



# Department of Health & Social Care

Freedom of Information Team  
Department of Health and Social Care  
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[www.gov.uk/dhsc](http://www.gov.uk/dhsc)

Ms Mhairi Brown  
[request-743231-  
279a2c56@whatdotheyknow.com](#)

5 May 2021

Dear Ms Brown,

## **Freedom of Information Request Reference FOI-1319946**

Thank you for your request dated 1 April 2021 in which you asked the Department of Health and Social Care (DHSC):

***Subject: Freedom of Information request - Correspondence with food/beverage industry regarding reformulation***

***Dear Department of Health and Social Care,***

***I am writing, in accordance with Freedom of Information legislation, to request the release of the following:***

***(1) Correspondence (electronic & hard copy/written) between senior officials within your Department and food/beverage corporations or trade bodies/associations on the topic of reformulation (i.e. salt, sugar and/or calorie reduction) and PHE's reformulation programme, since January 2016.***

***(2) Minutes and attendee lists of meetings between senior officials within your Department and food/beverage corporations or trade bodies/associations on the topic of reformulation (i.e. salt, sugar and/or calorie reduction) and PHE's reformulation programme since January 2016.***

***If you feel that you can't answer my request on a reasonable timeframe, or the request is too broad, I would be grateful if you could contact me immediately and provide assistance as to how I could narrow down my request.***

***If you have already released any of this information in response to another FOI request it would be helpful if you could share this too.***

Your request has been handled under the Freedom of Information Act (FOIA).

DHSC holds information relevant to your request. However, to comply with your request as it is currently framed would incur disproportionate cost as defined by Section 12(1) of the FOIA, which sets out that a public authority can refuse a request, if complying with it would exceed the appropriate limit of £600 (which represents 24 staff hours). This represents the estimated cost of

one person spending this time in determining where the information is held, and locating, retrieving and extracting the information.

The timeframe of your request is long, and would require all current and previous members of the relevant DHSC policy team (the Healthy Weight and Nutrition team) since January 2016 to search their folders to identify relevant documents. Searches would also be required in our central correspondence database, as food and drink manufacturers/trade bodies may have contacted the department via that route, and have received responses from our correspondence unit on behalf of officials. Furthermore, without uniquely identifiable keywords with which to carry out searches, an extremely large volume of information in relation to reformulation and PHE's reformulation programme would need to be individually reviewed in order to determine if it would be within scope of your request, which we have assessed would exceed the section 12 cost limit.

If you were to refine your request to within more specific margins, then we may be able to process it. For example, you may consider reducing the timeframe. We would also ask that you clarify that by 'senior officials' you are referring specifically to Senior Civil Servants. You may also consider outlining a particular aspect of reformulation and PHE's reformulation programme that you are interested in (perhaps by identifying keywords), or particular food and drinks manufacturers or trade bodies, which would more easily enable us to search our records.

However, we cannot guarantee that Section 12 or any other exemptions will not apply to a reframed request. I should also point out that whilst the relevant policy team at DHSC is the Healthy Weight and Nutrition team (as indicated above), reformulation policy is led by Public Health England, and DHSC does not answer FOI requests on their behalf.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to [FreedomOfInformation@dhsc.gov.uk](mailto:FreedomOfInformation@dhsc.gov.uk), or to the address at the top of this letter.

Please remember to quote the reference number above in any future communication.

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Dorothy Crowe

Freedom of Information Officer  
E: [freedomofinformation@dhsc.gov.uk](mailto:freedomofinformation@dhsc.gov.uk)