



News Release

Office of Supervisor Ken Yeager

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County Officials Pass Nation's First Childhood Obesity Ordinance to Address Restaurant Toy Giveaways

San José – Today, the Santa Clara County Board of Supervisors approved an ordinance proposed by Board President Ken Yeager that is the first of its kind in the United States. The new law will combat childhood obesity by preventing restaurants from using toys and other incentives to lure kids to meals that are high in fat, sugar and calories. Today's action supports parents' efforts to choose more nutritious options for their children.

Restaurants encourage children to choose specific menu items by linking them with free toys and other incentive items, and research shows that parents frequently make purchases based on requests made by children. In 2006, the Federal Trade Commission estimated that restaurants sold 1.2 billion meals accompanied by toys to children under 12. While there are currently no nutritional standards for meals marketed to children, a 2008 study by the Center for Science in the Public Interest found that 10 out of 12 meals exceeding the recommended caloric limits for children came with toys.

"This ordinance levels the playing field," said Yeager. "It helps parents make the choices they want for their children without toys and other freebies luring them toward food that fails to meet basic nutritional standards."

One in four youth in Santa Clara county are either overweight or obese, and one in three low-income children in Santa Clara County between ages two and five are overweight or obese. Nationally, childhood obesity has tripled since the 1970s. Obesity is a risk factor for cardiovascular disease, diabetes and cancer. Thirty percent of boys and 40% of girls born in 2000 will be diagnosed with Type 2 diabetes, which can result in the loss of, on average, 10-15 years of life.

"The latest generation of children may be the first to live shorter lives than their parents," said Yeager of the childhood obesity crisis. "Using toys to entice children into poor health habits is a problem that needs to be addressed."

The ordinance supports the health of children in the County by setting basic nutritional standards for children's meals accompanied by toys or other incentive items. It permits restaurants to offer toys and other incentive items long as it is with food that meets national nutritional criteria for children.

The ordinance imposes very specific, common-sense restrictions. Restaurants cannot use toys as rewards for buying foods that have excessive calories (more than 120 for a beverage, 200 for a single food item or 485 for a meal), excessive sodium (480 mg for a single food item or 600 mg for a meal), excessive fat (more than 35% of total calories from fat), or excessive sugar (more than 10% of calories from added sweeteners.) The criteria are based on nationally recognized standards for children's health created by the Department of Health and Human Services (DHHS) and the Department of Agriculture (USDA) and recommendations for children's food published by the Institute of Medicine (IOM).

The Santa Clara County health system has seen rapid increases in children seeking healthcare for obesity-related problems at a cost of millions of dollars each year. The County even created a Pediatric Healthy Lifestyle Center to address the complex medical needs of obese children in the county.

"Childhood obesity is a critical public health issue," said Dr. Sara Cody, Acting Public Health Officer. "If we can help parents break the link between eating unhealthy food and getting a prize, we should."

The ordinance affects all restaurants in the unincorporated areas of Santa Clara County. Before going into effect, the ordinance requires a second reading that will happen at the May 11 Board of Supervisor's meeting. Restaurants will then be granted a 90-day grace period. During that time, restaurants will be given the opportunity offer alternative measures to meet the goals of the ordinance. If no suitable alternative is created and adopted by the Board of Supervisors, the ordinance will go into effect.

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