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Senate OKs Junk-Food Ban:

Prohibition on Daytime Sales Wouldn't Apply to High Schools

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Starting next year, Arizona's elementary and middle school students could be eating healthier.

A bill expected to land on the governor's desk shortly would ban the sales of soft drinks, candy and gum during the school day beginning in July 2006. High schools would be exempt.

On Thursday, the Senate voted 19-11 in favor of the "junk-food bill."

The House is expected to concur with the Senate-approved measure and forward the bill to the governor, who has not taken a position on the bill, according to her spokeswoman. If signed into law, the legislation would affect about 700,000 children in elementary, middle and junior high schools.

House Bill 2544, introduced by Rep. Mark Anderson, R-Mesa, comes as a result of rising concerns over childhood obesity. Texas and West Virginia already have bans on soft drinks and candy for elementary and junior high schools.

Students have mixed opinions whether a ban would work.

Some predict kids will just bring soft drinks and candy from home and sell them at school, creating a black market for the sugary treats. Because the bill does nothing to prohibit kids from bringing food to school, others say the ban would have little impact.

"We can always bring our own soda to drink," said seventh-grader Shannon Galloway, 13, of Paradise Valley.

The Arizona bill targets food sold in school snack bars and vending machines. Schools have been reluctant to change to only healthful snacks because the proceeds help fund trips, sports and school clubs. But critics say schools send a mixed message by teaching good nutrition and then selling high-fat, high-sugar snacks to students.

Although the bill would ban soft drink and candy sales during the school day, it's unclear where snacks such as doughnuts, potato chips and candy bars would fall.

The bill would require the Arizona Department of Education to develop nutrition standards for school snacks and drinks. Depending on how strict the standards are written, schools may still be able to sell those snacks provided they switch to lower-fat versions or smaller portion sizes.

Sixth-grader Devon Weller of Scottsdale said she hopes any standards wouldn't be too limiting.

"I like having doughnuts and Popsicles," the 12-year-old said.

The bill applies only to food sold during the school day, so schools could still sell what they wanted at football games and evening events.

The Arizona School Boards Association and the Arizona Association of School Business Officials oppose the bill because officials say it takes control from local school boards. Sen. Dean Martin, R-Phoenix, echoed those concerns on the Senate floor Thursday. He said the Arizona Legislature has more important issues to deal with, such as the controversial AIMS test.

"This issue should be left to the local parents, the local school districts," said Martin, who voted against the junk-food bill.

The legislation has changed many times since being introduced in January, with high schools being added and taken out several times. High schools have proved the most controversial part because that's where the most money is made.

Some high schools clear more than \$50,000 a year through soda and snack sales.

Soft-drink and vending companies initially opposed the bill but changed their minds when legislators exempted high schools.

The junk-food bill has the backing of state Superintendent of Public Instruction Tom Horne in addition to nearly a dozen health groups such as the American Diabetes Association and the Arizona Chapter of the American Academy of Pediatrics.

Arizona's attempt to make schools sell healthier snacks comes as several states, including California, Kentucky, New Mexico and Nebraska, are considering similar legislation.