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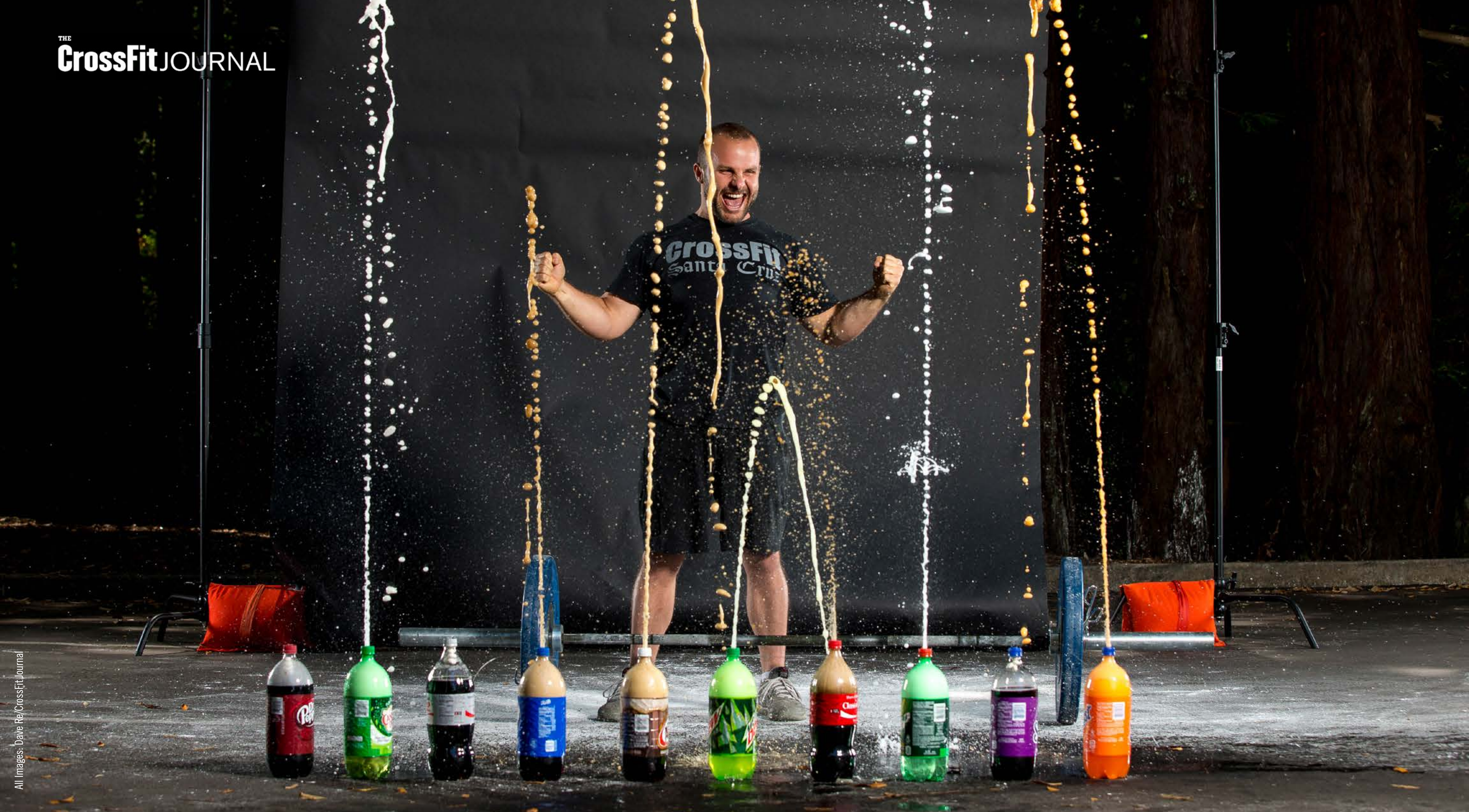


All Images: Dave Re/CrossFit Journal

SICKLY SWEET

BY BRITTNEY SALINE

San Francisco becomes first city to require warning labels on soda while local university seeks long-term deal to put sugary beverages in front of students.

It's in our homes; it's in our universities.

It lurks in the corners of our children's schools, and it won our loyalty with its pocketbook and a mountain of sugar.

It's Big Soda, and it's got us right where it wants us: addicted.

"Over the past 50 years, consumption of sugar has tripled worldwide—much of which can be attributed to the consumption of sugar-sweetened beverages," Fred Brousseau, San Francisco budget and legislative analyst, wrote in a 2013 report.

Brousseau defined "sugar-sweetened beverages" as those with "added sugar or other caloric sweeteners, such as high fructose corn syrup, including sodas, sports drinks, fruit drinks, teas, flavored/enhanced waters, and energy drinks."

He noted that "at the same time as consumption of sugar and sugar-sweetened beverages has increased significantly throughout the U.S., the rates of obesity and diabetes have also increased," citing 22.5 and 11.4 percent increases in obesity among U.S. adults and children, respectively, from 1980 to 2010. Brousseau's report estimated that in San Francisco alone sugar-sweetened beverages incur diabetes- and obesity-related costs of up to US$28.05 million annually.

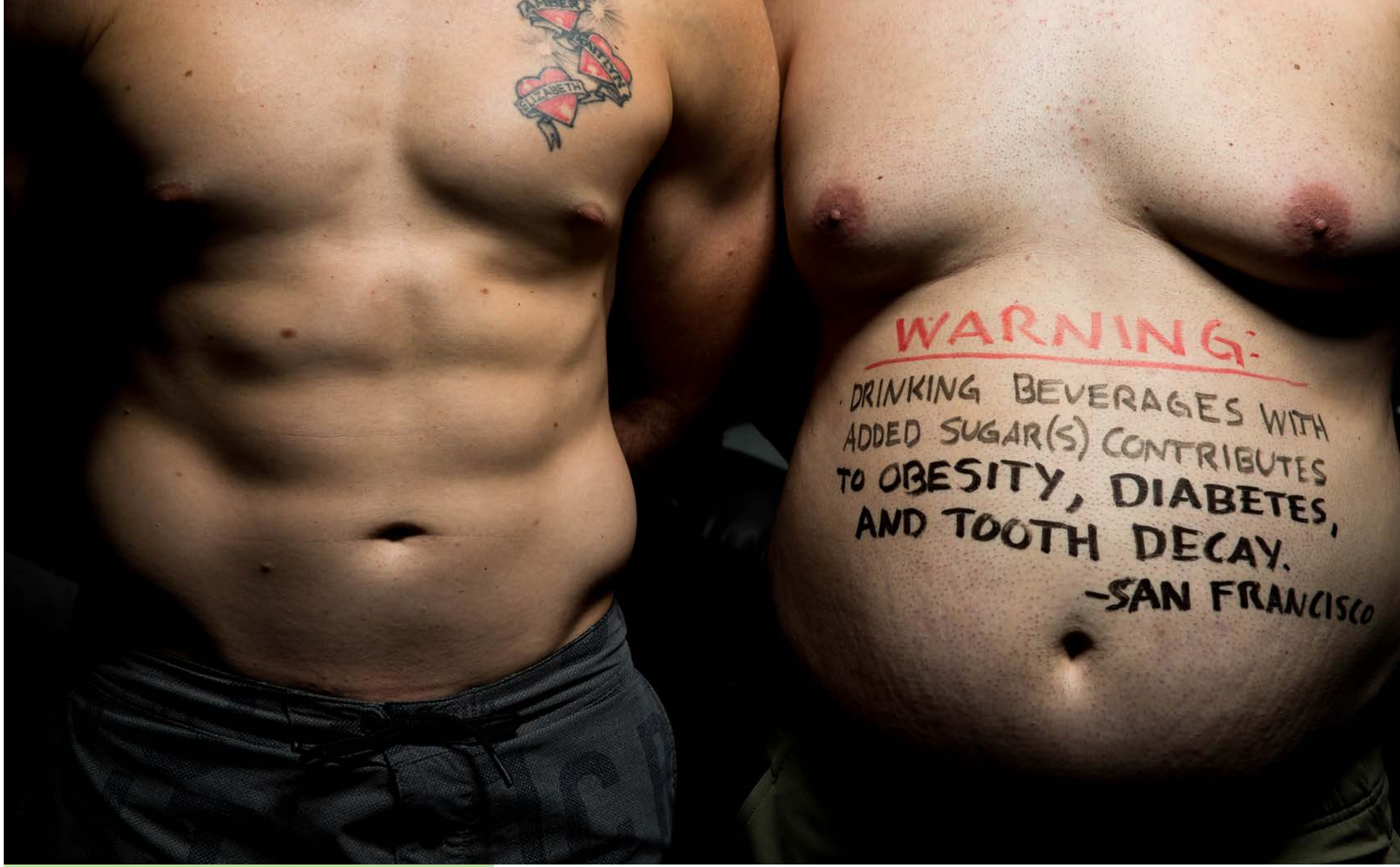
San Francisco decided to do something about it.

On June 9, 2015, the San Francisco Board of Supervisors became the first in the U.S. to pass legislation requiring warning labels on posted ads for sugar-sweetened beverages. The legislation also banned ads for sugary beverages on city property and the use of city funds to purchase sugary beverages. The ban includes sweetened coffee drinks as well as sports drinks such as Gatorade, whose 12-oz. "Thirst Quencher" contains 21 g of sugar, just 18 fewer than a 12-oz. serving of Coke.

"This is a public-health crisis in the making," San Francisco Supervisor Scott Wiener said in a phone interview. "If you try to envision a society where 40 percent of the people have Type 2 diabetes, 50 percent in communities of color, that's a health-care disaster. ... We have to aggressively take steps to prevent that from happening, and one of them is to get people to drink less liquid sugar."

Warning labels will take up 20 percent of ad space and read as follows:

"Warning: Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay. This is a message from the City and County of San Francisco."



"THIS IS A PUBLIC-HEALTH CRISIS IN THE MAKING. … WE HAVE TO AGGRESSIVELY TAKE STEPS TO PREVENT THAT FROM HAPPENING, AND ONE OF THEM IS TO GET PEOPLE TO DRINK LESS LIQUID SUGAR."

—SAN FRANCISCO SUPERVISOR SCOTT WIENER

The legistation, which is scheduled to come into effect this summer, will not affect ads in place before it was passed, and there will be a one-year grace period for new advertising.

Less than a month before the legislation was passed, San Francisco State University (SF State) announced it was looking for a deal with Big Soda, issuing its first Request for Proposals (RFP) for exclusive campus pouring rights.

The deal will grant one beverage provider "exclusive or near exclusive rights for Beverage promotion and availability on the San Francisco State campus" for the next eight to 10 years, according to the RFP, which was obtained by the CrossFit Journal. In exchange, the beverage provider will make a one-time minimum contribution of $2 million and minimum annual contributions of $125,000 for the contract's duration. Additionally, the contract gives the provider the opportunity "to name the University's Athletic Complex for ten-years" and to "establish a corporate named endowed chair in the college of its choice," according to the RFP.

"We were just stunned," said An Bui, an SF State senior and co-president of the university's chapter of Real Food Challenge, a national network of student food activists.

Health authorities are clear: Consumption of added sugar is contributing to the obesity epidemic.

The announcement of the RFP came on the heels of the Real Food Challenge's recent successful campaign to prevent the establishment of a well-known fast-food chain restaurant on campus.

"After (the administration) had acknowledged that they were going to pursue a more democratic process for food and beverage selection on campus, they turn around and weasel their way into pouring rights," Bui said.

FUELING OBESITY

Today, more adult Americans are overweight than not, The Washington Post reported on June 22, citing a June JAMA Internal Medicine article reporting that 75 percent of men and 67 percent of women 25 and older are overweight or obese.

According to the SugarScience Team, a consortium of health scientists from the University of California, San Francisco (UCSF); the University of California, Davis; and Emory University, excessive sugar consumption is a driving force responsible for this weight gain.

"Eating sugar increases levels of glucose in the bloodstream, which leads the pancreas to release insulin," the SugarScience team reported. "Higher levels of insulin, in turn, cause the body to store more food calories as fat."

But it's not just about cakes and cookies. According to SugarScience, liquid sugar represents the highest source of added sugar in the American diet, at 36 percent, with one 12-oz. can of regular cola containing just under 40 g—about nine teaspoons—of sugar. This type of sugar is also the most dangerous because of its rapid absorption into the bloodstream and overloading of the liver and pancreas. The result is an increased risk of developing heart disease and diabetes, two of the leading causes of death in the U.S., according to the Centers for Disease Control and Prevention.

"In fact, drinking just one 12-oz can of soda per day can increase your risk of dying from heart disease by nearly one-third," SugarScience wrote.

Liquid-sugar consumption is problematic particularly with regard to children and teenagers. Between 1999 and 2000, "Carbonated soft drinks and fruit drinks/ades provided 13 percent of teenagers' calories," according to "Liquid Candy: How Soft Drinks Are Harming Americans' Health" by Michael F. Jacobson, who has a doctorate in microbiology. By 2002, 50 percent of beverages consumed by U.S. teens 12 to 19 were sodas, according to "Out of Balance," a document published by Consumers Union and California Pan-Ethnic Health Network. The statistics aren't surprising when you consider Big Soda's marketing budget, as detailed by Jacobson. In 2000, the soda industry spent more than $700 million on advertising, according to "Liquid Candy." Four years later, it took home a $22 billion haul from beverage sales.

But kids aren't just slurping sodas at corner stores. For years, it's been just as easy for kids to get a fizzy fix at the place they spend most of their waking hours: school.

SODA SELLS—TO STUDENTS

Big Soda has been in school for a while. After amendments to the Child Nutrition Act of 1966 permitted sales of soft drinks in schools, vending machines became common fixtures on junior-high and high-school campuses.

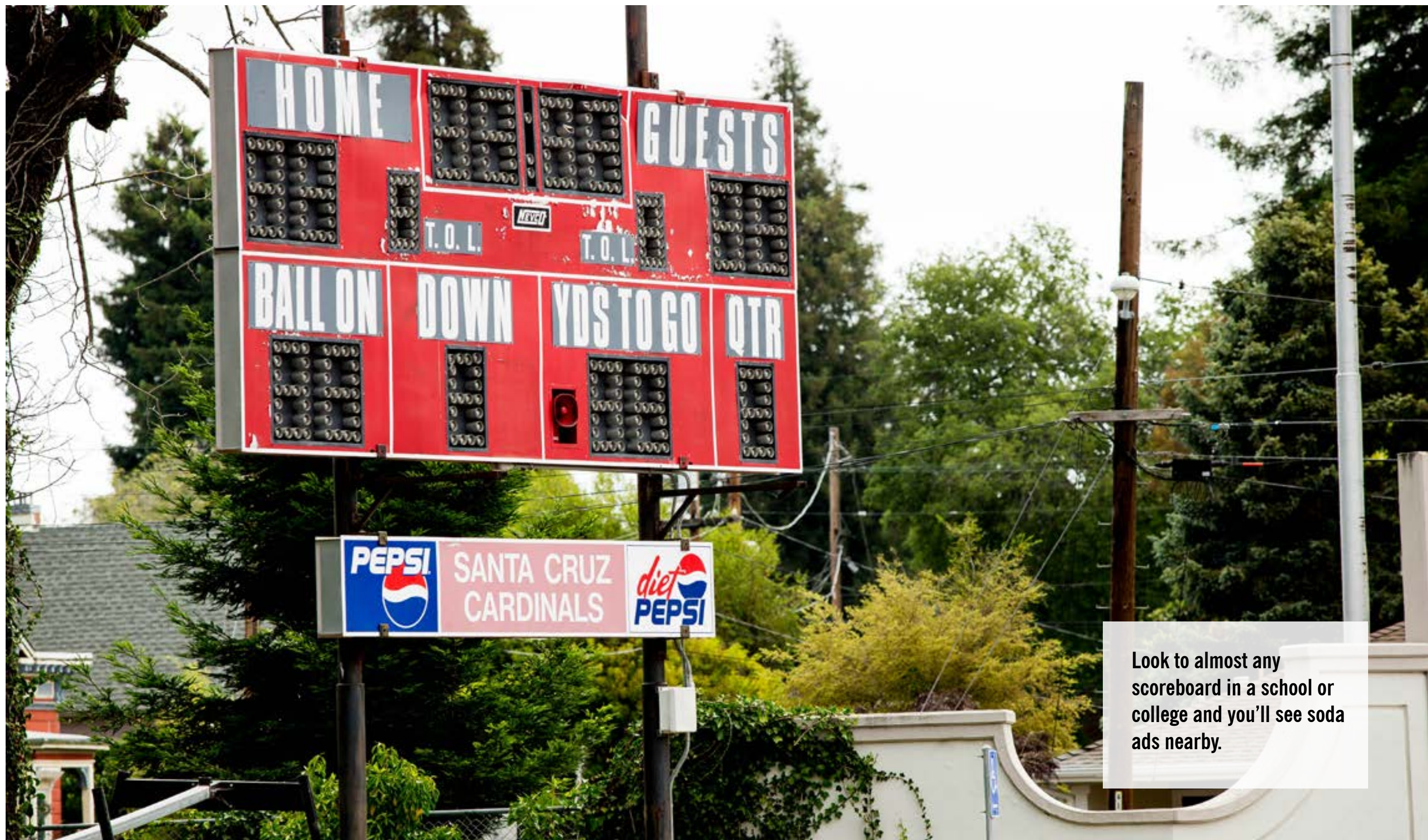
More than a decade of revolving regulatory and deregulatory measures ensued, as parents, school officials, Congress, the USDA and the soda industry argued over to what extent sugary beverages should be regulated. After soft-drink producers took the USDA to court in the late 1980s, claiming the USDA's regulations were "arbitrary, capricious, and an abuse of discretion," the Appeals Court ruled that the USDA had no right to restrict the selling of competitive foods, including soda, outside meal-service periods. (1).

Since the 1990s, soft-drink companies have negotiated with colleges and universities for pouring-rights contracts in which companies make financial contributions to the institution in return for the right to sell and market their products—often exclusively—on campus.

But in the '90s, the soda industry turned its attention to elementary, middle and high schools. According to Marion Nestle in "Soft Drink 'Pouring Rights': Marketing Empty Calories," 180 school districts across 33 states held such contracts in the year 2000. Nestle is professor of nutrition, food studies and public health at New York University.

In 2012, MotherJones.com reported that by 2005 almost half of elementary schools and 80 percent of high schools in the U.S. held pouring-rights contracts with a major sugary beverage provider.

Pouring-rights contracts typically span between three and 10 years, and benefits to schools include no-strings-attached funding for otherwise-unaffordable expenses such as scoreboards, athletic stadiums and equipment, computer labs, extra-curricular programs, and even scholarships. With their logos etched on scoreboards, vending machines, cups and sports uniforms, soda companies enjoy nearly ubiquitous marketing opportunities in addition to the chance to establish "loyalty among young people who have a lifetime of soft drink purchases ahead of them," according to Nestle in "Soft Drink 'Pouring Rights.'"



Look to almost any scoreboard in a school or college and you'll see soda ads nearby.

Eat meat and vegetables, nuts and seeds, some fruit, little starch and no sugar."
—Greg Glassman, CrossFit Inc. founder and CEO

In 1998, the North Syracuse Central School District in New York signed a 10-year contract with Coca-Cola, requiring each of its schools to sell Coca-Cola products exclusively in all 135 vending machines and at all athletic, community and booster-club activities. In return, Coca-Cola paid the district $900,000 upon signing and annual installments of $70,000, totaling $1.53 million over the contract's duration (1). Around the same time, Colorado Springs District 11 signed a 10-year deal with Coca-Cola, worth between $8 million and $11 million.

Many contracts provide opportunities for schools to generate extra revenue in the form of commissions for sales exceeding targets. In 1999, The New York Times reported schools from across 63 systems even hired a marketing consultant to help negotiate contracts and devise strategies to increase soda sales among students.

Given the ever-dwindling availability of state funding for education, it's not hard to understand why schools cut deals with Big Soda. In 2002, Burbank Unified School District in California faced a $3 million deficit, according to the Los Angeles Times. Today, many school systems still suffer from blows dealt by the Great Recession of 2007-2009. According to the Center on Budget and Policy Priorities, 35 states provided less funding per student during the 2013-14 school year than before the recession.

Lance Thurman, Ph.D., superintendent of Riverton Community Unit School District (CUSD) 14 in Illinois, described his district as in being in "serious financial distress." Though the district is supposed to receive $6,119 per student in state aid each year, the total received per student for over the past five years averages around $5,815 per student, resulting in an annual loss of approximately $500,000.

In 2013, Riverton CUSD 14 signed a five-year pouring-rights contract with PepsiCo. Thurman said that a major benefit of the deal, which services the district's 1,650 students and 200 employees, is funding to support physical-fitness education programs and buy fitness equipment.

"WE ARE DESPERATE FOR MONEY, AND SODA SELLS."

—LANCE THURMAN, RIVERTON COMMUNITY UNIT SCHOOL DISTRICT 14 SUPERINTENDENT

"We have to do that because we have no money," Thurman said in a phone interview. "We are desperate for money, and soda sells."

Neither are colleges and universities immune to budget crises. In 2014, the United States Government Accountability Office reported that from 2003 to 2012, "State funding decreased by 12 percent overall while median tuition rose 55 percent across all public colleges."

"That puts the universities in quite a bind, and they are desperate to look for funding, whether it's philanthropic or other sorts of funding," Michael Goldstein, who has a doctorate in sociology, said in a phone interview.

Now retired, Goldstein was associate vice provost of the University of California, Los Angeles (UCLA), and he oversaw matters of strategic planning, budget and financial aid across the university's graduate programs. When UCLA developed its Healthy Campus Initiative in 2013, a "campus-wide effort to promote healthy lifestyle choices and develop best practices that may help other communities seeking to do the same," Goldstein served as chair of the Initiative's steering committee.

The same year the Healthy Campus Initiative was launched, UCLA signed a $15.4 million pouring-rights contract with Coca-Cola.

"Money that was available for things like support for student services has declined tremendously," Goldstein said. "The money that (universities) get from these contracts goes to subsidize those activities. It's an unfortunate situation, but that's the reality."

POURING-RIGHTS PROBLEMS

Not everyone agrees pouring-rights contracts are an appropriate solution to a lack of funding.

"Principally, they harm students by encouraging the frequent consumption of soft drinks, which increases obesity," David S. Alemling wrote in a note appearing in the Duke Law Journal in 2003.

Though critics might argue that students should be responsible for their own choices, Alemling contends sugary beverages' mere presence in schools has a negative impact on students' abilities to make educated decisions.

"Pouring-rights contracts dilute the effect of a school's curriculum," he wrote. "Specifically, the sale of soft drinks in schools contravenes the lessons of nutrition classes by promoting a healthy diet in class and then permitting children to consume unhealthy soft drinks when they are not in class. This contravention is particularly dangerous because students perceive soft drinks sold in school as endorsed by the school."

In the case of Colorado Springs' 1998 contract, that endorsement was more explicit that implicit, Eric Schlosser reported in his book, "Fast Food Nation," citing a memo sent to school principals by District 11 administrator John Bushey.

"Allow students to bring Coke products into the classrooms, he suggested; move Coke machines to places where they would be accessible all day," Schlosser wrote. "At the end of the memo, John Bushey signed his name and then identified himself as 'the Coke dude'" (2).

But the more schools pad their pockets with Big Soda dollars, the less incentive there is for state and federal agencies to provide aid.

"(Pouring-rights contracts) take the pressure off school boards and districts to address such deficits and to advocate for more efficient and higher quality meals for students," Nestle wrote in an email.

DO AS WE SAY, NOT AS WE DO

"The Coca-Cola contract, which is currently in effect, will generate significant cost savings and new revenue for UCLA," read a release detailing UCLA's 10-year deal with Coca-Cola. It lists among the contract's benefits a "commitment to support UCLA's Healthy Campus Initiative" by "developing and providing products that support efforts to shift beverage consumption away from high sugar/high calorie/low-nutrient options to healthier alternatives."

"The key word is 'shifting,'" said Goldstein, who served as chair of the Initiative's steering committee.

"My guess would be if you had seen a contract like this 10 or 15 years ago, you wouldn't have seen the word 'shifting' in there," Goldstein continued.

Goldstein maintained that while certain populations of UCLA are in favor of limiting sugar consumption, that message doesn't necessarily hold with the administrators who balance the books.

"The university is just a set of cross-currents … that hold a different set of values, and values around health have not been very important in America," he said. "They're asserting themselves now, and that's what's happening with (the Healthy Campus Initiative), but they co-exist with all sorts of other values."

He went on to emphasize the Initiative's focus on providing students with arguably healthier alternatives to soda, like fruit juice and diet colas, alongside sweetened beverages.

Nestle was unsurprised to hear of the split interests at UCLA.

"This has to do with the usual silos in institutions of any type," she wrote. "One group promotes public health. The other keeps the institution financially viable. In my experience, the bean counters invariably win out."

She continued: "Of course this is hypocrisy, and shameless at that … . When you add up all the costs, the contracts don't make enough profit for the universities to justify their continuation."

UCLA athletic directors and media-relations representatives did not return requests for comment.

RESISTANCE RISES—AND FALLS

While Big Soda wields a mighty sword, it has not gone unchallenged.

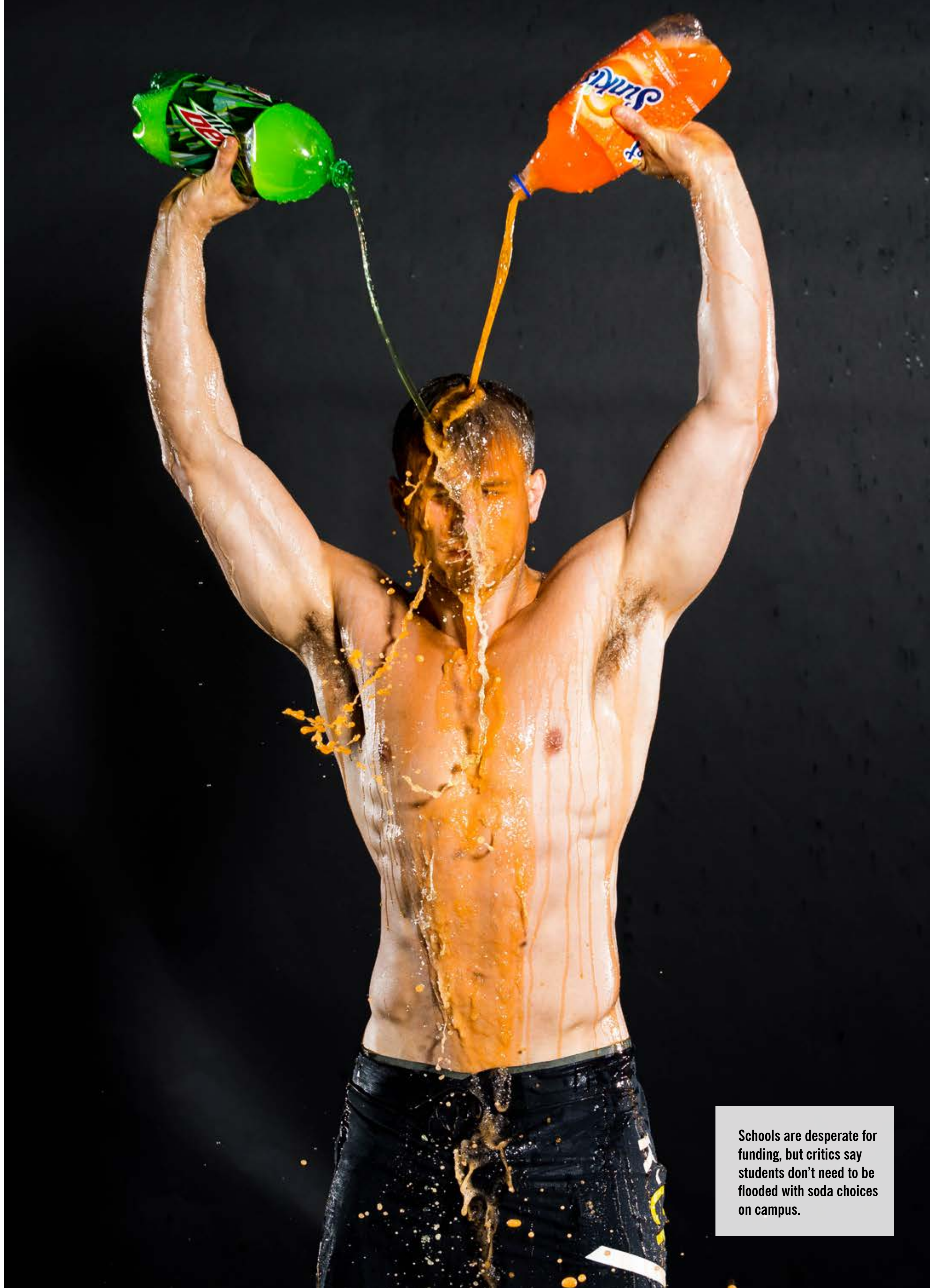
In 2014, Berkeley, California, became the first city to pass a soda tax, and San Francisco is right on its heels, with 56 percent of voters in favor of a 2-cent-per-ounce tax in 2014.

"As with cigarettes, we need to take various public-policy approaches to address (sugar consumption)—like taxation and health warnings," Supervisor Wiener said. "I don't think the explosion of Type 2 diabetes has gotten nearly enough focus, and this is one way we can focus on it."

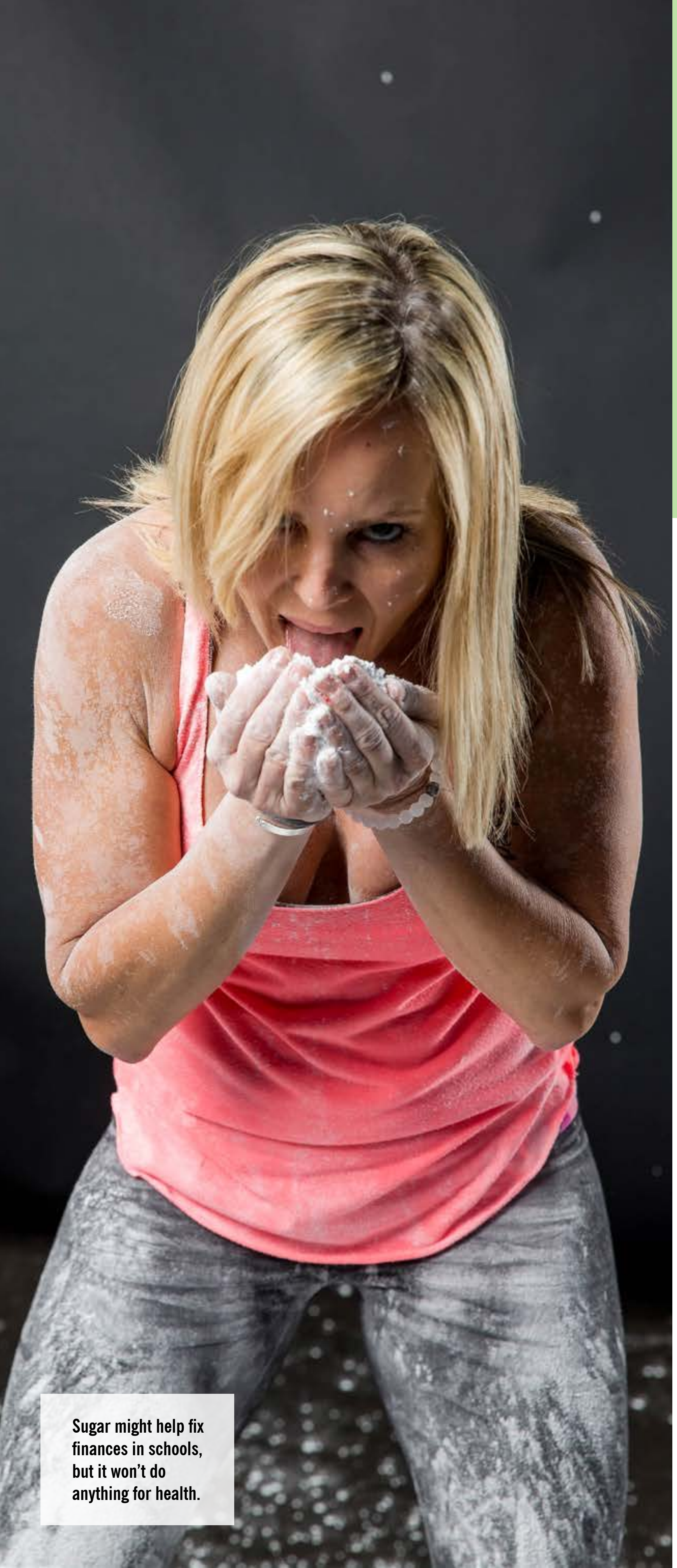
Even in the advent of pouring-rights contracts, opponents voiced concerns, and the fight extended to the schoolyard.

In 2000, the California Center for Public Health Advocacy recommended a ban on the sale of soft drinks, sports drinks—including Gatorade and Powerade—and beverages containing less than 50 percent fruit juice in elementary, middle and high schools. California State Sen. Martha Escutia proposed a bill in line with these standards, but after school officials resisted due to fear of revenue loss, a new draft of the bill passed in 2001. This version banned the sale of sugary beverages in elementary schools but permitted middle schools to sell them until the end of the lunch period. High schools had no restrictions.

Three years later, California banned the sale of beverages not meeting nutritional standards (meaning diet sodas were still on the menu) in middle and junior-high schools. The ban was extended to high schools in 2005.



Schools are desperate for funding, but critics say students don't need to be flooded with soda choices on campus.



Sugar might help fix finances in schools, but it won't do anything for health.

> **"AND IT WASN'T THAT THEY WERE BRINGING (SODA) TO SCHOOL. IT WAS THAT THE TEACHERS WERE SELLING IT TO THEM."**
>
> *—LAVONNE SHEFFIELD, FORMER ROCKFORD SCHOOL DISTRICT SUPERINTENDENT*

In 2010, the Rockford School District in Illinois pulled sodas out of its vending machines after the expiration of its 10-year, $7.5 million contract with Coca-Cola. LaVonne Sheffield, who was the superintendent at the time, said she had noticed a growing population of obese children in her schools. Many had trouble climbing the risers for school assemblies.

"And it wasn't that they were bringing (soda) to school. It was that the teachers were selling it to them," she said. "I ultimately said, 'No more.'"

Though some officials feared a loss of revenue, Sheffield didn't care.

"If you view your revenue as more important than the health of your children, then there's something wrong with that," she said.

Today, all schools participating in the National School Lunch Program must adhere to food restrictions set in place by the Healthy, Hunger-Free Kids Act, passed in 2010 and first implemented in the 2014-2015 school year. The act restricts vending-machine snacks to 200 calories per item and soda and sports drinks (sold only in high schools) to 60 calories or less per 12-oz. serving. The act does not place any limitations on products with artificial sweeteners.

Participating schools receive federal subsidies for the meals they sell or provide freely to children from families with incomes at or below 130 percent of the poverty level. Currently, schools are reimbursed $2.93 per free meal, $2.53 for reduced-price meals and $0.28 for full-priced meals. Additional reimbursements are given for snacks, and schools with higher percentages of low-income students receive more. For Bozeman High School in Montana, that means $117,500 annually.

Though many schools, such as Riverton CUSD 14, have adapted their pouring-rights contracts to meet these standards, some schools, fearing revenue loss, have opted out of the National School Lunch Program. In June, Bob Burrows, support-services and food-service director for the Bozeman School District, requested permission from the school board for the high school to drop from the program.

According to a June 14 article in the Bozeman Daily Chronicle, Burrows said the revenue loss from unsold meals and restrictions on sugary beverage sales would be worse than what the school would lose in subsidies if it dropped from the program.

"We used to sell nine cases or more a week of Gatorade," Alison Beckman, a cafeteria worker, told the Bozeman Daily Chronicle. "I'm told we can't sell it because it's got calories in it."

Meanwhile, Texas Agriculture Commissioner Sid Miller recently proposed lifting a ban on soda machines—and deep fryers—in schools in the name of "freedom," according to the Texas Tribune.

GOTTA GET A SUGAR FIX

As Bui, an international student, watched his fellow students fill their cups and flood their bloodstreams with sugar, he thought about school back home in Vietnam, where there are no pouring-rights contracts and schools sell fresh fruit juice and tea, supplied by local vendors.

He supports San Francisco's warning-label legislation but lamented the fact that it will have no jurisdiction on campus at SF State, a state school where sugary beverages will be marketed to young people even more ferociously after the university partners with the San Francisco Giants to build a "multibillion-dollar youth academy with training facilities, classrooms, batting cages and baseball fields." According to the RFP, the selected beverage partner will enjoy "advertising space" and "other targeted marketing and promotional opportunities in relation to the SF State athletics program."

"I think it's a terrible association, not just for the athletes but for the people who are going to be watching the sports teams and seeing all these advertisements, including families and kids," Bui said.

Bui said he believes SF State President Leslie Wong is seeking a pouring-rights contract specifically to bolster the university's athletic program—the RFP singles out the program as a primary beneficiary—in the hopes of bolstering philanthropic support. But Bui said a focus on athletics is ill-suited for SF State, a commuter school where few students travel for purposes other than class.

"Most of the student body does not really care about sports," Bui said of his institution's eight sports for men and women combined.

"I don't think (President Wong) really understands what can make the school a better place," he continued. "Our school can be a real model of sustainable food systems. … We're in the hub of food justice, and that's the direction we should be heading."

SF State officials declined to comment on the pending agreement.

Less than 10 miles northeast, the University of California, San Francisco will in July launch a campus-wide ban on sugar-sweetened beverages, eliminating beverages from cafeterias and vending machines across all of its 20-plus campuses and hospitals over 16 weeks.

"I want San Francisco State to be like that," Bui said. "It really has the potential to be like that. … The food movement is growing and it's growing here, and San Francisco State can get involved in that movement. San Francisco State could be a forerunner." ■

REFERENCES

1. Nestle M. Food Politics. Berkeley and Los Angeles: University of California Press, 2007. p. 204-210.
2. Schlosser, E. Fast Food Nation. Boston and New York: Mariner Books and Houghton Mifflin Harcourt, 2012. p. 57.

ABOUT THE AUTHOR

Brittney Saline contributes to the CrossFit Journal and CrossFit Games website. She trains at CrossFit St. Paul.