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* TESTIMONY *

New York State Dietetic Association

To
New York State Senate Standing Committee on Health

Hearing on
Food Policy in New York State

January 22, 2010

My name is Maggie Meehan, and I am a registered dietitian representing the New York State Dietetic Association (NYSDA). Thank you for the opportunity to speak about food policy in New York State. With 7 of the top 10 causes of death in the United States now linked to diet it is essential for us to be discussing ideas for ways to improve the nutritional status of all New Yorkers.

NYSDA is a state affiliate of the American Dietetic Association. With over 5,300 members, NYSDA is the largest group of nutrition professionals in New York State and the second largest state affiliate of ADA; second only to California.

The debate about restaurant labeling began on the local level here in New York, but has traveled beyond our borders. With attention growing nationally, the ADA formed a Task Force on Restaurant Nutrition Labeling Research to identify what type of nutrition information is provided in restaurants, how consumers use restaurant nutrition information, how it relates to behavior change, and the impact on overall diet quality.

What the task force found is that labeling initiatives are more effective when the policies include or are accompanied by nutrition education and promotional activities to encourage healthful choices. The task force also found very little research available from actual restaurant settings. Thus, restaurant labeling initiatives must include plans for on-going evaluations for the accuracy of the data, and effectiveness of the policy.

Education and promotion strengthen the effect of point of purchase nutrition labeling both in restaurants and in stores. Research shows that providing education along with the increased availability and visibility of nutrition information increases the use of that information resulting in more appropriate food selections such as lower-fat snacks and calorie-free beverages.

Registered dietitians play an important role in interpreting nutrition information for the restaurant industry and the consumer. NYSDA believes that the registered dietitian would prove to be a valuable asset to the restaurant industry in verifying the nutritional analysis of all menu items with calories posted, and we will be there to guide consumers on how to interpret and personalize the nutrition information.

Consumers need scientifically valid and understandable nutrition information to make healthful choices in all venues. Providing good, accurate and tested information to a consumer educated in nutrition basics can have a powerful effect on food selection at the point of sale.

Some of the preliminary studies in NYC suggest that consumers are actually eating more calories as a result of the calorie postings. These findings reinforce the concept that consumers need to be educated about the posted information to make healthier food choices. NYSDA recommends that the committee makes plans for on-going policy evaluation.

Next, I would like to address policy recommendations regarding trans fatty acids. Fats and oils are actually a component of a healthful diet.

It's the type and quantity of fat consumed makes a difference. High consumption of saturated fats, trans fat and cholesterol increases the risk of unhealthy blood lipid levels, which is associated with increased risk of developing coronary heart disease.

As such, many Registered dietitians and other health professionals recommend lower fat diets. However, while we agree that efforts to reduce trans fat intake is beneficial, NYSDA is concerned that consumption might merely shift to higher intake of saturated fats. Consumers need to understand that it is important to choose foods with lower combined amounts of both saturated fat and trans fat. This fact is increasingly important to know as the food industry develops "trans fat free" products. Consumers may try to choose healthy options with low or zero percent trans fat, but fail in obtaining such benefits if their "healthy" choice contains other components – such as saturated fats – that adversely affect serum low-density lipoprotein (LDL) cholesterol levels.

With that said, NYSDA supports the food industry efforts to provide healthier options. When coupled with accurate nutrition information consumers are better equipped to moderate their overall fat consumption.

As you can see, the issue of consumer choice is at the center of many of these food policy discussions, but never more so than in the soda tax debate. NYSDA recognizes that sugar sweetened beverages, such as soda, lack nutrients that lead to better health status. Consumption of sugar-sweetened beverages has increased dramatically among U.S. children and adolescents. According to

a national survey, soft drinks were the sixth leading source of calories among children, constituting over 50% of total beverage consumption. National food consumption data by ounces of beverage consumed per day shows a steep rise in consumption of sweetened carbonated soft drink across childhood with the greatest consumption at 16 years of age, at the same time fluid milk intake has declined.

As nutrition professionals, we can support these statements with certainty. Where we lack convincing data is whether or not consumer choice will change with the addition of a soda tax, what level of tax is necessary for a change in consumer behavior, and whether that change actually will occur in the target population. What we are learning, however, with the restaurant labeling debate is that access to accurate information helps consumers make healthier choices. This finding is not only supported by research but also backed up by on-the-ground experience of registered dietitians working in New York. In a recent survey of our members, 85 percent said that nutrition education and promotion are key components to food policy change that positively affects public health. These are the health professionals working in the communities that have implemented restaurant labeling and trans fat bans. NYSDA encourages a focus on policies that are proven to shift behavior particularly those policies that equip consumers with skills that can help them make healthful purchasing and eating decisions.

The concept of consumer choice is central to food policy discussion. With consumer choice comes the need for reliable, accurate, science based information and counseling on nutrition care. However, New York State is one of the few states that still does not license nutrition professionals. Anyone, regardless of education, experience or demonstration of competency and skill may call themselves a nutritionist, nutrition coach, or food expert and provide nutrition care. So, as New York State implements policies to ensure access to nutrition education and information, we must also ensure the accuracy of the information consumers seek and the quality of care the public deserves. NYSDA recommends the development of a **licensure law** to ensure that all nutrition professionals show competency through successful completion of education and experience requirements. When a patient or consumer seeks nutrition counseling in New York they should be confident that that individual providing care is qualified. Until New York State has a licensure law, that can not be guaranteed.

As my testimony suggests, consumer choice guided by nutrition education in an environment in which education is promoted is key to each food policy decision we make. Registered dietitians are the only professionals appropriately trained to assist in translating the science of food into ways that promote optimal nutrition and a healthful lifestyle. Again, thank you for the opportunity to share with you the New York State Dietetic Association's thoughts regarding these important policy decisions. Please consider us available to each of you as we continue these discussions.