Soft Drink Contracts in Schools

This paper is part of a series of nutrition policy profiles prepared by Prevention Institute for the Center for Health Improvement (CHI).

Background

An increasing number of school districts in the United States are entering into exclusive "pouring rights" contracts with soft drink corporations, predominantly the Coca-Cola Company and PepsiCo. In exchange for direct payments, school districts agree to sell only one company's products in vending machines and at all school events. Contract conditions frequently include the prominent display of advertising and marketing materials on school grounds and may include incentive payments for greater sales at the school sites. As many school districts struggle to pay for basic education, these contracts are an enticing extra source of funding to help pay for sports equipment, computers, or furniture.[1] Yet the promotion of high-sugar, high-caffeine beverages is in direct conflict with the mission of schools to promote the welfare of students.

Soft drink beverages add unneeded calories and caffeine to the diets of children and youth without any beneficial fiber, vitamins and minerals, or other nutrients. In the last seven years, teenagers have tripled their consumption of soft drinks.[2] As rates of obesity in U.S. children rise steadily (there was a 100 percent increase between 1980 and 1994) this is a source of great concern. Obesity increases risk for a host of chronic diseases such as cancer, heart disease, and diabetes.[3] Extra calories from soft drinks could account for rising rates of adolescent obesity.[4] A newly published study by Dr. David Ludwig of Boston Children's Hospital found that children's odds of becoming obese increased 1.6 times for each additional can or glass of sugar-sweetened soda they consumed per day.[5] Another cause for concern about rising soft drink consumption is its impact on bone health. Research has indicated that physically active women and girls who drink colas may be more likely to have bone fractures.[6]

According to the Center for Commercial-Free Public Education, by October 1999, 150 "pouring rights" contracts existed in at least 30 states.[7] In a recent survey of 171 California school districts, 24 percent reported having exclusive contracts with soft drink or fast food companies.[8] While high schools are the primary target for these companies, PepsiCo and the Coca-Cola Company are clear that reaching younger students is an important strategy for establishing brand loyalty early.[9] Contracts constitute a de facto endorsement by schools of corporate efforts to increase soft drink consumption among children and youth. Moreover, they cultivate habits that young students will retain as adults.

Policy

State and local Boards of Education should prohibit exclusive marketing contracts between school districts and soft drink companies.

Eliminating exclusive soft drink contracts can help protect children against the negative health effects of consuming soft drinks instead of healthier foods. One model policy was passed in 1999 by the San Francisco Board of Education. As part of the broader "Commercial-Free Schools Act" (which was passed to set limits on advertising in the schools), San Francisco schools were prohibited from entering into a district-wide exclusive contract with a soft drink or snack food company. Other elements of the Act include a commitment to making healthy drinks and healthy snacks available to students, and eliminating the purchase or use of curriculum materials that feature brand names.[10]

Effectiveness

Though the number of soft drink contracts is rising, more and more schools are rejecting these deals. The Center for Commercial-Free Public Education has identified 30 districts that have refused contracts with soft drink companies. According to San Francisco Board of Education member Jill Winns, the passage of the Commercial-Free Schools Act "made it clear that schools are here to serve children, not commercial interests."[11] While children still face heavy marketing outside the schools, school districts can create safe havens where students are not subjected to commercial messages. This can make a difference in the eating habits of children. For example, at U.S. Congressional hearings for the 1994 School Lunch amendments, one high school food service director testified that when cola companies began implementing advertising and incentives at her school, participation in the school lunch program declined by half.[12] Rejecting exclusive beverage contracts limits the ability of soft drinks to compete with school meals. Students participating in school meal programs have been shown to consume healthier diets than non-participants.[13]

Contacts

The Center for Commercial-Free Public Education
Tel: (510) 268-1100
Web site: www.commercialfree.org

California Project LEAN (Leaders Encouraging Activity and Nutrition)
P.O. Box 942732 MS 675
Sacramento, CA 94234
Tel: (916) 323-4742
Web site: www.dhs.ca.gov/lean

Acknowledgments

Peggy Agron, MA, RD, Director of Project LEAN, California Department of Health Services, Sacramento, CA

Dylan Bernstein, Senior Program Director, The Center for Commercial-Free Public Education, Oakland, CA

Advisory Committee

Kate Clancy, Ph.D., Director of the Henry A. Wallace Center for Agriculture and Environmental Policy at WINROCK International, Rosslyn, VA

Andy Fisher, Executive Director, National Community Food Security Coalition, Venice, CA

Arnell Hinkle, RD, MPH, CHES, Executive Director, California Adolescent Nutrition and Fitness Program (CANFit), Berkeley, CA

Sheldon Margen, MD, Professor Emeritus, Public Health Nutrition, University of California at Berkeley, Berkeley, CA

Marion Nestle, MPH, Ph.D., Chair, Department of Nutrition and Food Studies, New York University, New York, NY

Margo Wootan, D.Sc., Director of Nutrition Policy, Center for Science in the Public Interest, Washington, DC

Prevention Institute's nutrition policy profile series is funded in part by a grant from The California Wellness Foundation (TCWF). Created in 1992 as an independent, private foundation, TCWF's mission is to improve the health of the people of California by making grants for health promotion, wellness education, and disease prevention programs.

---

[1] Nestle M. Soft drink pouring rights. *Public Health Reports*. 2000;115:308-319.
[2] Jacobson MF. Liquid candy: how soft drinks are harming Americans' health. [Center for Science in the Public Interest Web site]. October 1998. Available at: http://www.cspinet.org/sodapop/liquid_candy.htm. Accessed April 26, 2002.
[3] Troiano RP, Flegal KM, Kuczmarski RJ, Campbell SM, Johnson CL. Overweight prevalence and trends for children and adolescents: The National Health and Nutrition Examination Surveys, 1963 to 1991. *Archives of Pediatrics and Adolescent Medicine.* 1995;149:1085-1091.
[4] Nestle M. Soft drink pouring rights. *Public Health Reports*. 2000;115:308-319.
[5] Ludwig DS, Peterson KE, Gortmaker SL. Relation between consumption of sugar-sweetened drinks and childhood obesity: a prospective, observational analysis. *The Lancet.* 2001;357:505-508.
[6] Wyshak G. Teenaged girls, carbonated beverage consumption, and bone fractures. *Archives of Pediatrics and Adolescent Medicine*. 2000;154:610-613.
[7] *Information Packet on Exclusive-Rights Cola Deals*. Oakland, Calif: The Center for Commercial-Free Public Education; 1999.
[8] Samuels and Associates. *2000 California High School Fast Food Survey: Findings and Recommendations*. Berkeley, Calif: Public Health Institute; 2000.
[9] Nestle M. Soft drink pouring rights. *Public Health Reports*. 2000;115:308-319.
[10] The Commercial-Free Schools Act (Prohibiting Exclusive Vendor Contracts, Brand Names, and Tobacco Subsidiary Food Products). Amendment to Resolution No. 95-25A6 (Version No. 3). San Francisco Unified School District Board of Education, June 22, 1999.
[11] *Information Packet on Exclusive-Rights Cola Deals*. Oakland, Calif: The Center for Commercial-Free Public Education; 1999.
[12] Nestle M. Soft drink pouring rights. *Public Health Reports*. 2000;115:308-319.
[13] Ibid.