

Obesity Prevention: What Role for the European Union? (European Monographs Series)



Since the 1980s there has been an alarming increase in the prevalence of obesity in virtually every country in the world. As obesity is known to lead to both chronic and severe medical problems, it imposes a cost not only on affected individuals and their families, but also on society as a whole. In Europe, the Obesity Prevention White Paper of May 2007 followed by the adoption of an EU School Fruit Scheme, the acknowledgement that food advertising to children should be limited, and proposed legislation to make nutrition labelling compulsory has firmly placed obesity on the EU agenda by laying down a multi-sectorial strategy and a basis for future action. In accordance with this growing sense of urgency, this is the first book to offer an in-depth legal analysis of obesity prevention, with particular reference to Europe. It describes what the EU could do to support Member States in fighting the obesity epidemic, and clearly shows the way to locating advocacy strategies within the framework of EU law. The thorough analysis includes a discussion of the following issues: the need to address nutrition and physical activity as important health determinants; the emphasis traditionally placed at EU level on food safety rather than food quality; the need for the development of databases on nutrition and physical activity, comparable common indicators and risk assessment mechanisms; mainstreaming public health into all EU policies; the scope of EU powers in the case law of the Court of Justice; the role of information in the EU's obesity prevention strategy; the Commission's proposed Compulsory Nutrition Declaration; the Food Claims Regulation; the regulation of food marketing to children, and in particular the role of the Television Without Frontiers Directive (as recently amended by the Audiovisual Media Services Directive), the Unfair

Commercial Practices Directive and industry self-regulation; food reformulation; the use of economic instruments in the EU's obesity prevention strategy, with an emphasis on the Common Agricultural Policy and the EU's taxation policy; and EU action in the fields of sport, occupational health and safety, and transport policy. The author convincingly shows that conflicts of interest inherent in market forces demand EU intervention through legislation rather than self-regulation. She also demonstrates the urgent need to reach an agreement, on the basis of reliable data, about what is effective in practice to improve lifestyles. The study acknowledges that the law is not a panacea, but nonetheless has an influential role to play in making the healthy choice an easier choice, and must move decisively towards ensuring that the societal costs associated with obesity are sustainable, and that the ultimate goal of a healthy population is achievable. The book is essential reading for everyone involved or interested in the development of the EU's obesity prevention policy.

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