

November 22, 2023

Charles County Board of Commissioners  
200 Baltimore Street, La Plata, Maryland 20646

We the undersigned strongly support the healthy kids' meal legislation recently introduced in Charles County. The legislation, as it is drafted, will support the health of Charles County's children by making sure healthy options are available on kids' menus in restaurants. More specifically, the bill would ensure that one kids' meal combination (beverage, entrée, side) at restaurants would meet expert nutrition standards and that the automatic drink option for all kids' meals would be a healthier option. We do not support the proposed amendments made by the Maryland Restaurant Association, which we provide our rationale for later on in this letter.

U.S. households with children consume food away from home between four and five times a week on average<sup>1</sup> and caregivers frequently order kids' meals for children when dining at restaurants.<sup>2</sup> Restaurants frequently offer fried chicken, burgers, and fried potatoes on kids' menus,<sup>3</sup> and often bundle kids' meals with drinks high in added sugars.<sup>4</sup> Children's consumption of restaurant meals has been associated with a greater intake of calories, saturated fat, total sugars, and sugary drinks compared to their intake on days when they do not eat food from restaurants.<sup>5</sup>

Overconsumption of foods or beverages high in added sugars, saturated fat, and sodium can increase the risk of diet-related disease. Excessive consumption of added sugars in childhood increases the risk of dental caries<sup>6,7</sup> and weight gain<sup>8</sup> — a risk factor for cardiovascular disease<sup>9</sup> and type 2 diabetes.<sup>10</sup> Overconsumption of sodium and saturated fat can lead to elevated blood pressure<sup>11</sup> and LDL cholesterol respectively,<sup>12</sup> which are major risk factors for cardiovascular disease.<sup>13 14</sup>

In Charles County, approximately 30.9 percent of children ages 15-18 have overweight or obesity.<sup>15</sup> In two surveys of Charles County residents conducted by the University of Maryland Charles Regional Medical Center for the 2021 Charles County Health Needs Assessment, residents identified overweight and obesity, diabetes, and high blood pressure/stroke as important health issues in the community.<sup>16</sup>

Dozens of the nation's top restaurant chains have dropped sugary drinks from their kids' menu.<sup>17</sup> The National Restaurant Association's voluntary Kids LiveWell program requires participating restaurants to serve two meals and two sides that meet nutrition standards, meet certain food group requirements, and healthy default beverages on their kids' menu.<sup>18</sup> Among the ways restaurants can meet the food group requirements in the Kids Livewell program is by including one half cup of fruit or vegetables, which aligns with the bill language in Charles County.<sup>19</sup> McDonald's has adopted its own nutrition standards for its kids' meals.<sup>20</sup>

While these voluntary changes are encouraging, there is still progress to be made. A recent study that examined beverage offerings at the top 200 restaurant chains in the U.S. found that 44 percent still offered sugary drinks to kids in 2021.<sup>21</sup> Another study found that 71.9 percent of kids' meal combinations at the top 50 restaurant chains in the US failed to meet expert nutrition standards in 2018.<sup>22</sup>

With the slow progress demonstrated by the restaurant industry, advocates have turned to public policy to improve restaurant kids' meals in their communities. Dozens of states and localities, including Baltimore, have passed legislation requiring that the default kids' beverage be healthy.<sup>23</sup> In 2020, Prince George's

County, MD was the first community in the country to pass legislation requiring restaurants to serve at least one kids' meal that meets nutrition standards and Montgomery County, MD followed in 2022.<sup>24</sup>

The Restaurant Association of Maryland has proposed several amendments that would weaken the bill significantly. We encourage the Charles County Board of Commissioners to pass the bill as introduced. For example, ensuring nutrition standards for at least one kids' meal combination, as included in the bill language, provides families with evidence-based, expert-led healthier choices when they eat out. To eliminate the nutrition standards would significantly harm the ability for the bill to have its intended impact of improving children's health and nutrition and also contradicts the National Restaurant Association's own program that similarly includes expert nutrition standards.

Additionally, we strongly support retaining the requirement for one half cup of fresh fruits or vegetables (rather than the suggested amendment for one fourth cup) and do not support allowing fruit juice to count as a serving of fruit. Fresh fruits and vegetables are rich in dietary fiber and potassium, both of which are currently under-consumed by children and adolescents.<sup>25</sup> Unlike fresh fruits and vegetables, 100% juice lacks dietary fiber and therefore, is not an adequate substitute.<sup>26</sup> Allowing juice in place of whole fruits and vegetables could lead to their displacement in kids' meals. Further, the serving size of one half cup, which is included in the bill, is consistent with Dietary Guidelines for Americans' expert recommendations of 1.5 to 2 cups of fruits and vegetables a day for children and adolescents over the course of 3 meals.<sup>27</sup>

We strongly support maintaining the strong policy in terms of number of ounces of juice. Kids are already consuming too much sugar, with this legislation as written, we are keeping in line with expert guidelines for the health of our children.

Finally, it is of utmost importance that this bill maintain an enforcement mechanism. Without an enforcement mechanism, there is no incentive for restaurants to comply with the law or structure for Charles County to uphold this important legislation. The self-certification form is intended to ease the burden on both restaurants and the health department to ensure the law works well for everyone involved with the ultimate goal of providing healthy options for children when they eat at county restaurants.

We urge Charles County to join this growing movement to improve the nutrition and overall health of children. By passing the healthy kids' meal legislation, as it is drafted, Charles County can reduce sugar-sweetened beverage consumption, increase the availability of healthier foods at restaurants, and support parents' efforts to feed their children well. Please contact us if you would like additional information.

Sincerely,



Charles County Branch NAACP



American Heart Association



Center for Science in the Public Interest

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- <sup>8</sup> Nguyen M, et al. Sugar-sweetened beverage consumption and weight gain in children and adults: a systematic review and meta-analysis of prospective cohort studies and randomized controlled trials. *Am J Clin Nutr.* 2023;117(1):160-174.
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- <sup>11</sup> Leyvraz M, et al. Sodium Intake and Blood Pressure in Children and Adolescents: A Systematic Review and Meta-Analysis of Experimental and Observational Studies. *International Journal of Epidemiology.* 2018;47(6):1796-1810.
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- <sup>14</sup> Centers for Disease Control and Prevention. *Heart Disease and Stroke*. n.d. Accessed November 20, 2023. Available at <https://www.cdc.gov/chronicdisease/resources/publications/factsheets/heart-disease-stroke.htm#:~:text=Leading%20risk%20factors%20for%20heart,unhealthy%20diet%2C%20and%20physical%20inactivity>
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