

TO: Members Senate Health, Human Services and Aging Committee

FROM: Kimberly McConville, Executive Director

DATE: May 12, 2010

RE: Sub SB 210 Proponent Testimony

On behalf of Ohio's non-alcoholic beverage industry, I am pleased to support substitute SB 210 and work constructively with sponsors Senator Coughlin and Senator Kearney. The Ohio Soft Drink Association is also a member of the Healthy Choices for Healthy Children Coalition.

The Ohio Soft Drink Association (OSDA) represents the non-alcoholic beverage industry statewide. Our beverage producers and distributors employ nearly 10,000 Ohioans and market numerous brands, flavors and packages, including diet and full calorie carbonated soft drinks, ready-to-drink teas and coffees, bottled waters, fruit juices, fruit drinks, dairy-based beverages, and sports drinks.

OSDA applauds the committee's attention to the issues of childhood nutrition and obesity. We acknowledge that childhood obesity, type-2 diabetes and other nutritionally related disease is increasing in Ohio and across the nation. We believe Sub SB 210 represents a positive step in tackling these issues.

The science-based beverage standards outlined in Sub SB 210 closely mirror our own National School Beverage Guidelines, allowing for a variety of age-appropriate, low-calorie and nutritious beverages. These standards have broad support among national health organizations and policymakers and are already being implemented in Ohio and across the country.

Adoption of School Beverage Guidelines

All of us – policymakers, parents, educators, industries and community leaders – have a responsibility to do our part to help teach our children how to have a healthy lifestyle. The beverage industry has shown its desire to be part of the solution to the obesity challenge, having implemented its own National School Beverage Guidelines across the country and argued for their inclusion in Federal law and state efforts.

In May of 2006 the American Beverage Association, Cadbury Schweppes, The Coca-Cola Company and PepsiCo teamed up with the Alliance for a Healthier Generation (a joint initiative of the William J. Clinton Foundation and the American Heart Association) to develop new School Beverage Guidelines that limit calories and increase nutritious beverages in schools.

OSDA, which shares members with the American Beverage Association, fully supports the Guidelines and has made significant progress in their implementation in Ohio.

We agree with parents and educators that schools are special places and play a unique role in shaping our children's health. The guidelines provide students with a broad array of lower- and no-calorie options along with nutritious and smaller-portioned beverages to help kids build healthy habits as they learn to balance the calories they consume with the calories they burn.

The Guidelines

Elementary School

- Bottled water
- Up to 8 ounce servings of milk and 100% juice
 - Low fat and non fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/8 ounces
 - 100% juice with no added sweeteners, up to 120 calories/8 ounces, and with at least 10% daily value of three or more vitamins and minerals

Middle School

- Same as elementary school except juice and milk can be sold in 10 ounce servings
- As a practical matter, if middle school and high school students have shared access to areas on a common campus or in common buildings, then the school community has the option to adopt the high school standards

High School

- Bottled water
- No or low calorie beverages with up to 10 calories/8 ounces (e.g. diet soft drinks, diet and unsweetened teas, fitness waters, low calorie sports drinks, flavored waters, seltzers)
- Up to 12 ounce servings of milk, light juice, 100% juice and certain other drinks
 - Low fat and no fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/8 ounces
 - 100% juice with no added sweeteners, up to 120 calories/8 ounces, and at least 10% daily value of three or more vitamins and minerals
 - Other drinks with no more than 66 calories/8 ounces
- At least 50 percent of beverages must be water and no or low calorie options

These guidelines apply to beverages sold on school grounds during the regular **and** extended school day.

For elementary and middle schools, we limit offerings to water, milk and juice because parents believe, and we agree, that younger children need more guidance to choose foods and beverages appropriate for their nutrition and caloric needs.

Once students reach high school, parents believe children should have more freedom to choose their food and beverages during the school day. These guidelines provide more options for older children, while still capping calories and portion-sizes. No full calorie soft drink products are offered in any grade.

Guidelines Developed Using Nutrition Science

The American Heart Association developed the National School Beverage Guidelines with input from the Clinton Foundation and the beverage industry. The guidelines use nutrition science, including the *Dietary Guidelines for Americans, 2005* the *American Heart Association's Dietary Guidelines for Healthy Children* and *2006 Diet and Lifestyle Recommendations* in order to balance children's nutritional needs with the requirement to manage caloric consumption.

The guidelines are also developmentally appropriate, taking the age of the student into great account. They balance children's nutritional and hydration needs with appropriate caloric consumption. By using science, along with parental concerns, the guidelines bolster school wellness efforts.

Committed to Implementation

Our members are working hard to implement these guidelines in Ohio and across the nation. In the three years since we signed the Memorandum of Understanding with the Alliance for a Healthier Generation, our companies have spent hundreds of hours training their marketing and sales teams about the guidelines. These teams have reached out to school contract partners to educate them. Our companies reformulated products and created new package sizes to meet the smaller portion sizes required in the guidelines. They also retrofitted vending machines to accommodate the changes in package sizes.

The *School Beverage Guidelines Final Progress Report* was released this March. This report shows, among other things, that calories from beverages in schools have **dropped 88 percent** and shipments of full calorie soft drinks to schools have **declined by 95 percent**.

At this point, Ohio school contracts are **over 98.8 percent compliant** and our work continues.

Conclusion

The Ohio beverage industry has already taken the extraordinary step of moving beyond current state law through implementation of these School Beverage Guidelines. Limiting calories in schools is a sensible approach that acknowledges our industry's long-standing belief that school wellness efforts must focus on teaching kids to consume a balanced diet and get plenty of exercise.

Sub SB 210 reflects this comprehensive, balanced approach to wellness. The sponsors have worked collaboratively with our industry and many other stakeholders.

Thank you for the opportunity to support Sub SB 210. We appreciate all of the work on this important issue and will provide the committee with any additional information it requests.