

**SB 1080: An Act Concerning Access to Health and Nutritional Information
in Restaurants
Public Health Committee - March 6, 2009
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My name is Dr. Pat Checko. I am the Prevention Committee Co-Chair of the Connecticut Cancer Partnership, the coalition of more than 200 stakeholders in cancer prevention and control in Connecticut. We strongly support nutrition labeling in chain restaurants as an important step in the comprehensive approach to addressing obesity, the nation's fastest rising public health problem.

In 2007, 70% of Connecticut adults and 26% of our youth were overweight or obese, with 24% of adults and 12% of high students actually classified as obese. The Behavioral Risk Factor Survey (BRFSS) also noted that less than 30% of adults and high school students ate five or more fruits and vegetables per day. Poor nutrition, physical inactivity and obesity account for 30% of all cancers and also impact on the rise in other chronic diseases like heart disease and diabetes. The tobacco control experience has demonstrated that policy and environmental change are essential components of a comprehensive approach to reduce health risk and change behavior. To stop the obesity epidemic, similar purposeful public policy and community-based interventions are needed to reinforce individual efforts to achieve and maintain a healthy body weight and level of physical activity throughout life.

New York and California have led the nation with menu labeling or "calorie posting" laws, and around 20 cities and states are considering them. But the restaurant industry is fighting all the way. The 2nd U. S. Circuit Court of Appeals has rejected the preemption argument and the First Amendment claim brought by the New York State Restaurant Association. The NYC law requires all chain restaurants with 15 or more establishments nationally to show calorie content clearly on menus and menu boards.

Marian Nestle is an academic nutritionist with decades of advising on nutritional issues. Dr. Nestle noted that even she was stunned by the number of calories in fast foods. She used the example of a blueberry and pomegranate smoothie with 1,180 calories and a pizza for one with 2,000 calories. Just as a reminder, **the typical adult needs only about 2,000 calories a day.** Given that nutrition experts have difficulty choosing the healthiest options from just menu descriptions, what hope is there for the rest of us.

Because people find it difficult to estimate calories, these laws are being introduced as part of the effort to combat obesity. We must also consider the importance of eating out in the overall diet. Americans consume around one third of their calories outside the home, and nearly 75% of all restaurant visits are to fast food or other chain restaurants. A New York City survey found that a third of respondents purchased 1,000 calories or more at lunch time alone. Other research has shown that when calorie information is provided people tend to choose high calorie items less often.

It is still early to evaluate the impact of these labeling laws, but Dr. Frieden, New York's Health Commissioner, noted that preliminary feedback suggests that consumers are becoming more aware of calories, and some outlets are also starting to change what they offer. There are reports of leading chains highlighting lower calorie options on menus and introducing healthier options.

And why not voluntary labeling? Given how hard restaurants have fought this in court it is highly unlikely that they would do it voluntarily in a meaningful way. Public health advocates are not optimistic that a voluntary approach would be effective. You would not get the same disclosure on menu boards as you do when you have mandatory legislation, and there would not be a standard for required information.

The food industry will inevitably raise the cost issues associated with this legislation. The fact is that chains, even non-fast food restaurant chains like Chili's and TGIF, have standardized menus. Many of these chains are operating in places like New York City and California that already require calorie labeling. So this requirement would not cause a hardship for them. In addition, for those fast food chains that have offer drive-thru services, there should also be a drive-thru menu board requirement.

While enacting a calorie labeling law for Connecticut restaurants is only one arrow in the quiver to address poor nutrition and obesity, it is a critical policy step that can have a population-based effect on many of our highest risk groups and help individuals achieve healthy eating and healthy weight outcomes that will reduce the personal and economic impact of chronic disease in Connecticut.

We need this and most consumers want it too. Wouldn't it be nice to know the impact of the 600 calorie cup of coffee, a 1,200 salad, a 1,400 calorie breakfast or a 2,700 calorie appetizer on your daily calorie intake before you choose it? I sure would.