



LEEDS BECKETT UNIVERSITY  
LEEDS BUSINESS SCHOOL



THE RETAIL INSTITUTE  
**RETAIL REVIEW**

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# WELCOME LETTER

Welcome to the first edition of the Retail Review in 2024!

In this part of the World, the start of a new year coincides with the turning of a corner from the depth of Winter towards more daylight and the prospect of Spring. With continuing economic and geopolitical problems, we can only hope that 2024 represents a similarly positive turn. We have learned recently that the UK technically entered a recession late last year. However, it is expected to be 'shallow', certainly in comparison to others already experienced this century. This development is probably just one of many conflicting and fluctuating indicators that makes being a retailer (or a consumer) a rough ride at present.

As ever, our first edition of the year includes our own special take on some trends to look out for in the coming months. Our packaging trends article suggests that innovations in paper and reusables could be put to the test. It also includes some of the latest research on packaging design, relating to both the impact of novel colours and creative messaging on packs.

We also have an article from Dr Jamie Marsden & Ezgi Oguz from the University of Leeds whose work on copycat products (packaging that resembles a market leader) includes an investigation of the effectiveness of an unconventional response by leading brands to that tactic.

Compostable packaging is an area of development that appears to come in and out of favour among retailers and manufacturers as the focus switches between different types of sustainable solution. However, the potential benefits of compostables are still a compelling prospect and we include an article from BASF outlining a variety of potential applications for this kind of packaging material.

One of the biggest questions of the year is how retailers can harness the power of generative AI. If 2023 was the year of trying out this technology, 2024 will be about putting into practice. Its areas of potential use are numerous, including enhancements to the shopping experience, improving efficiencies, and driving innovation through a more sophisticated understanding of customer needs. As it will occupy the minds of many businesses for the foreseeable future, our resident expert on these matters, Dr Alan Shaw, provides some useful advice on the importance of organisational policies on generative AI. He discusses copyright, data privacy and other ethical issues that all organisations need to consider. There is also a link to an example policy for you to adapt to your needs.

Finally, we must invite you to our Members event on the 21st March in Leeds. The focus is on alternative packaging solutions, with speakers, a showcase of innovations and work presented by our students.

We hope you enjoy this issue, and we are looking forward to seeing you in March.

Best wishes  
Olga Munroe

Head of the Retail Institute

## IN NUMBERS



**10%**

Packaging waste makes up more than 10% of the landfilled waste in the United States (Sokolova et al, 2023)



**78%**

Understanding packaging that reduces food waste: while 78% of consumers knew about the impact of vacuum packaging on maintaining food freshness...



**16%**

...just 27.6, 23, and 16% knew how modified atmosphere packaging, active packaging, and aseptic packaging affected food freshness (Fennell et al, 2023)

**77% of Ready-to-Eat report respondents say eco-friendly food packaging is important to them and consider a product's packaging when shopping:**



**76%**

76% of respondents claim they usually wash their food containers before disposing of them, but only 33% of respondents believe they are recycling these food packages properly



**53%**

53% of participants in the Ready-to-Eat report say that they are influenced by social media to become more eco-friendly



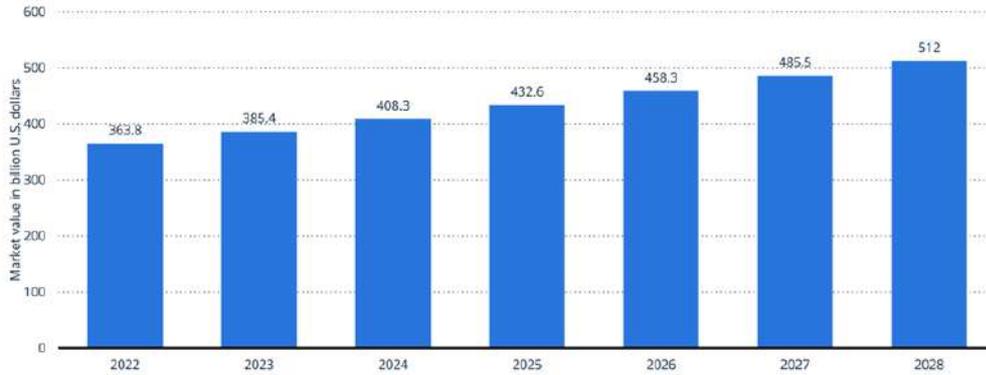
**86%**

86% of respondents want high clarity food packaging and would be likely to buy the product if they can see what it looks like first

# IN CHARTS

## Food packaging market value forecast worldwide from 2022 to 2028 (in billion U.S. dollars)\*

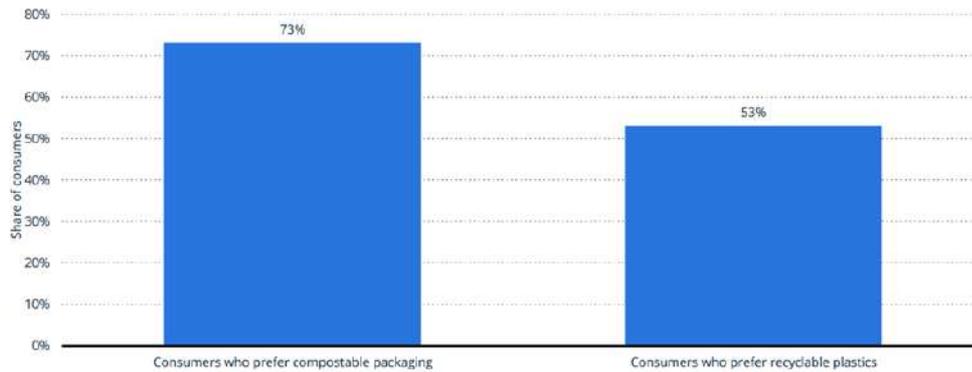
Global market value of food packaging from 2022-2028



Source: Statista (2023)

## Share of consumers who are willing to pay a premium for alternative food packaging in the UK as of 2023

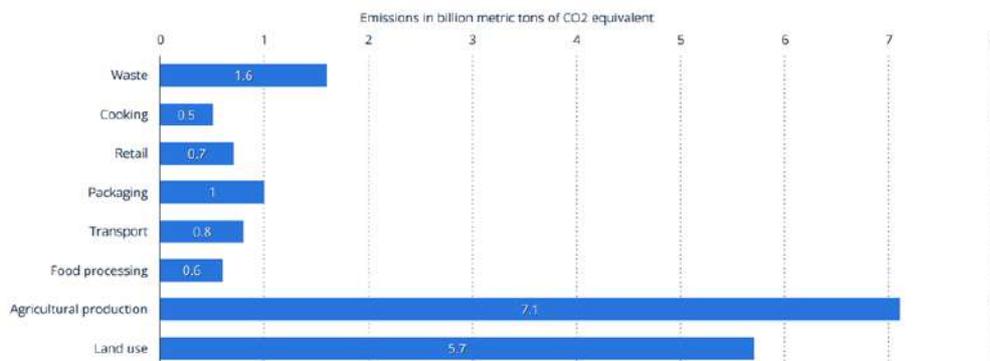
Share of UK consumers willing to pay a premium for alternative food packaging



Source: Packaging News/Statista

## Greenhouse emissions from the global food system, by category\* (in billion metric tons of CO2 equivalent)

Food system GHG emissions worldwide, by segment



Source: Crippa et al., 2021

# PACKAGING TRENDS 2024

Leap years often bring an extra sense of anticipation (although the less said about the last one, the better). There's usually an Olympics to look forward to, and an American presidential election, if you're into that sort of thing. The UK will also have a general election this year, which seems likely change the direction of government policy. Like the athletes in Paris this summer and politicians each side of the Atlantic, businesses will have their own hopes and goals for 2024. In the world of packaging, innovations will be put to the test and the effectiveness of interventions will be revealed. This includes the emerging impact of recent and forthcoming packaging legislation. In addition, new trends will emerge and organisations will investigate the potential value of new technologies.

By Dr Ben Mitchell

This article will consider some of the topics, issues and trends we might see this year, drawing both from industry commentary and the findings of recent research on consumer perceptions and sustainable packaging. In particular, it focuses on the switch to paper, experiments in reusable packaging and latest developments in consumer research and packaging aesthetics.

## Test Paper

2024 could be especially crucial for determining the future of paper packaging. Last year saw endless announcements of retailers and manufacturers launching new paper versions of packs for products previously wrapped in plastic. They include goods across many grocery categories and brands, including mushrooms (Sainsbury's [1]), coffee (Amcor [2]), Mars Bars[3], beauty products[4], crisps (Walkers [5]) and Pot Noodle[6]. The success of these switches will depend on consumer acceptance. Some innovations, like those in fresh produce, could be more easily accepted than those with a strong brand identity for which packaging plays an integral part. In addition, the greater ubiquity of paper packaging could put it more under the spotlight as campaign groups consider the environmental impact of using this material.



**Paper is seen as a health-related cue and consequently activates consumers' health goals.**

The change in packaging materials could also be an opportunity to learn more about consumer perceptions and behaviours. For example, a recent study [7] has compared paper and plastic packaging in relation to the effect on the amount of food people consume. Five studies using both healthy and unhealthy products found that, relative to plastic packaging, paper packaging decreases consumption. It is believed that the main cause of this difference was that paper is seen as a health-related cue and consequently activates consumers' health goals.

Such insights suggest a purpose for paper-based packaging beyond the perceived plastic-reduction benefits. However, there are also negative associations to consider, such as a perception of inferiority in some categories. One recent study has noted that consumers had inferior expectations of alcoholic beverages packed in paper bottles[8]. That this can be mitigated by strong messaging and attractive design on the packaging arguably places greater emphasis on getting those aspects right.



**The presence of paper in packaging can create a false impression of environmental friendliness.**

Despite these semiotic insights, the crucial test for new paper packs will be whether consumers think that they are environmentally friendly. We know from our past surveys that paper is generally perceived more favourably than plastic. This is supported by a recent survey that found most respondents consider it better for the environment than plastic and glass[9]. The danger with this perception is that the presence of paper can create a false impression of environmental friendliness. A research team, including the influential packaging scholar Aradhna Krishna, has found that plastic packaging with additional (superfluous) paper is judged by consumers as more eco-friendly than the same plastic packaging without the paper[10]. This bias towards excessive packaging can be mitigated by adding a 'minimal package' sticker to the plastic pack. The authors suggest that this works because people are aware of the importance of minimal packaging as well as the commonly held anti-plastic beliefs[11]. These findings are a reminder of some of the complexity and horses-for-courses nature of choosing packaging materials. For now, paper will continue to replace plastic where possible. Where it can't, there are opportunities to educate consumers on why.

### **Reusable revival**

The idea of testing innovations in the real world is especially relevant to the concept of reusable and returnable packaging. The promise of reuse is that it could eliminate a massive amount of waste if it operates at a scale large enough to make it economically viable [12] and is as convenient to consumers as any other retail activity. We have now had a few years of small independent retailers and major supermarkets operating refill systems. The fact that they have not yet grown into a standard method for most shoppers could be interpreted as confirmation that it will never happen. It is such a fundamentally different system to single use packaging that a lengthy period of trials and evaluations is necessary for any new scheme.

The body of learning needs to build so that system designers can understand what works in different setting and the various barriers that must be overcome. Recent industry commentary suggests that we are likely to see another wave of reusability initiatives this year. There have been recent pilots from Nestlé, Coca-Cola and PepsiCo, along with start-ups using refill through e-commerce platforms[13]. In addition, there is a growing trend to design reusability into packaging, even if it is not for refilling and returns[14].



Consumers appear ready and willing to engage in reuse, with one survey (commissioned by a packaging manufacturer) suggesting that around two thirds of consumers would be willing to return packaging if paid for by the business[15]. This is supported by recent studies confirming that consumers are more positive about returnable packaging than single-use packaging[16]. It didn't matter whether the reusable pack was the same in appearance or different from the single use pack, whether the single-use packaging was made with recycled plastic or what the product was inside the pack; reusable was the preference. Nonetheless, researchers acknowledge that the specifics of the reuse system are still the key determinant of reusable packaging acceptance. A recent literature review has identified the 'complex interplay' between environmental, economic, social and technical factors that are likely to influence the 'implementation and scale-up of reusable packaging solutions' [17].

**There is a growing trend to design reusability into packaging, even if it is not for refilling and returns.**



The main challenges highlighted were to improve reusable packaging return rates, shorten the supply chain and increase system standardisation. Another study has noted the need to overcome consumer concerns about inconveniences, product safety, contamination and whether such systems have the required environmental impact[18]. While the use of reuse systems helps to improve public perceptions of retailers and brand owners, it remains to be seen whether they can glean further, and more significant, benefits by scaling up, cutting costs and fundamentally reducing resources use and waste outputs. The schemes rolled out in 2024 represent steps towards answering that question.



**Consumers appear ready and willing to engage in reuse, with one survey suggesting that around two thirds of consumers would be willing to return packaging if paid for by the business.**

### **Soulful aesthetics and behavioural insights**

As ever, consumer perceptions and understanding are vital to the success of any forthcoming packaging initiatives. The design, shape, colours, text and other sensory features of a pack determine customer recognition of the values and attributes the retailer wishes to convey. That recognition depends on gaining a person's attention, which involves the evolving techniques and trends of packaging design. Starting with colours, Pantone's Colour of the Year for 2024 is "Peach Fuzz" [19]

with vibrant, dynamic colours expected to be in fashion [20]. The introduction of new colour schemes raises the question of how consumers respond to changes in palettes for packaging. Recent research has found that uncommon colours create a modern impression of food packaging[21]. The study also gave some indication of the values that are delivered by different combinations of hues, such as healthy, tasty, novel or high quality (see also figure).



Figure: examples of emotional values associated with colour combinations (Source: Swasty & Mustafa, 2023)

Further recent insights from academic literature could soon influence packaging design. The typical trade-off between intricate detail and simple elegance in packaging design is addressed in research suggesting that visual simplicity is helpful for demonstrating the utilitarian benefits of a product [22] while unconventional packaging messages are effective at encouraging impulsive purchases by generating consumer curiosity[23]. Examples of the latter includes the unconventional 'yummy snappy treats' being more effective than the more conventional 'tasty chips inside' and 'hit the trail' (unconventional) being preferred to 'trail mix to go' (conventional). This could be seen as part of current trend for packaging to include witty or attention-grabbing messaging to draw in customers. They can help to inspire the appropriate emotions for the purchase occasion. This is especially the case for a specific type of marketing phrase, known as 'chicken soup for the soul'. Examples include 'Believe in yourself' (Kleenex) and 'If you never do, you'll never know' (Taco Bell). This approach has been proven to increase purchase intentions by enhancing connections with the brand [24].

Increasingly, this kind of finding needs to apply to messages aimed at transforming positive environmental intentions into consumer actions. According to survey findings published last year in the Harvard Business Review, around a third of US consumers fall into a category called 'conscious non-consumers'. This means that they exhibit many behaviours (e.g., avoiding single use products, cycling to avoid consuming fuel or making extra efforts to recycle) that demonstrate their environmental concern without making the connection in the products they purchase. The research highlighted a lack of awareness of environmentally friendly alternatives or limited understanding of what makes a product more sustainable. This resonates with another study indicating that communication from bioplastics producers to consumer is ambiguous.

**Innovations in messaging on packs could help retailers and brand owners find new ways of demonstrating their sustainability credentials. It might be something that is also put to the test in 2024.**



# UNCONVENTIONAL COUNTERING OF COPYCAT PRODUCTS

**Copycat products have steadily gained popularity among Generation Z and Millennials through social media platforms. One leading brand has adopted a new creative approach to deal with copycat brands by introducing the Oladupé campaign. This research investigated how the target market responded to the Oladupé campaign. Our findings revealed that while some commenters support the irony of the campaign, some missed out. We found that extensively comments focused on the utility and value of the copycat products, highlighting the extreme price disparities between the Olaplex product and its copycat alternatives.**

**By Dr Jamie Marsden & Ezgi Oguz,  
University of Leeds**

Copycats are products that are packaged to closely resemble the appearance of a market leader's packaging (1). By closely following the design cues of leader brands, copycats attempt to signal their products are "the same" as leading brands but at a substantially lower cost (2). This visual similarity to the brand leader can also trigger mistaken purchases, causing confusion and substitution, by implying that the copycat product has a similar origin, quality, and performance characteristics as the leader brand (3,4).

Given these characteristics, copycat products might hold significant appeal for Generation Z and Millennials, specifically because these cohorts have been characterised as economic quality seekers who look for less expensive but better-quality products over well-established expensive brands (5,6,7,8). Leader brands, however, see copycat practice as an infringement on their assets, which reduces the distinction of their trademarks, dilutes their brand equity, and erodes the financial return on their intellectual property.



Dr Jamie Marsden is the Director of Postgraduate Research at the University of Leeds, School of Design. His research interests are concerned with all forms of brand communication, including brand definition, brand strategy, brand identity, packaging design, and design management.



Ezgi Oguz is a doctoral candidate at the University of Leeds, School of Design. Her research interests are packaging design, product design, design management and design law.

Leading brands respond to copycat practices through various actions. Firstly, leading brands attempt to negotiate with copycat owners by requesting the withdrawal of the copycat packaging from the market or request a packaging redesign (9). Secondly, leading brands can initiate legal action against the copycat owner for trademark infringement or passing off (10). Other responses can involve the leading brand changing its own packaging to differentiate from the copycat product, or by releasing a 'fighter brand' which is a lower-cost version of the leading brand, or by responding with promotional strategies (3). However, a recent case has taken an unusual, creative approach to counter the prevalence of copycat products.



In the hair care industry, Olaplex products have been mimicked by many brands (see Table 1), becoming one of the most duped hair care brands on TikTok (11). By August 2023, following Olaplex's announcement that its second quarter earnings in net sales were down 48% (11), the brand decided to respond to copycats by introducing the Oladupé campaign (5; Figure 1). The campaign involved the distribution of a product, whose packaging looked nearly identical to Olaplex's, to social media influencers, asking them to review the product (5;12; Figure 2&3). Olaplex's aim was to get engagement on social media by humorously and playfully emphasizing that the only entity capable of creating an Olaplex dupe is Olaplex itself (5). The campaign material encouraged people to visit the Oladupé web domain name, which did not exist and merely directed visitors to the actual Olaplex webpage where they could discover more about the campaign and use the discount code 'undupable' (11).



Figure 1: Oladupe Campaign Image [15]

Olaplex	Lacura	Primark	Revolution
			

Table 1: Olaplex and its copycats

Images [14]

**In the hair care industry, Olaplex products have been mimicked by many brands becoming one of the most duped hair care brands on TikTok.**



Given this unconventional approach to dealing with imitation, the purpose of this study was to explore how the target market responded to the Oladupé campaign. To this end we conducted a content analysis of social media content (13) based on the Oladupé hashtag. TikTok was selected as the most relevant platform for Gen Z and Millennials, to gather discussions relating to the Oladupé campaign.

### Impressions of the campaign

Our findings showed that, although some commenters recognised the irony and playfulness of the Oladupé campaign, many missed the irony. The majority (84%) found the campaign annoying and felt disappointed that the brand playfully mimicked itself, stating "... the most annoying and unfunny campaign I've ever witnessed" and "I think they think we're stupid". Only 16% of commenters recognised the creativity, expressing their admiration of the campaign through their positive contributions and exclamatory phrases: "what an amazing piece of marketing" and "this is hilarious".

**The majority (84%) found the campaign annoying and felt disappointed that the brand playfully mimicked itself (...)**

Data derived from user-generated content, such as comments, views, and likes about the video, including the Oladupé campaign, was drawn and analysed. We found that the hashtag #oladupe generated 79.5M views on TikTok, and the video explaining the Olaplex campaign had 87.6k likes and 740 comments at the time of writing. Responses to the campaign were categorised into three main themes outlined below.



Figure 2: Oladupe Campaign video content Image [16]

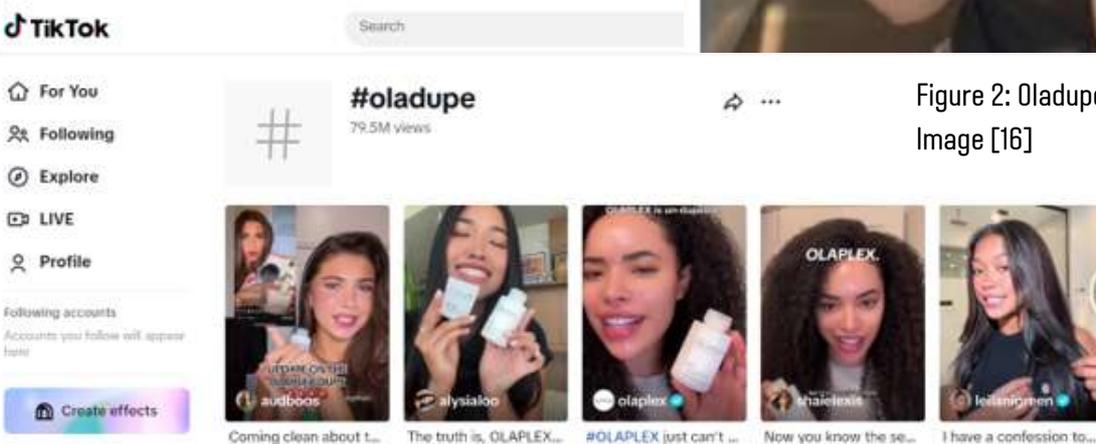


Figure 3: Oladupe campaign on Tik Tok

## Extreme price disparity

Commenters were keen to highlight the high cost of Oladupé compared with its copycat products, particularly given the current financial situation: "... can't even afford a meal deal," "£28 ... you not heard of the cost of living," and "I don't need to re-mortgage my house to get it". Commenters stated that the cost of the product was very high for a bottle of shampoo, which many consider to be a utilitarian product and not a luxurious product carrying symbolic value: "People need a dupe because normal people can't fork out £30 for a bottle of shampoo" and "I'm really trying not to spend \$30 on a shampoo or conditioner ...". The perception of high cost seemed to be exacerbated by the relatively small amount of the product: "You get a small bottle for \$45" and "But it is \$32 for 3oz of product".

## Quality, utility and value

The nature of the campaign led commenters to relay their experiences of copycats brands, all similar to Olaplex, but at a lower price point. Comparisons highlighted similar quality and function: "I have a dupe and the real one and they work the same" and "...feels exactly the same". Other commenters claimed copycats had even better quality by expressing: "100% better than Olaplex", and "... so much better and cheaper". Comments also emphasised better perceived value of copycat products, for example: "Aldi has a really good dupe. I tried both, the Aldi one is amazing for the price." Consumers who bought Olaplex expressed their regret, since they did not recognize any difference in function between copycat products: "Wasted tons of money on this Olaplex trend ... saw no difference in my hair. Don't waste your time and money on this crap."



**Commenters stated that the cost of the product was very high for a bottle of shampoo, which many consider to be a utilitarian product and not a luxurious product carrying symbolic value.**

## Conclusion

Although the Oladupé campaign enabled the brand to turn a challenge into an opportunity to educate consumers about copycats, the findings from this study suggest that it did not change consumer perceptions. In the current context, where consumers are more financially constrained, consumers are prioritising products that offer better value over the more expensive hair care products. Although the communication of the campaign was highly creative, its response to copycats was essentially following a promotion strategy by offering customers a 20% discount. Leader brands that can offer more effective price promotion strategies, in an attempt to reduce price disparities against copycat products, will fare much better, especially for segments with a broader customer base.

# TOWARDS A CIRCULAR ECONOMY: CERTIFIED COMPOSTABLE BIOPOLYMERS EXTEND THE END-OF-LIFE FOR FOOD CONTACT PAPER PACKAGING

After many success stories for manufacturers, and retailers on advancements in food packaging solutions and technologies to better protect food and reduce food waste, only recently have the overarching problems of plastic waste, climate change, and plastic in the environment been acknowledged. This consumer awareness and the subsequent legislation in many countries (e.g., single-use plastics bans and restrictions in the UK) have accelerated the search for packaging solutions with well-managed end-of-life options, which is an important complementary step in reducing the environmental impact of packaging waste while keeping the benefits of packaging in protecting food. Accordingly, many companies along the value chain have set themselves ambitious circular economy targets.

By Afsaneh Nabifar, Michaela Agari & Michael Bernhard Schick BASF SE

According to the definition of circular economy by the Ellen MacArthur Foundation, all forms of recycling (mechanical, chemical, and organics recycling) are seen as complementary to each other and preferred over landfilling or incineration (1). Certified compostable biopolymers are one of the solutions that could help the packaging industry break away from the linear economy towards the circular model of make, use, and recycle. Especially, in cases where the packaging contains a very high level of residual food contamination after the use phase, and recycling is not possible or economically feasible, or when the application is significantly responsible for plastic contamination in the bio-waste stream. By using certified compostable biopolymers, these food packaging applications can be diverted from landfills or incineration into organic recycling and thus increase the fraction of separately collected food waste while keeping the microplastics out of compost.

Compostability must always be certified according to standards, such as the UK & and European standard BS EN13432 and the corresponding correct labeling should appear on the package to avoid consumer confusion.



A natural fit: certified compostable paper packaging

According to recent consumer surveys, paper packaging scores high in countries such as India and the United Kingdom (2), as it is made from renewable resources and is considered biodegradable in the environment. Certified compostable biopolymers can be a suitable replacement for the non-compostable barrier coatings used in food-contact paper packaging.

This benefits food production companies and retailers who want to make more sustainable choices: certified compostable paper packaging expands the end-of-life options for paper-based food packaging and is rigorously tested and certified to ensure that it meets specific standards for compostability, and environmental safety.

Certified compostable biopolymer coatings show the same high performance in keeping food safe during transport and storage as conventional coatings while offering the sustainability benefit of supporting organics recycling and helping to close the nutrient loop towards a circular economy.

BASF offers food-contact-approved biopolymer grades for mono- or multi-layer extrusion coating, or lamination technologies with or without adhesives. Depending on the biopolymer grade used in combination with the type of paper or board, home and industrial compostable solutions are possible. Grades with different renewable feedstocks enable producers to further reduce material carbon footprint, and increase renewable feedstock in their paper packaging without jeopardizing on environmental safety of their packaging.

BASF biopolymer portfolio enables the production of certified compostable paper packaging, flexible as well as rigid, for various applications:

- cups and trays with cold or hot contents
- bowls and plates for dry, solid, liquid or fatty contents
- dairy products (also frozen)
- bowls and trays for sweets and snacks
- wrappings for sandwiches and cereal bars.

BASF certified compostable coating shows excellent barrier properties against liquids, fats, grease, and mineral oil as well as usage temperatures from -40 to +100°C. After use, the food-soiled paper packaging can be composted either in garden home compost or industrial composting facilities according to national legislation. As a very positive side effect, the paper waste stream is less contaminated by food residues, enabling a better recyclability.



### **Certified compostable paper trays for ready-to-eat meals with ecovio® coating**

Converters can apply the biopolymer coating by their existing extrusion coating lines for polyethylene (PE). Depending on the type of biopolymer coating and substrate used, the processing parameters have to be only slightly adjusted. The performance of certified compostable coating regarding processing, sealing, printability and paper adhesion are on the same level as polyethylene.



**Grades with different renewable feedstocks enable producers to further reduce material carbon footprint, and increase renewable feedstock in their paper packaging without jeopardizing on environmental safety of their packaging.**

The Australian food packaging manufacturer, Confoil, and BASF have developed a certified compostable and dual ovenable food tray based on paper as an alternative to conventional PET packaging for ready-to-eat meals. Food-soiled PET packaging is not recycled in Australia and ends up in landfills. Composting trials have shown that the DualPakECO® trays break down into water, carbon dioxide and nutrient-rich compost within four to six weeks under industrial composting conditions.

The paper tray is coated on the inside with BASF's ecovio® PS 1606, a certified compostable and partly bio-based biopolymer especially developed for extrusion coating onto paper or board. The trays called DualPakECO® are certified according to the Australian standard AS4736-2006 and are food contact approved according to international requirements. They can be used for ready-to-eat meals like lasagne, curries and stir-fries available as cold or frozen in supermarkets as well as for catering and take-away from restaurants.

DualPakECO represents a shift to paper-based and certified compostable material for Confoil in order to support the Australian 2025 National Packaging Target and APCO Sustainable Packaging Guidelines. DualPakECO has won several awards on Australian and as well as international level [3-4].

BASF and the Swedish packaging manufacturer BillerudKorsnäs have cooperated to develop a home-compostable paper laminate for flexible packaging. The multi-layer film consists of three basic components: BillerudKorsnäs' paper ConFlex® Silk, a sealing layer made of BASF's certified home compostable and partly bio-based biopolymer ecovio® and BASF's water-based adhesive Epotal® Eco 3675 X which bonds the film to the paper. As all parts of the multi-layer laminate are food-contact approved, it can be used to produce wraps with individually adjusted barrier properties, e.g. for cookies, ice cream, cereal bars and dairy items as well as wrappers for fish, meat and cheese freshly sold in supermarkets.



**Example: Home-compostable paper laminate for flexible packaging**

## Conclusion

Certified compostable biopolymers for paper coating not only broaden the end-of-life options for paper packaging but they are a viable alternative to conventional food packaging made of paper regarding manufacturing and usage. Joint industry developments show that a shift to different paper applications in combination with compostable materials is possible - with the added benefit that this contributes to a circular economy, thus supporting national climate targets and satisfying consumer demands.



# WHY GENERATIVE AI POLICIES ARE SO IMPORTANT FOR YOUR ORGANISATION

Last November Salesforce [1] (the cloud-based customer relationship management (CRM) software company) completed a survey of 14,000 global workers across 14 countries to assess their perceptions and behaviours in relation to the use of Generative AI. The most concerning finding was, 64% of the respondents had passed off generative AI work as their own. This can create some serious legal and ethical issues. The first question we should address is: can AI-Generated material be protected under copyright in the UK?

By Dr Alan Shaw

Strictly speaking, the answer is yes: AI-generated material can be protected under copyright in the UK. The law currently recognises computer-generated works without a human author can be protected, offering protection for 50 years from the year of creation. However, the law predates significant advancements in AI, and debates continue over how to apply concepts of originality and authorship to AI-generated content. The text suggests that while the UK provides a legal framework for such protection, there might be a need to update or clarify the law to better address modern AI capabilities and the role of human creativity. [see The Intellectual Property Office [2]].

Herbert Smith Freehills [3], an international law firm, provide a pragmatic view to this issue:

*In the UK, to be original, the work must result from the author's free and creative choices and exhibit their "personal touch". This is generally expressed in the same terms as the EU harmonised test of the work being the author's "own intellectual creation", which is not expressly stated in the EU law, but has been reiterated by relevant EU case-law. The "personal touch" could be the prompt used to create the output.*

The House of Lords stated, "The reproduction of a part which by itself has no originality will not normally be a substantial part of the copyright and therefore will not be protected." This may be particularly relevant where the content used to "train" the AI system remains discernible in the output produced by the AI system. As it stands, several organisations have filed lawsuits against a number of the Large Language Model (LLM) providers [4].

A further requirement for works to be copyright-protected is that they originate from one or more identified "authors". In the context of AI-generated works, there are several possible solutions to the problem of identifying the author, including:

1. there is no author;
2. the author is the creator of the AI system, having enabled the creation of the work by building and training the AI system;
3. the author is the user of the AI system, having instructed the AI system to create the work;
4. some combination of (1)-(3) above.

So, can we say that AI-generated material is protected under copyright in the UK? Many of these points need to be tested in court, which means that businesses need to understand that their intellectual Property can be challenged if it were generated through AI platforms.

Let's now turn to the ethical issues associated with Generative AI outputs. These are multifaceted and span a wide range of concerns, from producing harmful content to the complexities of copyright and legal exposure. Generative AI technology can influence ethical issues surrounding data privacy, security, policies, and workforce dynamics. It can generate new business risks like misinformation, plagiarism, copyright infringements, and harmful content. Lack of transparency and the potential for worker displacement are additional issues that enterprises may need to address [5]. The National Cyber Security Centre [6] recommends that you:

1. not to include sensitive information in queries to public LLMs
2. not to submit queries to public LLMs that would lead to issues were they made public.

It is very likely that many of your employees are unaware of these recommendations. Some may believe that the lack of guidance by their organisation is a reason to "carry on playing" with LLMs. We at the Retail Institute believe that developing a visible policy is paramount for all organisations as it will help protect the employer and employee against future problems.

An example of an internal Generative AI policy is provided in the link below. The items in red are the elements that you will need to adapt. If you have a paid ChatGPT account, this QR code will send you to a GPT link that I created, which will generate the policy for you:

### Create a company AI policy



**For an example of an Internal Generative AI Policy - please click this [link](#).**



**It is very likely that many of your employees are unaware of these recommendations. Some may believe that the lack of guidance by their organisation is a reason to "carry on playing" with LLMs.**

**Dear Members & Partners,**

**Join us for our first event of 2024**

**Alternative Packaging Solutions**

**Networking event**

**21st March**

**3pm until 5pm**

**Rose Bowl, Leeds Beckett University**



**We cordially invite you to join us at our upcoming networking event on the 21st of March, running from 3 pm to 5pm in Leeds. This event promises an enlightening session featuring keynote speaker Sarah Greenwood, from the Grantham Centre for Sustainable Futures at Sheffield University. Sarah will delve into her ground breaking research on compostable packaging and provide insights from the Compostable Coalition project.**

**Ian Schofield IHS Solutions Ltd (Ex Iceland) will speak about New Sustainable Way to Print- Water based Digital Inkjet, paving the way for eco-friendly printing solutions.**

**We are thrilled to showcase innovative companies at the forefront of developing alternative packaging materials. Their insights and contributions promise to spark new ideas and initiatives in sustainable packaging solutions.**

**Furthermore, our students will have the opportunity to present their work undertaken for Pro Carton, a platform where creativity meets sustainability. We wholeheartedly encourage you to engage with them and provide valuable feedback that will further enrich their endeavours.**

**Join us for an enriching experience as we explore the realms of sustainable packaging and foster meaningful connections within our community.**

**Our event is free to attend. Please scan the QR code to book your place.**



# MEMBERS' CORNER



## Ardagh Glass Packaging welcomes glass industry partners to NextGen Furnace launch event

From 7-9 November, Ardagh Glass Packaging (AGP) welcomed customers, suppliers, policy makers, industry partners and media to an official opening of its new NextGen furnace in Obernkirchen, Germany, to see some of the first amber bottles being produced from the low-carbon technology.

The NextGen furnace started up as a conventional furnace using 20% renewable electricity and 80% gas and is now progressing through a planned start-up sequence in switching to a target of 80% renewable electricity and 20% gas over the coming months, to deliver maximum energy efficiency and decarbonisation.

Jens Schaefer, Operations Director, AGP-Germany, commented: "We are delighted with the start-up performance of the NextGen furnace. To see the first amber coloured bottles coming off the line has been a proud moment for the team."

To coincide with production of the first amber bottles, a recent independently verified Life Cycle Analysis has indicated that, once the NextGen furnace is operating at 80% renewable electricity and 20% gas, there will be a 69%\* reduction in CO2 from a typical 330ml glass bottle produced in the new furnace, compared with one produced in a conventional AGP furnace.

Martin Petersson, CEO AGP-Europe, says "This is an incredible breakthrough for the glass industry. The potential to produce a glass bottle with a 69% reduction in CO2 is a significant step towards decarbonising the glass manufacturing process.

"Throughout this project, AGP has worked closely with SORC, our chosen furnace supplier. We appreciate their expertise in helping us to reach this important milestone and we will continue to work together throughout the next operational stages."

\*The 2023 Life Cycle Analysis demonstrates the carbon savings per glass bottle to be produced in the NextGen Furnace, compared to a bottle from a conventional AGP furnace. A typical 330ml glass bottle produced in the conventional AGP furnace at Obernkirchen produces 140.1g of CO2, compared with one to be produced in the NextGen Furnace once fully operational at 80% renewable electricity and 20% gas, which will produce 43g of CO2: a 69% reduction across Scope 1, 2 and 3 emissions. Depending on the production mix, the NextGen Furnace could save up to 45,000 tonnes of carbon every year, compared to a conventional furnace.



# PARTNERS ' CORNER

## FIA UK LAUNCHES THE 2024 FIA UK PRINT AWARDS



FIAUK, the Flexographic Industry Association, has launched its annual Print Awards competition. The closing date is on the 22nd April and judging will take place early May with a team of judges, experts in their fields, representing all areas of the industry.

Regarded as one of the highlights of the flexographic industry calendar, the FIAUK Print Awards showcase the brightest and best from the sector putting innovation, quality, sustainability and education and training in the spotlight.

Entries are open, with FIAUK inviting businesses across the supply chain to submit their entries for consideration. There are categories which cover all areas of the industry and awards for both printers and suppliers.

Winning entries will be announced at this year's Awards Gala Dinner, taking place on June 20th, at Hotel Titanic, Liverpool. This event, one of the largest in the industry, is a great networking opportunity and sponsorship options are available.

For 2024's awards, entries may cover work or projects completed in either 2023 or 2024.

For more information on the awards or to find out how to become a FIAUK member, please visit the website at [www.fiauk.co.uk](http://www.fiauk.co.uk) or contact us direct on [admin@fiauk.co.uk](mailto:admin@fiauk.co.uk).



# BAMA INNOVATION DAY

## 17 APRIL, LEEDS, ROYAL ARMOURIES



17 April 2024

# Innovation Day

Royal Armouries, Leeds

Sponsored by: **jagopro**

The BAMA Innovation Day is returning to the Royal Armouries in Leeds on Wednesday 17 April. We're already lining up a programme of exceptional speakers, so if you would like to showcase your own innovation on the day, please get in touch as soon as possible to secure your presentation slot.

**What will you get from the Day?**

**8.45am: Opening with coffee and registration**

- Four sessions in the auditorium, with speakers presenting on a range of different topics
- Extended coffee breaks and lunch, to network in the Exhibition Hall and meet the presenters
- Individual table-top spaces, where speakers and other companies can answer questions and visitors can look at samples and prototypes
- A comprehensive overview of new approaches to technical, environmental, and industrial solutions
- A balanced swing between conference-style and hands-on learning

**4pm: Closing remarks**

Attendance is free, and open to members and non-members.

Exhibition tables are available in the Hall, please contact [enquiries@bama.co.uk](mailto:enquiries@bama.co.uk)





# **RUNNING INDUSTRY ALLIANCE (RIA) DELIVERS ANOTHER SUCCESSFUL CONFERENCE FOR ITS MEMBERS**

The Running Conference 2023 presented by haku (TRC23) was the annual conference for RIA Members and took place from 10th to 12th December 2023 in Loughborough.

Conference attendees were presented with a packed and varied schedule including content across two rooms, speakers, panel discussions, fireside chats, round table discussions, a workshop, different activations, and lots of networking opportunities. All sessions were designed to educate, inform, and create thought-provoking conversations and joined-up action for the benefit and growth of the Running Industry.

Jonathan Midwood, Co-Lead of RIA, said: "We were delighted by the attendance, response, comments and positive feedback. There was a real sense of optimism and energy at TRC23 with increased attendance and participation.

"It was a pleasure for me to host the Retailer and Brand Round Table and to have an opportunity to deep-dive with some RIA members into subjects important to these two verticals in particular. There were plenty of subject matters covered across the session and action points noted that will form continued discussion points and actions over the coming months and years. Different perspectives, opinions and ideas were also shared by having members from other sectors present. It was lively, collaborative and insightful, and I look forward to continuing the conversations this year."

RIA Members and Alliance Partners can be viewed here:  
[www.runningindustryalliance.com/foundation-members/](http://www.runningindustryalliance.com/foundation-members/)

For membership applications please email [membership@runningindustryalliance.com](mailto:membership@runningindustryalliance.com)



# FLEMISH SUBSIDIES TO STIMULATE THE CIRCULAR ECONOMY IN THE LARGE FORMAT PRINT & SIGN SECTOR



**Unique collaboration between Centexbel-VKC and VIGC results in a three-year project to help promote the transition of the Graphics sector to a more Circular Economy (GRACE project).**

For the first time since the creation of both organizations, Centexbel-VKC (Knowledge Center for the Textile and Plastics Sector) and VIGC (Flemish Innovation Center for Graphic Communication) will join forces to prepare the Print & Sign sector towards a circular economy.

The GRACE project wants to offer the Large Format Print & Sign sector tools to make their products more circular. This is done by providing insight into the possibilities of material efficiency, material reuse and recycling through training, demonstrations and publications.

Both parties target all companies in the LFP & Sign value chain to share knowledge within this theme, create overview and insight and, where necessary, conduct additional research and thus build a bridge between all parties.

The GRACE project is based on the knowledge of the graphics sector that VIGC has and on the expertise of Centexbel-VKC and VIGC in the field of circularity.

In this project we want to focus on an integrated approach by:

- Research existing circular initiatives
- Mapping production and waste flows to identify the necessary actors in the entire value chain.

The end goal is to create more awareness and coordinated action within the sector. We look at the problems at different levels and strive to improve circularity based on the principles of the Reduce, Reuse and Recycle principle.



# RESEARCH SNIPPETS

A flash of interesting research & industry headlines



## Veganuary 2024

Veganuary the global organisation encouraging people to try vegan in January and beyond, has calculated that the number of participants globally taking part in Veganuary 2024 was 1.8 million people. The actual number is likely to be even higher than the figures indicate, as many people take part without officially signing up. To gain an estimate of the true number, the organization has commissioned YouGov surveys in its core campaign countries. The results suggest that the total number of participants could be as high as 25 million. [1]

Sales data from 200 UK supermarkets indicate that, during Veganuary 2023, sales increased for plant-based foods which were on promotion, but not for those which were not on promotion, according to a University of Oxford study. Veganuary has also increased sales of plant-based products at UK grocery stores. A team at the University of Surrey studied sales of plant-based and animal products at 154 UK grocery stores from November 2020 until March 2021 and found that Veganuary increased sales of plant-based products by a huge 57 percent during January. [2]

According to Statista, The global vegan food market is expected to reach a value of over 22 billion U.S. dollars in 2025. In 2021, the market size was close to 16 billion U.S. dollars. The compound annual growth rate is expected to be nine percent. It is important to note that the market is not solely serving vegans but is also serving a growing number of flexitarians who cut down on meat consumption to varying degrees and replace their food in parts with vegan offerings [3]

## New research - Can people be supported to be nudged towards a healthier diet?

Research led by the Universities of Göttingen and Bonn set out to examine public support for nudge scenarios with different design variations, each aimed at promoting healthy and/or sustainable food choices. Researchers conducted an online survey to analyse support for five different nudge scenarios. Then, one aspect of the design was changed, allowing the researchers to pinpoint how these design variations affected public support.

The researchers discovered that some designs were more promising than others for improving public support. For instance, reducing the effort needed to opt out of the nudged option—such as by presenting vegetarian dishes on the first pages of a menu followed by meat dishes, rather than providing only a vegetarian menu on the table with a menu with meat options available on request—increased support. With regard to predicting the level of support, the perception that nudges intruded upon free choice was the most important driver of non-acceptance, whereas the perception of effectiveness was the most salient driver of acceptance.

The researchers showed there were two promising ways to improve public support for nudging strategies: reducing the effort people must expend to avoid the nudged option they would usually want to follow; and improving the transparency of the nudge. This study opens up avenues for future research into how "sweet spots" can be found for default nudges that are both effective and widely supported. [4]



## Reduced sugar chocolate passes taste test

A new study published in the Journal of Food Science, shows that in blind taste tests 25% reduced-sugar chocolates made with oat flour were rated equally, and in some cases preferred, to regular chocolate.

The scientists involved in the project explained that chocolate is about half sugar by weight, with the rest being fat and cocoa solids, so reducing the amount of sugar by any amount can drastically alter the texture and flavour profile of the chocolate. "The function of sugar in chocolate is both sweetness and bulking, so if we take that sugar out, we have to put something else in that will do the job just as well, or consumers will notice," said Gregory Ziegler, distinguished professor of food science at Penn State and co-author on the study.

The researchers undertook various taste tests involving different degrees of sugar reduction and using replacement rice and oats, which contain fine granular starches as replacements for sugar in chocolate. In the tests they gauged consumer acceptability for 25% reduced sugar chocolates made with oat and rice flours compared to regular chocolate, the control, made with 54% sugar. The rice flour chocolates were liked significantly less than the normal chocolate control, but the oat flour sample did not differ from control -- and in some cases was rated slightly better.

Our results suggest we can cut back 25% of added sugar to chocolate, effectively reducing the total sugar by 13.5%, if we substitute oat flour," said Kai Kai Ma, a doctoral candidate in food science at Penn State and co-author on the paper. The findings provide a new option for decreasing chocolate's sugar content while maintaining its texture and flavour. [5]

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