



## Legislation Text

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**File #:** 17-0942, **Version:** 1

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Recommendation to request City Attorney and Department of Health and Human Services to draft an ordinance requiring all restaurants within Long Beach who have bundled Kid's Meals to offer water, milk or a 100% pure juice beverage that is under 60 calories as the "default" choice.

### Background

Over the past 30 years, obesity rates in the U.S. have more than doubled. Approximately one-third of U.S. children are overweight or obese (American Medical Association, 2014). In Long Beach, 40.7 percent of children are overweight or obese and nearly half of Long Beach fifth graders are obese. These rates are higher than both LA County and the State of California. Obesity is more common in underserved neighborhoods with less access to healthy food options. Research shows that 40% of low-income 2-5-year-old kids in Long Beach are overweight or obese.

Sugary beverages contribute greatly to a child's risk of obesity. For each additional serving of sugary beverages a child drinks per day, their risk of becoming obese increases by 60% (Harvard School of Public Health) and the chance of severe cavities increases by 140%. Sugary drinks are the largest source of sugar in the American Diet and the largest source of calories in children's diets, making up nearly half of children's sugar intake. In Long Beach, nearly 50% of children consume at least one sugary beverage per day.

### I. Other problems that come from obesity

Studies show that obese children are more than twice as likely to become obese adults. Obesity increases the risk of other serious health problems such as diabetes, heart disease, asthma, osteoarthritis, high blood pressure, sleep apnea, certain cancers, low self-esteem, multiple organ dysfunction, depression, and more.

### II. Obesity costs taxpayers dollars

It is estimated that 21 percent of annual healthcare costs nationwide, or \$190 billion are related to overweight and obesity-related health conditions. In Los Angeles County alone, overweight and obesity related healthcare costs total \$3.6 million. 40 percent of these costs are paid through Medicaid and Medicare adding additional costs for taxpayers.

### III. Restaurants aren't doing enough to protect kids

Restaurants play a large role in children's diets. Data shows that 25% of kids' calories come from fast food and other restaurants. Regionally 40% of children ate fast food twice within the last week.

#### IV. Local government's role in protecting kids

Local governments have the power and the obligation to protect the public health of their constituents. Providing water, milk and juice beverages under 60 calories at restaurants as a "default" choice before any sugary beverage, will help support parents and children to make healthier choices.

#### V. Alternative beverages 60 calories and under

Additional beverages under 60 calories include 100% pure juices given in portions of 8-12 fl oz. per day for children (American Health Association, 2009). Current studies show 100% fruit juice are filled with nutrients, vitamins and minerals. These types of vitamins include Vitamin A, Vitamin B6, Vitamin C, Vitamin D, potassium, thiamin, folate and many more.

#### Healthy First Choice Policy

#### VI. Purpose of this policy and how it works

The purpose of this policy is to reduce the number of sugary beverages Long Beach children consume at restaurants by offering water, milk or 100% pure juice beverages under 60 calories as the "default" choice in place of a sugary beverage. All Long Beach restaurants that offer a bundled kid's meal would make water, milk or 100% pure juice the "default" option, switching out any sugary beverages and replacing them with tap or bottled water, any kind of milk (low fat, skim, full fat; dairy, soy, flavored, etc.) that is less than 130 calories per serving and 100% pure juices with no artificial sweeteners or additives.

Parents will still have the option to choose other beverages such as soda upon request, however behavioral economic research has shown that people are more likely to choose the "default" option rather than selecting an alternative.

Of the 1300 restaurants in Long Beach, 200 will need to make this change. It is important to note the policy does not prohibit any individual from purchasing a sugary beverage, nor does it prevent any restaurant from selling a sugary beverage.

#### Enforcement, Education, and Incentives

The Department of Health and Human Services will enforce this policy through their Environmental Inspection Bureau via administrative citations. In addition to enforcement measures, nonprofit partner organizations are currently seeking grant funding for an education and outreach campaign in order to promote the ordinance to both parents and

restaurants.

## Conclusion

VII. Other restaurants and cities that have taken positive steps plus their result, previous work of LB/how this aligns with HHS's work, list of supporters

Similar policies have been enacted by private corporations including The Walt Disney Company, McDonald's, Burger King, Wendy's, Subway, Jack in the Box, Dairy Queen and Applebee's. Other chains that choose not to push sugary drinks include Panera, Chipotle and Arby's.

California cities such as Stockton, Perris, and the County of Santa Clara have already implemented similar policies with positive results. This also aligns with the priorities and work of "Healthy Active Long Beach" within the Health and Human Services Department.

[Timing Considerations]

No fiscal impact.

Approve recommendation.

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