

Proposed Soda Size Regulation
Comments of the Cambridge Public Health Department
Community Health Committee of the Cambridge City Council
January 9, 2013

The Cambridge Public Health Department has prepared a preliminary analysis of the proposed soda size limits for serving containers. The analysis has been reviewed by the Food and Fitness Policy Council and a summary of this cursory assessment will be shared at the public meeting of the Community Health Committee of the Cambridge City Council.

Based on this preliminary analysis, the Department would like to provide the following comments.

I. Current scientific evidence supports the link of soda consumption to obesity

- Sugary drink consumption is a key driver of the national obesity epidemic. On average, Americans consume about 200 to 300 calories more per day than 30 years ago, with the largest single increase due to sugar-sweetened drinks. Nearly half of the added sugar that Americans consume is from sugar-sweetened drinks.
- Reduction of calories from added sugar is included as one of the objectives of *Healthy People 2020*, the nation's 10-year health goals designed to guide national health promotion and disease prevention efforts to improve overall health.
- Sugary drink portion sizes have increased over recent years. These oversized drinks do not provide nutritional value and lead people to drink more and take in more calories, but do not help them to feel *fuller*.
- Obesity has a disproportionate impact on minority and low-income populations that are more likely to consume larger quantities of calorie-dense food and drinks.

II. It is unclear whether limiting soda portion sizes in restaurants is an effective way to decrease soda consumption and overall caloric intake.

- Limiting soda size could affect nearly two-thirds of drinks bought in fast-food restaurants

On average, sugary-drink buyers could consume 74 calories less per fast-food outing, however we don't know how this would affect people's behavior in terms of choice of venue or compensation later in the day

- Does limiting soda size in restaurants make sense if people can still buy large size beverages in retail establishments, such as supermarkets and corner stores? In contrast, municipal trans fat bans affecting food service establishments have been successful because they build on the 2006 federal law that requires food manufacturers to disclose trans fat content on packaged foods.

III. Limiting soda size does not substantially impede freedom of choice.

- People can still drink the amount that they want to, for example, by buying a 2nd soda or getting refills. The size limit would give consumers a pause and an opportunity to consider if they really want to drink more.

IV. Limiting soda size could potentially have any detrimental effects.

- This measure is untested and if it doesn't work, it may be harder to implement potentially more effective and comprehensive policies and regulations in the future.
- The development, implementation and enforcement of the proposed soda regulation could take away resources that might be better used to further a more comprehensive policy on improving the city's overall food environment. Also, if implementation takes place in isolation, it could be seen as unfairly burdening private businesses.

Our experience with creating and implementing the trans fat ban has taught us that this works best in Cambridge using a collaborative process, and we suggest to follow that model. This resulted in a nearly 100% compliance in ISD inspections.

The Cambridge Public health Department has been an active member of the Healthy Children's Task Force – a citywide coalition that has been instrumental in many of health policy efforts over the last two decades. More recently, the Department has served as the facilitator of record for the newly appointed Food and Fitness Policy Council which is the process of designing a "roadmap" for guiding the city's wellness promotion efforts. Through the FFPC, the department coordinates with city departments, community organizations, universities and other stakeholders to promote healthy eating and physical activity through policy and environmental approaches.

At this stage, the Food and Fitness Policy Council proposes that a soda regulation in Cambridge should be considered in the context of a broader set of potential, evidence-based policy changes for the public and private sector (for example the CDC recommended strategies for Obesity Prevention) not in isolation. Similarly, in New York City, the soda size regulation has been incorporated as one of 26 of New York City's initiatives to promote healthy eating and physical activity, proposed by the city's Obesity Task Force.

Attachment B

Reversing Obesity Trends in New York City

The complete report can be found at:

http://www.nyc.gov/html/om/pdf/2012/otf_report.pdf

Initiatives during the last ten years:

- **Calorie Counts:** NYC requires chain restaurants that hold NYC Department of Health and Mental Hygiene (DOHMH) permits to post calorie information prominently on menu boards and menus.
- **Meal and Vending Standards:** NYC established nutritional standards for every City agency that purchases or serves meals to clients to improve the health of the 1.1 million students that attend City schools; patients in City hospitals and nursing homes; clients such as those served by homeless shelters, day cares and senior centers; and inmates in City jails. The City also established standards for City vending machines, reducing the availability of high calorie snacks and sugar sweetened beverages in City facilities.
- **Green Carts:** NYC made available 1000 green carts permits to sell raw fruits and vegetables only: 350 permits for Brooklyn, 350 for the Bronx, 150 for Manhattan, 100 for Queens, and 50 for Staten Island. This initiative, with the support of the Laurie M. Tisch Illumination Fund, funds micro-loans and technical assistance for Green Cart operators, as well as branding, marketing, and outreach to encourage residents of the Green Cart areas to purchase fresh produce from the carts.
- **Health Bucks:** Worth \$2 each, Health Bucks are developed and distributed by NYC DOHMH District Public Health Offices and can be used to purchase fresh fruits and vegetables at participating farmers markets. Farmers' markets that accept food stamps will give one Health Buck coupon to each customer for every \$5 spent using food stamps.
- **Move-to-Improve:** Offered through the New York City Departments of Health and Education, this is a comprehensive and engaging way to help teachers integrate physical activity into all areas of classroom academics.
- **Active Design Guidelines:** Developed by a partnership of the NYC Departments of Design and Construction, Health and Mental Hygiene, Transportation, City Planning, and Office of Management and Budget. This initiative provides architects and urban designers with a manual of strategies for creating healthier buildings, streets, and urban spaces, based on the latest academic research and best practices in the field.
- **Urban Cycling:** NYC has re-imagined the urban streetscape to promote safe bicycling for recreation and commuting, The DOT has completed the City's ambitious goal of building 250 bike-lane miles in all five boroughs in just three years.

New Initiatives

A. Prevent Obesity in Children

- # 1 - Promote and expand the Department of Education's nutrition and wellness efforts
- # 2 - Install water jets to establish students' preference for water
- # 3 - Expand the school gardens initiative to teach students about the origin and taste of healthy food
- # 4 - Install salad bars in all New York City schools
- # 5 - Improve nutrition at City-licensed children's camps
- # 6 - Increase physical activity for elementary children through Move-To-Improve

- # 7 - Add playground attendants who lead free physical activity programs in City parks
- # 8 - Share play spaces across programs such as Head Start and Shape Up NYC
- # 9 - Increase active transportation initiatives in schools

B. Initiatives - Encourage Healthy Eating

- # 10 - Establish a maximum size for sugary drinks in food service establishments (FSEs)
- # 11 - Public education campaigns
- # 12 - Healthy Hospital Initiative standards
- # 13 - Healthy food pantries and soup kitchens
- # 14 - Urban agriculture at New York City Housing Authority developments
- # 15 - Create new community garden sites
- # 16 - Expanding healthy food access in the retail environment
- # 17 - Access to NYC tap water

C. Initiatives - Promote Physical Activity

- # 18 - Establish a Center for Active Design
- # 19 - Facilitate active stair design in buildings
- # 20 - Increase physical activity for adults and seniors by expanding the Shape Up NYC Program
- # 21 - Launch the Citi Bike Program

D. Initiatives - Lead By Example

- # 22 - Evaluate all City construction projects for active design opportunities
- # 23 - Offer wellness program to NYC employees with focus on healthy eating and fitness
- # 24 - Adopt expanded NYC Food Standards at all City agencies to include food served at meetings, trainings, and events
- # 25 - Improve and expand the identification and treatment of obese children & their families at NYC hospitals and schools
- # 26 - Examine sidewalk and stairway design improvements to increase active lifestyles