



SECTOR: GOVERNMENT/LEGISLATION

Case Study: California Leading the Way

Case Summary

Nationally, schools have been the most common focus of obesity prevention-related legislation. Various pending and enacted bills have addressed what food is available, how much physical activity is required, and what information is available to children at school. California has led the nation in terms of legislation designed to improve the nutrition and fitness environments at public schools. In 2001, California was the first state to establish nutrition standards for competitive foods and beverages sold in elementary and middle schools by passing Senate Bill 19 (SB 19) the Pupil Nutrition, Health, and Achievement Act of 2001. This legislation also provided funding for 16 pilot schools to implement SB19 and promote the consumption of fruits and vegetables (see Case Study in School Sector for more information). Although SB 19 standards were never enacted state-wide due to a contingency on funding that was not authorized, SB 19 nevertheless set the stage for legislative efforts and local action that continue in California to this day. For example SB 677, which limits the provision of sweetened beverages on elementary and middle school campuses was passed by the California legislature and went into effect in July of 2004.

In July, 2005, Governor Schwarzenegger joined legislators in endorsing pending legislation to improve the school health environment. These bills include:

- SB 12, which establishes nutrition standards similar to SB 19 but without a funding contingency; the bill was passed by the assembly in August, 2005.
- SB 965, which extends existing legislation prohibiting the sale of soda and other sweetened beverages in middle schools to include public high schools (passed by the assembly in August 2005).
- SB 281, which establishes a program to increase the amount of fruits and vegetables available in school meal programs (pending).
- SB 559, which increases training and establishes increased physical education requirements in California public schools (pending).

Local jurisdictions in California are also using policies to help prevent obesity. For example, Los Angeles adopted a policy that establishes food and beverage standards at all city facilities and programs that serve youth. Similarly, the City of Baldwin Park has



adopted a citywide ordinance ensuring that only healthy foods and beverages are sold at all youth facilities in the city.

Outcomes:

Although it was never fully enacted, SB 19 provided the momentum for the development and passage of similar legislation at both local and state levels in the U.S. Furthermore it was the impetus for the voluntary implementation of nutrition standards for competitive foods at schools across the nation. Evaluation of the SB 19 pilot sites demonstrated that despite fears to the contrary, SB 19 nutrition standards improved school food service revenues in addition to shifting student consumption away from high fat, high sugar snack foods toward the consumption of balanced school meals.

More ideas from the field.....

Nationally, most common obesity-related legislation directed at the school include bills that:

- Set nutrition standards for all food and beverages sold in schools.
- Eliminate foods with minimal nutritional value from schools
- Incorporate nutrition education into school curriculums.
- Establish programs for the collection, monitoring and/or provision to parents of students' weight and fitness status.

Other legislation focuses on the health system, including bills that:

- Require health insurers to cover treatment for obesity in adults.
- Order insurers to cover surgical treatment of the morbidly obese

Examples of other innovative legislation from across the country include:

- Georgia has enacted a bill that creates a network of bicycle lanes throughout the state.
- Massachusetts has a state bill pending that allows tax deductions for weight loss programs.
- New York has a similar bill pending that provides a tax credit for qualified expenses relating to healthy living, up to one thousand dollars.
- South Carolina has a bill pending that requires schools to comply with the national nutritional guidelines, and stipulates that schools that do not comply may lose funding.
- Minnesota requires schools to sell nutritional beverages at or below the cost of non-nutritional beverages.
- Several states have legislation pending that would require restaurants to provide nutrition information for the food items they sell.
- Several states are considering legislation to create infrastructure for pedestrian and bike access.



Additional Ideas for Government.....

- Set standards for ordinances and capital improvement programs that will provide opportunities for physical activity
- Provide zoning for parks, sidewalks, smart growth, types of food vendors, etc.
- Develop standards for food advertising
- Develop guidelines on marketing (commercial-free primetime).
- Designate and prioritize state funds for obesity prevention.
- Earmark transportation-related taxes to support good community design.
- Raise minimum wage
- Establish government database to monitor progress of nutrition and physical activity accomplishments
- Increased funding for mass media campaigns, community based programs and other interventions to help increase healthy eating and physical activity, and prevent obesity.

Coordination and Collaboration to Prevent Obesity

- County health departments should work with state health leaders to engage in outcomes-based planning.
- All county and the state public health departments designate someone to lead and coordinate obesity prevention efforts.
- Organize county health departments to respond comprehensively to chronic disease prevention.
- Forge new collaborative partnerships to comprehensively address the environmental factors contributing to obesity.
- Increase funding to pay for health promotion interventions

Government to Industry

- Increase regulation/restrictions on fast food outlets
- Establish taxes or fees on junk foods and fast foods.
- Provide tax incentives to those who promote healthy foods
- Provide subsidies for nutritious foods
- Provide incentives to grocery stores in low-income neighborhoods to provide an increased percentage of shelf space for fresh and healthy foods. Incentives could include tax breaks, free advertising, energy efficient appliances, utility cost decrease for heat and refrigeration.
- Provide (tax) incentives for retail food corporations/outlets/full-service markets to service low-income communities to assure that high quality foods, including fruits and vegetables, are available.
- Address the issue of the disproportionate number of convenience stores, fast food outlets and liquor stores in low income communities.

Government to Schools

- Develop nutrition standards for all foods and beverages provided at day care settings, preschools, schools, colleges, universities and worksites



- Fund and/or provide other incentives for school districts to promote healthy habits through efforts such as:
 - Mandatory health education, with a focus on healthy lifestyles, nutrition, and disease prevention
 - Improve foods offered in school meals and vending machines and eliminate sales of unhealthy foods in competition with meal programs
 - Requiring physical activity in schools and providing appropriate physical education, including a variety of non-competitive and non-sports activities
- Provide schools more money per pupil if they have healthy nutrition/physical activity policies
- Reward districts who increase fruit and vegetable consumption
- Work with USDA to decrease minimum caloric requirements for school lunches
- Link school food programs with local farmers by way of financial incentives
- Provide zoning around schools to regulate food and beverage vendors (ice cream trucks and snack carts).

Government to Employers

- Provide a business tax credit for employee wellness activities.
- Actively recognize wellness-friendly worksites.

Government to Agriculture

- Bring farmers markets to neighborhoods as part of redevelopment efforts
- Better link producers with low-income consumers, particularly to improve access to fruits and vegetables
- Launch a state produce network in partnership with California food banks and California food producers to distribute market surplus produce to low-income families
- Increase farmer's market programs and farm-to-school programs
- Provide access to fresh fruits & vegetables after school to parents and their children
- Maintain and improve current successful federal food programs – streamline access and eligibility
- Distribute food stamps and WIC vouchers at farmers markets
- Establish DOD buying programs for rural communities
- Preferentially subsidize the production of healthier foods relative to less healthy foods or foods used as components in less healthy food products.

GOVERNOR'S SUMMIT ON HEALTH, NUTRITION AND OBESITY

