



TESTIMONY OF

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PRESENTED TO

**NEW YORK STATE SENATE
STANDING COMMITTEE ON HEALTH**

REGARDING FOOD POLICY IN NEW YORK STATE

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Good afternoon. My name is Joan Siegel and I am the Senior Policy Associate for Health and Mental Health at Citizens' Committee for Children of New York (CCC), Inc. CCC is a 66-year-old privately supported, independent, multi-issue child advocacy organization whose mission is to ensure that every child is healthy, housed, educated and safe. I would like to thank Senator Thomas Duane and members of the Senate Committee on Health for holding this hearing on food policy in New York and for this opportunity to testify.

New York State has shown itself to be a leader in ensuring that children and families have access to healthy and nutritious food and in combating preventable diseases. The State initiative to enable food stamps to be used at Farmers' Markets has done so much to bring healthy food to some of the neediest New Yorkers. In addition state implementation of Healthy Families, Healthy Communities played a critical role in the passage of the New York City Food Retail Expansion to Support Health (F.R.E.S.H) Initiative, which will bring supermarkets to underserved communities and improve the capacity of existing smaller retailers to offer fresh foods.

As you know, good nutrition has lifelong consequences. Healthy eating affects children's growth and development, and their ability to learn in school. Yet, for many children and families, access to affordable, nutritious food is a challenge. Meals prepared outside the home are more readily accessible and are frequently consumed by New Yorkers. Thus, paying attention to what is available, how it is prepared, and whether it is healthy and affordable are critical steps in the fight against obesity.

The need to find effective ways to improve access to good nutrition and combat childhood obesity could not be more pressing. There has been such a large increase in Type 2 Diabetes in children that the American Diabetes Association now refers to this trend as a new epidemic for children.¹ Problems with attention and short-term memory, as well as lower IQs, math and reading scores, have been linked to childhood obesity and the inability to regulate blood sugar. In the last 20 years, obesity rates have doubled in the United States. Approximately 25 million children 17 and under are obese.² Nearly

¹ <http://clinical.diabetesjournals.org/content/20/4/217.full> (accessed 1/12/10). Note that Type 2 diabetes has historically been called Adult Onset diabetes.

² Strom, Stephanie. "\$500 million Pledged to Fight Childhood Obesity." *New York Times*, 4 April 2007.

half of New York City's elementary school children are either overweight or obese³ and 27% of the city's children in Head Start programs are obese.⁴ In a national comparison, New York has the 18th highest rate for overweight and obese children and adolescents.⁵

CCC supports the State Senate in moving forward on the three proposed initiatives being considered today. These initiatives will go a long way towards helping children, adolescents and families live healthier lives by prohibiting the use of trans-fats in food service establishments, mandating calorie labeling in menus or menu boards and instituting a sugar-sweetened beverage tax. In addition, the sugar-sweetened beverage tax will raise significant revenue that could be directed to toward obesity prevention, health and fitness.

Trans Fat Ban

The trans fat ban is becoming popular, as it is proven effective in the fight against obesity and heart disease. New York City successfully implemented a trans fat ban in 2006 and as a result, many cities followed suit including Seattle, Boston and Philadelphia. In 2009, California enacted a statewide ban on trans fats in restaurants.⁶

The State proposal to phase-out artificial trans fats from restaurants and other food service establishments statewide will help our children live longer, healthier lives. While the health effects of this proposal might not be evident until later in life, the phasing-out of artificial trans fats will help determine our children's health in the future. Many studies have found that trans fatty acids raise the risk of heart disease and can also contribute to an increase in total cholesterol levels and a drop in the "good" cholesterol.⁷ Artificial trans fats are worse than any other natural fat, lack nutritional value and are easily replaceable. Eliminating trans fat is a critical step toward fighting obesity.

³ NYC Department of Health and Mental Health. "Obesity Begins Early: Findings Among Elementary School children in New York City." *NYC Vital Signs*, Vol. 2, No. 5. June 2003.

⁴ NYC Department of Health and Mental Hygiene. "Obesity in Early Childhood: More Than 40% of Head Start Children in NYC are Overweight or Obese." *NYC Vital Signs*, Vol. 5, No.2. March 2006.

⁵ *F as in Fat: How Obesity Policies are Failing in America 2009*, Trust For America's Health (2009).

⁶ <http://www.signonsandiego.com/news/2010/jan/01/new-law-requires-restaurants-to-use-more> (accessed 1/11/10)

⁷ http://www.boston.com/news/local/articles/2008/09/13/trans_fats_now_banned_in_boston_restaurants/?page=full (accessed 1/11/10).

Calorie Labeling:

New York City enforced calorie labeling in 2008. Other localities, including Albany, Suffolk County, Ulster County, and Westchester County, NY, or Seattle, WA, Philadelphia, PA and Nashville and Davidson County, TN⁸, have also enacted calorie labeling laws and at least four states have as well including California, Maine, Massachusetts and Oregon.⁹ In a Stanford University study of New York City consumer response to calorie labeling, they found that by posting calories, consumers' caloric intake went down.¹⁰ In addition, the stores' revenue went up.¹¹ Moreover, Yale Rudd Center did an evaluation of menu labeling and similarly found that posting calories had the impact intended: raising consumer awareness led to decreased consumption of calories.¹² Not only did consumers change behavior, but restaurants did too – creating and offering healthier menu items, such as the Dunkin Donuts egg-white breakfast and the Kentucky Fried Chicken skinless chicken.¹³ These changes did not occur until the menu labeling was made into law.

The Senate proposal to require disclosure of caloric information on restaurant menus or menu boards will allow parents to make better food choices that will improve their children's nutrition, reduce obesity and promote life-long healthy diets and lifestyles. Childhood obesity has life-long consequences related to health, education and well-being. New York State needs to address the high rates of obesity, and caloric labeling is an important step towards this goal.

Sugar-Sweetened Beverage Tax

CCC also supports taxing sugar-sweetened beverages as a means of addressing the childhood obesity epidemic. Sugar-sweetened beverages account for over 10% of children's daily caloric intake,¹⁴ so reducing their intake could have a dramatic impact on this epidemic. CCC believes that in the same way that increasing the price of cigarettes has decreased smoking, increasing the price of these beverages will reduce their

⁸ http://cspinet.org/new/pdf/ml_bill_summaries_09.pdf (accessed 1/13/10)

⁹ Id.

¹⁰ <http://www.gsb.stanford.edu/news/StarbucksCaloriePostingStudy.pdf> (accessed 1/11/10).

¹¹ Id.

¹² http://www.yaleruddcenter.org/resources/upload/docs/what/policy/ImpactMenuLabeling_AJPH_12.09.pdf (accessed 1/11/10).

¹³ <http://food.theatlantic.com/corbys-fresh-feeds/yes-calorie-labeling-works.php> (accessed 1/11/10).

¹⁴ Sugar-sweetened beverages account for 11% of the daily caloric intake of children 2-11 and 16% off the daily caloric intake for youth 12-19. Wang YC, Bleich SN, Gortmaker SL. *Increasing Caloric Contribution from Sugar-Sweetened Beverages and 100% Fruit Juices Among US Children and Adolescents, 1988-2004*. Pediatrics. 2008.

consumption, and ultimately help to combat childhood obesity and associated illnesses such as diabetes and heart disease.

CCC supports the Governor's Executive Budget proposal to create an excise tax on sugar-sweetened beverages as a means to promote healthier beverage choices, combat obesity, and invest needed revenue in health care services. The Governor's proposal would raise \$450 million in 2011 (and almost \$1 billion a year when fully annualized) to reinvest in health programs by imposing an excise tax on sugar-sweetened beverages (including bottled or powdered soft drinks and syrups.)

In December 2008, CCC commissioned a state-wide poll to gauge New Yorker's support for certain taxes, and found that 72% of New Yorkers supported a tax on sugar-sweetened beverages when a portion of the revenue raised would be reinvested into programs to combat obesity. We therefore believe that New Yorkers understand the value and impact that this tax can have on the health and wellness of generations of New Yorkers.

In closing, CCC is grateful for the active role the Senate has played in increasing children's access to healthy, affordable food. We look forward to working with the Senate, the Assembly and Governor's Office to help bring the ideas discussed today to fruition.

Thank you for this opportunity to testify.

