



**CORPORATE
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SLOWING DOWN FAST FOOD:

*A policy guide for
healthier kids and families*



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Corporate Accountability International

is a membership organization with a 35-year track record that protects human rights, public health, and the environment from corporate greed and abuse around the world.



Value [the] Meal

is a Corporate Accountability International campaign that will reduce the harm and human suffering caused by the fast food industry, protect our children and future generations from the corporate-driven epidemic of diet-related diseases, and help transform the food system.



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EXECUTIVE SUMMARY

It's been ten years since the journalist Eric Schlosser published his best-selling book, "Fast Food Nation: The Dark Side of the All-American Meal," educating millions and inspiring numerous others to further expose the food industry's underbelly. And yet, with a few exceptions, the All-American Meal seems darker than ever.

With 2010 revenues of more than \$180 billion, the fast food industry is a powerful force in our economy. Corporations such as McDonald's, Yum! Brands (owner of Taco Bell, KFC, and Pizza Hut), Burger King and Wendy's engage in business practices that undermine the health and well-being of communities.

By now, most of us have heard the gloomy health statistics. Millions of people across the United States suffer needlessly from diet-related conditions, putting an increasing burden on our already broken health care system. And, kids are especially targeted by the likes of McDonald's, through toys, playgrounds and other tactics that exploit children's unique vulnerabilities.



Fast food saturates communities throughout the U.S. including this busy street in Los Angeles.

But this report isn't just about the gloom and doom. The good news is we have numerous policy tools at our disposal that can help reduce the negative impact of fast food in our communities. While things may seem hopeless in Congress these days, local action provides many feasible and effective solutions.

This report focuses on four local policy approaches and includes case studies and challenges for each. While this is not an exhaustive list, these ideas have some track record of success and show the most promise at the local level. The four approaches are: school policy, "healthy" zoning, curbing kid-focused marketing, and redirecting subsidies to healthier businesses.

For years now, schools have become a focal point for change. Schools should be a place where children are free from corporate marketing. And yet across America, schools are succumbing to economic pressures and opening their cafeteria doors to corporations such as Pizza Hut and Taco Bell. But many parents, teachers and even school administrators are taking a stand by setting strong policies to keep fast food corporations out of the learning environment.

Of course, once kids leave school, they are also bombarded with fast food marketing in their communities. Research suggests that low-income neighborhoods have disproportionately higher concentrations of fast food outlets. But it doesn't have to be that way. Local cities and counties are standing up for the health of their residents through various policy approaches. For example, zoning laws can restrict the number of fast food outlets, as well as encourage economic development that is beneficial—not detrimental—to public health.

Because kids lack the judgment of adults and are potential new life-long customers, fast food marketers have targeted children. Toys are by far the most popular form of marketing to children by fast food corporations. According to the U.S. Federal Trade Commission, in 2006 the food industry spent \$360 million purchasing toys,

which came with 36 percent of all fast food meals served to kids that same year. Some cities and counties are responding by placing specific limits on this exploitative practice. The strategy presents an opportunity to organize community members to oppose fast food outlets more generally.

While we've seen much attention devoted to how federal agricultural subsidies support all the wrong foods, little focus has been directed toward subsidies at the local level. Indeed, state and local tax breaks as well as other business incentives help fuel fast food expansion. Communities can demand such economic development policies be redirected from supporting damaging fast food toward more health-promoting foods.



Ronald McDonald epitomizes McDonald's suite of tactics used to market the brand to kids. This predatory marketing targets kids to hook them for life.

Several additional local strategies gaining traction include: counter-marketing (initiatives that offer nutritional messages that contrast with the well-financed ad campaigns for a range of unhealthy brands) and taxing unhealthy foods and beverages. Other ideas listed in this guide may inspire your own solutions.

This report and its companion Action Guide offer specific, practical guidance for putting these ideas into action, as well as additional resources from the numerous other organizations engaged in protecting our health from unscrupulous fast food corporations.

While no single community or organization can take on everything in this report, each of us can choose one activity to help protect the health of our communities. It is our responsibility not only to raise our children in a healthy home but to advocate a healthier food environment for them to grow up in. Together, we can effectively challenge the fast food industry's negative impact on public health.



MICHELE SIMON

Author of "Appetite for Profit: How the Food Industry Undermines Our Health and How to Fight Back" and Advisory Board member, Corporate Accountability International

HOW THE FAST FOOD INDUSTRY HARMS HEALTH

In the last few decades, people across the United States have been eating more of their meals outside their homes, especially at fast food chains.¹ Fast food describes food sold in chain outlets or stores with preheated or precooked ingredients and served to the customer in a packaged form for eating inside or taking away.

Why is this a problem? First, meals served in fast food outlets contain high levels of sugar, fat, sodium and calories.² Growing scientific research shows that eating foods high in these substances increases the risk of heart disease, stroke, depression, diabetes, asthma and other chronic diseases, all of which contribute to premature death.³ Beyond tragic emotional and physical consequences, these health risks in turn impose huge costs on our health care system.⁴ Second, consuming more food in fast food outlets means eating less of the healthy foods—fruits, vegetables and whole grains—that people are more likely to eat at home, and thus losing the health benefits these foods offer. Third, the fast food industry contributes to a host of environmental and economic problems. Raising the millions of animals demanded by the industry for its menu items contributes to global climate change.⁵ Its labor practices also leave millions of workers without a livable income or the benefits that allow working people to escape poverty.⁶ What's more, fast food chains often make it difficult for local businesses to thrive.⁷

Fast food corporations want us to think the reason that people are eating so much of their products is because they are simply providing what people demand. In this report we take a longer view of this common industry argument, making the case that fast food consumption has increased as a result of the industry's concerted effort to create a world where fast food is the cheapest, easiest, most available choice. By remaking our food environment, the fast food industry has limited our ability to take control of our food system and make healthier choices.

This report shows how in the past few decades, the fast food industry has:

- Created new products that exploit our natural biological cravings for sugar, fat and salt
- Increased serving sizes and hence calories
- Convinced children and adults alike, through aggressive and irresponsible marketing, that fast food makes you happy
- Attracted children into its outlets by offering free toys and other products
- Resisted efforts to require outlets to provide customers with accurate, accessible nutrition information
- Lobbied aggressively against public policies that would restrict the irresponsible marketing and operations of the food industry
- Made fast food available everywhere, including schools and hospitals

As a result of these business practices, the fast food industry contributes to our country's most severe health problems—rising rates of diabetes, heart disease and other chronic conditions—and imposes a growing burden on families and taxpayers who have to pay for the treatment of these illnesses. Moreover, by resisting policies that would make these corporations pay their fair share of the health burdens to which their marketing practices contribute, the fast food industry adds unsustainable costs to our health care system.

Since the sub-prime mortgage crisis of 2008, more and more people have come to feel that it is unfair for big corporations to profit by speculating on the well-being of the 99 percent who aren't multi-millionaires. Just as many want to hold big banks and speculators accountable for the damage to the economy and the misery they have caused, and the tobacco industry accountable for its legacy of illness and death. Many now feel it is time to tell the fast food industry to stop sacrificing our health for its profits.



The rise in diet-related disease is a large contributor to rising health care costs. In the U.S. one in three children born in the year 2000 is predicted to develop type-2 diabetes—the first generation with a shorter life expectancy than their parents—all as a direct result of diet.

This guide aims to help parents, community residents, health professionals, activists, youth and others take action to safeguard their communities' health against the abuses of global fast food corporations. The guide is also premised on the understanding that most people in the United States want healthier children and families, that communities have the power and potential to bring about improvements in their neighborhoods and towns, and that, in a democracy, informed individuals have a right and a responsibility to act to protect their health.

In this guide, we describe and analyze strategies communities can use to improve the health of children and families by reducing the influence of food and beverage corporations on nutrition. We examine four main strategies to reduce the harmful influence of fast food corporations and their impact on children's and community health.

This guide examines four strategies to reduce the harmful influence of fast food corporations:

1. Advance school policies that curb fast food marketing to children
2. Utilize zoning and other measures to reduce the fast food industry's influence in communities, hospitals and other institutions
3. Limit fast food promotions that target children
4. Reduce public subsidies for fast food corporations that damage the public's health as a means of leveling the playing field for businesses that sell healthier food

Every community will have to decide for itself the strategies that are most feasible and effective. While the focus here is on community-level action, we also discuss state and national fast food policy issues in the belief that community debate and organizing at the local level can trigger action at these higher levels.

CORPORATIONS, COMMUNITIES, FOOD AND HEALTH

In order to take effective action, advocates for health need to understand how the fast food industry operates. While the vast majority of people benefit from policies that reduce obesity and diet-related diseases like diabetes, the fast food industry profits from promoting products that contribute to these problems. In 2011, McDonald's reported revenues of \$27 billion and an operating profit of more than \$8.5 billion.⁸ Meanwhile, PepsiCo, maker of soft drinks and salty snacks (among many other foods), saw revenues of \$66 billion and profits of more than \$9 billion.⁹ Although both corporations proudly introduced new products they claimed were healthier, the vast proportion of sales, advertising and profits came from their core business: selling high-fat, high-salt and high-sugar products around the world.

Many factors contribute to rising rates of diet-related health problems, but the growth of the fast food industry has played a seminal role in the dietary changes that have led to these problems. McDonald's, the world's largest fast food corporation, now operates more than 33,000 outlets serving more than 64 million people every day in more than 117 countries.^{10,11,12} Reducing consumption of the unhealthy food served by fast food outlets is one important piece of a comprehensive plan to improve the health of people in the United States and help reverse the trends of obesity and diet-related diseases.

However, reducing the ubiquity of fast food and its promotion is not so simple. With revenues in 2010 of more than \$180 billion (expected to grow to \$208 billion by 2015),¹³ the fast food industry is a powerful force in our economy and politics. To effectively challenge industry practices that threaten the health of children, families and communities at large, we need to understand the practices and politics of the industry. Here are some of the ways fast food corporations advance their business.

THE GLOBAL FAST FOOD INDUSTRY

Designing irresistible products

For fast food corporations, the goal of product formulation is to make customers come back often. In the last decade, food science researchers have discovered that humans crave "hyper-palatable" foods that blend sugar, fat and salt in a single meal.¹⁴ Because humans evolved in an environment where it was hard to get enough to eat, our genes encourage us to consume many calories when we can. Unfortunately, in today's environment where food is much more readily available, that biologically-driven behavior can lead to health problems. In laboratories and through marketing research, fast food corporations aim to create "irresistible" products that our biology drives us to consume. The bottom line—the industry hooks us on blends of fat, sugar and salt from an early age, disrupting tastes and eating habits for our lifetime.



Fat, sugar and salt: the building blocks of "hyper-palatable" food. The fast food industry works to hook kids on this irresistible blend from an early age.

Dr. David Kessler, a pediatrician, former commissioner of the U.S. Food and Drug Administration and former dean of Yale's School of Medicine, writes in "The End of Overeating" that food executives told him that fat, salt and sugar are the building blocks of successful food products. He explains that today's children get "huge portions of very stimulating foods, hyper-palatable foods... Every time they eat those foods it strengthens their neuro-circuitry to eat that food again. It activates them. Once these cues are laid down, and the information is in your brain, it stays there and drives behavior."¹⁵

McDonald's "Value" Meals – Today's bargain, tomorrow's diabetes?

Breakfast Sausage Biscuits:

430 calories, 27 grams of fat, 1080 milligrams of sodium, 2 grams of sugar without syrup or margarine.¹⁶ In the Breakfast Value Meal, this comes with hash browns and coffee, adding an additional 155 calories, 9 grams of fat and 315 milligrams of sodium – for a grand total of **585 calories, 36 grams of fat, 1395 milligrams of sodium and 2 grams of sugar.**

(This single meal has 29 percent of the calories, 93% of the sodium, and 55% of the fat recommended each day for most people.)

Premium Crispy Chicken Club Sandwich:

630 calories, 28 grams of fat, 1420 milligrams of sodium and 13 grams of sugar.¹⁷ Medium fries and soda add another 590 calories, 19 grams of fat, 285 milligrams of sodium and 58 grams of sugar – this makes for a grand total of **1220 calories, 47 grams of fat, 1705 milligrams of sodium and 71 grams of sugar.**

(This single meal has 61 percent of the calories and 72 percent of the fat and sodium recommended each day for most people.)

Advertising and promotion

The fast food industry spends lots of money on advertising because it works. In 2009, fast food corporations spent \$4.2 billion on advertising their products.¹⁸ One study found that in 2008, children in the United States aged 2-11 saw on average 1,106 commercials for fast food outlets on television and adolescents saw on average 1,684 such ads. Adults saw on average 1,905 ads.¹⁹

Moreover, television exposure to fast food advertising is increasing. Between 2003 and 2009, exposure to fast food commercials increased by 21 percent for younger children and 39 percent for adolescents.²⁰ This advertising influences children's food desires and choices, and creates customers for life. One study of young children aged three to five offered them identical combinations of foods and beverages, the only difference being that some of the foods were in McDonald's packaging. Children were significantly more likely to choose items perceived to be from McDonald's.²¹

Corporations like McDonald's have developed marketing strategies to appeal directly to kids, encouraging children to badger their parents to buy Happy Meals, offering toys to promote regular visits and installing playgrounds and other equipment appealing to children. These clever business practices help to draw people into McDonald's, while also contributing to our growing burden of diet-related disease.

Retail siting

Another way fast food corporations make sure people visit, buy and eat their food is to locate stores within easy reach of many people. Since the 1970s, the number of fast food chain stores in the United States has doubled.²² The United States now has more fast food outlets than public libraries or hospitals.²³ Fast food chains currently operate about 200,000 outlets in the United States, including some in public institutions like schools and hospitals.²⁴ As a result, about one in four Americans²⁵ and nearly one in every three children eat fast food every day.²⁶ And the closer fast food is to where children study, parents work, and families play, the more likely people are to gain the weight associated with chronic diseases. One study found that for ninth grade children, a fast food outlet within a tenth of a mile of a school increases the risk of obesity by more than 5 percent.²⁷

In some cities, fast food outlets are everywhere. In New York City, fast food chains operate 1,625 establishments.²⁸ In Louisville, Kentucky, the U.S. city with the most McDonald's per capita, there is one set of golden arches for

every 6,579 people, with stores within a short walk or drive of every resident.²⁹ In many neighborhoods in this country, fast food is easier to find than healthy food. For example, a comprehensive block-by-block study found that in majority-African-American neighborhoods in Chicago, the nearest grocery store was roughly twice as far as the nearest fast food outlet.³⁰ Therefore, following a doctor's dietary recommendation to reduce salt or fat intake is that much more difficult for the half million African-Americans in Chicago who live in these areas. This disparity in access to healthy food contributes to higher rates of premature death among African-Americans in Chicago and elsewhere.³¹

Pricing

Like many businesses, fast food corporations cut costs to attract customers. One method corporations employ is the substitution of cheaper ingredients for pricier ones. As a result of various federal crop subsidy programs and regulations, many of the main components of processed foods are cheap, while healthier fruits and vegetables are more expensive.³² In addition, corporations like McDonald's can afford to spend hundreds of millions on advertising,³³ which they can then deduct from their taxes as a business expense, allowing them to attract more customers than the mom and pop food stores that can't afford advertising. In addition, the low wages and meager benefits that McDonald's and other fast food corporations offer employees keep prices down but workers poor.

The amount food outlets charge has a big influence on who buys what. Don Thompson, CFO of McDonald's, recently explained that McDonald's doesn't base its prices on what the competition is charging, rather, the corporation considers "eating at home" to be the competition and thus prices its own food just below that cost.³⁴ For a huge fast food corporation like McDonald's to charge less than it costs to make food at home and still profit, it must lobby and use its political clout to guarantee the industrial food system it relies upon is equipped to produce the high volume of unhealthy, cheap food it requires.

Since the 2008 economic downturn, fast food corporations have also increased advertising that promotes "value," knowing that strapped families need to stretch their food dollars. McDonald's tells customers its Dollar Menu provides "quality menu items at a good value... [w]e understand how important it is to you—especially these days. That's why you can depend on us to give you value across our entire menu, including



Desert View High School in Tucson, AZ is one of many schools across the U.S. where McDonald's and other fast food outlets serve food high in fat, sugar and salt directly in the school cafeteria.

on our Dollar Menu.”³⁵ Unfortunately, the “value meals” that McDonald’s, Burger King and other chains offer are often high in calories and low in nutrients, forcing low-income consumers to exchange today’s low prices for tomorrow’s risk of heart disease or diabetes.

THE FAST FOOD INDUSTRY USES ITS POLITICAL INFLUENCE TO PROTECT IRRESPONSIBLE MARKETING

Campaign contributions

Like other corporations, fast food corporations contribute to the campaigns of elected officials in order to advance their own interests, as shown below for the years where data are available. McDonald’s contributes to both Republicans and Democrats,³⁶ ensuring political influence no matter what party is in power. Trade associations like the National Restaurant Association and the Snack Food Association add their own contributions, buying additional influence to advance fast food industry policy priorities with legislators.

Fast food political contributions³⁷

	National Restaurant Association	\$9,906,291 (1989-2010)
	McDonald's	\$6,232,169 (1989-2010)
	Burger King	\$981,292 (1989-2010)
	Wendy's	\$940,589 (1997-2010)
	Yum! Brands (Taco Bell, Pizza Hut and KFC)	\$875,860 (2001-2010)
	Snack Food Association	\$155,965 (1995-2010)

In the 2010 election cycle alone, food and beverage corporations contributed more than \$14 million to federal candidates.³⁸ These contributions help ensure that fast food executives and lobbyists will have easy access to policymakers when the government considers any new public health safeguards. The public health community must rely instead on grassroots efforts to counteract this massive industry influence.

Lobbying

While campaign donations reflect money spent to help politicians get elected, industry also spends a lot of money lobbying for or against specific policies. Between 1997 and 2012, McDonald’s spent more than \$6.5 million, Burger King reported more than \$2.5 million and Yum! Brands almost \$11 million. Trade groups spent even more. The National Restaurant Association, the industry’s true proxy in the Capitol, spent \$20,822,280 on lobbying between 1997 and 2011. Among the issues fast food and restaurant lobbyists discussed with legislators were food safety and menu labeling.³⁹ In 2010 alone, the entire food and beverage industry spent more than \$41 million on lobbying, employing 313 lobbyists in Washington—one lobbyist for every 1.7 members of Congress.⁴⁰ Fast food corporations, their trade associations and suppliers also lobby at the state and local levels. For example, by successfully backing efforts in state legislatures, fast food lobbyists in Florida and Arizona blocked cities and counties from

passing laws restricting any promotional activity by restaurants, including toy giveaways at fast food outlets.⁴¹ In Nebraska, proposed statewide restrictions on children's meal toy giveaways died off the floor, right after its first legislative committee hearing.⁴² The National Restaurant Association and its state affiliates led these efforts. Through these efforts, fast food corporations make sure their business interests are better protected than their customers' health.

Public relations

Fast food corporations and their trade associations also use public relations to advance their business agendas. For example, they make "pledges" to improve the healthfulness of the food they sell, publicize their charities, or use media to respond to the public health community.

In 2010, McDonald's bought a full-page ad to refute the public health community, who charged that McDonald's promoted unhealthy food.⁴³ In 2011, McDonald's held a joint press conference with a New York City councilman who had raised concerns over the fast food chain's marketing to children. The resulting article featured Councilman Leroy Comrie smiling with a kid eating a Happy Meal as he endorsed McDonald's new Happy Meal (launched in September 2011) with apple slices and slightly smaller French fries.⁴⁴ Through these efforts, fast food corporations bring their message to millions around the country and help create the positive public opinion that allows corporations to continue their health-damaging practices.

Philanthropy

Fast food corporations also donate to charities that serve sick children and organizations that promote physical activity and kids' sports teams. McDonald's opened the first Ronald McDonald House in Philadelphia in 1974 to support children with serious chronic diseases. On the one hand, the national Ronald McDonald House Charities is helping children and families in great need. On the other, this charity is another means of building brand trust, identification and loyalty to a product and a corporation at the heart of the global epidemic of diet-related disease. Ronald McDonald House Charities was not founded for altruistic reasons. Beginning in the late 1950's, McDonald's decided to visibly support local charities as a means of generating positive publicity. "We got into it for very selfish reasons," Fred L. Turner, former CEO and chairman once told an interviewer. "It was an inexpensive, imaginative way of getting your name before the public and building a reputation to offset the image of selling 15-cent hamburgers. It was probably 99 percent commercial."⁴⁵ The exposure generated by this community involvement spurred McDonald's idea for a branded charity of its own. While these are worthy causes, the PR fast food corporations get from making small donations is often worth more than the money they donate, promoting a positive feeling for their brands and making them seem concerned about health rather than promoting disease. On another front, the food industry's support for more physical activity seeks to distract attention from calls for changes in food industry corporate practices.⁴⁶

In sum, fast food corporations use their business expertise as well as their political and financial clout to advance their interests even when their products or practices jeopardize health. It is unlikely that parents, health professionals or activists will ever be able to match the economic resources of leading fast food corporations. Instead, we need to apply our sheer numbers, resources, passion, commitment, scientific evidence and concern for our children's and communities' health to overcome the might of fast food corporations to shape our food environment.

STRATEGIES TO CHANGE FAST FOOD PRACTICES

This guide describes four main strategies and a few others designed to curb fast food industry marketing abuses and unhealthy products. We chose the first three because they have been advanced successfully in communities across the United States, demonstrate promise in reducing the availability of fast food, and can be readily implemented at the local level. We chose the fourth strategy because it is especially attractive in today's budget-cutting political environment.

The four strategies are:

1. Advance school policies to make healthier food more available in schools and reduce the availability and promotion of unhealthy foods like fast food, soda and candy.
2. Restrict the places where fast food corporations can operate through the use of zoning as well as other administrative actions to remove fast food from parks, hospitals, government buildings and the areas around schools.
3. Limit kid-targeted marketing of unhealthy products to children, such as toy giveaways and the use of kid-friendly characters.
4. Reduce public subsidies for fast food corporations by ending economic development incentives to fast food outlets or tax breaks for fast food corporations, and require corporations that do get subsidies to offer healthier products.

We more briefly describe three other strategies that have been used to change fast food corporations' practices: calorie or warning labels in fast food outlets, counter-advertising campaigns and taxing of unhealthy foods.

REDUCING FAST FOOD'S INFLUENCE IN SCHOOLS

Summary

By developing policies that make healthier food available in schools and decreasing the availability and promotion of unhealthy fast food, soda and candy, schools can create food environments that reduce obesity and diet-related diseases. In so doing, they can establish better lifelong eating habits and improve our children's relationships to the food they eat.

Background

Currently, fast food products and marketing are all too common in our children's schools. About 20 percent of public schools in the United States sell branded fast food from chains such as McDonald's, Taco Bell and Pizza Hut.⁴⁷ Students can purchase fast food and other unhealthy products at breakfast or lunch, in vending machines, from school stores and snack bars, at classroom parties and at concession stands. Studies show that on any given day, about one in five children buy food from a vending machine, store or snack bar in his or her school.⁴⁸

Foods sold in schools but outside of the school meal program are known as competitive foods, and, until recently when regulations changed, were subject to only minimal federal regulation. Thus, competitive foods are often high in fat, sugar, salt and calories. While such foods are mostly found in high schools, almost one-third of U.S. elementary schools allow students to purchase food and beverages at vending machines, school stores or snack bars.⁴⁹ A 2005 study found evidence that high school policies decreasing access to unhealthy competitive foods contribute to a decline in consumption of those foods during the school day.⁵⁰ However, as the table below shows, few school districts have policies restricting competitive food. Moreover, only a handful of states have set statewide policies on these issues, making state legislatures a fertile target for advocates for healthier school food.

HEALTHY FOOD POLICIES BY SCHOOL DISTRICT ⁵¹



POLICY	% US SCHOOL DISTRICTS
Prohibit brand name fast foods from being offered as part of school meals	24
Restrict distribution of promotional products from fast food	26
Prohibit schools from rewarding children for good behavior or academic performance with food	35

Some schools actually advertise fast food products in the classroom. Channel One is an in-school commercial TV station that reaches 12,000 schools that enroll 38 percent of middle and high school students in the United States. The corporation exposes students, a "captive" audience, to junk food advertising: almost 70 percent of the advertising on Channel One is for fast food and junk food.⁵² Many parents and educators believe that schools should not raise money for special projects by advertising or selling products that make children unhealthy. This is an opportunity for community action—not only to educate parents and administrators to pave the way to policy change, but also for monitoring and enforcement of new policies once they are in place.

A vital resource in changing school policies is students themselves. Communities can empower students to stand up for their right to grow up with a healthy learning environment. At a recent Philadelphia meeting of youth food activists from around the nation, young people developed a “Youth Food Bill of Rights” calling for, among other things, “more healthy food choices in our schools, and in schools all over the world...vending machines out of schools unless they have healthy choices...and healthier school lunches that are implemented by schools with the ingredients decided on by the Youth.”⁵³ By bringing together young people concerned about school food, food justice and health, professional groups can help support youth action to improve school food.

“Everything that’s marketed in school carries that school’s seal of approval. Schools are not supporting the health and well-being of children if they’re endorsing fast food.”

SUSAN LINN, DIRECTOR OF THE CAMPAIGN FOR A COMMERCIAL-FREE CHILDHOOD.⁵⁴

Local policy actions

Around the country, parents, schools and young people are enacting local policies on school food that go beyond federal law. Some of these policies target fast food directly, while others address other types of unhealthy food. Here are a few of the many examples:

LEVEL OF ACTION	DESCRIPTION OF ACTION	TYPE OF ACTION
State	Connecticut implemented a voluntary Healthy Food Certification Program in 2006 that is one of the most effective in the country for eliminating unhealthy competitive foods from secondary schools. ^{55, 56}	Providing incentives for improving competitive foods’ nutrition standards.
District	New York City public schools require vending machines to sell snacks that contain fewer than 200 calories per serving. ⁵⁷ Los Angeles Unified School District limited the sale of soft drinks, fried chips, candy and other snack foods in vending machines and school stores in 2004. ⁵⁸	Implementing nutrition standards for vending machines and school stores.
Community	The Citizens’ Campaign for Commercial Free Schools ran a successful five-year campaign to get the Seattle School Board to agree to “significantly restrict commercial advertising on or within district-operated property.” ⁵⁹	Eliminating corporate advertising in schools.
Student	In 2009, a group of University of California, Berkeley students successfully organized a campaign to stop the school’s plans to open a Panda Express outlet on campus. ^{60, 61}	Preventing new fast food outlets from opening on or near school grounds.

Challenge

Some school administrators and parents may resist policies aimed at getting fast food out of schools, concerned that the school will lose revenue during a time of economic hardship.

Supporters of healthier food in schools offer the following counter arguments:

- Studies show that many schools earn little or no money from these deals.⁶² Compromising our children's health for non-existent revenues seems especially ill-advised.
- Other studies show that offering healthy products in school stores or vending machines can generate as much or more revenue as unhealthy products.⁶³ In addition, new federal U.S. Department of Agriculture standards⁶⁴ for healthy vending machines have encouraged some corporations to develop food that can meet the guidelines, increasing the options for schools.⁶⁵ It will be important to monitor the actual nutritional content of any such new products.

Effectiveness

Schools have a responsibility to protect children from harm, including harm from messages and products sold by fast food corporations. Any community can pass school policies, with the support of the Parent Teacher Association (PTA), students and school administrators. As more schools limit fast food's influence, it will become increasingly feasible for neighboring schools and districts to do the same. And as restrictions on fast food in schools become the norm, public opinion will shift towards supporting limits on the ability of fast food corporations to directly target children with advertising and promotions. The success of Connecticut's Healthy Food Certification Program shows that school policies can reduce the availability of competitive foods in schools.⁶⁶ A recent study found that restricting the sale of sugar-sweetened beverages in Boston public schools led to a drop of almost 20 percent in daily consumption of soda by Boston high school students.⁶⁷ These and other studies confirm that reducing availability of unhealthy food in schools can lead to healthier diets for children.

Key resources

School Commercialism: High Costs, Low Revenue. Public Citizen

<http://www.commercialalert.org/PDFs/>

Captive Kids: Selling Obesity at Schools. An Action Guide to Stop the Marketing of Unhealthy Foods and Beverages in School. California Project LEAN

<http://www.californiaprojectlean.org/docuserfiles//Captive%20Kids2007.pdf>

Community Action to Change School Food Policy: An Organizing Kit.

http://www.mphaweb.org/documents/CommunityActiontoChangeSchoolFoodPolicy_000.pdf

Center for Science in the Public Interest School Foods Toolkit: A Guide to Improving School Foods and Beverages.

<http://www.cspinet.org/schoolfoodkit/>



CASE STUDY: ST. PAUL PUBLIC SCHOOLS

Over the last decade, St. Paul Public Schools, Minnesota’s second-largest school district, has made sweeping changes in its food policies in order to promote health and reduce diet-related health problems. Keeping fast food and its marketing out of schools was an essential part of these changes.

Credit: Saint Paul Public Schools



New policies created in St. Paul Public Schools offer kids healthier meal options and follow nutritional standards set at the federal level.

Although the St. Paul Wellness Committee started in 2002, changes to the U.S. Department of Agriculture (USDA) policies in 2006⁶⁸ enabled the Wellness Committee—a coalition of parents, teachers, school nurses and administrators—to create a school policy that:

- Requires “foods and beverages sold or served at school... [to] meet or exceed the nutrition recommendations of the U.S. Dietary Guidelines for Americans”
- Prohibits “school-based marketing of brands promoting predominantly low-nutrition foods and beverages”
- Requires school fundraising efforts to “support healthy eating by emphasizing the sale of non food items or healthy food items”
- Prohibits teachers from using unhealthy food as a reward
- Regulates “treats” in classroom celebrations to once a month
- Prohibits school fundraisers primarily based on unhealthy food (including fast food)
- Prohibits principals from signing contracts with food corporations or marketers of unhealthy food brands⁶⁹

Passing the policy

Passing and implementing the policy wasn’t easy. The Wellness Committee had to organize the School Board to support the policy by, “find[ing] the influencers and making sure they knew exactly how bad the obesity epidemic

was,” according to Ann Hoxie, former Administrator for Student Health and Wellness in St. Paul Schools. The Wellness Committee also brought in researchers from the nearby university to speak to a district-wide health advisory group. Hoxie and the Committee were determined to, “set up the [school] environment so that it supported healthy choices.”

Implementing the policy

The Wellness Committee also realized that implementing the changes secured would require a significant culture change—not an easy move in a district with 64 schools. They used the researchers’ data again when talking with principals and teachers. “We talk a lot about the academic achievement gap for our kids. If we don’t address health, our kids will have even more difficulty succeeding in school,” says Hoxie.

Each school identified a parent, teacher, school nurse or administrator to be a Wellness Champion. They were then charged with creating a wellness plan at their particular school. As plans took shape, simultaneous action at the district level caused the quality of school food to increase. Jean Ronnei, director of Nutrition and Custodial Services, began slowly replacing unhealthy school food with healthier options. “We had to do a lot of marketing with our own staff to understand and be supportive,” says Ronnei, “but now there’s a pride that employees feel.”

Community support

The Wellness Committee was pleasantly surprised by the response to the new policy. Despite the expected opposition from industry, the community largely supported the policy. Kids were saying, “this is good for us.” In fact, the policy has proven so successful it has piqued the interest of administrators from the local hospital in adopting similar measures.⁷⁰

REDUCING FAST FOOD'S INFLUENCE THROUGH ZONING AND OTHER MEASURES

Summary

Just as reducing the influence of fast food corporations in schools can contribute to healthier food environments, the same is true when applied to public buildings, hospitals, parks, playgrounds and museums. In this section, we explore ways to counter fast food industry presence through zoning, administrative action and sales restrictions.

Background

Zoning is a useful legislative tool for limiting the negative effects of fast food on public health. Communities use zoning to set rules to protect the health and safety of residents. It has been used as a tool to reduce the number of fast food outlets, but only recently for health reasons, as new evidence shows the relationship between density of fast food outlets and obesity.^{71,72}

Zoning can be used to:

1. Reduce the density of fast food outlets
2. Limit the number of fast food outlets
3. Require permits for fast food outlets to operate in a certain area
4. Place conditions for operation on fast food outlets
5. Create “healthy food zones” around schools, childcare centers or other facilities.



McDonald's has restaurants in hospitals across the country sending the wrong message to patients and staff about healthy eating.

A study of fast food in Chicago found that almost 80 percent of schools had one or more fast food outlets within half a mile. Chicago is not the exception. Fast food clusters within walking distance from schools, and the average distance between any U.S. school and the nearest fast food outlet is about a 7.5 minute walk.⁷³ A study by researchers from the University of California Berkeley and Columbia University found that teenagers whose schools are within one-tenth of a mile of a fast food outlet are more likely to be obese than those whose schools are further away.⁷⁴ Using zoning to reduce the density of fast food outlets near schools would help protect children from the health risks associated with consuming too much fast food.

Fast food chains are also located inside institutions, including healthcare settings. In 2006, the American Medical Association found that of 234 hospitals surveyed, 42 percent sold brand name fast food on their campuses.⁷⁵ Twenty-seven children's hospitals in the U.S. have a McDonald's on-site.⁷⁶ Selling fast food in hospitals puts the health of the patients, staff and guests at risk while setting a poor example for the community as a whole. A 2006 study by researchers at Northwestern University found that the presence of a McDonald's in a children's hospital led consumers to believe that McDonald's food was somehow healthier, in addition to significantly increasing their consumption of fast food.⁷⁷

“Hospitals should be temples to good health, especially as the obesity epidemic is at such a degree that it could bankrupt [our health care system]. It’s not doing patients any good. If hospitals can’t set standards, then how can we do this in the community?”

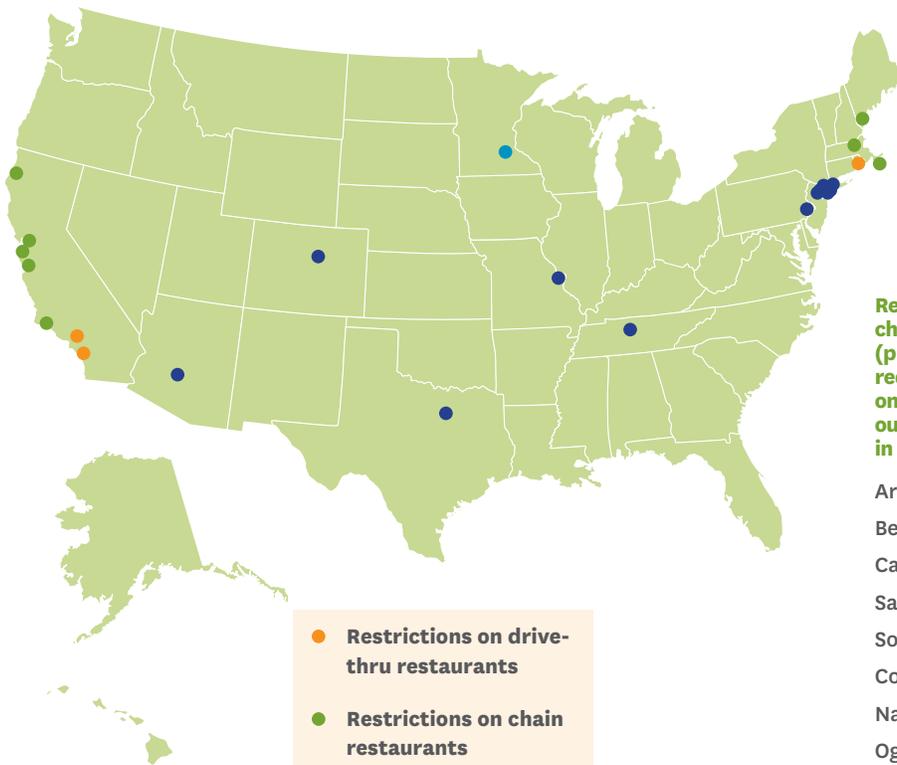
CARDIOLOGIST DR. ASEEM MALHOTRA, WHO HAS TEAMED UP WITH JAMIE OLIVER TO RID HOSPITALS IN ENGLAND OF FAST FOOD OUTLETS ⁷⁸

Restricting unhealthy foods in hospitals and government buildings, as well as around schools and parks is an important strategy for reducing access to fast food. By calling for policies that restrict fast food or create fast food-free “zones,” administrators, legislators and community members can raise local awareness about the positive health impact of implementing such strategies.

Local policy actions

In the United States and elsewhere, communities have successfully used zoning and other legal approaches to restrict where and how fast food chains can operate. Here are some examples:

Four types of zoning restrictions implemented across the country



- **Restrictions on drive-thru restaurants**
- **Restrictions on chain restaurants**
- **Ban on new fast food outlets**
- **Administrative action to remove McDonald’s from hospitals**

- Restrictions on drive-thru restaurants**
- Baldwin Park, CA
- Carlsbad, CA
- Newport, RI

- Restrictions on chain restaurants (prohibitions, permit requirements, or limits on the number of outlets permissible in a certain area)**
- Arcata, CA
- Berkeley, CA
- Carmel, CA
- San Francisco, CA
- Solvang, CA
- Concord, MA
- Nantucket, MA
- Ogunquit, ME

- Ban on new fast food outlets within 400 feet of public places**
- Arden Hills, MN

- Administrative action to remove McDonald’s from hospitals**
- St. Joseph’s Hospital and Medical Center, Phoenix, AZ
- Jacobi Medical Center, Bronx, NY
- Elmhurst Hospital Center, Queens, NY
- Coney Island Hospital, Brooklyn, NY
- St. Barnabas Medical Center, Livingston, NJ
- Harlem Hospital, NY, NY
- Queens Hospital Center, Queens, NY
- Christian Hospital Northeast, St. Louis, MO
- Vanderbilt University Medical Center, Nashville, TN
- Denver Health Medical Center, Denver, CO
- Parkland Memorial Hospital, Dallas, TX
- Children’s Hospital of Philadelphia, Philadelphia, PA

Additional local policy examples

- The Detroit City Council passed a zoning ordinance in 1978 that prohibits fast food outlets within 500 feet of elementary, junior high and high schools. The prohibition applies to carry-out, fast food and drive-thru restaurants.⁷⁹ Ensuring this distance between fast food establishments and schools reduces youth exposure to fast food marketing and decreases students' access to fast food, improving their diets and their health. To be effective, such zoning rules must be enforced, and community pressure can sometimes persuade reluctant officials to act against violators.
- In 2004, community members in Oakland, California organized to stop a new McDonald's from moving in across the street from the weekly farmers market. More than 400 people attended a spirited town hall meeting to protest the proposed McDonald's. The concerted public pressure resulted in the city planning office denying McDonald's application for a permit for the new outlet.⁸⁰

Challenges

Of course, the fast food industry will vigorously oppose any effort to restrict its ability to open outlets. In addition, each jurisdiction has its own rules for zoning changes, requiring that advocates obtain expert advice on how best to achieve desired goals. In most jurisdictions, zoning may only affect new facilities, not existing ones, limiting its impact in areas that already have many fast food outlets.

The food industry's trump card is that restricting the number of fast food outlets could lead to job loss or other economic impacts. Common sense dictates that healthier businesses can easily take the place of fast food outlets and communities implementing these policies typically support new local businesses.

Many institutions receive financial support from fast food corporations that make it difficult for them to implement policies restricting the sale or promotion of fast food products on their premises. In March 2011, the Children's Hospital of Philadelphia accepted a \$10 million grant from the Foundation for a Healthy America, a nonprofit organization created by the American Beverage Association. The grant, aimed at expanding the hospital's obesity prevention program, came just a year after doctors from the hospital had testified about the harmful effects of sugar-sweetened beverages during hearings about a Philadelphia soda tax.⁸¹ Conflicts of interest like this make it difficult for hospitals and other public and private locations to escape the influence of fast food.

Effectiveness

Restricting places where fast food corporations can operate ensures a healthier food environment by limiting their geographic influence and decreasing fast food marketers' access to vulnerable members of our communities, like school children. Unlike location-specific prohibitions on fast food, zoning laws are not always explicitly enacted for health reasons. Whatever the official political reasoning behind restricting fast food outlet density, pointing out the benefits to public health can help shift the public climate to demand healthier food environments in our communities. Moratoriums or bans on creating new fast food outlets might be especially useful in growing communities not yet saturated with such establishments.

Key resources

The Use of Zoning to Restrict Fast Food Outlets: A Potential Strategy to Combat Obesity

www.publichealthlaw.net/Zoning%20Fast%20Food%20Outlets.pdf

Model Healthy Food Zone Ordinance

<http://www.nplanonline.org/nplan/products/model-healthy-food-zone-ordinance>



CASE STUDY: LOS ANGELES FOOD MORATORIUM

In 2008, the city of Los Angeles placed a one-year moratorium on new fast food outlets in south and southeast L.A.⁸² The ordinance targeted some of the city's poorest neighborhoods, which had the highest density of fast food establishments and were most affected by the negative health effects of fast food. In early 2011, the Los Angeles City Council extended the moratorium indefinitely.



In south and southeast L.A., fast food is sometimes the only option. There are often no grocery stores for miles. Councilwoman Jan Perry (center) introduced and helped pass L.A.'s fast food moratorium, incentivizing grocery stores to move in to low-income communities.

Credit: (left) Community Health Councils,
(right) Office of Jan Perry

The adoption of the ordinance was the result of the grassroots organizing initiative of Community Health Councils (CHC), a nonprofit health advocacy organization based in South L.A. and dedicated to improving community health. People at CHC were concerned about health disparities in the area, especially the high rates of preventable chronic disease, so they conducted a neighborhood-level assessment to examine their community. The survey revealed that grocery stores, sit-down restaurants and opportunities for physical activity in the community were all grossly deficient. Plus, the grocery stores that existed were beginning to consolidate or close, leaving fast food as the only option in many neighborhoods.⁸³

CHC took its survey findings to city council members, asking for help with the problem. Council members Jan Perry and Bernard C. Parks took up the cause, coming up with an incentive package for grocery stores and sit-down restaurants in addition to the moratorium on the establishment of new fast food outlets. The moratorium was initially set to last for one year, with the possibility of extending for up to a year. The moratorium was directed at stand-alone establishments that had "a limited menu, items prepared in advance or prepared or heated quickly, no table orders, and food served in disposable wrapping or containers. Perry said that the idea behind it was to allow healthier food outlets the opportunity to open in the area, since residents don't currently have much access to healthier options. Forty-five percent of restaurants in the area are fast food outlets.⁸⁴ The moratorium would give residents and policy makers a chance to consider other sources of nutrition.

CHC introduced a coalition process as a model for social change by bringing the council members together with those affected by policies. Gwen Flynn, policy director at CHC, noted: "Once [policymakers] realized the

role a community-based organization could play in helping them, they truly saw us as partners.”⁸⁵ The coalition considered various policy options, and then made recommendations to policymakers who could champion them and create the political will to get the policies adopted.

“If people don’t have better choices or don’t have the time or knowledge or curiosity, they are going to take what’s there. To say that these restaurants are not part of the problem would be foolish.”

JAN PERRY, CITY COUNCILWOMAN FROM SOUTH LA ⁸⁶

“Once we educated ourselves and our coalition we had to educate our community at large,” said Flynn. They held town hall meetings and encouraged people to write letters and attend city council meetings. They found that people had a desire for access to healthier food, but didn’t know how to channel that desire. CHC’s coalition helped people get engaged with the planning process. According to Flynn, “Elected officials wouldn’t have heard from them otherwise.”

Flynn noted that, while representatives from the fast food industry were present at most city council meetings, they did not put up much resistance to the legislation. People did express concern for smaller mom and pop restaurants, but the overwhelming majority of the community was in favor of the moratorium.

This example shows how a local city council with community support can take strong action to safeguard community health from the actions of large global corporations.

Gwen Flynn, policy director at Community Health Councils, notes a few key determinants of success:

- Organize a core group of people with clear objectives
- Have background research, including data and anecdotal evidence
- Find the right person to champion the legislation by researching elected officials’ backgrounds and voting records

L.A.’s moratorium was the first time in the United States that a government restricted fast food for health reasons, setting an important precedent for future community action.⁸⁷ While it is too early to judge the extent to which the moratorium will improve public health, it has already spurred a robust conversation around providing healthier food choices. People in South L.A. are now increasingly talking about things like food co-ops and community gardens. “I don’t think those ideas and initiatives would have taken hold if we were continuing to allow for the development and establishment of fast food restaurants,” says Flynn.



CASE STUDY: PARKLAND MEMORIAL HOSPITAL

In 2009, Parkland Health & Hospital System in Dallas, Texas succeeded in replacing a very successful McDonald's with a smaller chain offering healthier food. McDonald's had been the only chain restaurant at the hospital for 20 years⁸⁸

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A franchise so entrenched in the hospital community was not going to be easy to oust, but hospital executives were becoming increasingly uneasy about serving fast-food fare in a healthcare institution. They noticed patients recovering from a wide variety of ailments standing in line at the restaurant, attached to IVs, and wondered if that was in the patient's best interest since Parkland's mission was to make and keep people healthy. Skip Starnes, Director of Project Management at Parkland, said in an interview, "the last thing we want to do is be part of the problem."⁸⁹

Parkland's administration conducted a survey of the staff asking what kind of food they would like to see in the hospital and how much they would be willing to pay for that food. While many people wanted to be able to purchase dollar hamburgers at McDonald's, there was a significant push toward healthier options championed by a staff cardiologist.

When the time came for the expiration of the McDonald's contract, the chain found it had competition from other interested food service and restaurant providers. Through a competitive bid process with a selection committee including registered dietitians and physicians, a new company won the right to operate at Parkland. John Hauptert, Parkland's then Chief Operating Officer, said of the selection process, "one of the heavily weighted criteria was variety, nutrition and healthy alternatives."⁹⁰ At the time, McDonald's wasn't willing to make the healthy changes the health system was looking for, so Parkland took advantage of the opportunity provided by the end of the McDonald's contract and selected a vendor that provided healthier options.

The new restaurant offers whole grain brown rice, smoothies, baked fries and turkey burgers. Nothing they serve is fried.⁹¹ While its menu is geared toward being healthy, it still had to change some of its menu options to meet Parkland's specifications, including lowering sodium in certain items. It also had to lower its prices to be competitive.

Mr. Starnes recommends that when a hospital considers changing its dining options, it is important to ensure the new vendor understands the customers and is able to meet their needs.

"I think most food service providers and restaurant chains have heeded the message of the healthcare community over the past few years that offering healthier food options is important. For those that want to operate inside healthcare facilities, the healthier options will be a requirement."⁹²

SKIP STARNES, DIRECTOR OF PROJECT MANAGEMENT AT PARKLAND HOSPITAL

A press release announcing the opening of the new restaurant states that the opening "marks a conscious shift in hospitals striving to offer healthier food, as well as the nation's attitude toward healthful dining options."⁹³ The change at Parkland has forced other hospitals across the country to consider whether the dining options they offer staff and visitors is really contributing to their mission of wellness.

REDUCING FAST FOOD'S INFLUENCE ON CHILDREN BY REGULATING TOY GIVEAWAYS AND OTHER PROMOTIONAL ACTIVITIES

Summary

Communities can reduce children's exposure to some forms of exploitative marketing designed to increase consumption of fast food. While there are some concerns regarding First Amendment protections for advertising, municipalities can take a regulatory stand against fast food marketing by introducing restrictions on specific products. In this section we discuss an ordinance that was recently enacted by two pioneering counties curbing the use of toy giveaways that attract children to fatty, sugary, and salty fast food meals.

Background

The fast food industry's business model is largely based on marketing to children. In the United States, children up to age 12 command \$40 to \$50 billion a year in direct purchasing power and influence another \$670 billion in family purchases.⁹⁴ Children who watch more TV see more fast food advertisements and want to eat more fast food.⁹⁵ In the United States alone, McDonald's spends more than a billion dollars each year on marketing and is the industry leader in marketing to children. McDonald's was the first fast food corporation to invest in direct marketing to children, the success of which depends on exploiting children's vulnerabilities. As Ray Kroc, the founder of McDonald's put it, "if you had \$1 to spend on marketing, spend it on kids, because they bring mom and dad."⁹⁶

"Advertising directed toward children is inherently deceptive and exploits children under eight years of age."⁹⁷

AMERICAN ACADEMY OF PEDIATRICS

Of all products, food is the most commonly advertised to children on television. The vast majority of TV food ads are for products high in sugar, salt and fat, the ingredients most related to chronic disease risk.⁹⁸ Young children are unable to understand the persuasive intent of marketing and they develop emotional attachments to characters used in advertising, helping fast food corporations win over lifelong customers.

Corporations use toys and other incentives to entice children to eat fast food. In 2006, fast food outlets sold more than 1.2 billion meals with toys to children ages 12 and younger.⁹⁹ Setting nutritional standards for meals sold with toys or other incentives is one way to force fast food corporations to break the link between unhealthy meals and toys.¹⁰⁰ This problematic link that rewards eating unhealthily is becoming less socially acceptable, evident in the fact that even Disney cancelled its contract with McDonald's in 2007, over concern for the health of the Happy Meals its characters were promoting.¹⁰¹ McDonald's CEO Jim Skinner defends the corporation's proclaimed right to "advertise freely," and notes that his corporation will "continue to advertise to our customers responsibly about our menu and about lifestyle choices and leave the personal responsibility up to them."¹⁰² In other words, he will continue to let families and taxpayers foot the bill for the health problems caused in part by the products his corporation markets to young children.

One study estimated that a ban on fast food advertising during children's television programming could reduce the number of overweight children aged 3-11 by 18 percent and the number of overweight adolescents aged 12-18 by 14 percent.¹⁰³

Two economists' study of Quebec's 1980 ban on food advertising to children found that the ban contributed to between 11 and 22 million fewer fast food meals eaten per year, which translates to 2.2 to 4.4 billion fewer calories consumed from fast food.¹⁰⁴ In 2006, the World Health Organization recommended that countries limit fast food ads aimed at children,¹⁰⁵ but the United States lags behind other countries on such policy. Ultimately, limiting the advertising of unhealthy food to children is a national issue, but community-level debate can help set the stage for national action.

Local policy actions

Some communities are taking a stand against using toys and other incentives to lure kids to consume fast food. In California, Santa Clara and San Francisco counties have restricted toy giveaways in kids' meals, requiring the meals to meet certain nutrition standards.¹⁰⁶ In 2011, New York City Council members proposed a bill to limit toy giveaways in fast food meals for children¹⁰⁷ to meals that meet basic nutritional standards. A similar policy was proposed in Superior, Wisconsin in late 2010. In New York City and Wisconsin, this legislation did not pass the first year it was introduced, but advocates plan to re-introduce the issue at a later date, borrowing a lesson from tobacco control activists who often had to introduce measures several times before winning passage in order to overcome opposition from the tobacco industry.

Challenges

Fast food corporations are always ready to strike back. Corporations are already seeking to preempt legislation restricting giveaways. Preemption allows states or the national government to bypass or preempt lower levels of government from taking action on an issue.¹⁰⁸ Industry often uses preemption to move issues from one level where public health advocates and policy makers are stronger to another where they believe industry lobbyists or lawyers can more effectively prevail. For example, in Florida and Arizona, the restaurant industry has succeeded in influencing legislators to preempt the right of cities and counties to enact toy giveaway restrictions like those in Santa Clara and San Francisco, California.^{109,110} This is a dangerous trend that could gradually limit communities' abilities to protect themselves through policy.

Each year, fast food corporations spend more than a half billion dollars advertising fast food meals to children.¹¹¹ Marketing, especially to children, has proven to be a hugely successful tactic for the industry, which will continue to lobby for the right to bypass parents to reach children directly.

Effectiveness

The pervasive exposure of children to advertising of products that will contribute to illness, preventable disease and premature death contributes to a growing health and economic burden on our society. Evidence from other countries suggests that reducing such exposure can reduce fast food consumption.¹¹² It certainly makes it easier for healthful messages, currently outspent by industry advertising on a scale of more than 100 to one, to reach families without the deluge of conflicting messages from the industry. The evidence from the Quebec study suggests that protecting our children from fast food advertising is a prudent step for protecting their current and future health. Although much of this area is legally untested, we do know that it is much easier for municipalities to impose restrictions on products than on advertising for those products. Toy giveaway ordinances allow localities to start to chip away at the problem of pervasive fast food marketing in our communities.

Key resources

Model Ordinance for Healthier Toy Giveaway Meals

http://www.nplanonline.org/system/files/ToyGiveawayOrd_FINAL_20100607.pdf

Healthier Toy Giveaway Meals: A Legal Q&A

<http://www.nplanonline.org/nplan/products/healthier-toy-giveaway-meals-legal->

Tool to Assist Parents, Health Professionals, and Others in Using the Guidelines for Responsible Marketing to Children

http://www.cspinet.org/nutritionpolicy/guidelines_organizing_tool.pdf

Implement a State or Local Policy to Limit Junk-Food Marketing to Children

<http://cspinet.org/new/pdf/statelocalpolicy.pdf>

Fighting Junk Food Marketing to Kids: A Tool for Advocates

http://www.bmsg.org/pdfs/BMSG_Junk_Food_toolkit.pdf



CASE STUDY: SAN FRANCISCO HEALTHY MEALS INCENTIVE ORDINANCE

In the fall of 2010, San Francisco passed a groundbreaking ordinance that set nutritional standards for restaurant food accompanied by toys or other youth-focused incentive items. The model ordinance, created by Public Health Law & Policy and pioneered by Santa Clara County, helps localities wanting to take a regulatory stand against unhealthy fast food by encouraging restaurants to develop healthier children's meals. The impact of these ordinances has reverberated well beyond the Bay Area, spurring significant changes in industry practice.



In 2010 San Francisco passed the Healthy Meals Incentive Ordinance – sponsored by Supervisor Eric Mar (middle) who spoke at a press conference with support from a local elementary school class. Widely supported by the community, residents (left) thanked the supervisors for their efforts.

But its passage was not won without a fight. At every step, the fast food industry threw obstacles in the way. A broad coalition of Bay Area-based groups working alongside Corporate Accountability International was instrumental in overcoming even the toughest industry tactics, to mobilize a powerful grassroots response.

“With this ordinance, we have a chance to come together across public and private sectors to advocate for those families most susceptible to the onslaught of unhealthy fare. More important, it will demonstrate our commitment to support and sustain the good eating habits of our children.”

DR. JESSICA SCHUMER, UNIVERSITY OF CALIFORNIA SAN FRANCISCO PEDIATRICIAN, IN A LETTER TO THE SAN FRANCISCO CHRONICLE.

Taking on marketing to kids

At the heart of the issue is the industry's aggressive marketing to kids. “It [was] really important to move [the conversation] away from individual-level behavior,” said Christina Goette of the San Francisco Department of

Health. She and other advocates of the ordinance worked to help decision makers understand how predatory marketing has direct health consequences. Moreover, they helped challenge the industry-perpetuated myth that parental responsibility somehow precludes corporate accountability for abuses like the saturation of children’s lives with marketing.¹¹³ The ordinance—and others that have followed—targets the undue influence huge corporations have on children’s behavior, in spite of parents’ best efforts.

The power of grassroots organizing

Organizers worked closely with San Francisco Supervisor Eric Mar who sponsored the ordinance, and they mobilized health professionals, parents, school teachers and community organizations to advocate for its passage. According to Corporate Accountability International, the powerful coalition generated more than 5000 messages to the city’s Board of Supervisors. A core group of 10 to 30 people regularly attended lobby visits and testified in favor of the legislation.

Nationally, organizations including the American Heart Association and the Center for Science in the Public Interest activated their networks to contact the Board of Supervisors in support of the ordinance.

It was this level of grassroots organizing that, in the end, secured the legislation’s passage. Supervisor Bevan Dufty, who provided the swing vote in favor of the ordinance, explained in a hearing how the compelling testimony of residents finally convinced him to support the legislation, despite the hostile climate created by the industry.



Grassroots organizing is key to empowering communities to act. A local woman signs a petition to call on McDonald’s to stop marketing to kids.

“My community needs this ordinance...I’m doing this for my son, and the kids in my neighborhood.”

TESTIMONY FROM JAMEELA TOUPS, BAYVIEW FOOD GUARDIANS

Industry pulls out all the stops

The industry response demonstrates just how threatened it was by San Francisco’s effort to assert its right to make decisions about local food policy. McDonald’s, along with Yum! Brands (a conglomeration of several international fast food brands) and the California Restaurant Association, made a determined effort to block the ordinance through a wide range of tactics including:

- **Insertion into the policymaking process:** At first, McDonald’s attempted to be included as a “stakeholder” in the process. It proposed changes in the ordinance, namely reducing nutritional requirements and eliminating the requirement to include vegetables in the meals.
- **Scare tactics and threats:** When Supervisor Mar refused to water-down the nutritional standards, McDonald’s shifted its strategy. Numerous high-ranking executives visited Supervisor Mar’s office, accompanied by a legal team that threatened a lawsuit against the city on tenuous First Amendment grounds.

- **Lobbying and PR:** McDonald's then hired BMWL, a local lobbying firm, to defeat the ordinance. BMWL worked to insert McDonald's viewpoint into San Francisco's major papers, casting supporters of the ordinance as proponents of big-government and the "nanny state." McDonald's Corporation also spent tens of thousands of dollars to run a full-page ad in the San Francisco Chronicle. These efforts created an intimidating environment for Supervisor Mar and made it difficult for Supervisor Dufty to publicly support the ordinance.
- **False claims:** McDonald's claimed to be part of Michelle Obama's Let's Move! campaign and stated it would be ending its national advertising of unhealthy foods. It therefore asked to be exempted from the ordinance. But when Supervisor Mar's office called to verify these claims, the director of the campaign said she supported the city's ordinance and had no idea what McDonald's could be referring to.
- **Pushing voluntary standards:** BMWL attempted to convince Supervisor Mar's office to settle for "voluntary standards," which would have left McDonald's accountable only to itself.
- **Preemptive legislation:** Despite McDonald's many efforts, the San Francisco Board of Supervisors voted with a veto-proof majority to pass the Healthy Meals Incentive Ordinance. At that point, McDonald's and the National Restaurant Association went to work in other states (Florida and Arizona) to pass state legislation that prohibited local authorities from passing similar health policies.
- **Taking advantage of a loophole in the ordinance:** Changes made to the ordinance late in the committee process unwittingly allowed restaurants to engage in a devious workaround. On December 1, 2011—the day the ordinance went into law—McDonald's unveiled its cynical response. Instead of dropping toys from Happy Meals or improving their healthfulness, the burger giant instead began charging a nominal fee for the toy as a separate item from the Happy Meal. To help counter criticism that it was avoiding the spirit of the law, it proposed donating the fee to Ronald McDonald's House Charities.¹¹⁴

Ordinance's passage promotes change beyond the Bay Area

It is clear that San Francisco's ordinance struck a nerve within the fast food industry. Not only did the industry attempt to derail the ordinance at every step, it also altered its behavior. Shortly after the San Francisco ordinance passed, Jack in the Box, the nation's fifth largest fast food corporation, with extensive operations in California, pulled the toy from its kids' meal.¹¹⁵

In the end, the national media coverage of the ordinance helped fuel public debate and fostered a deeper understanding of the harmful impact of fast food marketing to children.

The successful passage of the ordinance is a clear demonstration of the deep and influential change that a powerful grassroots coalition can accomplish.



A local grandmother thanks the San Francisco Board of Supervisors for protecting her grandchildren's health through the new ordinance.

REDUCING FAST FOOD'S INFLUENCE BY ENDING PUBLIC SUBSIDIES PLUS THREE OTHER STRATEGIES

Summary

By advocating an end to all public subsidies for fast food corporations, communities can level the playing field for healthier food outlets and avoid forcing taxpayers to support an industry that contributes to the nation's disturbing rates of diet-related health conditions. Currently, some state and local governments provide economic development subsidies for fast food corporations. Many states indirectly subsidize fast food corporations by keeping minimum wages low, enabling fast food outlets to keep labor costs—and prices—lower than if they were required to pay living wages. In addition, the U.S. tax code allows fast food corporations and other corporations to deduct advertising costs from their incomes, in effect providing a tax subsidy for ads that encourage people to eat unhealthy food and thus contributing to illnesses for which taxpayers will need to pay for care. As governments everywhere look to save money, ending subsidies for fast food corporations may be an attractive option.

Background

State and local governments often provide economic development subsidies such as tax incentives or zoning breaks to businesses. Although, to our knowledge, no action has been taken to combat subsidies for fast food chains in the U.S., this seems a promising avenue to pursue, given that few parents or voters would support providing taxpayer dollars or other incentives to help fast food corporations sell products that contribute to epidemics of diet-related disease.

In some jurisdictions, municipal governments have offered small business subsidies to fast food franchises. The rationale is that supporting small businesses helps to grow local economies in low-income neighborhoods. In New York City, for example, the city provided support to 13 fast food establishments, including six McDonald's and two Burger King chains.¹¹⁶ Most of the supported establishments were located in East and Central Harlem, communities with among the highest rates of obesity and diabetes in New York and the nation.

A 2011 study by the East-West Gateway Council of Governments found that the metropolitan St. Louis region has seen almost no economic growth over the last 20 years, despite \$5.8 billion in public tax dollars spent on subsidizing private development. The subsidies have primarily benefited large chain stores and more than 600 small retailers have closed in the last ten years.¹¹⁷ Community health advocates can draw on this research to convince local policymakers that subsidies to fast food corporations harm not only health but also the local economy.

A study by the National Bureau of Economic Research found that the number of overweight children in the U.S. would be reduced by between five and seven percent if the federal tax write-off for fast food advertising was ended, thus limiting children's exposure to these inducements.¹¹⁸

Local policy actions

At the federal level, U.S. Representative Dennis Kucinich (D-Ohio) has introduced a bill that could raise billions of dollars in revenue to fund child nutrition and anti-obesity initiatives by preventing corporations from writing off advertising of fast food targeted at kids. According to Kucinich, taxpayers are effectively subsidizing the spread of the obesity epidemic because current federal law allows marketing expenses for the fast food industries to be tax-deductible.¹¹⁹ Once again, local dialogue on this issue may help create support for national action.

At the municipal level, a 2008 report by Manhattan Borough President Scott Stringer called for the end to New York City’s small business subsidies for fast food corporations.

“There is no defensible policy rationale for subsidizing fast food restaurants... Any re-authorization of the program should bar such subsidies in the future. The dollars lost on fast food restaurants could be used to address looming budget shortfalls or to support healthy initiatives, such as financing over 700 families in the community-supported agriculture program.”

MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER¹²⁰

This strategy is a good way for small business owners to challenge fast food while defending their right to operate in their own communities. Small business advocates can draw from studies showing that locally owned stores generate much greater benefits to the local economy than national chains.^{121,122,123,124,125}

Challenges

Fast food corporations can be expected to challenge any reduction in the subsidies they now enjoy. The lack of implemented model policies on which communities can base their proposals for ending public subsidies for fast food corporations is also a challenge. However, the argument that we do not want our tax dollars supporting a business that is harming the community’s health, often while taking income from the local economy, is a strong one. Moreover, as state and local governments face painful budget cuts, ending unnecessary expenditures may be a popular proposal.

Effectiveness

Fast food corporations enjoy subsidies in a variety of areas, subsidies that help to give the industry a competitive advantage over other food sectors, including those that sell healthier foods. While this strategy has not been implemented or evaluated, its logic and low cost suggest that it warrants further attention.

Key resources

Local works! Imagining the Impact of Local Business on the West Michigan Economy.

<http://www.civiceconomics.com/localworks/>

Apples to Twinkies: Comparing Federal Subsidies of Fresh Produce and Junk Food

This report describes how the federal government subsidizes fast food.

<http://www.uspirg.org/sites/pirg/files/reports/Apples-to-Twinkies-web-vUS.pdf>

The Green Scissors Report—exposes subsidies and programs that harm the environment and waste taxpayer dollars.

http://greenscissors.com/wp-content/uploads/2011/08/Green_Scissors_2011.pdf

Senseless Subsidies: A Report on Tax Benefits Under the Industrial and Commercial Incentive Program—

illustrates a municipal investigation into subsidies for fast food as well as for other businesses.

http://www.mbpo.org/uploads/policy_reports/Senseless%20Subsidies.pdf

OTHER STRATEGIES

Here we briefly consider three additional strategies that communities can employ to reduce the influence of the fast food industry.

Counter-advertising

Health agencies and advocacy organizations can sponsor public counter-advertising campaigns to expose the health dangers of fast food. This strategy can help communities contest the deceptive messages of Ronald McDonald and other corporate promoters of unhealthy diets. For example, Kidz Bite Back is a “kid-created, kid-led, kid-spread” campaign for fourth and fifth graders that promotes improved nutrition and increased physical activity. The group has identified “Big Fat Industries (fast food, soft drink, junk food industries)” that “target kids with billions in advertising, marketing and free toys to get them to eat and drink their stuff everyday.” If kids eat less, the group says, “Big Fat Industries make less money (and we bet they probably don’t want that to happen).”¹²⁶

Counter-advertising campaigns certainly face challenges from the fast food industry, which opposes any notion that consumers deserve balanced information that can counteract the misleading claims of advertisers. More importantly, public health advocates will never have the resources fast food corporations do, making most counter-advertising campaigns seem like a mouse combating an elephant. However, some advocates argue that use of social media and viral campaigning for counter-advertising can counteract this inequitable access to resources. The popularity of films like “Super Size Me” shows the potential of reaching millions of people with a critical analysis of fast food. Proposals to mandate warning labels regarding unhealthy food products must be vetted to maximize their viability in light of federal preemption and First Amendment issues.

Taxing unhealthy food

Communities can advocate for taxes on various unhealthy foods such as fast food, soda or candy. Placing taxes on unhealthy food can reduce use (assuming the price goes up) and also produce revenue streams for subsidizing healthier food or funding nutrition education. In practice, proponents of such taxes have found it difficult to overcome the food industry’s determined opposition. In addition, some advocates argue that such taxes unfairly burden the poor, making it a divisive policy rather than one that unites the many constituencies seeking healthier food. Supporters of these taxes counter that the adverse health consequences of unhealthy food burden low-income communities much more than higher-income communities, making such taxes especially beneficial. More research is needed regarding this policy, including potential effectiveness, both from a public health and a political standpoint.

Calorie labeling, warning labels and other nutrition information

By requiring fast food outlets to post calorie information prominently on menus or order boards, communities can provide individuals with information to make healthier food choices and encourage fast food corporations to design healthier products. In the last few years, numerous cities and states have required calorie posting in fast food outlets.¹²⁷ In 2010, calorie posting became a national mandate of the Affordable Healthcare Act. Now the U.S. Food and Drug Administration is developing guidelines for implementation of this mandate.¹²⁸ On the positive side, the national requirement for calorie posting shows how local and state action can lead to national action. However, in order to win over fast food industry support, the national legislation will preempt or override stronger local or state laws, showing the power of industry to influence both national and local policy. Some advocates have suggested that the health warning labels on cigarettes, which have shown to contribute to reductions in smoking, might serve as an example for fast food. Such labels could be posted for super-sized portions or for products that exceed nutritional standards.

In 2005, California's Attorney General filed a lawsuit against McDonald's, Burger King, Frito-Lay (owned by PepsiCo), and six other food corporations. The suit argued that the corporations should be forced to put labels on all French fries and potato chips sold in California, warning that the products contain a chemical, acrylamide, which forms when starchy food is heated at high temperatures and is known by the state of California to cause cancer.¹²⁹ Three years later, the state reached an agreement in which the corporations agreed to reduce the levels of acrylamides by 50 percent or post warning labels.¹³⁰ In 2006, the American Medical Association advocated warning labels on foods high in salt, a staple of fast food outlets and a contributor to hypertension and heart disease.¹³¹ To date, no jurisdiction has approved such an approach—but growing evidence that the high fat, salt and sugar diets and super-sized portions served in fast food outlets contribute to diet-related health conditions makes community discussion of this strategy timely.

Key resources

Model Sugar-Sweetened Beverage Tax Legislation

<http://www.phlpnet.org/childhood-obesity/products/model-SSB-tax-legislation>

Menu Labeling in Chain Restaurants: Opportunities for Public Policy

http://www.eatbettermovemore.org/sa/enact/neighborhood/documents/community.fastfood.tools.menulabelling_000.pdf

Fast Food Primer: A Tool for Community Advocates

http://www.eatbettermovemore.org/sa/enact/neighborhood/documents/community.fastfood.tools.primer_advocates.pdf

Getting Food on the Table: An Action Guide to Local Food Policy Community Food Security Coalition

<http://www.foodsecurity.org/GettingFoodOnTheTable.pdf>

What Does the City Attorney Have to Do with Obesity Prevention? A fact sheet for advocates

<http://www.nplanonline.org/childhood-obesity/products/city-attorney>

CONCLUSION

This guide has described fast food industry practices that endanger the health of our children and communities. Today, all across the country, ordinary people are asking how we can better protect our children, families and communities against the banks, developers, speculators and corporations that seek to profit at the expense of our well-being. The campaigns to hold global fast food corporations accountable for the health, environmental and economic consequences of their dangerous products and deceptive marketing are part of that effort. Many people are coming to believe that fast food corporations' contributions to preventable illnesses, predatory advertising to children, interference with the rights of communities to protect their health and use of taxpayer subsidies to grow businesses that promote disease are incompatible with a democratic and healthy society.

In the United States, corporations make a profit by selling legal products that people will buy. But families have a right to protect their children's and community's health, and government has an obligation to safeguard public health. By advocating for policies that make healthy choices easier choices, parents and communities can help to create a safer, healthier world for this and future generations.

To achieve success, we propose specific actions that communities, schools, hospitals, local and state governments and health professionals can take. The 20 actions listed on the following page are grouped under the strategies described in this report that can help communities protect themselves against the harmful influence of fast food corporations. Some can be carried out at the school or community level, others require forming coalitions with other statewide or national groups. No single community or organization can take on all of these actions, but we believe everyone can do something that will help to create food environments that will guarantee the health of our children and our communities.

ACTIONS TO REDUCE FAST FOOD CORPORATIONS' INFLUENCE ON THE HEALTH OF YOUR COMMUNITY

CHANGE SCHOOL POLICIES

1. Remove fast food outlets from your school or university
2. Prohibit fast food and fast food marketing on school grounds
3. Establish a policy of rejecting contributions of educational materials or financial support from fast food corporations
4. Develop school programs to help children analyze and resist fast food advertising

RESTRICT THE PLACES WHERE FAST FOOD CORPORATIONS CAN OPERATE

1. Prohibit fast food outlets from hospitals, health centers and other public buildings
2. Advocate for zoning laws to reduce the density of fast food outlets in neighborhoods with high rates of obesity
3. Establish guidelines or laws that set standards for the distance between schools and fast food outlets

LIMIT MARKETING OF UNHEALTHY PRODUCTS TO CHILDREN

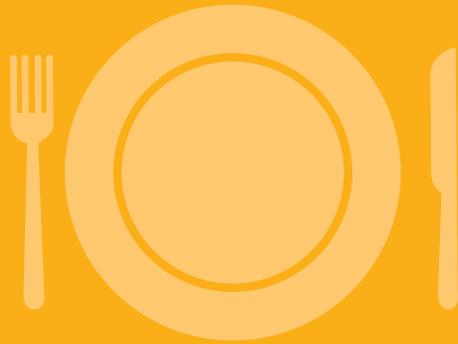
1. Restrict fast food marketing in schools, hospitals, public buildings, mass transit systems, and other public settings
2. End fast food toy giveaways that entice children to eat unhealthy food
3. Encourage the FTC and state attorneys general to protect children from unfair and deceptive advertising campaigns
4. Encourage local and national media to set standards for fast food advertising to children
5. Organize campaigns to pressure fast food corporations to end aggressive advertising of unhealthy food to children and young people

REDUCE PUBLIC SUBSIDIES FOR FAST FOOD CORPORATIONS

1. End any local or state economic development subsidies for fast food corporations
2. Support federal legislation to end tax deductibility of fast food advertising

OTHER STRATEGIES

1. Encourage your school, hospital or workplace cafeteria to post calories whether or not they are legally mandated to do so.
2. Encourage your elected officials to monitor, implement, and enforce local and national calorie labeling requirements.
3. Encourage your school or university to organize a counter-advertising contest in which students design campaigns on the health dangers of fast food.
4. Encourage your local health department to sponsor counter-advertising campaigns exposing the dangers of fast food.
5. Organize a community forum on the pros and cons of taxes on fast food.
6. Create your own strategy to counteract the harmful influence of the fast food industry and share it with others.



ACTION GUIDE:

Take on fast food and promote
healthier kids and families.



**CORPORATE
ACCOUNTABILITY
INTERNATIONAL**



Dear City Colleagues,

Let me be the first to congratulate you on your interest in taking a bold step forward to improve health and quality of life in your community by advancing policy to address the harmful impacts of fast food. As a San Francisco Supervisor, I was proud to help pass a landmark ordinance limiting fast food marketing to kids, and I look forward to seeing similar policies take hold across the country as public officials like you stand up to the fast food corporations, and for healthy communities.

Municipal leaders have unique and powerful opportunities to address problems our cities and towns face. With Americans across the country suffering the effects of a broken food system—from diet-related disease to predatory marketing of junk food to kids—it’s time for public officials to use local action to create sustainable change.

Advancing local food policy makes common sense. Passing policy:

- **Protects public health.** Local policies can help to prevent further increases in obesity, diabetes and other diet-related health conditions. These chronic conditions are damaging our health, burdening our health care system and contributing to rising health care costs. By changing fast food corporate practices, we can prevent some of these disease before they start.
- **Protects our kids.** The fast food industry has manufactured demand—and raked in record profits—as a result of the billions it spends on predatory marketing targeted at our youngest children. Local policy can protect children from marketing and the diet-related diseases associated with a lifetime of poor eating habits.
- **Stimulates local business and local jobs.** Local policies can help to level the playing field and help local restaurants compete with global fast food chains based on the quality of their food rather than size of their advertising budget.
- **Saves taxpayer dollars.** Obesity related to fast food imposes huge costs on cities and states. Local policies can reduce these costs, creating a positive feedback loop when savings are invested back into the community.
- **Creates healthier communities.** Local policies empower communities to develop their own vision for a local food system and environment.

The following action guide lays out the steps to help you pass meaningful policy in your city, town or county. I look forward to seeing the policy you enact!

Sincerely,

Eric Mar
San Francisco Board of Supervisors



As a policymaker you have a unique and powerful opportunity to help improve health and the quality of life in your community by passing policies that address the impact of fast food. There are strong precedents for action from New York to San Francisco and ever-increasing public support for these policies.

Where to start? Identify the right policy

As this report demonstrates, there are many policy options available to address fast food in your community. The best policy for San Francisco may not be the best policy for your community in Nebraska. The right policy for your community is one that will solve the problems present in your area. If there is high prevalence of fast food outlets near your community’s schools, consider an ordinance that would alter the zoning near schools or a policy that would create incentives for healthier food options in schools.

In determining what’s right for your area, it may be helpful to talk with local health department officials who are charged with keeping your community healthy or talk with organizations, farmers and programs that are promoting healthy food. You know your community best. Be creative about the opportunities that present themselves and ready to jump into action.

“Slowing Down Fast Food: A policy guide for healthier kids and families” profiles numerous policy tools that could have a major impact on public health and healthy food access in your community. There are many more options as well. All over the country, communities are standing up to fast food in creative ways. Use the questions below as a starting point to help guide you towards the right policy for your community.

Questions to help decide which policy to advance:

- What types of policies and community activities around food systems, food access and community health are in place?
- What groups in your community are most affected by the breakdown of the food system?
- What issues are most important to your community?
- What policies will have meaningful, positive impacts?

Assess the political landscape

To pass your policy, it is important to take the time to assess the political landscape in your community. This means conducting an honest evaluation of potential supporters, opponents and resources. It also means establishing what constituencies and leaders must be supportive for your policy to be viable.

A useful way to think about the assessment and an easy way to record the information you have gathered is to think of the strengths, weaknesses, opportunities, and challenges. For example, a strength could be that your community feels strongly that action is needed to address diet-related disease rates, while a weakness could be a lack of unified leadership on the issue. Opportunity and challenges are more external in nature. For example, a good opportunity would be national Food Day— October, 24th—as a platform to raise the visibility and support of your policy. A challenge might be a well-funded industry lobbyist working against you.



Good analysis is the foundation for developing a strong strategy for passing your policy. Your assessment will help you determine the right framing and messaging to communicate and advance your policy. Most importantly, knowing the political landscape ensures you are prepared for all aspects of the initiative.

Questions to help determine the political landscape:

- In what forum will a decision about your policy be made? For example a school board, a local food policy council meeting or a vote of a local legislative body?
- Who are the decision makers?
- Who are your supporters?
- How much time and energy do your supporters have to help advance the policy?
- Who are your opponents?
- What are the resources of your opponents?

Write a strong ordinance

Your role as a local policymaker provides you with the opportunity to create lasting change in the quality of life and health of your community. This can be achieved through crafting a strong ordinance.

There are many nonprofit organizations that offer language, examples and templates for local food policy ordinances. For example, the National Policy and Legal Analysis Network to Prevent Childhood Obesity (NPLAN) has excellent resources on public health issues and creating policies to address them [see their website at www.nplanonline.org]. Consider involving experts in your community to draft the ordinance. Local university or law students are an excellent resource for assistance with research and drafting.

A well-crafted ordinance ensures the strong, broad, positive impact of your policy. It also serves to deter legal challenges and ensure lasting change.

Framing, messaging and media

One of the most important keys to success in passing your policy will be communicating your message powerfully. Determining and actively using an issue frame, strong message, and talking points is a first important step.

A frame provides the lens through which individuals can understand an issue, answering the questions, “What is this issue really about?” and “Why should I care?” For example, a public health frame creates a different conversation than an environmental frame.

Messages clearly and compellingly define the problem and solution (your policy) in a concise way. Messages are built around stories that tap into shared or existing values.

Use your frame and message to create a list of top reasons why the policy works for your community. Develop each idea into a few compelling sentences to create talking points.



Once you have created your frame, message, and talking points, use these powerful tools to reach out to the media. Develop a plan to reach all local media outlets - print (daily, weekly, monthly, and community papers), radio (community and commercial), and local TV stations. Use your talking points to write Letters to the Editor, engage in online commenting, create Public Service Announcements, and ensure that your message is heard!

Framing and Messaging Example

Frame:

Public health

Message:

Our children are getting sick at staggering rates because of the prevalence of junk food. We must limit fast food in schools to protect our children’s health.

Talking points:

- From San Francisco to New York, our children are getting sick at a staggering rate from the foods they eat
- The human toll and financial cost of diet-related diseases will be unimaginable in the decades to come if we don’t change course now
- For decades the fast food industry has hooked kids on unhealthy food, spurring an epidemic of diet-related disease. It is time the industry stopped targeting our kids directly with fast food marketing
- Since young children’s brains are still developing, marketing to them is both particularly effective and wholly exploitative
- Marketing creates brand loyalties that can last a lifetime
- The industry also incentivizes kids to nag parents for what they’re told they can’t have, particularly with toys that are cross-promotions with children’s films
- It’s time for the fast food industry to stop attempting to make profits by pressuring parents to feed their kids products that will put their health at risk
- And it’s time for communities and local businesses in our town to come first



Tips for media outreach to advance local food policy:

- Create a press list that includes information for key reporters, columnists and editors in local media outlets
- Get your message out first! Be sure to meet with the Editorial Board of your local paper right away to get your policy off to a strong start in the media
- Be proactive and engage with media by sending simple updates regularly





Building community support

Passing your policy will be much easier if you build a broad base of community support.

Start by building a core group of supporters who are passionate about the problem and your policy as the solution. Start with people you know. Reach out to agencies and institutions who work with people most affected by the problem. Once you have formed a core group you can move forward with creating a coalition to support your policy.

Broad coalitions are better. There are certain people and groups whose representation on a coalition is absolutely essential including:

Stakeholders:

Those most affected by the issue and those charged with carrying out community functions related to the issue.

Community opinion leaders:

Those who can influence large numbers of others such as academics, clergy, civic leaders, government officials, or people who are highly credible within the community.

TIP: A diverse coalition will help demonstrate that a significant portion of the community supports your efforts!

Once a coalition is in place, you have more resources to engage in a public outreach campaign to build support for your policy. Spread the word and build support through established networks. Attend meetings of organizations with similar concerns, such as Parent Teacher Associations or nonprofit organizations concerned about community health, and ask for their support. Write an open letter describing the problem and explaining how your policy provides a solution, and ask groups to sign on in support.

Attend community events and spread the word about your policy. Use social media to help reach out to a large number of people via Facebook and Twitter.

TIP: Make it easy for people to express support - sign a petition, write a Letter to the Editor, or hold a house party.

As support for your policy grows, be sure to demonstrate it at every opportunity.

Document industry reaction

It is important to recognize that the fast food industry has a fundamental conflict of interest with the aims and objectives of public health policies, especially those addressing fast food and diet-related disease. Expect that the food industry lobby will try to influence (weaken) your policy and interfere in its passage.



Common examples of fast food industry interference in local policy:

- Attempting to re-write the policy to weaken it, insisting the fast-food industry is an important stakeholder in public health policy
- Intimidating local leaders with threats of lawsuits
- Reframing public health policies as examples of government overreach
- Asking for an exemption from the policy
- Lobbying to make the policy voluntary

The best way to document industry inference is to ask questions and record information.

Conclusion

As a policy maker, you are in a unique position to make a real difference in your community. By tackling fast food in your community you help create healthier communities across the country. By taking action you are protecting public health, supporting local businesses and saving taxpayer money.

By following the steps outlined in this report and action guide, you have all the tools at your fingertips.

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