



Study in SNAP-Ed eligible communities finds that limited implementation of California's Healthy Default Beverage law for kids' meals sold online may limit the law's effectiveness

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BACKGROUND

- One in three children and adolescents in the United States eat at a quick-service (fast food) restaurant on any given day.¹
- Consumption of children's meals from fast food restaurants is associated with increased intake of sugar sweetened beverages (SSB).²
- Youth of color and from families with low incomes are more likely to regularly consume fast food compared with their White and higher-income counterparts.^{3,4}
- In January 2019, California became the first state in the nation to implement a Healthy-by-Default Beverage Law (CA SB 1192), requiring that restaurants offer only water or unflavored dairy or non-dairy milk as the default beverage with children's meals.
- SB 1192 does not include language regarding default beverages when orders are made online, at kiosks in fast food restaurants or when using QR codes to order from a mobile device in fast food restaurants. It also does not reference additional costs (upcharges) for default beverages.



WHAT WE DID

- randomly sampled fast food restaurants located in SNAP-Ed eligible census tracts* (n=226) from California's 13 largest fast food restaurant chains offering kids' meals online⁵
- "ordered" kids' meals (n=631) from online restaurant platforms (n=225), UberEats (n=153), DoorDash (n=147) and GrubHub (n=106)
- recorded beverages offered on the initial and subsequent beverage ordering screens and upcharges associated with beverage selections

WHAT WE FOUND

Only 6% of orders reflected optimal implementation of the Healthy-by-Default Beverage law (SB 1192).

Not all orders offered the default beverages on the 1st or 2nd ordering screens:

- 70% offered water.
- 63% offered unflavored milk.

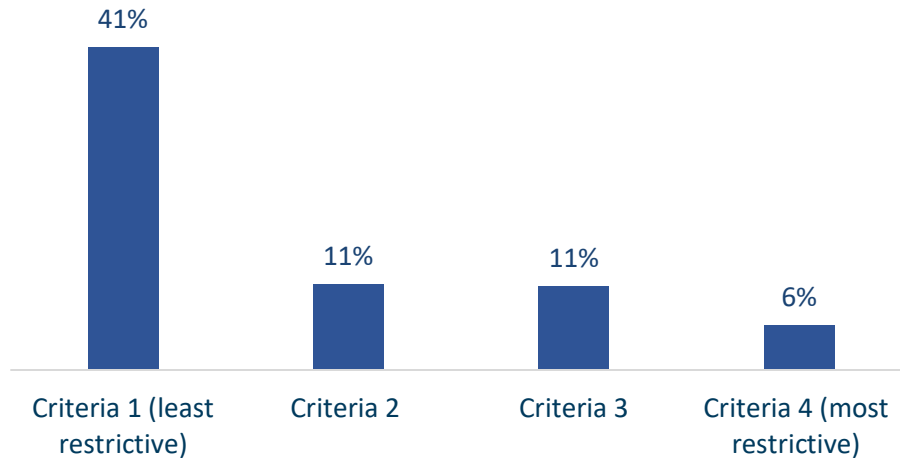
Additional charges for default beverages were common:

- 41% of orders that offered water (n=445) had an upcharge (\$0.51 on average).
- 11% of orders that offered unflavored milk (n=396) had an upcharge (\$0.38 on average).
- No observations had upcharges for soda.

*50% or more of households with incomes at or below 185% of the Federal Poverty Level



Consistency with Healthy-by-Default Beverage Law (SB 1192) was low and declined with increasingly stringent criteria⁵



Notes:

Criteria 1 (least restrictive) allows: (a) initial offering of default beverages, (b) upcharges for allowable default beverages, (c) an unspecified kids'/fountain drink option on the first beverage ordering screen, and (d) a link with wording such as 'other beverages' to a second ordering screen with additional beverages.

Criteria 2 allows: (a), (c) and (d).

Criteria 3 allows: (a) and (d).

Criteria 4 (most restrictive) allows: only (a).

IMPLICATIONS FOR POLICY IMPLEMENTATION

- Our findings suggest that additional efforts such as clarification, education and monitoring are needed to ensure that fast food restaurants and the online ordering platforms they use more effectively implement SB 1192.
- Future legislation and regulations should specify how the policy applies to upcharges and on-line ordering, including self-service kiosks located in fast food restaurants.
- Ensuring full implementation of SB 1192 could help California reach its SNAP-Ed goal for reducing SSB intake.
- Given its increasing popularity, addressing on-line ordering has never been more important.

References:

¹ Vikraman S, Fryar CD, Ogden CL. Caloric intake from fast food among children and adolescents in the United States, 2011–2012. NCHS Data Brief No. 213. Hyattsville, MD: National Center for Health Statistics. 2015.

² Moran AJ, Subramanian S, Rimm EB, Bleich SN. Characteristics Associated with Household Purchases of Sugar-Sweetened Beverages in US Restaurants. *Obesity*. 2019;27(2):339-48. DOI: <https://doi.org/10.1002/oby.22380>

³ Fryar C, Carroll M, Ahluwalia N, Ogden C. Fast food intake among children and adolescents in the United States, 2015–2018. NCHS Data Brief No. 375. Hyattsville, MD: National Center for Health Statistics. 2020.

⁴ Guerrero AD, Chung PJ. Racial and ethnic disparities in dietary intake among California children. *J Acad Nutr Diet*. 2016;116(3):439-48. DOI: <https://doi.org/10.1016/j.jand.2015.08.019>

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⁵ Thompson HR, Martin A, Stochlic R, Singh S, Woodward-Lopez G. Limited implementation of California's Healthy Default Beverage law for children's meals sold online. *Public Health Nutr*. 2022;1-10. DOI: <https://doi.org/10.1017/S1368980022000039>

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