

HEIN LAW FIRM, CHARTERED

5845 SW 29th Street, Topeka, KS 66614-2462

Phone: (785) 273-1441

Fax: (785) 273-9243

Ronald R. Hein

Attorney-at-Law

Email: rhein@heinlaw.com

House Health and Human Services Committee

Testimony Re: SCR 1604

Presented by Ronald R. Hein

on behalf of

Kansas Beverage Association

March 9, 2005

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for the Kansas Beverage Association (KBA), the state trade association for beverage bottling companies operating in Kansas. Previously the Kansas Soft Drink Association, the KBA changed their name to more truly reflect the membership and the products made, which include carbonated diet and regular soft drinks, bottled waters, isotonic drinks, juice, juice drinks, sports drinks, dairy-based beverages, teas, and other beverages.

The KBA supports SCR 1604. The Kansas Board of Education has already testified before this committee regarding the wellness program that they are implementing as a result of requirements set out in the recent re-implementation of the federal school nutrition lunch program legislation. This resolution will fit in well with the steps they have already taken to deal with the very complex issue of obesity in our society in general, and childhood obesity in particular.

An analysis of federal health data by a nutrition researcher at the University of North Carolina indicates that caloric consumption increased only 1% between 1980 and 2000. However, during that same 20 years, she found that physical activity decreased 13% while obesity increased 10%. The experts in nutrition recommend that the solution to obesity lies with a comprehensive approach that focuses on activity and exercise, moderation in food choices and food consumption, and an over all healthy, nutritious diet. Some have suggested quick answers to this complex problem that involve restrictions on food choices, banning of certain foods, and other approaches, all of which numerous nutrition experts generally agree are not the answer. These experts recommend instead a comprehensive solution that involves a moderate diet and proper exercise. They agree that there are no bad foods, that there is room for all foods in a healthy diet, that moderation is key, and that banning or restricting of any foods can be counter-productive. Studies indicate that restricting foods only increases the desire for those foods.

The KBA supports this effort to study the obesity issue and to have the Department of Education report their findings back to the legislature. Thank you very much for permitting me to submit this written testimony