



February 25, 2019

Councilmember Mark Levine
Chair, Committee on Health
New York City Council
City Hall Park
New York, NY 10007

Re: City Council Bill No. 1064-A -- Nutritional Standards for Beverages Included in Meals Aimed at Children

Dear Chairman Levine and Members of the Committee:

Thank you for the opportunity to provide comments. The Center for Science in the Public Interest (CSPI) strongly supports Council Bill 1064-A, which will support the health of New York City's children by making healthier beverages the default with restaurant children's meals.

CSPI is a nonprofit organization with more than 500,000 members, including more than 7,000 in New York City. Since 1971, we have worked to make it easier for people to eat healthfully so they can avoid heart disease, high blood pressure, cancer, diabetes, and other diet-related diseases. CSPI has led successful nationwide efforts to secure Nutrition Facts labels on packaged foods, improve school food, ensure calories appear on menus at chain restaurants, and remove artificial trans fat from the food supply.

Nationally, one-third of children and adolescents are overweight or obese.¹ In New York City, 20 percent of kindergarten students, and 25 percent of Head Start children, are obese.² Children who are overweight or obese are more likely to be overweight or obese in adulthood, increasing their risk of heart disease, stroke, cancer, and diabetes.^{3,4} Children with obesity also are at risk for social and emotional health consequences stemming from stigmatization and social discrimination, both of which can negatively impact academic success and social development.⁵

Sugar-sweetened drinks, including soda, sugary fruit drinks, iced teas, and sports drinks, are a top source of calories in children's diets.⁶ At most fast-food and table-service restaurants, sugary beverages are sold as part of children's meals or on children's menus.⁷ Sugary drinks are often automatically included with children's meals, adding unnecessary calories with little or no nutritional benefit.⁸ Designating particular foods and beverages as children's menu items or bundling them together as children's meals are powerful forms of marketing. This marketing helps to establish norms for children, affecting their preferences and lifelong eating patterns.⁹

Council Bill 1064-A will support healthier options for children, while protecting parents' freedom to choose for their children.

CSPI and other members of the Food Marketing Workgroup, a national coalition of over 200 professionals and organizations focused on reducing unhealthy marketing to children, have been working to improve the nutritional quality of restaurant children's meals. Several of the largest national restaurant chains have already voluntarily removed sugary drinks from their children's menus, including Subway, Panera, McDonald's, Wendy's, Burger King, Dairy Queen, IHOP, Jack in the Box, and Applebee's.

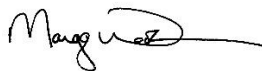
While this progress is encouraging, there is still a long way to go. A study by CSPI found that although the percentage of top restaurant chains offering sugary drinks on children's menus has declined in recent years, from 93 percent in 2008 and 83 percent in 2012, 74 percent of the top chains still list sugary drinks on children's menus.¹⁰

Some states and localities frustrated with the slow pace of change are turning to public policy to improve restaurant children's meals in their communities. The state of California, along with eight localities in California, Wilmington, Delaware; Louisville, Kentucky; Baltimore, Maryland; and Lafayette, Colorado have all adopted kids' meal ordinances. Similar policies have been introduced or are being considered in other jurisdictions nationwide.

We urge New York City to join this growing movement. A 2019 poll conducted by the Global Strategy Group found that 94% of New York City voters support making the food and beverage options on children's menus healthier. More specifically, 87% are strongly in favor of making healthy drinks like water and milk the default drink option for children's meals.

Healthier children's meals can reduce sugary drink consumption, encourage children to form healthy eating habits, and support parents' efforts to feed their children well. Please let me know if I can provide any additional information.

Sincerely,



Margo G. Wootan, DSc
Vice President for Nutrition

¹ Fryar CD, Carroll MD, Ogden CL. Prevalence of Overweight and Obesity Among Children and Adolescents Aged 2-19 Years: United States, 1963-1965 Through 2013-2014. Hyattsville, M.D.: National Center for Health Statistics; 2016.

² New York City NYC Department of Health and Mental Hygiene. Obesity. Available at: <https://www1.nyc.gov/site/doh/health/health-topics/obesity.page>

³ Sahoo K, Sahoo B, Choudhury AK, Sofi NY, Kumar R, Bhadoria AS. Childhood obesity: causes and consequences. *Journal of Family Medicine and Primary Care*. 2015;4(2):187-192.

⁴ Kelsey MM, Zaepfel A, Bjornstad P, Nadeau KJ. Age-related consequences of childhood obesity. *Gerontology*. 2014;60(3):222-228.

⁵ Sahoo, 2015.

⁶ U.S. Department of Health and Human Services and U.S. Department of Agriculture. 2015–2020 Dietary Guidelines for Americans. 8th Edition. December 2015. Available at: <http://health.gov/dietaryguidelines/2015/guidelines/>.

⁷ Ribakove S, Almy J, Wootan MG. Soda on the Menu: Improvements Seen but More Change Needed for Beverages on Restaurant Children's Menus. Washington, D.C.: Center for Science in the Public Interest, 2017.

⁸ Harris JL, Schwartz MB, Munsell CR, et al. *Fast Food FACTS 2013: Measuring Progress in Nutrition and Marketing to Children and Teens*. New Haven, C.T.: Yale Rudd Center for Food Policy & Obesity; 2013.

⁹ Institute of Medicine of the National Academies. *Food Marketing to Children and Youth: Threat or Opportunity?* Washington, D.C.: National Academies Press, 2006.

¹⁰ Ribakove, 2017.