

Examination of a Statewide Law Banning Junk Food and Beverage Marketing In Maine Schools

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Presenter Disclosures

Michele Polacsek

The following personal financial relationships with commercial interests relevant to this presentation existed during the past 12 months:

No relationships to disclose

Advisory group

- **Anne-Marie Davee, MS, RD, LD**
 - School Health Coordinator, Freeport ME
- **David Crawford, MPH**
 - Director, Physical Activity and Nutrition Program Maine CDC
- **Jaki Ellis, MS, CHES**
 - Former director of Maine's Coordinated School Health Program
- **Gail Lombardi, MS, RD**
 - Education Specialist, Maine Department of Education
- **Lori Kaley, MS, RD, LD, MSB**
 - Manager of public health programs, University of Southern Maine, Muskie School

Background: Food and Beverage Marketing to Children at School

- Labeling and signage at school has been shown to affect students food choices at school
- Children are more vulnerable to marketing than adults
- School based marketing is especially powerful

Legislation History

- 2003 LD 471 Resolve to study Obesity
 - Commission to study public health (obesity)
 - 28 recommendations including advertising ban
- 2005 public opinion poll demonstrated broad support for advertising ban in schools
 - 60% support
- 2006 Focus Groups confirmed support
- 2007 ban on advertising in schools passed

Legislation - 2007

An Act To Protect Children's Health on School Grounds (LD184)

Food and beverage advertising

Brand-specific advertising of food or beverages is prohibited in school buildings or on school grounds **except for food and beverages meeting standards for sale or distribution on school grounds in accordance with rules adopted under subsection 2.**

For the purposes of this subsection, "advertising" does not include advertising on broadcast media or in print media such as newspapers and magazines, clothing with brand images worn on school grounds or advertising on product packaging.

Nutrition Standards

- The US Department of Agriculture **Foods of Minimal Nutritional Value** standard was adopted as a rule (Chapter 51) for all Maine schools 24/7
- Foods must exceed FMNV standard
- Excludes: Food which provides <5% of one of the eight specified nutrients per serving: protein, vitamin A, vitamin C, niacin, riboflavin, thiamine, calcium and iron
- Also excludes all candy
- Exemptions possible: Teacher's lounge

Study Aims

Aim 1: To assess compliance with Chapter 156, Maine's statewide policy banning brand-specific junk food and beverage marketing in Maine schools.

- Sub-aim 1a: To adapt and improve the Food and Beverage Marketing in Schools Assessment (FBMS) developed by *Samuels and Associates*
- Sub-aim 1b: To assess the nature and extent of food and beverage marketing in Maine high schools.
- Sub-aim 1c: To identify areas for improvement and ways to strengthen existing legislation limiting food marketing in schools
- Sub-aim 1d: To review findings from other marketing assessments completed to date and compare results to Maine findings.

Types of In-School Marketing

- **Product sales** of foods and beverages
- **Direct advertising**
- **Indirect advertising**



Direct Advertising

- *Posters, Signs, Vending machine exteriors, In-school television ads such as on Channel One, Ads in school newspapers, yearbooks, and on school radio stations, Announcements on the public announcement (PA) system, Computer banner ads and screensavers*

Indirect Advertising

- includes logos, brand names, spokes-characters, or product names on or in conjunction with:
Curricula and educational materials, Textbook covers, Books and notebooks, Pencils, Sports equipment, Uniforms, Scoreboards, Buses, Taste-tests, Scholarships, Coupons and free samples, Sports team sponsorships, Food or beverage cups and containers, Educational incentive programs that provide food as a reward, Incentive programs that provide schools with supplies when families buy food products, Corporate-sponsored educational programs



Study Methods

- Cross sectional observations and interviews
- 20 randomly selected Maine High Schools
 - Schools were paid \$300 each for participation
- 2 RA's completed Food and Beverage Marketing Survey
- 1RA completed interview with principal and food service director

FBMS Observations

- Location
- Total number of posters/signs (on one vending machine the total number of different products or logos)
- Product name or logo
- If present on **Art, Packaging, Equipment or Supplies**
- Number of *instances* product or logo shown
- Compliant with Chapter 156
- Counter-marketing



got milk?

DRINK MILK FOR A CHANGE



Cherry Blip
Cherry Blip

make your own
milk mustache ad
at
body & milk.com

For every milk mustache ad made,
\$1 will go towards causes
that matter to you

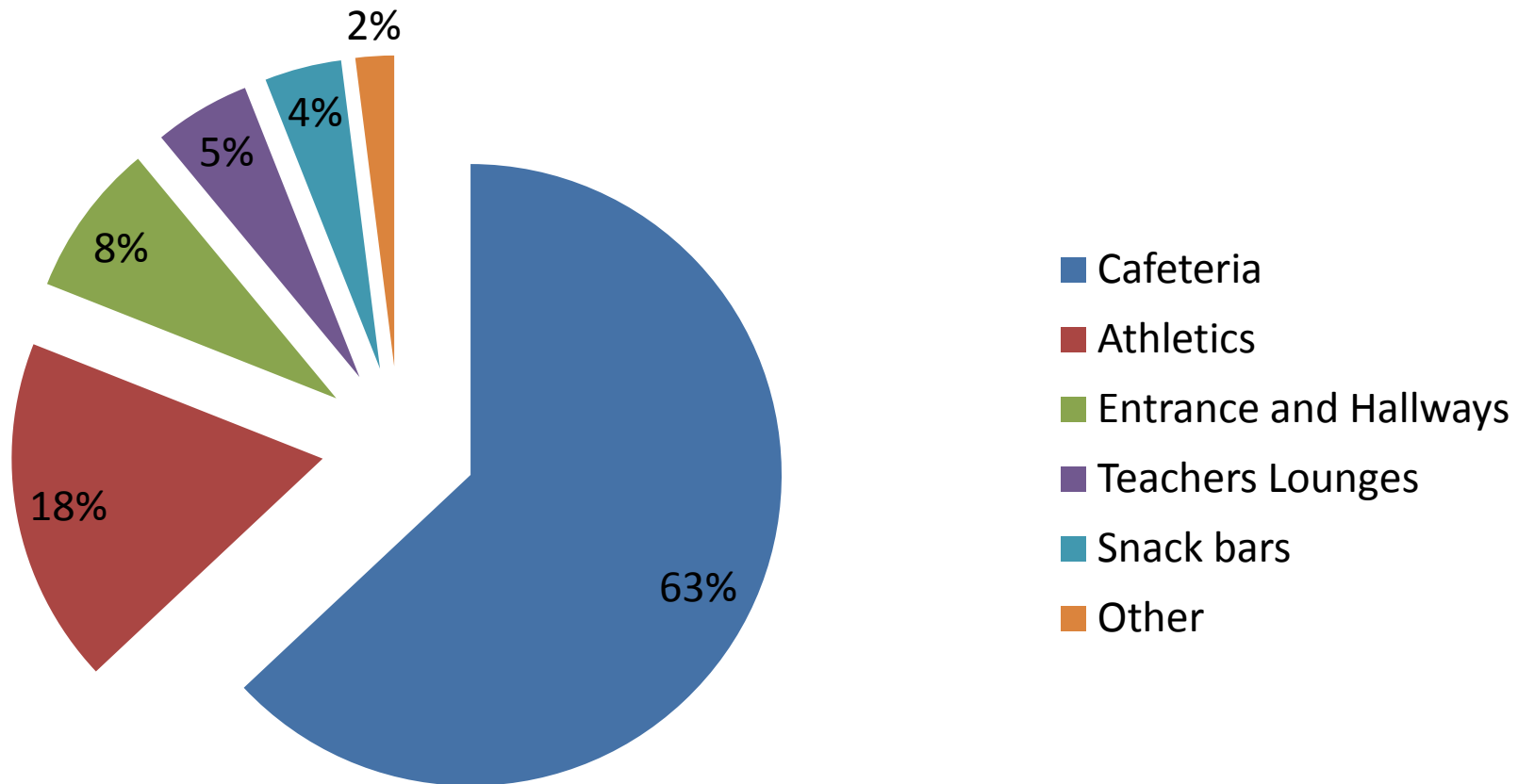


Results

- Describe food and beverage marketing (location, type and extent)
- Describe **not compliant** food and beverage marketing (location, type and extent)
- Administrators' knowledge and attitudes about Chapter 156
- Changes reported since Chapter 156
- Administrators' perceived need for additional resources to implement Chapter 156
- Administrators' awareness of Chapter 156

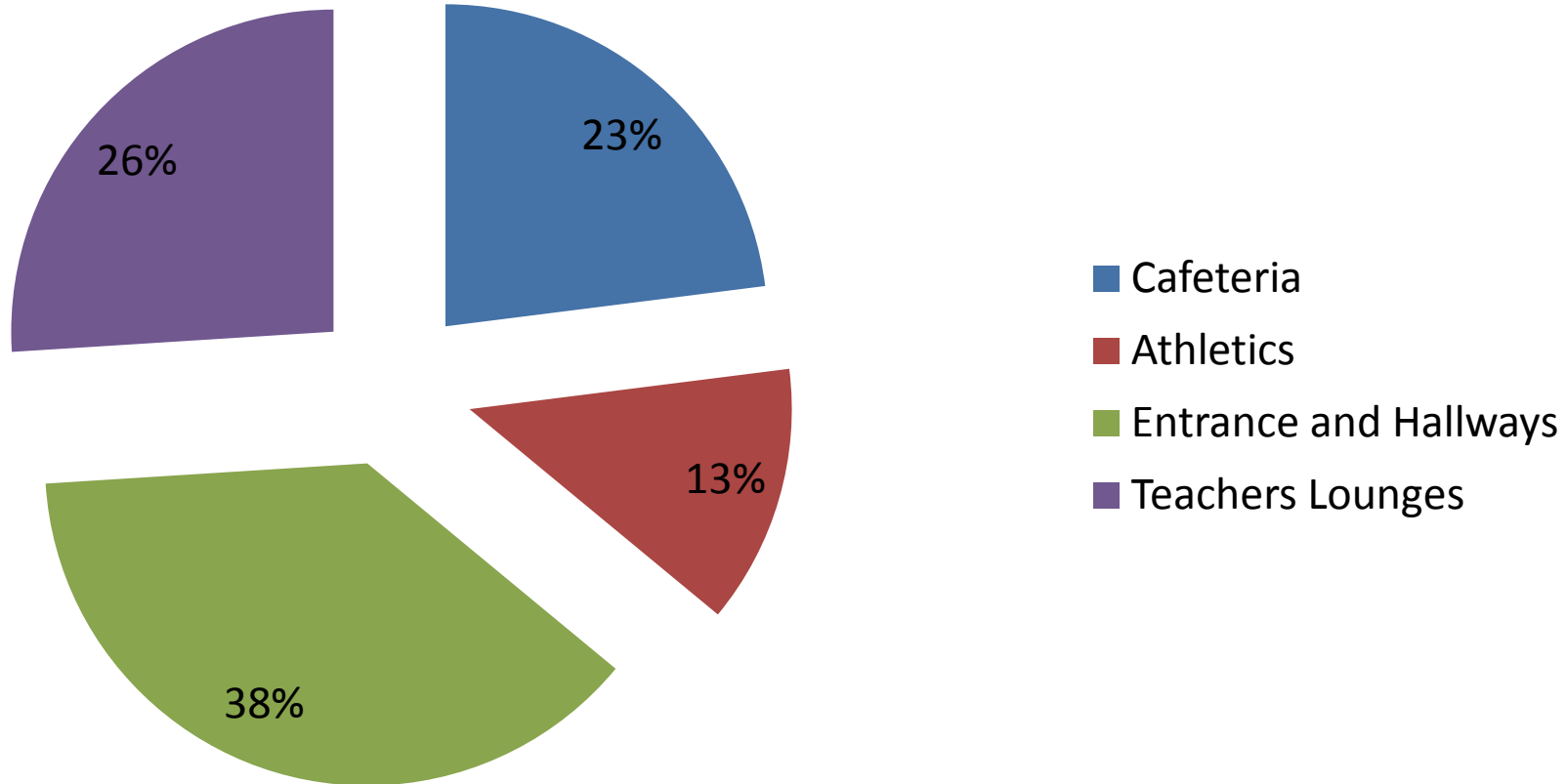
Location of Marketing: Posters and Signs

Location



Location of Marketing: Vending Exteriors

Location



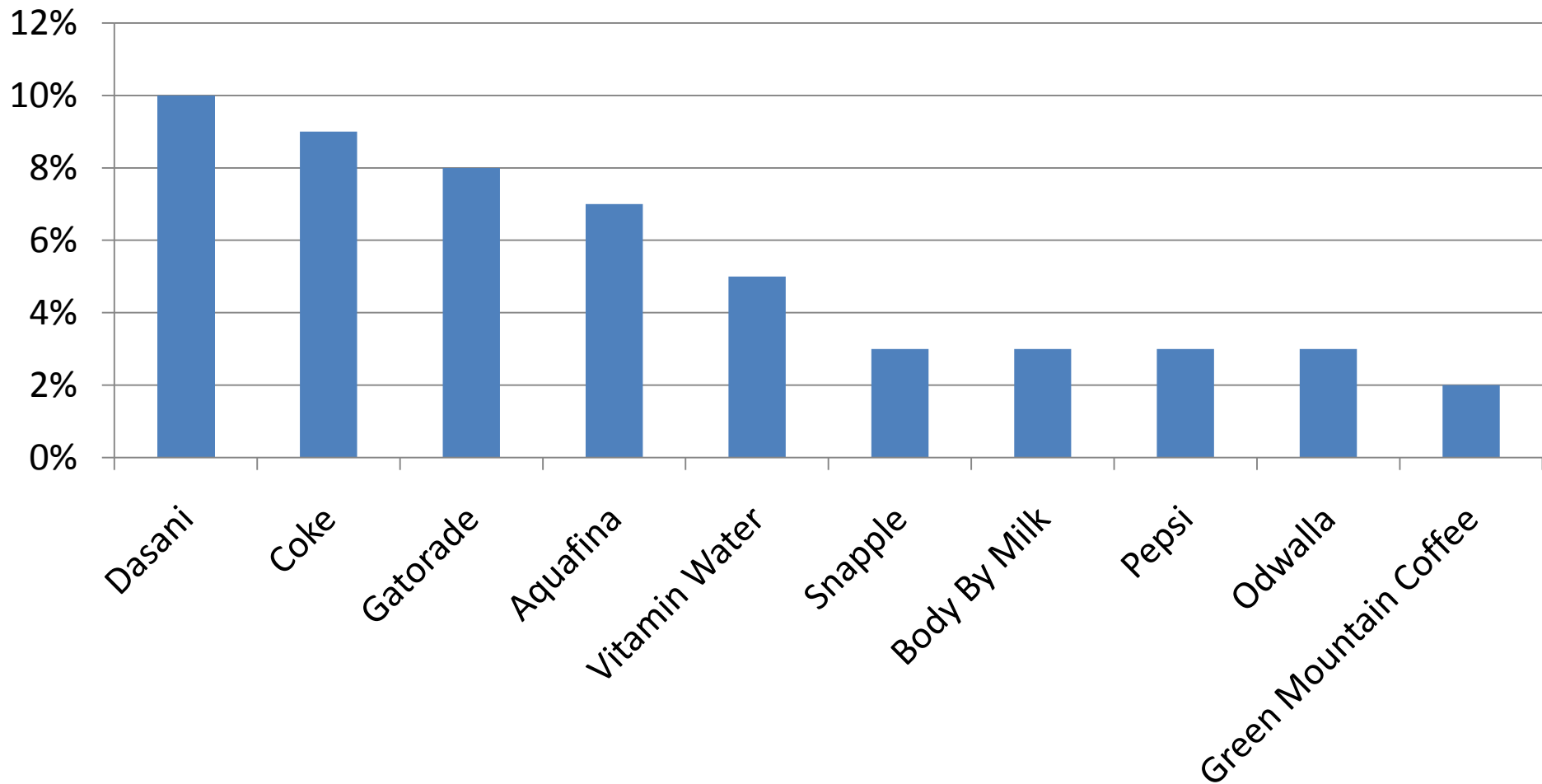
Nature and Extent of Marketing

Location	Average No. of posters/signs on walls & APES*	Average No. of products/logos on vending	Totals
Cafeteria	22.5	3	25.5
Athletics	6.3	1.7	8.0
Entrance and hallways	2.7	4.8	7.5
Teachers lounge	1.5	3.3	4.8
Snack bar	1.1	0	1.1
Nurse's area	.6	0	.6
Maine office	.6	0	.6
Guidance	.5	0	.5
Library	.2	0	.2
Bathroom	0	0	0
Courtyard	0	0	0
TOTALS	36	12.8	48.8

* Art, Packaging, Equipment, Supplies

10 Most Frequent Products Marketed: Posters/Signs and Vending

Percent of Total Marketing



10 Most Frequent Products Marketed

Posters & Signs and Vending

* Coca-Cola; ** Pepsi-Cola

(Coca Cola and Pepsi Cola comprise 45% of all marketing found)

Product	Frequency	Percent of All Marketing
Dasani*	210	10%
Coke*	183	9%
Gatorade**	169	8%
Aquafina**	144	7%
Vitamin Water*	106	5%
Snapple	72	3%
Body by Milk	67	3%
Pepsi**	62	3%
Odwalla*	56	3%
Green Mountain Coffee	48	2%

Approximately 17% of all marketing observed was not-compliant

10 Most Frequent Compliant Products

Posters and Signs

Product	Frequency	Percent of Compliant Marketing Posters/Signs
Gatorade	109	9%
Body By Milk	65	5%
Odwalla	56	4%
Dasani	55	4%
Aquafina	51	4%
Green Mountain Coffee	48	4%
Nutrigrain	48	4%
Vitamin Water	45	4%
Water Plus	45	4%
Snapple	44	4%

10 Most Frequent Compliant Products Vending

Product	Frequency	Percent of Compliant Marketing Vending Exteriors
Dasani	155	27%
Aquafina	93	16%
Vitamin Water	61	11%
Gatorade	60	10%
Poland Spring	37	6%
Snapple	28	5%
Aquafina Flavor Splash	22	4%
Dole Juice	19	3%
Tropicana	17	3%
Hawaian Punch	16	3%



PURIFIED WATER

Enhanced With Minerals For a Pure, Fresh Taste

DASANI™



Thank You!

DOLLAR BILLS





**Smart People
Eat First Thing.**

CABOTCHEESE.COOP

CABOT
Vermont

Owned by Dairy Farmers
Since 1919

Like a brain food...
2000

PSYCHOLOGY ASSIGNMENT #1

www...

of nutrients to reuel.

GLACÉAU
vitaminwater®





20-1.3 OZ. (37g) BARS NET WT. 26 OZ. (737g)

20
BARS

Kellogg's



RICE KRISPIES
TREATS

THE
Original

Great coffee made easy.®



- Raise handle
- Place K-Cup® into holder
(Do not remove or puncture lid)
- Lower handle
- Place mug on platform
- Choose brew size

**GREEN
MOUNTAIN
COFFEE®**



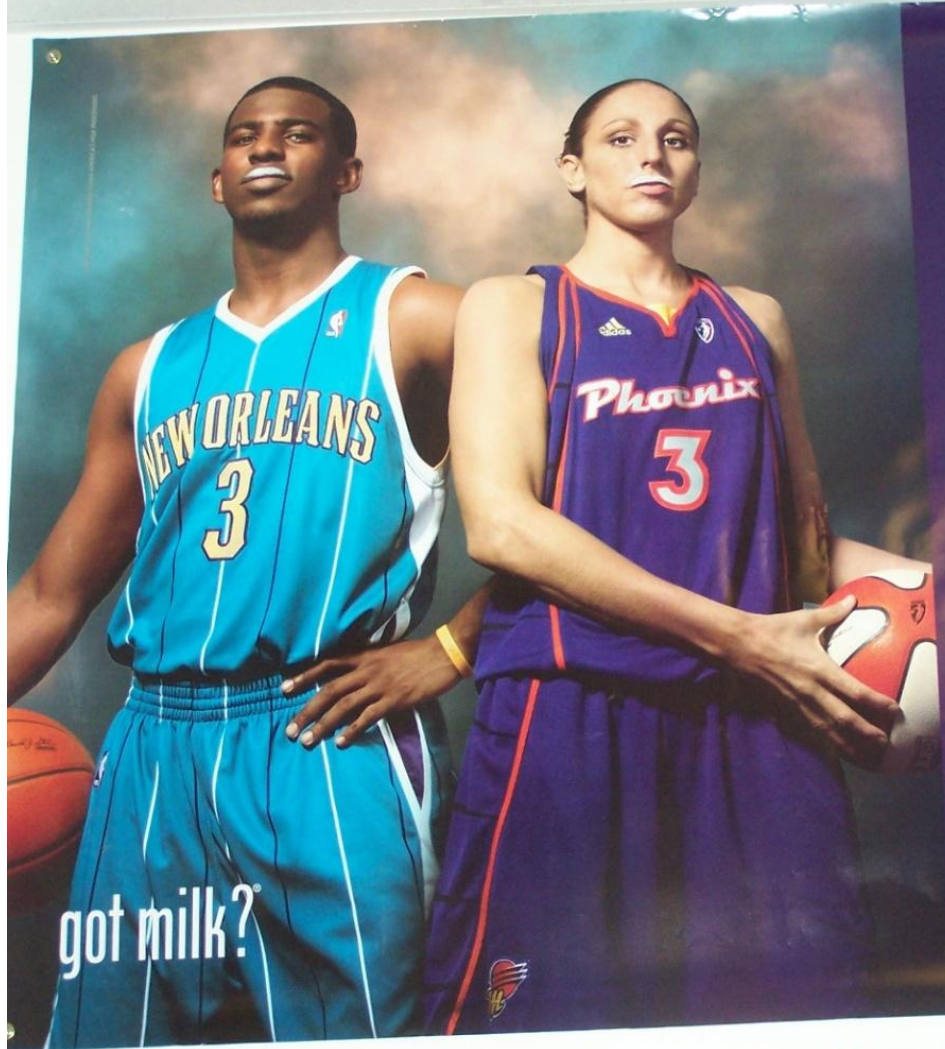
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THE LEADING ROASTERS
SPECIALTY COFFEE

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Milk is a great choice after exercise, with protein to help build muscle and a unique mix of nutrients to refuel. So train hard and drink lowfat or fat free milk.

[body !\[\]\(c3d993ca47bfe2a953c700506ce31fa0_img.jpg\) milk.com](http://bodymilk.com)

STAY ACTIVE. EAT RIGHT. DRINK 3 GLASSES OF LOWFAT MILK A DAY.

YOUR CHOICE CAN MAKE AN
IMPACT

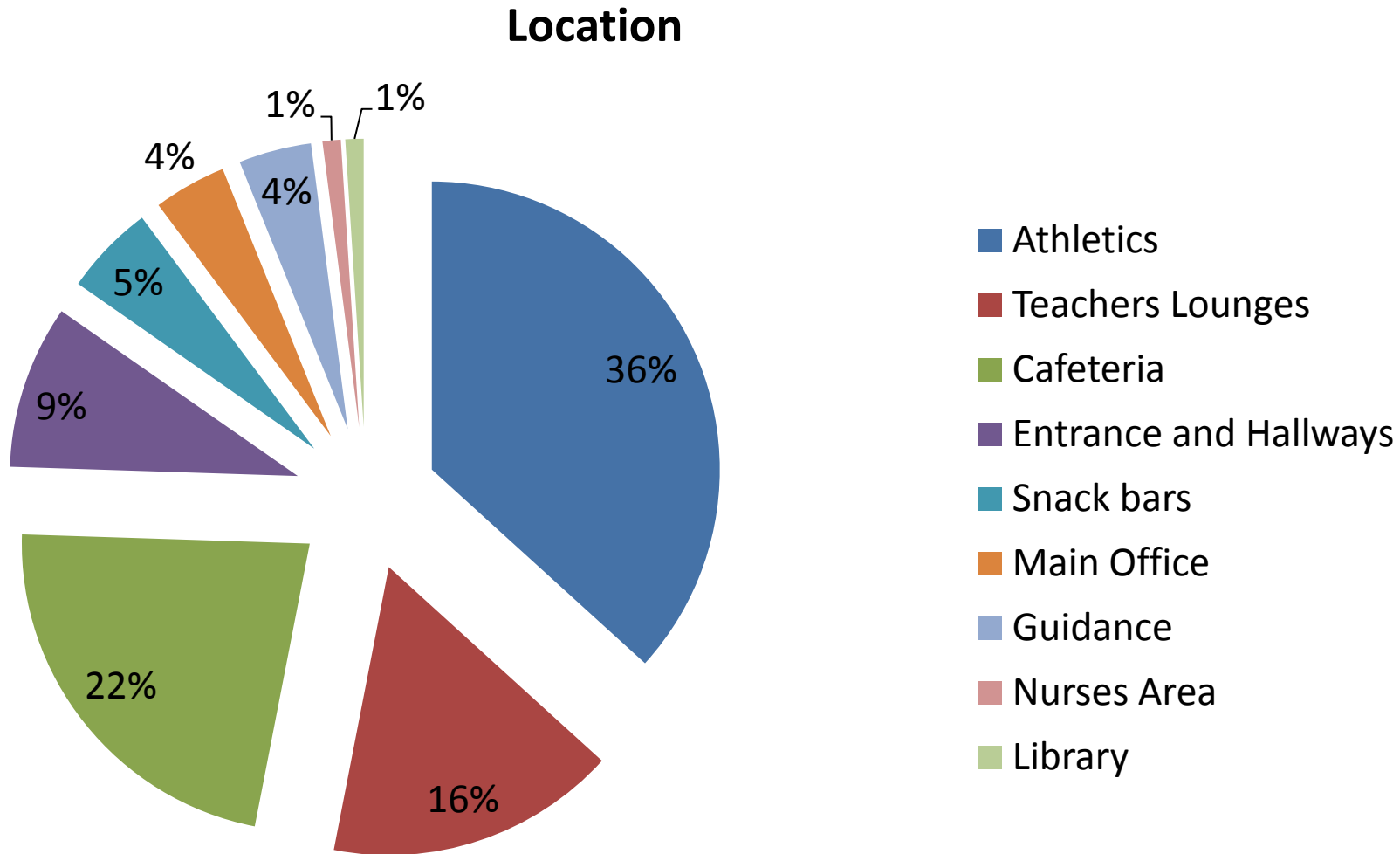
VOTE FOR PROJECT: REPLENISH @
bodybymilk.com

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...ED WATER
...h Minerals For a Pure, Fresh Taste
ASANI™

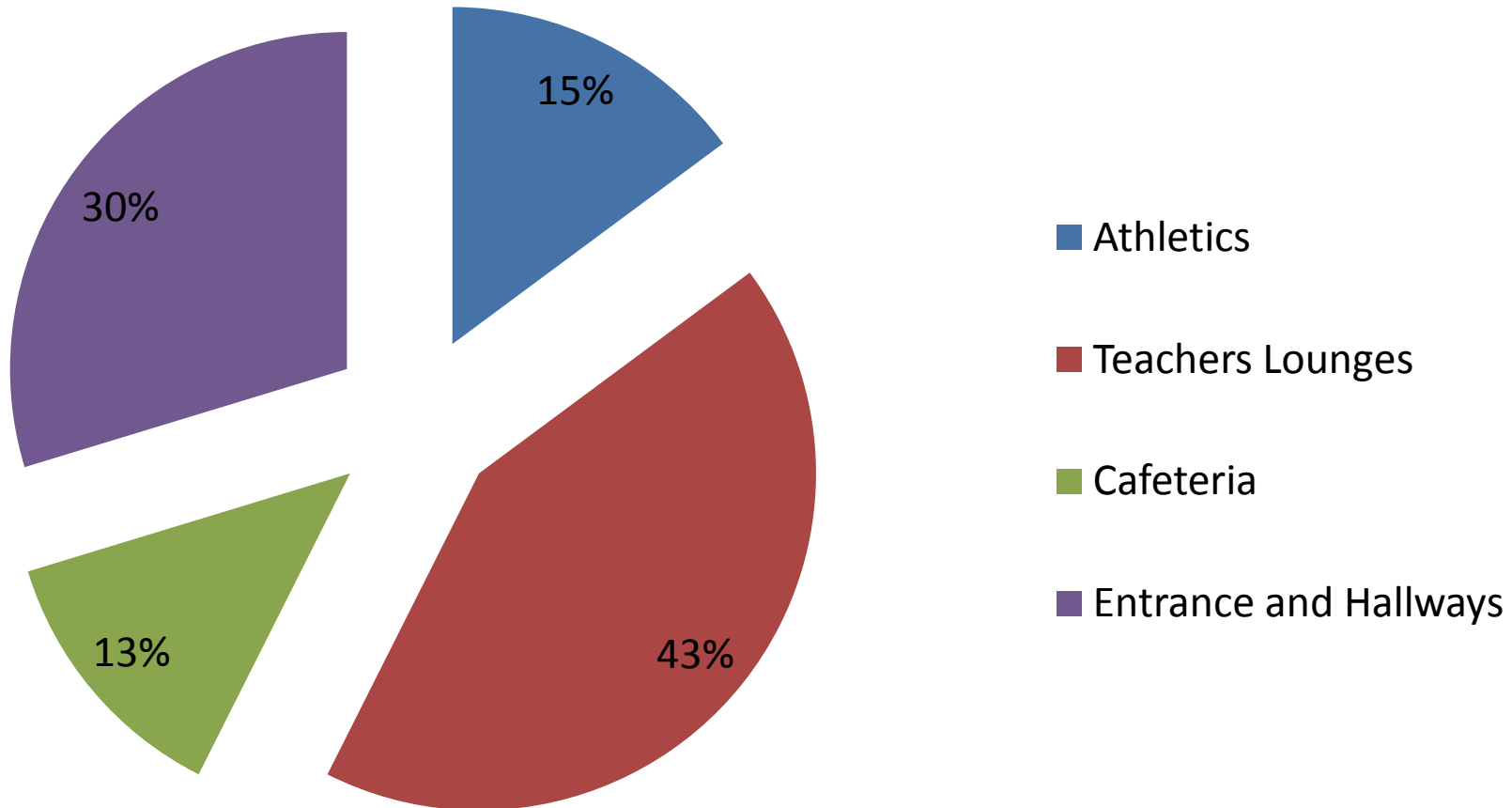


Location of Not-Compliant Marketing: Posters and Signs



Location of Not-Compliant Marketing: Vending Exterior

Location



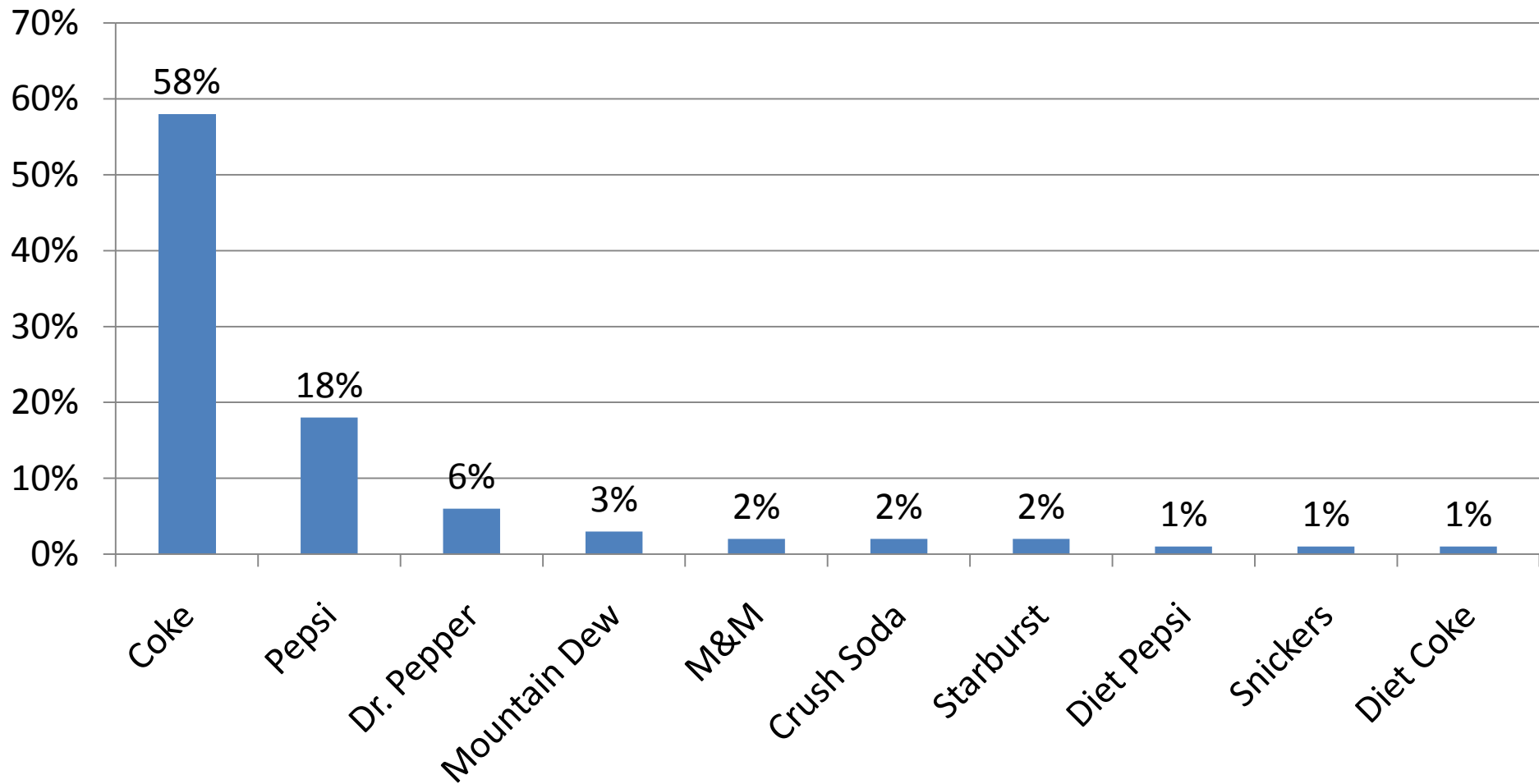
Not-Compliant Marketing

Location	Average No. of posters/signs on walls & APES*	Average No. of products/logos on vending	Totals
Athletics	2.7	.7	3.4
Teachers lounge	1.2	2.0	3.2
Cafeteria	1.6	.6	2.2
Entrance and hallways	.7	1.4	2.1
Snack bar	.4	0	.4
Maine office	.3	0	.3
Guidance	.3	0	.3
Nurse's area	.1	0	.1
Library	.1	0	.1
Bathroom	0	0	0
Courtyard	0	0	0
TOTALS	7.4	4.7	12.1

* Art, Packaging, Equipment, Supplies

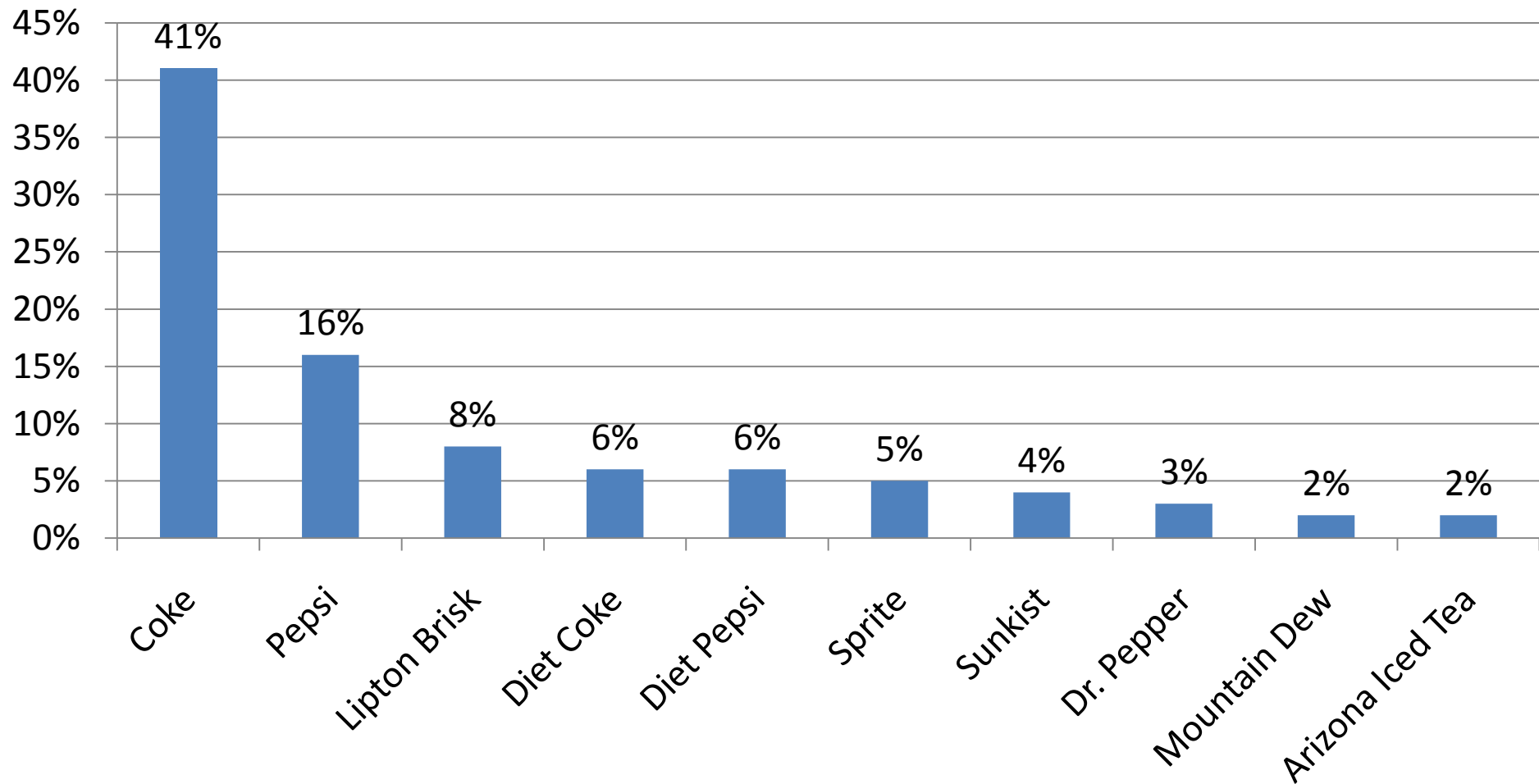
10 Most Frequent Not-Compliant Products Marketed: Posters/Signs

Percent of Not Compliant Marketing on Posters and Signs



10 Most Frequent Not-Compliant Products Marketed: Vending

Percent of Not Compliant Marketing on Vending Exteriors





Enhanced With Minerals For a Pure, Fresh Taste

DASANI™

GRAB AN ICE COLD
20oz BOTTLE

DOLLAR BILLS

INSERT BILL
PRESS UP

1.00

Dasani 20oz Bottles





A1 FUZE slenderize
A2 FUZE slenderize
A3 FUZE slenderize
A4 FUZE slenderize
A5 FUZE slenderize
A6 FUZE slenderize
A7 FUZE slenderize
A8 FUZE slenderize
A9 FUZE slenderize

B1 vitamin water 10
B2 vitamin water 10
B3 vitamin water 10
B4 FUZE
B5 FUZE
B6 vitamin water 10
B7 vitamin water 10
B8 vitamin water 10
B9 vitamin water 10

C1 vitamin water 10
C2 vitamin water 10
C3 vitamin water 10
C4 vitamin water 10
C5 vitamin water 10
C6 vitamin water 10
C7 vitamin water 10
C8 vitamin water 10
C9 vitamin water 10

D1 Dasani
D2 Dasani
D3 Dasani
D4 Dasani
D5 Dasani
D6 Dasani
D7 Dasani
D8 Dasani
D9 Dasani

PURIFIED WATER
Enhanced With Minerals For a Pure, Fresh Taste

DASANI

COCA-C

A	1	2
B	3	4
C	5	6
D	7	8
E	9	0
F	*	CLR

INSERT COIN HERE
ACCEPTS ALL COINS
RETURN COIN

SELECT ITEM
▲




**MIDDLE SCHOOL
& HIGH SCHOOL**

SNOWBALL MAR 6 7-11

TRIMESTER EN AR

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GER +\$1.50
EASE +\$2.00
R +\$1.25
RGER +\$1.25
+\$1.00
+\$1.00
+\$1.50
SE \$3.00
\$2.00



WELCOME TO THE
VIKING KORNER KITCHEN



COOKIES
BEVERAGE

COKE
DIET COKE →
ROOT BEER
SPRITE

20 oz. Bottle \$1²⁵ ▼



20 oz. Bottle \$1²⁵ ▼



20 oz. Bottle \$1²⁵ ▼





EXIT

Drink!
Coca-Cola

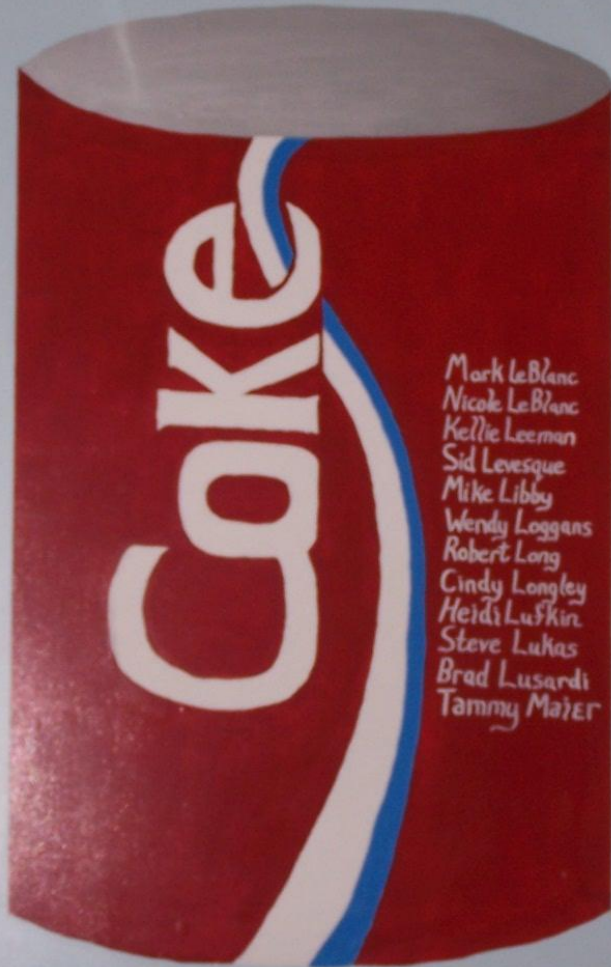
Coca-Cola

BLKS



TEAM PLAN OVER EDITION
BY [unclear]

ucation.ti

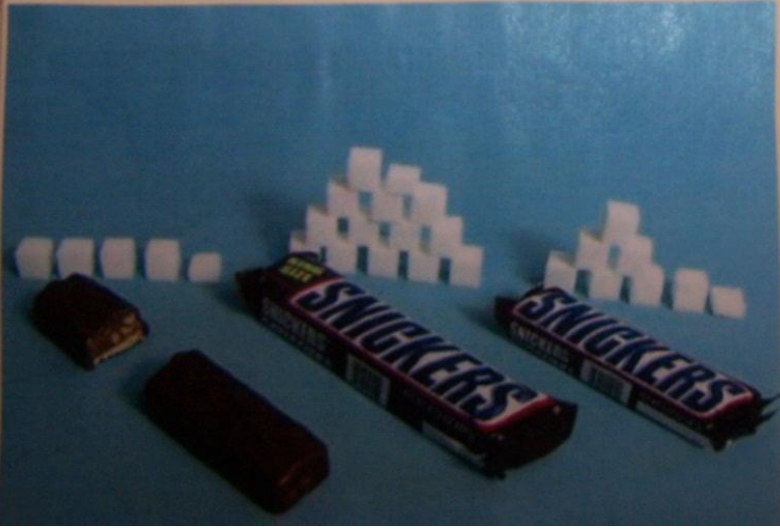
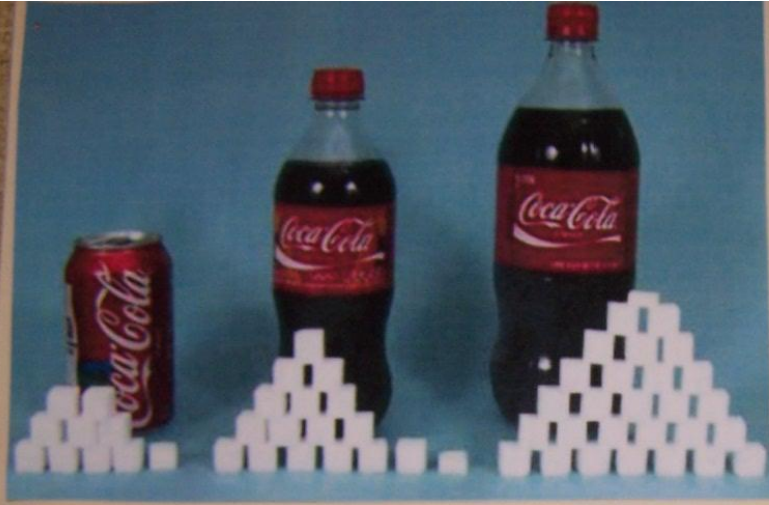


“

Code Enforcement

Caribou High

To keep with the design
Quality of products
No [unclear] + [unclear]



Score Boards



- 17/19 (89%) of schools had marketing on score boards (only 19 schools had scoreboards)
- 12/19 (63%) had not-compliant marketing on score boards
- 32 not-compliant score boards in all



Score Board Products



Product	Frequency	Percent
Aquafina	17	30%
Coke	15	26%
Pepsi	11	19%
Dasani	6	11%
Mountain Dew	3	5%
Diet Coke	2	4%
Diet Pepsi	1	2%
Powerade	1	2%
Allsport	1	2%

Summaries from FBMS Observations

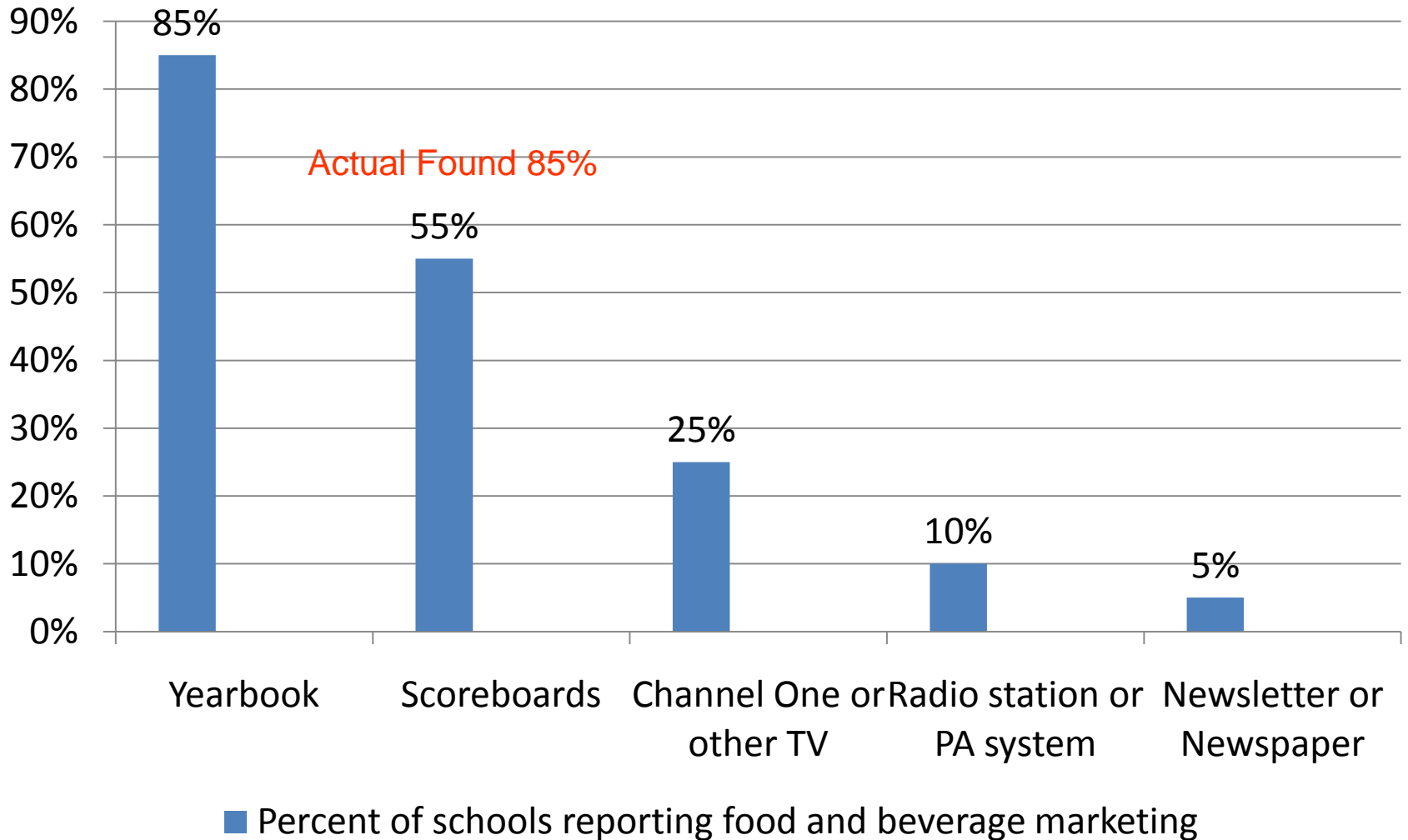
- Every school had food and beverage marketing (posters/signs around school and on vending, one was on a school sign)
- Mean was 49 posters or signs (range = 4 to 309 instances)
- Approximately 1/3 of marketing found on vending machines
- 17/20 (85%) schools had not-compliant marketing (posters/signs or vending)
 - 20% had 10 or more posters/signs
 - 1 had 20 or more posters/signs
 - -approximately 17% of all marketing observed was not-compliant

School Marketing:

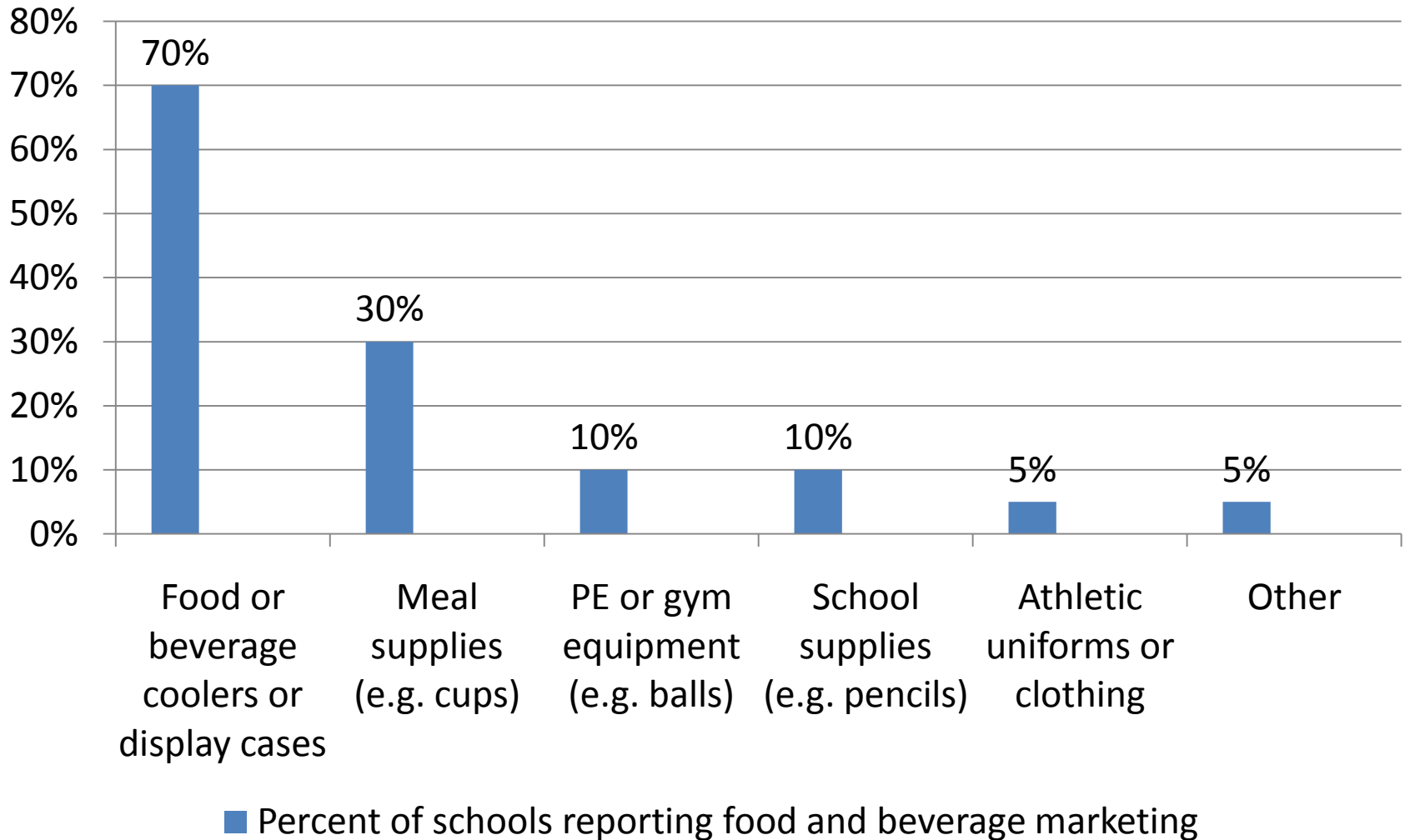
From interview questions

- Media outlets (television, radio, newsletter, newspaper, yearbook)
- Equipment and supplies (including athletic uniforms, etc.)
- Activities, sponsorships, scholarships and fundraising

Media From Interviews



Equipment and Supplies From Interviews





HERSHEY'S[®] Ice Cream



©1998 - 80% PRODUCTS OF HERSHEY CREAMERY CO. NOT AFFILIATED WITH HERSHEY'S CHOCOLATE





PEPSI-COLA.

PEPSI-COLA.

PEPSI-COLA.

PEPSI-COLA.

PEPSI-COLA.

BOTTLES

&

CANS

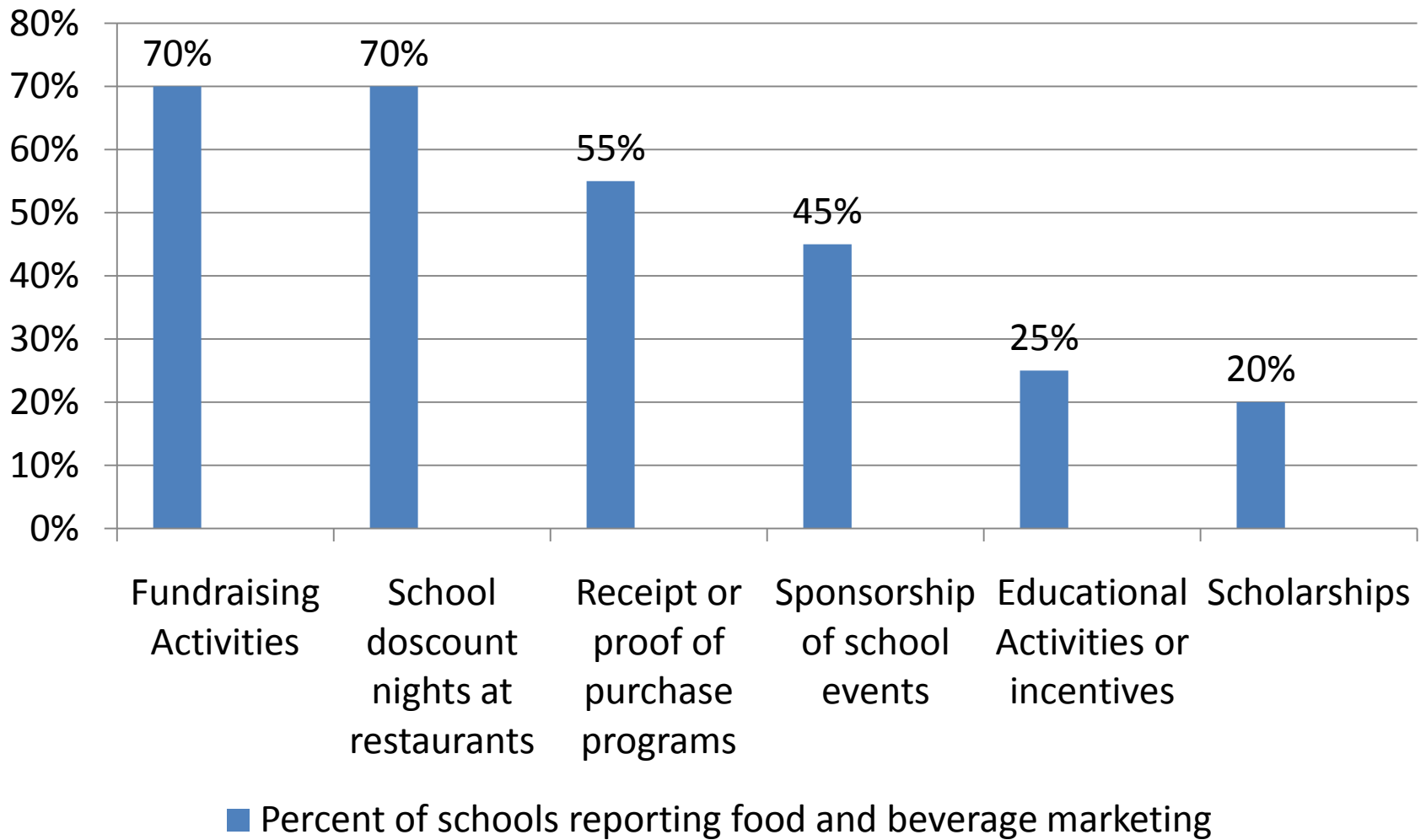
No milk carton products

Enjoy

Coca-Cola[®]



Activities, Sponsorships, and Scholarships: From Interviews



BOYS
SPORTSMANSHIP
AWARD

1990

[REDACTED] HIGH SCHOOL





Dreaming OF A BRIGHTER FUTURE?



If you are a truly motivated, dedicated, involved high school senior, the Coca-Cola Scholars Foundation is awarding **\$3 million a year in scholarships** to 250 deserving students just like you. Apply online today. A few minutes of your time could help get you through college and beyond. Deadline to receive completed applications: **October 31**. For additional information go to www.coca-colascholars.org.

apply today at: www.coca-colascholars.org





MAINE ATHLETE OF THE YEAR



A handwritten signature in black ink, which appears to read 'Thomas E. Fox', is written over a thin horizontal line.

THOMAS E. FOX
Senior Vice President, Sports and Event Marketing
The Gatorade Company

TRACK & FIELD
2005 - 2006

School administrators' policy knowledge and attitudes

- In 65% (n=13) an administrator **knew about Chapter 156**
- In 15% (n=3) both administrators **knew about Chapter 156**
- In 95% (n=19) of schools, an administrator agreed banning food and beverage marketing was **important**;
 - in 85% (n=17) of schools, both administrators agreed
- In 45% (n=9) of schools, an administrator agreed it was a **HIGH priority** to reduce junk food and beverage marketing in schools

Changes reported since Chapter 156

- 45% (n=9) of schools said they **made changes** since Chapter 156 in effect
 - 25% (n=5) schools **reviewed marketing** in schools
 - 20% (n=4) schools **identified alternatives** to existing marketing
 - 15% (n=3) schools **developed new rules**
 - 10% (n=2) schools **reduced marketing**
 - 10% (n=2) schools reported “other activities”
 - One school initially removed all vending; another made changes to products sold

Resources

- 15% (n=3) schools reported **lower revenues** (may be confusing with Chapter 51)
- 80% (n=16) schools said they want **more resources** to help implement law
 - 70% (n=14) want **more information** about Chapter 156 including what is banned
 - 55% (n=11) want **TA on implementation**
 - 30% (n=6) want a clear **enforcement process**
 - 30% (n=6) want more **staff time** to devote
 - 30% (n=6) want **funding** to help implement
 - 20% (n=5) want better **cooperation from vendors/ability to change contracts**

Summary, from observations

- Most marketing (compliant and not-compliant) found in this order:
 - Cafeteria
 - Athletic areas
 - Entrance/hallways
 - Teachers Lounge
 - Snack bars

Summary, from observations

- 43% of compliant vending marketing is plain bottled water
- 76% of not-compliant posters and signs is COKE (58%) and PEPSI (18%)
- 57% of not-compliant vending is COKE (41%) and PEPSI (16%)

Summary, from Interviews

- Most Marketing reported (in order):
 - Yearbooks (85%)
 - Coolers and equipment (70%)
 - Fund raising activities (70%)
 - School discount nights (70%)
 - Receipt or proof of purchase (55%)
 - Product giveaways (50%)
 - Sponsorship of school events (45%)
 - Meal Supplies (30%)

Summary, from interviews

- School administrators feel banning food and beverage marketing in schools is important but need more information, technical assistance and resources to help implement policy.

Summary

And finally.....

Clearly, there is widespread marketing of non-nutritious foods and beverages in Maine high schools despite the statewide ban.

Questions?

Comments?