

American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™

NYSAAP, District II, Chapters 1, 2 & 3



May 19, 2023

Memo of Support

Predatory Marketing Prevention Act S.213B/A.4424B

The NYS American Academy of Pediatrics, representing approximately 5,000 pediatricians across the state, strongly supports S.213B/A.4424B. This legislation offers an innovative approach to addressing health inequities and food industry practices that drive consumption of unhealthy foods.

New York bears a heavy burden from the epidemic of nutrition related conditions like diabetes, obesity, heart disease and tooth decay. According to the NY State Department of Health, obesity among children and adolescents has tripled over the past three decades. Currently, a third of New York's children are obese or overweight.

Low-income communities and communities of color are impacted by these conditions at significantly higher rates than white and more affluent communities. These epidemics are driven by the widespread availability and intensive marketing of unhealthy, ultra-processed foods. In the United States, children see, on average, three to five ads for fast food per day, and food-related companies disproportionately target advertising for nutritionally poor products to Hispanic and Black consumers, Hispanic and Black children and teens view large numbers of these ads. **These companies spend nearly \$14 billion per year on advertising and more than 80% of their advertising promotes fast food, sugary drinks, candy, and unhealthy snacks.**

A survey recently commissioned by the CUNY Urban Food Policy found that New Yorkers living and working in lower income neighborhoods are exposed to almost twice the proportion of predatory food and beverage marketing messages as those in higher income communities. Marketing "works." It increases children's and adolescents' desire for and consumption of unhealthy foods and develops brand loyalty and preferences.

The Legislature has an obligation to protect New York's children and help them grow up to become healthy adults. The Predatory Marketing Prevention Act (PMPA) would be step in meeting that obligation to all of New York's children and families.

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