Warning Labels on Sugary Drinks: Promoting Informed Choices

September 24, 2014

SPEAKERS

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ChangeLab Solutions

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California Center for Public Health Advocacy

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Executive Director
Latino Coalition for a Healthy California

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Director of Health Promotion Policy
Center for Science in the Public Interest
NUTRITION LABELING AND EDUCATION ACT

NLEA allows requirements for “a warning concerning the safety of the food or component of the food”

FIRST AMENDMENT

The government “shall make no law . . . abridging the freedom of speech”

FIRST AMENDMENT

Also protects “commercial speech”
FIRST AMENDMENT
Also protects “commercial speech”

“COMPELLED SPEECH”

COMPELLED SPEECH TEST
The required warning (compelled speech) must be:
COMPELLED SPEECH TEST
The required warning (compelled speech) must be:

• Factual and uncontroversial

COMPELLED SPEECH TEST
The required warning (compelled speech) must be:

• Factual and uncontroversial
• Reasonably related to a legitimate government interest.

MODEL LEGISLATION

10 WAYS TO LIMIT SSB IN YOUR COMMUNITY

1. Advocate for local policies that limit SSB availability.
2. Support schools in promoting healthy eating options.
3. Encourage community venues to offer nutrient-rich options.
4. Foster partnerships with local businesses to reduce SSB availability.
5. Encourage local retailers to phase out SSB products.
7. Engage local influencers in promoting healthy choices.
8. Advocate for policies that regulate SSB advertising.
9. Support initiatives that promote physical activity.
10. Foster partnerships with local organizations to promote healthy living.
Local Strategy?

A NEED TO KNOW, A RIGHT TO KNOW

CA’s Warning Label Legislation
Senate Bill 1000 (Monning)

Harold Goldstein, DrPH
Executive Director
California Center for Public Health Advocacy
Outline

- Label Language
- Rationale
- Support and Opposition

Outline

- Label Language
- Rationale
- Support and Opposition
- Accomplishments

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- Label Language
- Rationale
- Support and Opposition
- Accomplishments
- Next Steps
Value of Warning Labels

- Laser guides attention to specific products based on science
- Provides an authoritative statement
Value of Warning Labels

- Laser guides attention to specific products based on science
- Provides an authoritative statement
- Educates consumers
- Early strategy to change social norms

Effectiveness of Warning Labels: Evidence from Tobacco

Health warnings on the face of cigarette packages can increase health knowledge, perceptions of risk, and can promote smoking cessation by both youth and adults. (Hammond, 2011)
Effectiveness of Warning Labels:
Evidence from Tobacco

✓ Health warnings on the face of cigarette packages can increase health knowledge, perceptions of risk, and can promote smoking cessation by both youth and adults. (Hammond, 2011)

✓ Two-thirds of all smokers indicate that the package is an important source of health information and health knowledge is strongly associated with an intention to quit smoking. (Hammond, 2006)

In addition to conveying important health information, warning labels decrease the attractiveness and appeal of cigarettes and help to create an environment where non-smoking is the norm. (Campaign for Tobacco Free Kids)

Rationale

➢ This is about the uniquely harmful effects of liquid sugar (new information)
Rationale:
Overwhelming Scientific Evidence of Harmful Effects of SSBs

2 bottles of soda/day for just 2 weeks
↑ 20% increase in LDL cholesterol and triglycerides

2 bottles of soda/day for 6 months
↑ Fat in the liver

Human beings are not designed to consume liquid sugar
Rationale

- Uniquely harmful effects of liquid sugar (new information)
- Transparency: Telling the truth and letting consumers decide

Key Messages

Rationale:

- Transparency

Factual information for consumers to use as they see fit when making purchases

STATE OF CALIFORNIA SAFETY WARNING:
Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay.

Rationale

- Uniquely harmful effects of liquid sugar (new information)
- Transparency: Telling the truth and letting consumers decide
- This is about diabetes!
Diabetes rates have tripled in the last 30 years
Diabetes is the primary driver of increased health care costs in the US

Adolescents with diabetes or pre-diabetes

1999-2000: 9%
2007-2008: 23%

33% boys / 38% girls born in 2000
50% of African Am & Latino kids
### Diabetes Tied to a Third of California Hospital Stays, Driving Health Care Costs Higher

<table>
<thead>
<tr>
<th>Racial/Ethnic Group</th>
<th>% of patients with diabetes</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>27.5%</td>
</tr>
<tr>
<td>Latino</td>
<td>43.2%</td>
</tr>
<tr>
<td>Asian Am / Pacific Islander</td>
<td>38.7%</td>
</tr>
<tr>
<td>African American</td>
<td>39.3%</td>
</tr>
<tr>
<td>Am Indian &amp; Alaska Native</td>
<td>40.3%</td>
</tr>
</tbody>
</table>

$2,200 more per hospitalization

### Voters Support Sugary Drink Warning Labels

**Field Research Poll**
February 2014

<table>
<thead>
<tr>
<th>% Support</th>
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<tbody>
<tr>
<td>74%</td>
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</tbody>
</table>
Voters Support Sugary Drink Warning Labels
Field Research Poll
February 2014

Editorial Support:
(when not tied to taxes)

The Sacramento Bee

Public needs warning on soda’s threat to health

Tables or sugar drinks will help especially for teens

The Sacramento Bee
1. It isn’t fair to pick on beverages.
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2. Look at the long list of labeled beverages!
3. It will cost jobs
4. It won't effectively reduce obesity/diabetes
1. It isn’t fair to pick on beverages.
2. Look at the long list of labeled beverages!
3. It will cost jobs
4. It won’t effectively reduce obesity/diabetes
   “Putting government warning labels on more than 500 beverages will do nothing to . . . teach people about healthy lifestyles.”

Timeline of Accomplishments

- Introduced (February 13)
- Senate Health, passed 5-2 (April 9)
- Senate Appropriations, passed 5-2 (May 23)
- Full Senate, passed: 41 votes (May 29)
Senate passes bill to put warnings on sugary drinks

State senators narrowly approved legislation Thursday requiring warning labels on drinks with added sugars, a move supporters hope will curb obesity and diabetes.

“This epidemic is not only damaging the public’s health, it is costing all Californians,” said Sen. Bill Monning, D-Carmel, who wrote Senate Bill 1000. “Sugar-sweetened beverages represent the single largest contributor to the diabetes epidemic.”

Timeline

✓ Introduced (February 13)
✓ Senate Health, passed 5-2 (April 9)
✓ Senate Approps, passed 5-2 (May 23)
✓ Full Senate, passed: 41 votes (May 29)
✓ Assembly Health, failed 7-8 (June 27)
Next Steps

✔ Continue Grassroots Organizing

✔ Expand Organizational Support
Next Steps

- Continue Grassroots Organizing
- Expand Organizational Support
- More Community Education

Next Steps

- Continue Grassroots Organizing
- Expand Organizational Support
- More Community Education
- Reintroduce bill in 2015
Type 2 Diabetes & Latinos
SSB Warning Label

Xavier Morales, Ph.D.
September 24, 2014

Latino Coalition for a Healthy California

- Founded in 1992
- 9 Regional Networks
- Leading voice for Latino health in California
- Collaborate across California
- Connecting Sacramento & the rest of California

Policies to Shift Consumption to Healthier Options
STATE OF CALIFORNIA SAFETY WARNING: Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay.

Leading Cause of Deaths Among Latinos

Among Latinos, heart disease, cancer, stroke, and diabetes account for over 51% of all deaths.

Lifetime Risk of Developing Diabetes

1 in 2, or more than 50% of Hispanic/Latino men and women will now develop diabetes in their lifetime!
National Cost of Type 2 Diabetes

DID YOU KNOW?
The economic cost of diagnosed diabetes in the United States is $245 BILLION per year.

Source: American Diabetes Association

California Cost of Type 2 Diabetes

The economic cost of diagnosed diabetes in California, the state with the largest diabetic population, is $27.6 billion per year.

Source: American Diabetes Association

Consequences of Type 2 Diabetes

- Blindness
- Amputations
- Insulin shots dependence
- Kidney failure
- Nerve damage

Source: American Diabetes Association

Photo Credit: Houston Methodist Type 2 Diabetes Infographic

[Image of a diabetes infographic showing parts of the body commonly affected by diabetes such as eyes, heart, feet, kidneys, and nerves.]
More Latino Hospital Patients Have Diabetes

![Graph showing percentage of hospital patients by ethnicity, with Latino patients having the highest percentage of diabetes.]

Source: UCLA CPHR, CCPHA: Hospitalizations…by Race/Ethnicity.

Youth and Diabetes

![Infographic showing prevalence of diabetes among youth.]

Just Calories In Versus Calories Out?

Soda industry would say yes…

Photo Credit: Coca-Cola Ambassador
**But What About Biology?**

- The "thrifty gene" hypothesis & fat storage
- Latinos more insulin-resistant than non-Hispanic whites
- Tendency to develop abdominal obesity among Latinos, a determinant of insulin resistance

**Healthy vs. Fatty Liver**

- Healthy liver
- Fatty liver

**Healthy vs. Diseased Kidneys**

- Healthy kidney
- Diseased kidney

Source: Caballero, AE. Type 2 Diabetes in the Hispanic or Latino Population...
Why Focus on SSBs?

Complex Roots of Diabetes
- Aggressive Marketing of Unhealthy Products
- Availability of affordable healthy foods
- Parks & Recreational Space
- Safe Neighborhoods
- Hope & Efficacy
- Social Connectedness
- Access to Transportation
- Affordable & Safe Housing
- Community Infrastructure
- Economic Security
- Educational Equity
- Access to Health Care

Clear Link to Disease
Latino youth are particularly vulnerable to food and beverage marketing because of their high levels of media exposure.

Youth Targeted Advertising

Television commercials based on language, 2009

Marketing to Kids
Thank you! Thank you!

Learn more: www.lchc.org

Warning Labels: A National Perspective

Jim O’Hara
Director, Health Promotion Policy

September 24, 2014
2005: CSPI Petition to FDA
- HFCS and other sweeteners: "food additives"
- Require health notices as condition of use
- Example: The U.S. Government recommends that you drink less (non-diet) soda to help prevent weight gain, tooth decay, and other health problems.


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I N A S S E M B L Y
August 20, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Camara) --
read once and referred to the Committee on Consumer Affairs and Protection
AN ACT to amend the agriculture and markets law, in relation to the labeling of sugar-sweetened beverages with warnings.

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Local Efforts?
Evidence of effectiveness

Alcohol and tobacco

Considerations:
- Package versus retail
- Awareness increase
- What behavior change

Health Promotion Policy

We partner with state and local leaders to improve health in communities, especially the underserved.

We research legal and policy questions, draft policy language, and train community leaders to put these ideas to work.

DISCLAIMER

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