SB 203: Warning Labels on Sugary Drinks

WHAT: Warning labels will help unravel the state’s diabetes and obesity epidemics by providing at-a-glance information to help consumers make healthier, more informed decisions. SB 203 requires all sugary drink bottles, cans, vending machines, dispensers and merchants to display a warning that clearly states the following:

DEVELOPED BY A NATIONAL PANEL OF NUTRITION AND PUBLIC HEALTH EXPERTS, THIS WARNING IS INTENDED TO PROTECT CONSUMERS AND PROMOTE INFORMED PURCHASING DECISIONS BY MAKING KNOWN THE SCIENTIFICALLY PROVEN HEALTH RISKS OF SUGARY DRINK CONSUMPTION, WHICH INCLUDE OBESITY, DIABETES, AND TOOTH DECAY.

This requirement is applicable to most beverages containing over 75 calories per 12 oz. serving, including regular sodas, sweet teas, energy drinks and sports drinks. It would be enforced by the California Department of Public Health in conjunction with local enforcement agencies. Violators would be liable to pay a civil fine of up to $500 per inspection.

WHEN: Beverage warning label legislation was first introduced as SB 1000 during the 2014 legislative session. It later passed the State Senate in May 2014. SB 203, introduced on February 11, 2015, would require universal sugary drink labeling after a 6-month grace period following the law’s enrollment in state code.

WHO: SB 203 was introduced by Senate Majority Leader Bill Monning and co-sponsored by the California Center for Public Health Advocacy, Health Officers Association of California, California Black Health Network and Latino Health Access.

CALIFORNIA SUPPORTS SB 203:

There is strong bipartisan support for sugary drink warning labels. According to a February 2014 Field Poll, 74 percent of registered California voters support requiring the labels, including a majority of Democrats (80 percent), Independents (75 percent) and Republicans (64 percent).

WHY: Liquid sugar is a unique driver of today’s skyrocketing diabetes and obesity epidemics. It has a profoundly damaging effect on the human body’s metabolism, liver and pancreas.

An estimated 14 percent of Californians have diabetes today, having nearly tripled over the past thirty years as sugary drink consumption doubled. In just the past decade, pre-diabetes in U.S. teens more than doubled from 9 to 23 percent. Researchers forecast that one-in-three will develop type II diabetes as adults. Two-thirds of California’s teens drink a sugary drink every day.

One-in-three hospitalizations in California are for a patient with diabetes, increasing costs by $2,200 per visit on average. Diabetes leads to amputation, heart disease, blindness, kidney disease, nerve damage and a higher likelihood of premature death. It also costs the state’s economy $24.5 billion annually and increases Medi-Cal hospitalization costs by $254 million.

Today, over 60 percent of California’s adults (16.6 million in total) and nearly 40 percent of the state’s children are overweight, leading to higher incidences of heart disease, cancer and asthma. This is because calories from sugary drinks do not satisfy hunger like calories from solid food or milk. As a result, sodas tend to add to the calories we consume rather than replace them, contributing directly to weight gain.

U.S. adults consume 42 gallons of sugary beverages a year. Californians may know that these drinks aren’t as healthy as vegetables, but they don’t know that they’re also making them sick. Overwhelming science shows the negative effects of sugary drinks. Consumers have a right to know:

- Drinking one or two sugary drinks a day increases the risk of developing diabetes by 26 percent. After six months, daily consumption of liquid sugar increases fat deposits in the liver by 150 percent, which directly contributes to type II diabetes.
- Drinking just one soda a day increases an adult’s likelihood of being overweight by 27 percent. For children, that likelihood more than doubles to 55 percent.
- Sugary beverages are the number one source of added sugars, making up at least 43 percent of the 300 additional daily calories consumed by Americans since the 1970s. Drinking a soda a day for just two weeks increases LDL cholesterol and triglyceride levels by 20 percent.
- Children who frequently consume sugary beverages are at dramatically increased risk for dental cavities, which untreated can lead to pain, infection and tooth loss.
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Overwhelming science shows that liquid sugar has a unique role in driving today’s skyrocketing diabetes rate, and that sugary drinks are the single largest contributors to the obesity epidemic.

**DIABETES AND OBESITY TRENDS:**

- Over the past 30 years, adult diabetes rates have nearly tripled, while obesity rates have more than doubled for adults, tripled for adolescents and quadrupled for 6-11 year old children. In the same period, soda consumption doubled. 
- 60 percent of California’s adults and 38 percent of California children are overweight or obese.
- One in three children born today, including half of Latino and African-American children, are expected to develop diabetes in their lifetime.
- Between 1977 and 2001, Americans’ average daily calorie consumption increased by 250-300 calories, 43 percent of which came from a single source: sugary drinks.

**WHY SUGARY DRINKS?**

- A growing body of research shows unequivocally that sugary beverages – because they provide all of their calories as liquid sugar – are uniquely harmful.
- We absorb liquid sugar in as little as 30 minutes, much faster than a candy bar, leading to a spike in blood sugar that the body is not well equipped to handle, particularly in repetition. These spikes in blood sugar can overwhelm the body and lead to the transformation of sugar into fat in the liver, as well as the excess production of insulin in the pancreas, which contributes directly to the development of diabetes.
- Calories from sugary drinks do not satisfy hunger like calories from solid food or milk. As a result, sugary drinks tend to add to the calories people consume rather than replace them. A single 20-oz. bottle of soda contains 16 teaspoons of sugar delivering over 240 nutrition-free calories, equivalent in calories to two eggs and two slices of bacon – almost a full breakfast.

**THE HARMFUL EFFECTS OF SUGARY DRINKS:**

An overwhelming body of scientific research shows that sugary drink consumption significantly contributes to diabetes, obesity and cavities:

- Drinking just one soda a day increases an adult’s likelihood of being overweight by 27 percent; for children, the likelihood doubles to 55 percent.
- Drinking one or two sodas a day increases the risk of developing type II diabetes by 26 percent.
- People who consume the average amount of added sugar, equivalent to one soda per day, are 30 percent more likely to die from a heart attack. People who drink 2-3 sodas per day are 2.75 times more likely to die from a heart attack.
- Drinking sugary beverages daily for just two weeks increases LDL cholesterol and triglyceride levels by 20 percent. After six months, daily consumption of sugary drinks increases fat deposits in the liver by 150 percent, which directly contribute to both diabetes and heart disease.
- Children who frequently consume sugary beverages are at dramatically increased risk for dental caries (cavities), which untreated can lead to pain, infection, and tooth loss.

Half of Americans drink a soda a day, raising their risk of being overweight, having diabetes or dying of a heart attack by almost 30 percent.
WHY WARNING LABELS?

- Diabetes costs the state at least $24.5 billion each year in total health care expenses and lost productivity.23
- Hospital stays for patients with diabetes, regardless of the primary diagnosis, cost $2,200 more than other patients, adding an extra $1.6 billion every year to California’s hospitalization costs, including $254 million in Medi-Cal costs.24 Diabetes also impacts the state more than it should because 95 percent of cases are preventable.
- Soda is a daily habit for almost half of Americans25 and is often purchased without knowledge of the long-term consequences.
- The nation’s leading nutrition and public health experts agree that the proposed label is strongly supported by scientific evidence.26
- Warning labels, like those on alcohol and tobacco, have been shown to be effective in decreasing the consumption of harmful products.27
- A sugary drink warning label costs taxpayers nothing and allows consumers to make more informed purchasing decisions.

Sugary drink consumption has doubled over the past thirty years, just as rates of obesity and diabetes have more than doubled.

4. USDA, Centers for Disease Control and Prevention. Available at ask.chis.ucla.edu.
14. The Sugar Association. Available at: http://www.sugarsource.org/just-between-the-traces-
sodium-a-triapese/.
24. Meng YY, Pickett ME, Babary S, Jones ML, Goldstein H. Diabetes tied to a third of California hospital stays, driving health care costs higher. UCLA Center for Health Policy Research and California Center for Public Health Advocacy, 2014.
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EXPERT SPOKESPERSONS:

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The following are members of a nonpartisan national panel of nutrition and public health experts. This panel agrees that the warning statement below is based on strong scientific evidence and that the evidence supports the placement of this warning on sugar-sweetened beverages (for example, calorically sweetened sports and energy drinks, vitamin waters, sodas, etc.).

STATE OF CALIFORNIA SAFETY WARNING:
Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay.

PANEL MEMBERS:

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INTRODUCED BY:

California State Senate Majority Leader Bill Monning was elected in November of 2012 to represent the 17th Senate District, which includes portions of Monterey, Santa Cruz, San Luis Obispo and Santa Clara counties. Currently, Senator Monning is the Senate Majority Leader, as well as the chair of the Senate Committee on Legislative Ethics. He also serves as a member of the Senate committees on Budget, Health, Judiciary, Natural Resources and Water, Public Safety and the Budget Subcommittee #3 on Health and Human Services. The Senator received a Bachelor of Arts from the University of California at Berkeley and a law degree from the University of San Francisco, School of Law. He and his wife, Dana T. Kent, a family physician, reside in Carmel, California, and have two daughters.

CO-SPONSORS:

California Center for Public Health Advocacy (CCPHA) is an independent, nonpartisan, nonprofit organization at the forefront of solving the obesity and diabetes epidemics by advocating for groundbreaking policies that build a healthier California. CCPHA was founded in 1999 by the California Public Health Association-North and the Southern California Public Health Association. CCPHA is currently supported by grants from The California Endowment, the California Vitamin Cases Consumer Settlement Fund, Kaiser Permanente, Mental Insight Foundation and the Resnick Family Foundation, Inc., as well as by private contributions.

Health Officers Association of California (HOAC) represents the physician health officers in California’s city and county jurisdictions. They conduct special projects to advance the practice of public health in California, provide public health-focused Continuing Medical Education for physicians and provide technical expertise to the state legislature on matters related to public health.

California Black Health Network (CBHN) is a statewide organization dedicated to improving the health status of the 2.2 million people of African descent in California. CBHN’s mission is to advocate for programs, regulations and policies that serve to eliminate health disparities disproportionately affecting the African-American community, including obesity, diabetes, hypertension, AIDS, breast and prostate cancer.

Latino Health Access (LHA) is a nonprofit that assists in improving the quality of life and health of low-income, uninsured, under-served people through quality preventive services and educational programs, emphasizing full participation in decisions affecting health. LHA forges partnerships, engages and helps elevate the community’s voice, and advocates alongside the community and partners to achieve health equity for all.
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All images available in high-resolution JPEG format at www.sodawarninglabel.org

Actual Size for a 12-Ounce Can

STATE OF CALIFORNIA SAFETY WARNING:
Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay.

Actual Size for a 2-Liter Bottle

STATE OF CALIFORNIA SAFETY WARNING:
Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay.