

Food Policies to Curb Predatory Marketing in New York



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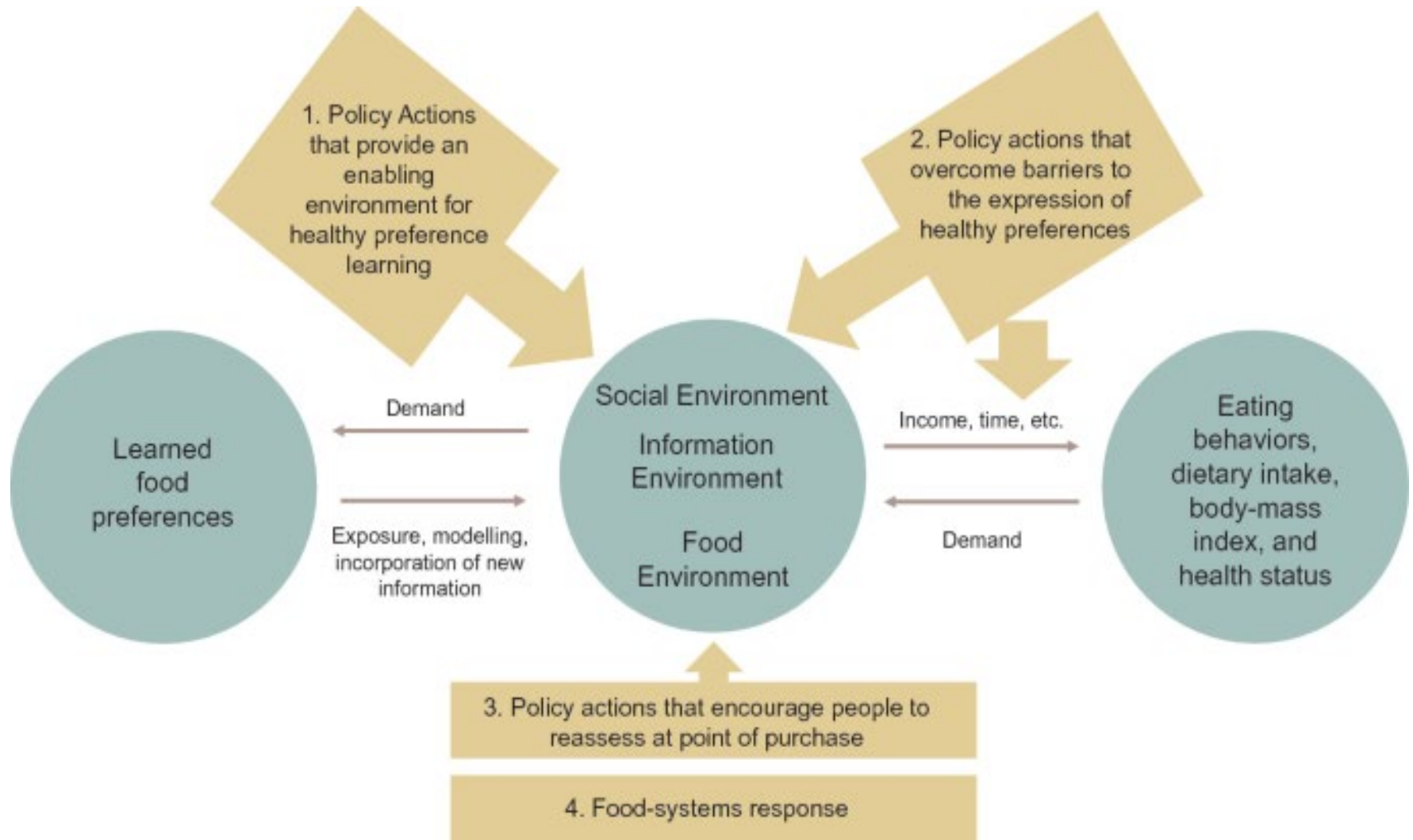
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The Need for Food Environment & Consumer Behavior Policies



Community Power at the Foundation of Food Policy

- National Regranting Model
 - Allows funds to reach smaller organizations that engage on a community level
 - Local communities know what their needs are and how funds can have the greatest and most meaningful impact.
 - Advances partnerships that are more diverse, equitable, and inclusive
 - Policy making is centered on transformation versus transaction
 - Building long term, collaborative coalitions that build power



Labelling & Marketing Policies: Building Solutions in New York

- Nutrient Warnings in Chain Restaurants for Sodium & Added Sugars
 - Sweet Truth Act NYC/NY State
 - Sodium Warnings NY State
- Restriction of Food Marketing to Children
 - Predatory Marketing Prevention Act (PMPA)
- Disclosure of Added Sugars at Restaurants (FDA)

Why do we need policies that address the Food Environment?

47% of U.S. adults have hypertension
13% of the U.S. population has diabetes
9% of U.S. adults have heart disease

Every day, the average American adult consumes:

50% more Sodium
40% more Added Sugars

than is recommended in the Dietary Guidelines for Americans

Sources:

Dietary Guidelines for Americans, 2020-2025. Available at [DietaryGuidelines.gov](https://www.dietaryguidelines.gov).
https://www.ars.usda.gov/ARSUserFiles/80400530/pdf/1718/tables_1-56_2017-2018.pdf
https://www.ars.usda.gov/ARSUserFiles/80400530/pdf/FPED/tables_1-4_FPED_1718.pdf

Tsao CW, Aday AW, Almarzooq ZI, Beaton AZ, Bittencourt MS, Boehme AK, et al. [Heart Disease and Stroke Statistics—2022 Update: A Report From the American Heart Association](https://www.cdc.gov/diabetes/pdfs/data/statistics/national-diabetes-statistics-report.pdf). *Circulation*. 2022;145(8):e153–e639.

Food sold at chain restaurants has a substantial impact on our diet



Nutrition Profile of average “Default” Combination Meal in the US:

- 1,193 calories (60% of Daily Value)
- 14g Saturated Fat (70% of Daily Value)
- 2,110 mg Sodium (92% of the Daily Value)
- 68g Sugar (136% of the Daily Value for added sugars)

Vercammen KA, Frelrier JM, Moran AJ, et al. Calorie and Nutrient Profile of Combination Meals at U.S. Fast Food and Fast Casual Restaurants. *Am J Prev Med.* 2019;57(3):e77-e85. doi:10.1016/j.amepre.2019.04.008

Food, Beverage & Restaurant Advertising

- Spend almost \$14 Billion per year on advertising with almost \$2B devoted to food marketing to kids. More than 80% of that budget is spent promoting fast food, sugary drinks, candy, and unhealthy snacks.

The truth about food marketing

\$1.8 billion
Spent per year on marketing aimed at children & teens



- <1% fruits & vegetables
- 9% other foods
- 40% fast food
- 51% sugary drinks, sugary cereals, sweets & snacks

NCCDPHP FY 2023 Operating Budget (Dollars in Thousands)

Budget Activity	Description	FY 2022 Final	FY 2023 Final
Chronic Disease Prevention and Health Promotion			
Total	CDC's National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP) provides funding to state and local health and education departments; other federal health agencies; international and national health organizations; academic institutions; philanthropic foundations; industry and labor groups; and professional, voluntary, and community organizations.	\$1,338,664	\$1,430,414

<https://www.cdc.gov/chronicdisease/programs-impact/budget/index.htm>

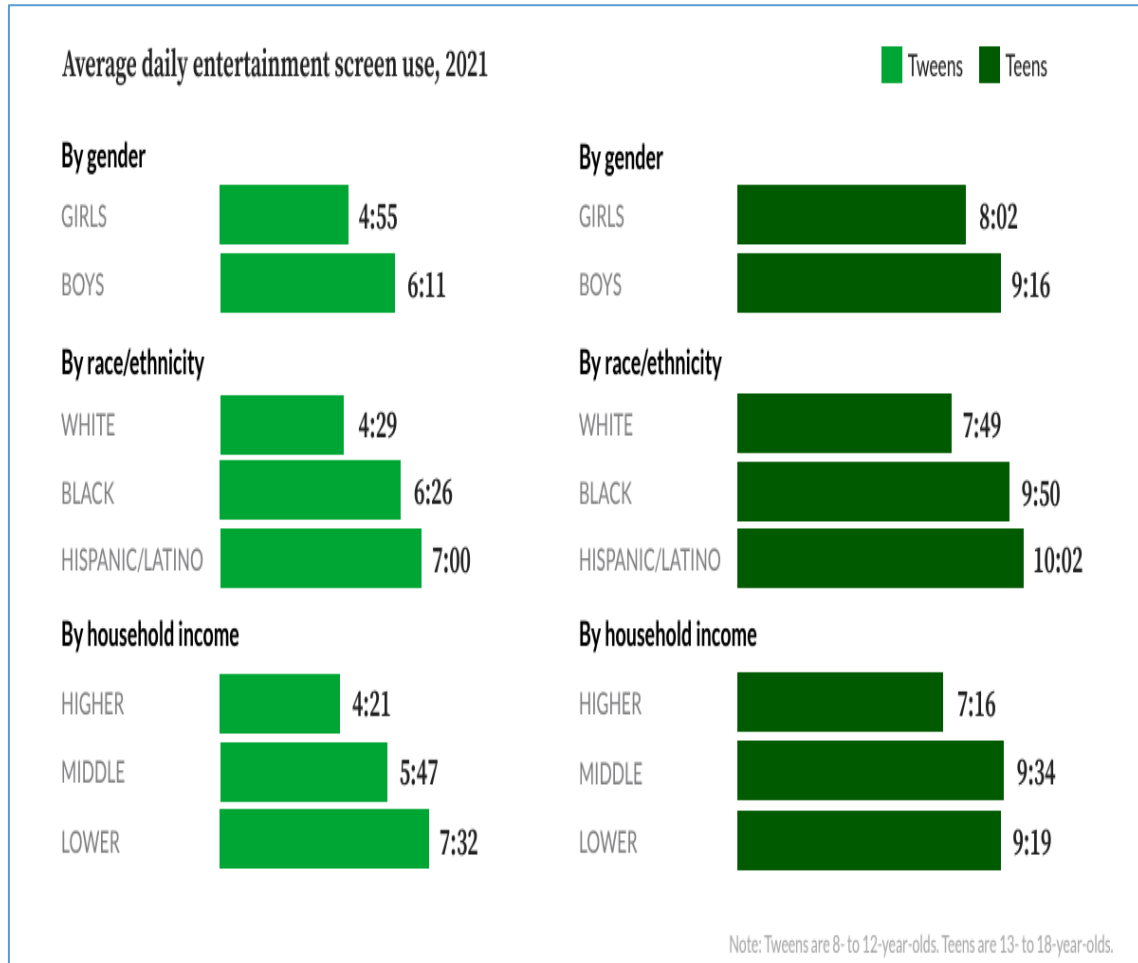
Food, Beverage & Restaurant Advertising

- Fully integrated and Unavoidable:
 - Television (product placements in movies, cartoons, or TV shows)
 - Sponsorship of kids' programs and educational materials
 - Vending machine advertising
 - Product placement in Stores
 - Public Transportation/Billboards
 - Digital Marketing
 - Websites & Social media (e.g., Facebook, Twitter, Instagram, TikTok, YouTube)
 - Online games and programming
 - Mobile Devices
 - AI, Machine Learning, VR, AR



Children & Teen Media Use

- Young people have increased their media viewing on mobile devices and non-commercial streaming services
- Today's children, ages 8 to 18, consume multiple types of media and spend approximately 44.5 hours per week in front of computer, television, and game screens, **more time than any other activity in their lives except sleeping.**
- During this time, on average children ages 2-11 view approximately 2 ads for fast food per day on television alone, which doesn't account for ads children encounter elsewhere in the environment or other ads for unhealthy foods.



The Common Sense Census: Media Use by Teens & Tweens, 2021

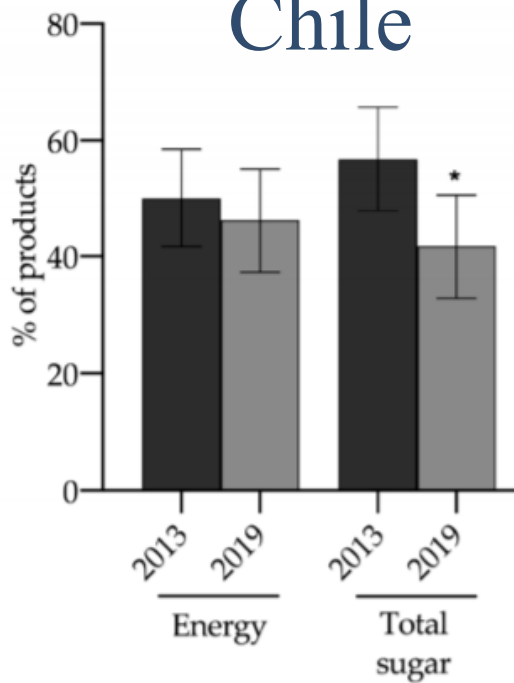
<https://www.commonsensemedia.org/research/the-common-sense-census-media-use-by-tweens-and-teens-2021>

Nutrient Warnings Can Help

What are Nutrient Warnings?

- Icon/numerical based disclosures
- Nutrient warnings are disclosures that are a form of nutrition education.
- They can appear on menus, menu boards, food labels, and on the front of packaged goods.
- They are an objective, accessible, and a widely supported tool that can help individuals identify and avoid foods with excessive amounts of sodium, added sugars, and other nutrients people are recommended to limit in their diets.

Reformulation after Warnings in Chile



Sugary Drink Consumption Plunges in Chile After New Food Law

A study finds that a landmark law requiring warning labels on unhealthy foods made a swift difference in purchases of sodas, bottled water and juices.




Supermarket chocolates on a shelf in Santiago, Chile, bearing labels that warn of high sugar, calorie and saturated fat content. Martin Bernetti/Agence France-Press — Getty Images

Nutrient Warnings on Menus

- Disclosures that appear on physical/online menus/menu boards that provide easily interpretable information to consumers about nutrients that are excessive in menu items (added sugars/sodium)
- Helps supplement nutrition information like calorie disclosures, that alone do not signal nutrient quality
- Examples include:
 - Sodium Warnings in New York City & Philadelphia
 - Added Sugars Warnings in New York City



New York City's sodium warning icon.

Warning:  indicates that the sodium (salt) content of this item is higher than the total daily recommended limit (2,300 mg). High sodium intake can increase blood pressure and risk of heart disease and stroke.

New York City's sodium warning statement.

The Policy Solutions

The Sweet Truth Act



- Requires Added Sugars Warning Icons on Chain Restaurant Menus (15+ locations)
- Menu items with more than the Daily Value for Added Sugars (50 g)
- Ties bill implementation to FDA requirements for restaurants to disclose added sugars.
- CSPI petitioned FDA to require restaurants to disclose the added sugar content of their menu items in January 2022

The Sweet Truth About Added Sugars: Why New York Needs Menu Warnings S6408A(Rivera)/A6546A(Reyes)

Warning Icons are An Effective Tool to Reduce Added Sugars Consumption

- Research from randomized controlled trials has shown that warnings on sugary drinks can significantly reduce sugary drink purchases.
- Sugary drink consumption dropped by nearly 25 percent in the 18 months after the country of Chile adopted “high in sugar” nutrient warnings on food and drink packaging nationwide.
- A recent randomized control trial of 15,000 U.S. adults, showed that added-sugar warning labels reduced the likelihood that participants would order an item high in added sugars and improved consumer understanding.

New Yorkers Support Added Sugar Warnings on Chain Restaurant Menus

- 78% of New York State residents support requiring warning icons on food and drink items with more than a day’s worth of added sugars.

The Salty Truth About Sodium: Why New York Needs Menu Warnings S4890 (Rivera)/A6529 (Reyes)

Warning Icons on Restaurant Menus Show Promise for Reducing Sodium Consumption

- Sodium warning icons can increase consumers' knowledge of sodium content and lead to lower-sodium food purchases.
- Requiring restaurants to tell customers what is in their food can motivate them to reformulate their recipes and make foods healthier




**3 PANCAKES w/
BUTTER & SYRUP**  \$4.99
880 calories



BANANA PANCAKES  \$4.99
950 calories



**2 PANCAKES w/
BUTTER & SYRUP** \$3.99
670 calories

Warning:  indicates that the sodium (salt) content of this item is higher than the total daily recommended limit (2,300 mg). High sodium intake can increase blood pressure and risk of heart disease and stroke.

The Predatory Marketing Prevention Act: Protecting New York's Children From the Harms of Advertising S213B (Myrie)/A4424B (Reyes)

- False and misleading advertising of food products is already illegal under NYS Law. This bill would expand the definition of “false and misleading” to include advertising of unhealthy food specifically marketed to young people.
- Advertising that is specifically targeted at children will be considered “false and misleading” and the AG could sue. The PMPA also increases the potential damages for food companies that target New York children with false and misleading advertising.



The Growth of National & Federal Campaigns

Our progress in New York has sparked and started to advance a national network of state, local, and federal advocacy campaigns

State & Local:

- Sodium Warning Policies in Cleveland, Ohio
 - Center for Black Health & Equity
- Statewide Marketing Restrictions & Added Sugars Warnings in Massachusetts
 - American Heart Association

Federal:

- Petition for Added Sugars Disclosure at Restaurants
- Petition for Voluntary, across-the-food-supply initiative to reduce added sugars in those food categories contributing the most to the food supply

Uniting to Build Power & Create Solutions

**Community
Engagement
&
Coalition
Building**

**Media
Power**

**Science
Based
Research**

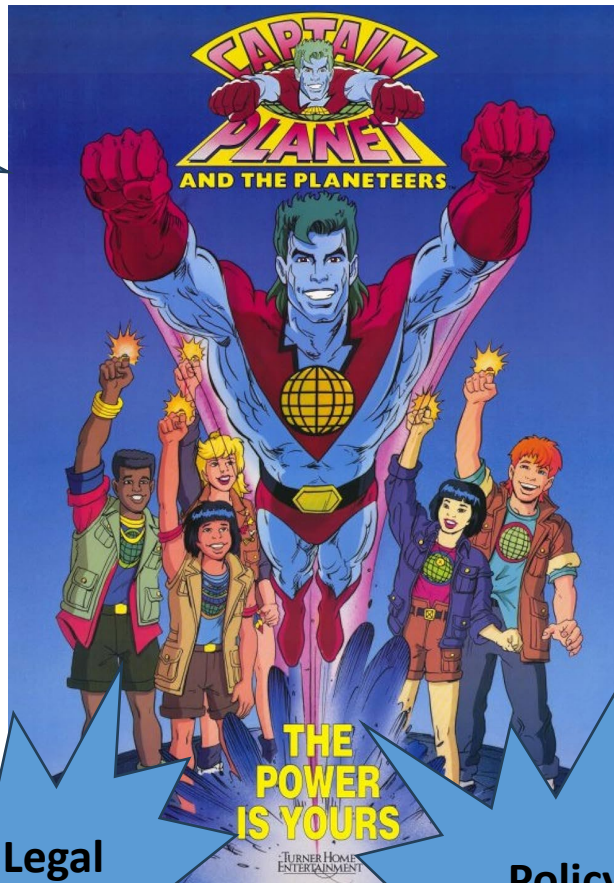
**Legal
Support**

**Policy
Experts**

**Political
Power**

**Generational
Power**

Funders



What's Next?

- NY and CA are influential in making federal change.
- Continue to weave labeling and marketing policies into a national network of local advocacy campaigns to build toward federal advocacy.
- Looking to engage other funders in this effort.
- Recruiting other community advocates (Who's missing from the table?)
- Encouraging other States/Localities to develop Labelling & Marketing Policies



Thank you!

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