

School Soda, Junk Food Bans Approved

By Mitchell Landsberg and Monte Morin

Pop Tarts make the grade. French fries don't. Gatorade is in. Coke is out.

Flamin' Hot Cheetos? Given the cold shoulder.

Big changes are coming to California public school cafeterias and vending machines following the passage Tuesday of limits on the sale of junk food and soda on campuses statewide.

Advocates of two measures passed by the Legislature, one covering food and the other beverages, say they are the most sweeping rules of their kind in the U.S. and will have a measurable impact on the future health of Californians.

Opponents say the measures are well-intentioned but misguided efforts to change the way children eat.

The two bills, SB12 and SB965, mirror efforts already undertaken in some of the state's biggest school districts, including Los Angeles Unified, to make lunches and snacks healthier. Both had the vocal support of Gov. Arnold Schwarzenegger, who is expected to sign the bills next week during a "summit" meeting in Sacramento on health, nutrition and obesity.

The new regulations on food set limits on the fat and sugar content of meals and snacks sold on campus during school hours. Once signed by the governor, they will go into effect on July 1, 2007. The beverage rules, which basically prohibit the sale of sodas during school hours, go into effect two years later.

The measures, however, allow junk food and soda to be sold at off-campus and evening events including football games, dances and club meetings. They do not apply to foods that students bring from home, or to food that is given away, such as cake and punch at a school party.

And nothing in the bills will prevent high school students on open campuses from strolling to McDonald's or Burger King for lunch.

Since state elementary and middle schools have already banned the sale of sodas, the new beverage legislation would affect only high schools.

Tuesday's final passage in the state Senate represented the end of a long road for state Sen. Martha Escutia (D-Whittier), who has been trying for five years to get such limits enacted.

There was little interest in the bills initially, she said, but the national mood has shifted as more attention has focused on childhood obesity and its long-term dangers.

The Institute of Medicine of the National Academy of Sciences issued a report in 2004 saying that the rate of childhood obesity in the U.S. has tripled over the past 30

years among children 6 to 11 and has doubled for those 2 to 5 and 12 to 19.

The report came amid a rising chorus of concern among healthcare professionals, who said it was becoming common to see cases of adult-onset diabetes in children -- something that was all-but-unheard of until recently.

A report commissioned by the California Health and Human Services Agency estimated in April that obesity was costing the state \$28.7 billion a year in healthcare expenses, injuries and lost productivity, 32% more than five years ago.

When Schwarzenegger, with his passion for physical fitness, began to speak out about the problem, Escutia said, that helped break down the final barriers.

“This year, it seemed the stars were aligned,” she said.

Escutia said she believed the result would be “a healthier child, a child that’s going to be faced with healthy choices from kindergarten all the way through high school.”

“What does that mean for us as a society? If children start developing these good habits at an early age, they carry those habits with them as adults.”

States including Arizona and Texas have passed junk food and soda restrictions in recent years, but Escutia said none of them were as stringent as the proposed California standards.

The legislation had a long list of supporters, including the American Heart Assn., the California State PTA, the California Medical Assn. and Kaiser Permanente.

“This is a great day for California and children in public schools,” said Harold Goldstein, executive director of the California Center for Public Health Advocacy, one of the legislation’s most active supporters. “The Legislature made a bold and decisive move and sent a very clear message -- the growing epidemic of childhood obesity will not be solved by empty calls for individual responsibility. Our schools are no longer going to be soda and junk food superstores.”

Most of the opposition to the restrictions came from the corporations that stood to lose the most from the ban on sales of such cherished junk food delicacies as Twinkies, Doritos, Snickers, CrackerJack and Pepsi.

The Grocery Manufacturers of America -- a lobbying group that bills itself as the world’s largest association of food, beverage and consumer product companies -- argued in statements to legislators that the bills “demonized” soft drinks and other foods. The group argued that a lack of physical activity was also a key factor in childhood obesity.

That was the crux of the argument by the Center for Consumer Freedom, a Washington-based lobbying group for restaurants and food companies.

“Kids’ calorie intake has not increased over the last 20 years, while physical activity rates have plummeted,” said Dan Mindus, a senior analyst for the center.

“If they really wanted to tackle this issue, they would renew their commitment to gym class and recess. Kids are spending far more time in front of the computer and their X-Boxes than running around. That’s the reason we’re seeing an increase in obesity. This is an attempt at a quick fix, but it’s not going to make a real difference.

“California has, in Gov. Schwarzenegger, the perfect person to energize kids and get them moving again,” Mindus added. “He’s the very image of physical fitness, yet he’s missing an opportunity to do this.”

Earlier proposals to limit the sale of junk food in schools were opposed by the California School Nutrition Assn. on the grounds that the requirements were flawed. But the group, made up of food service workers and school nutritionists, supported the recent legislation after it was altered to include portion size and number of calories.

The legislation is aimed at limiting food sales to dishes that get no more than 35% of their calories from fat, 10% of their calories from saturated fat, and have no more than 35% sugar by weight.

That formula would not likely pass muster at a Weight Watchers meeting. Among the foods that qualify are Pop Tarts, baked potato chips, baked Doritos, honey roasted peanuts, Carnation Ice Cream Sandwiches and various other “light” varieties of ice cream.

“This isn’t about serving only tofu and bean sprouts,” Goldstein said. “There will still be cookies and chips, but they will now be healthier versions.”

He said French fries will be all right if they’re baked, not fried. Whether the resulting potato product can still be called a French fry is another matter.

The beverage legislation would allow low-fat milk, sports drinks and beverages with 50% fruit juice and no added sweeteners. Sodas, chocolate milk, and “fruit” drinks that are less than half juice would be banned.

The new rules will mean little to Los Angeles public school students because L.A. Unified has already adopted standards that are similar.

Los Angeles School Board President Marlene Canter issued a statement Tuesday saying she hoped the state efforts “mark a tipping point as we begin to see the movement to eliminate the childhood obesity epidemic take hold across the nation.”