



California Working Families Policy Summit
Recommendations to Promote
NUTRITION AND PHYSICAL ACTIVITY
FOR CHILDREN AND ADOLESCENTS
January 18, 2002

Introduction

An Epidemic of Childhood Obesity. The Centers for Disease Control has declared that there is an epidemic of child and adolescent obesity in the United States.¹ California is no exception. Statewide, 30% of children are at risk or already overweight; in some school districts, 40-50% of children are overweight.² Only 2% of California youth ages 12-17 meet national dietary recommendations,³ and only 23% of students in grades 5, 7, and 9 are physically fit.⁴

Staggering Long-Term Effects. Poor nutrition and physical inactivity are responsible for 28% of preventable deaths in the U.S. (second only to tobacco), more than violence, AIDS, drugs, alcohol, and car crashes combined.⁵ Obesity results in \$14 billion in economic costs in California every year,⁶ including at least \$1.3 billion in Medi-Cal costs.⁷ If left unchecked, the long-term impact of this epidemic on California's working and low-income families, on California's economy, and on cardiovascular disease, cancer, and diabetes death rates will be staggering.

The Need to Focus on Social and Environmental Factors. The youth obesity epidemic is a result of a simultaneous increase in the availability and consumption of less nutritious foods, and a decrease in physical activity. The epidemic is perpetuated by a complex set of social and environmental factors including (1) lack of funding to promote healthy eating and physical activity, (2) schools that provide inadequate health and physical education (PE) and that sell vast amounts of soda and junk food, (3) corporations that have an economic incentive to promote the sale of large portions of high-fat, high-sugar foods, and (4) lack of federal leadership to address the epidemic. We call on the State Legislature and others to address these issues in the following ways.

I. Collect sufficient revenue to fund critically needed State, local, and school-based nutrition and physical activity initiatives.

Background

There is virtually unanimous agreement that one of the most effective ways to prevent childhood obesity is to establish policies and programs in schools, communities, and throughout the State that encourage children and adolescents to develop healthy lifelong eating and exercise habits. Unfortunately, there is a severe shortage of funding available for these programs in California. Based on precedents set by both alcohol and tobacco, it would be reasonable to fund needed programs through a tax on products that contribute to the obesity epidemic.

Junk Food Tax – California History. Since 1933, California has considered soda to be a non-food, making it subject to sales tax. As a backlash to a "snack food tax" imposed in 1991 to raise general revenue during recessionary times, Proposition 163 was approved by the voters in 1992,

forbidding taxation of candy, gum, and other junk foods. Soda, however, remains taxable.

Focus on Sodas. Carbonated beverages play a particularly pernicious role in the childhood obesity epidemic, and are therefore reasonable sources of tax revenue for nutrition and physical activity programs. Twenty years ago, teens drank twice as much milk as they did soda. Today they drink twice as much soda as milk.⁸ For every additional soda a child drinks, he/she has a 60% greater chance of being obese.⁹ Active teenage girls who drink sodas are three-to-five times more likely to break their bones than girls who do not consume those beverages.¹⁰

Focus on Distribution. Eight states in the U.S. impose a tax on the production or distribution of carbonated beverages, often to fund health-related programs. Arkansas has the highest tax, with a surcharge of \$0.21 per gallon of liquid soft drink or \$2.00 per soft drink syrup on distributors, raising \$40 million per year to support its Medicaid program.^{11,12} Replicating Arkansas' model, California could raise an estimated \$512 million to promote healthy eating and physical activity.¹³

Recommendations

A. The State Legislature should establish a surcharge on the wholesale distribution of carbonated beverages. The revenue raised from the “soda surcharge” should be deposited into a “Child Health and Achievement Fund” to support programs that promote healthy eating and physical activity for children and adolescents, beginning with the following:

1. State leadership activities:

- a. Develop major social marketing campaigns to promote healthy eating & physical activity.
- b. Fund expiring foundation grant-funded child nutrition initiatives such as 5-A-Day Power Play, Food on the Run, and SHAPE California.
- c. Continue to conduct and report the results of surveys and other surveillance efforts.
- d. Develop a Childhood Obesity Annual Report to the legislature, describing the status of childhood nutrition and physical activity needs, practices, and related health conditions.
- e. Provide programmatic and legal technical assistance to help schools and communities establish and implement local programs, policies, and regulations.

2. Community Programs: Make incentive funds available to public and nonprofit agencies to

- a. Develop health-friendly community and transportation infrastructures, including parks, bike trails, safe walkways, and junk food-free zoning ordinances.
- b. Gather input from residents to develop local nutrition and physical activity action plans.
- c. Improve nutrition and physical activity standards in after-school and childcare programs.
- d. Encourage affordable high quality grocery stores, farmers markets, and community gardens to be established in low income neighborhoods.

3. School-based Programs: see Recommendations below.

II. Ensure that the total school environment supports the development of lifelong healthy eating and physical activity for all students.

Background

The crucial role of schools. California schools have a responsibility to teach children how to live healthy and economically productive lives. As described in the California Education Code (§49400), schools are required to “give diligent care to the health and physical development of pupils.” Schools have an additional incentive: healthy eating and physical activity play an important role in learning and cognitive development.¹⁴

How schools are failing. Schools influence students' eating and activity patterns by what is (or is not) taught in the classroom and in PE class, and what is (or is not) sold and promoted on campus. Due to the lack of State standards and lax enforcement of existing policies, loopholes in existing regulations, increased emphasis on SAT 9 Test scores, and deteriorated physical infrastructures, (1) junk food is sold and promoted in massive quantities in 95% of school districts to fund cafeteria operations and student activities,¹⁵ (2) students receive insufficient nutrition education, and PE below State-mandated levels, (3) there is often insufficient space and equipment in cafeterias and PE facilities, and (4) drinking fountains are often inoperable.

Recommendations

- A. Physical Education.** The State Legislature and State Board of Education should
1. Ensure that all elementary school students participate in quality PE by establishing and adopting educational standards for PE as a separate area of study.
 2. Require strict enforcement of the existing State PE mandates.
 3. Require that questions about the importance of physical activity appear on the SAT 9 Test.
 4. Require that schools provide parents written notification of their child's fitness test results.
 5. Require school performance evaluations to include physical fitness test results.
 6. Provide funding to schools to (a) decrease PE class size to equal other courses, (b) hire at least one credentialed PE teacher for every elementary school at least one day/week, and (c) provide professional development support for teachers in PE.
- B. Nutrition.** The Legislature, the Governor, the Department and Board of Education should
1. Ensure that SB 19 (Escutia) is fully funded through 2007, implemented, and enforced.
 2. Require that at least half of all food and beverages offered for sale on middle and high school campuses from vending machines, school stores, and as a la carte options meet the nutritional standards outlined in SB 19 (Escutia) for elementary school nutrition breaks.
 3. Require that drinking water is available at multiple sites on school campuses.
 4. Eliminate all commercialism of junk food from school campuses.
 5. Require behavior-focused nutrition education to be integrated into the K-12 curriculum.
 6. Require that questions about the importance of healthy eating appear on the SAT 9 Test.
- C. School Infrastructure.** The State Legislature should utilize bond measures to raise funds to ensure safe and efficient operations of school cafeterias, PE facilities, and water fountains.

III. Restrict corporate advertising of junk food to young children, and ensure that consumers have the information they need to make healthy food choices.

Background

Increasing role of junk food. Junk food manufacturers and distributors play a major and increasing role in the eating behaviors of most Americans. Between 1970 and 1996, the percentage of food dollars Americans spend on foods prepared outside their homes increased from 25% to 40%.¹⁶ The food industry now spends \$25 billion a year on advertising and promotions to influence eating habits.¹⁷ Only 2% of food advertising expenditures are for fruits and vegetables.¹⁸

Junk food corporations target kids. Junk food marketers increasingly promote high-fat, high-sugar products to children for three reasons: (1) children are extremely susceptible to advertising,¹⁹ (2) children both spend their own money and influence the purchases of parents and peers,^{20,21} and (3) corporations want to establish a stable of lifelong brand-loyal junk food consumers.^{22,23} Four out of five food ads aimed at children are for sugary cereals, snack foods, candy, soft drinks, and fast food.²⁴ Not only do junk food suppliers advertise on television, they

also use other unregulated promotional strategies. McDonald's, for example, distributes over a billion toys a year,²⁵ and has an active marketing strategy targeting children under age three.²⁶ While the Federal Trade Commission focuses on national advertising, it refers "local matters" to state, county, or city agencies.²⁷

Consumers need additional information. In a world where "super-sizing" has become the marketing norm, consumption of ever increasing portion sizes is a major contributor to the obesity epidemic. While the FDA requires nutrition labeling on packaged food and beverage products, no such labeling is required for restaurant foods.²⁸ Studies have shown that without nutrition labeling, even well-trained nutrition professionals cannot estimate the calorie and fat content of typical restaurant meals.²⁹ Clearly, for working parents and their children to make healthy eating decisions, they must have information about the nutrient content of menu options.

Recommendations

The State Legislature should

- A. Hold legislative hearings on the practice of junk food advertising targeting children.
- B. Within the State's jurisdiction (as determined by the Attorney General), prohibit local television stations from purchasing junk food ads for broadcast during children's programs.
- C. Within the State's jurisdiction (as determined by the Attorney General), limit junk promotions targeting young children.
- D. Require nutrition labeling on printed and posted menus and on all food packages in chain restaurants. Labels should not assume multiple servings per item.
- E. Require that 25% of menu options in fast food restaurants be "Heart-Healthy."

IV. Assert California's influence to advocate for changes in federal laws/regulations.

Background

Childhood obesity requires a national response. Solutions to the childhood obesity epidemic go far beyond California's borders. Issues of poverty, lack of health insurance, national advertising, and social norms are problems that California cannot solve on its own. California often lobbies for federal reforms when the health and welfare of residents and the State's economic well-being are at stake. The scope of the childhood obesity epidemic demands that we harness our creativity and political and economic clout to assert national leadership in addressing this paramount public health issue on behalf of working families in California and throughout the nation.

Recommendations

The Governor, the State Legislature, and the California Congressional delegation should work to:

- A. Reduce or eliminate national television advertising of junk food to young children by**
 1. Funding the University of California to publish a scientific report on the practice and health and economic consequences of marketing junk food to young children.
 2. Holding Congressional hearings about corporate marketing practices.
 3. Advocating for changes in Federal Trade Commission regulations.
- B. Support through funding and federal policy California's efforts to**
 1. Establish competitive food standards in public schools.
 2. Require nutrition labeling for restaurant foods.
 3. Rebuild nutrition- and physical activity- related school and community infrastructures.
 4. Increase reimbursement for healthy school meals.
 5. Ensure that every child has access to affordable health care.

ENDNOTES

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