16.</li> </ul>

(Entidade Reguladora para a Comunicação Social, 2024), as well as the food marketing monitoring studies carried out by the DGS (Direção Geral da Saúde, 2020). Data regarding children's dietary behaviours and nutritional status used came from the Childhood Obesity Surveillance Initiative (COSI) Portugal (Ministério da Saúde, 2021; Ministério da Saúde, 2023) and the Health Behaviour in School-aged Children (HBSC) study (Inchley et al., 2018, 2023).

Although this first evaluation showed a good compliance with the provisions of Law No. 30/2019, it highlighted its loopholes. Results show a clear shift toward less regulated channels, strategies and settings, including increase in brand marketing, sponsorship, the use of age verification systems to access content, and the 'claim' that the advertising is not aimed at children under 16. Moreover, lowest compliance was observed for digital marketing with 80% of infractions detected in this segment. These findings suggest that significant children's exposure to unhealthy food marketing persists, particularly in digital environments—where a high non-compliance was observed -, due to gaps in the law's design and scope.

Additionally, a consultation process with representatives of economic operators in the agri-food, communications, advertising, and marketing sectors was carried out through semi-structured interviews ( $n = 9$ ), and an online questionnaire was administered to academia and scientific and professional societies in public health and nutrition ( $n = 8$ ). The consultation showed that economic operators argue that self-regulation already ensures responsible commercial communication and that current law is unnecessary, while the ERC and the consumer protection organisation consider legislation essential and call for EU-wide harmonised rules on food advertising to children. As for academia and the scientific and professional societies in public health and nutrition, around 87.5% of the entities

agree with Law No. 30/2019, of April 23rd. Further results can be found in the impact assessment evaluation report (Direção-Geral da Saúde, Direção-Geral do Consumidor, Direção-Geral da Educação e Direção-Geral de Alimentação e Veterinária, 2024).

## 5 Lessons learned and evidence-based recommendations

In this section, we propose six recommendations, drawn from the practical lessons learned from the 13-year experience of Portugal in implementing and evaluating a law restricting unhealthy food advertising to children, and from the available scientific evidence.

### 5.1 Ensure a clear definition of “advertising to children” and restrict all forms the exposure

It is crucial to establish a clear and comprehensive definition of what constitutes “advertising to children” to avoid ambiguities, facilitate effective monitoring and reduce the risk of non-compliance or legal challenges. This includes defining both what is advertisement, and what it means “to children.” Focusing solely on marketing explicitly targeted at children may fail to capture the full range of marketing mediums, tactics, and settings to which children are exposed (Sing et al., 2023), particularly in digital media, where boundaries between content and advertising are often blurred and the landscape is highly dynamic.

Ideally, restrictions should go beyond restricting marketing targeted at children only and restrict all marketing of unhealthy foods

and beverages children are exposed to across all media and settings—this will ensure that children are protected from harmful marketing even if they are not its main targets. This approach aligns with the recommendations of the WHO and has been reflected in recent proposals such as the United Kingdom's total ban of HFSS food marketing across all online platforms and before 9 p.m. on television, regardless of the intended audience (Department for Culture, Media and Sport, Department of Health and Social Care and Department for Digital, Culture, Media and Sport, 2024).

## 5.2 Ensure a clear, strict, and government-led nutrient profiling

We suggest that nutrient profiling be based on public health criteria and coordinated by independent health authorities. In Portugal, the involvement of the DGS as the responsible entity for developing the PT-NPM was a key factor for the success of the process.

In addition to defining nutrient thresholds, it may be relevant to consider restrictions on the marketing of entire categories of products, regardless of their individual nutritional composition, as recommended by the WHO in the first edition of their NPM (2015). It is also important to consider the inclusion of brand marketing—promotional content that does not feature a specific product—in the scope of the restrictions. In the Portuguese context, this has been identified as a gap in legislation and an area where marketing investment is increasing.

## 5.3 Strengthen monitoring, enforcement systems and define a clear framework for impact assessment

Implementing a systematic and robust, monitoring system, ensuring that enough resources (human and financial) are allocated is an essential step. Allocation of resources is also important to enforce the law and apply sanctions in cases of non-compliance.

Besides monitoring compliance with the regulation, define a clear framework for impact assessment with expected, evidence-based indicators of the impact of the policy.

Particular focus should be on the digital marketing, that is a dominating exposure source, monitoring it requires more expertise, often recruitment of children and ethical clearance (Muc et al., 2023), and is shown to be the channel where most infractions occur. Thus, investment in resources, training, technology and artificial intelligence solutions are crucial to facilitate this process.

## 5.4 Anticipate steps of the opposition and manage conflicts of interest

As stakeholder dialogue plays a role in shaping food advertising regulations, it is important to be prepared for the challenges it may present and to have evidence-based arguments ready to effectively counter potential opposition. Ensuring a balanced representation, avoiding the overrepresentation of actors with commercial interests and reinforcing the influence of public health institutions, is essential (Rodwin, 2022).

## 5.5 Seek knowledge and support from civil society and experts

It is essential to actively seek advice and support from civil society organizations and international institutions such as the WHO and UNICEF, and to follow their evidence-based guidance (UNICEF and World Health Organization, 2023; World Health Organization, 2023). Additionally, cooperation with other countries undergoing similar processes can provide important insights and support, increasing the likelihood of strong and lasting outcomes.

While implementing the law, civil society was engaged in the development of the PT-NPM and in the impact assessment process. While involving civil society and securing their support is essential, the Portuguese experience shows that this engagement remains limited. Participation tends to be minimal and influence limited, which can weaken these political processes. For effective engagement, civil society, and all stakeholders involved should ideally have critical literacy in the topic.

## 5.6 Focus on political will, identify, and use every window of opportunity

The Portuguese case shows how political context is critical in shaping the progress of public health policies. Although the draft law on food advertising restrictions was initially approved, it eventually stalled and expired in the context of political and economic instability. This highlights the need to identify and act during critical political windows of opportunity, using these moments to maintain momentum, mobilize support and advocate effectively to keep the process moving forward. Although challenging, creating political will using evidence-based advocacy should be a goal. As above, ensuring critical literacy in the topic, at all levels of stakeholders, including policymakers and public health professionals, is essential.

## 6 Conclusion

Despite the setbacks and long journey, the Portuguese law restricting unhealthy food advertising was approved and became fully implemented in 2019 using the PT-NPM to define the eligibility of the foods to be marketed to children. While the law has its limitations, particularity in regulating online media, it represents a significant milestone for Portugal in the field of public health and nutrition policy, highlighting the country's strong commitment to protecting children's health and addressing diet-related noncommunicable diseases through structural public policies.

As the first country in Europe to implement such comprehensive restrictions on unhealthy food advertising, Portugal has set a precedent that other countries can look to when developing their own regulatory frameworks. Portugal leadership in this field is further reflected in its coordination of the WHO European Network on Reducing Food Marketing Pressure to Children and its active role in leading key Work Packages in the field of harmful marketing in two EU Joint Actions—Best ReMaP (from 2020 to 2023) and Prevent NCD (since 2024).

Yet, the journey is far from complete. Future considerations include modifications of this regulation to address the gaps and strengthen its protective power, especially in digital media, as well as introducing a

formal and robust monitoring system to ensure its correct enforcement and evaluation. Complementary measures including awareness campaigns and critical literacy for key stakeholders—policy makers, public health professionals, NGOs, parents and children—can help build political will and support for stronger regulations. Efforts should highlight the health risks of children's exposure to food marketing, and evidence-based methods to protect them.

This paper has some limitations. As it relies on a narrative and qualitative analysis of publicly available documents produced at the different stages of the legislative process, it may be subject to potential bias due to the potential exclusion of other relevant materials that are not publicly accessible. In addition, many of the factors that shape the design and implementation of public policies are not formally documented (Mialon et al., 2015); therefore, data gaps may exist, and other contextual factors not captured by this research may also have influenced the policy process. Finally, the authors' active involvement in the development of this law may introduce a degree of subjectivity. However, this direct engagement also represents a strength, as it brings valuable expertise and practical insight into the analysis.

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## Supplementary material

The Supplementary material for this article can be found online at: <https://www.frontiersin.org/articles/10.3389/fpos.2025.1702075/full#supplementary-material>

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