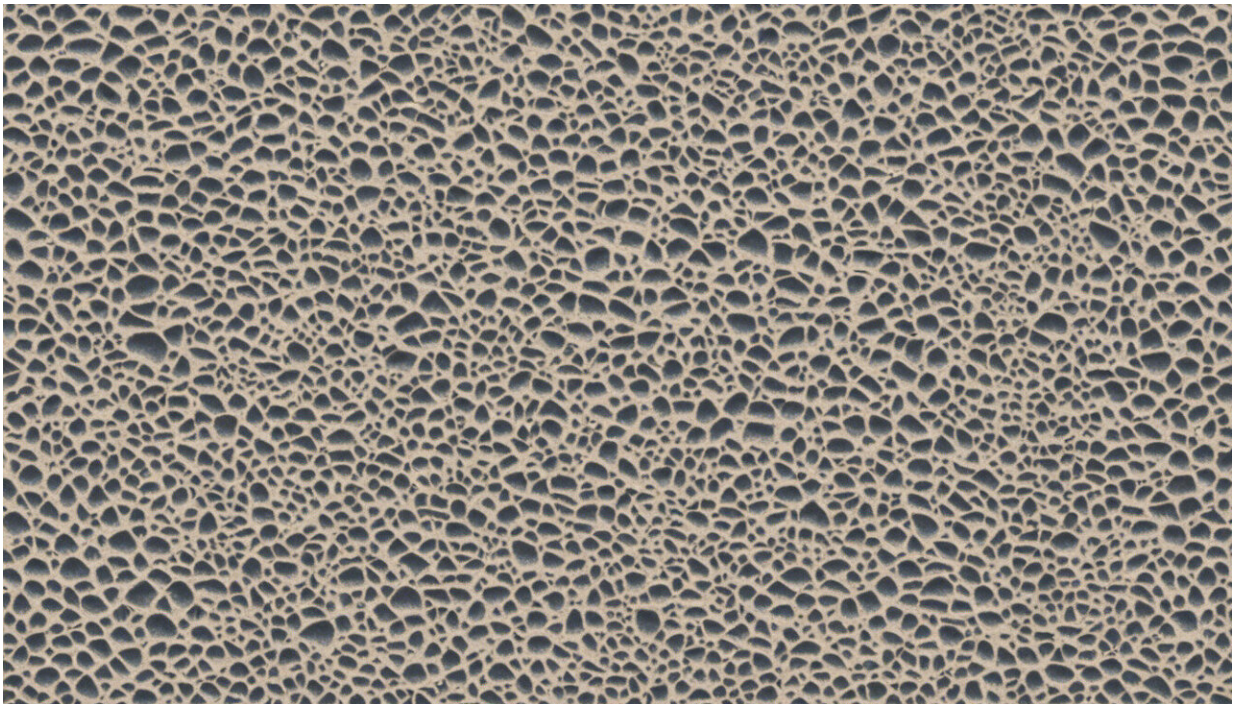


Targeted policy actions could help discourage obesity, expert says

October 27 2015, by Clifton B. Parker



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In the last three decades, the prevalence of obesity has increased rapidly in the United States, resulting in negative consequences for individuals as well as for society as a whole.

For the individual, [obesity](#) is linked to a wide range of health problems

from heart disease and stroke to depression and [low self-esteem](#). Those problems then result in higher [health care costs](#), with a large portion of the expense falling to taxpayers.

While the problems are huge, attempts at solutions have fallen short.

Now, a Stanford law professor suggests that a more targeted approach could promote healthy diets while discouraging the factors that are causing obesity to trend upward.

In a new journal article, Deborah Rhode, a legal ethics scholar, said if society is serious about curbing obesity, especially in children, then it must adopt policies that confront [obesity rates](#), which are a growing public health concern.

"Obesity has a dramatically adverse effect on a population's health," said Rhode, the Ernest W. McFarland Professor of Law, director of the Center on the Legal Profession and director of the Program in Law and Social Entrepreneurship at Stanford.

She noted that the United States has the world's highest per capita obesity rate, and that over the last three decades the percentage of children who are obese has risen to 17 percent.

"A third of children are also overweight," Rhode said. "The prevalence of obesity among adults has more than doubled; about a third of adults are obese and another third are overweight."

In her analysis, she examined the track record of government intervention on obesity and evaluated a range of policy options such as caloric disclosure requirements, taxes, sugary drink bans, food stamp modifications, zoning regulations, marketing to children, physical education, litigation and education.

"In principle, the United States is deeply committed to finding solutions to the rise of obesity and its health consequences. In practice, however, public policy has fallen short," Rhode said.

Almost 80 percent of Americans consider [adult obesity](#) to be a major public health problem, she said, but many policy responses have proven controversial, especially in the courts at the federal, state and local levels.

"At the same time that obesity rates have been rising sharply, many jurisdictions have resisted, or rolled back, strategies such as soda taxes or regulation of advertising directed at children," Rhode wrote.

'Political backlash'

Rhode said that the financial and political costs of anti-obesity policies are critical to consider. For example, simply suing people for misleading marketing may not be a solution. "From this perspective, litigation is a dubious investment, given the high price of lawsuits, their evidentiary difficulties and the likelihood of political backlash."

And though litigation can help raise public awareness and deter such marketing practices, it is unlikely to play a major role in obesity prevention, she said. Other blunt strategies such as bans on supersized soft drinks are easily evaded and politically unpopular.

By contrast, Rhode argues, strategies such as public education, greater access to parks and physical education programs are less controversial and likely more effective. Public awareness is paramount, she said. One way to spotlight the obesity issue is through high-profile awareness campaigns subsidized through additional taxes on sugar-sweetened beverages.

These taxes, she said, can both raise revenue and deter the consumption

of sugary products. Rhode said that polling data suggests these taxes are politically acceptable if citizens know that the funds raised are used for [obesity prevention](#).

Another possibility is a creative use of zoning regulations, Rhode said. New zoning could restrict the location of fast-food restaurants near schools while encouraging the location of healthy food retailers in underserved neighborhoods.

She calls for additional rules on food and beverage packaging and marketing practices. For example, calorie disclosure requirements could be expanded to include more establishments. They could also use color-coding systems that are better noticed by people, especially children, she said.

"Restrictions on marketing unhealthy foods to children, through bans on toy promotions and school advertising, are cost-effective ways of changing the environment in which food choices are made," Rhode wrote.

'Let's Move!'

Rhode noted that first lady Michelle Obama titled her campaign to combat child obesity "Let's Move!" with the message applying to politics as well as physical activity.

"Although we need more evaluation of policy strategies, we know enough about what works to chart a course of reform. We should act now on what we know," Rhode said.

In addition to physical problems such as heart disease and diabetes, obesity and being overweight are also associated with higher risks of psychological problems, including depression, anxiety and low self-esteem. Stigmatization and prejudice are other problems, Rhode noted,

as discrimination against overweight people is widespread in employment, education and health care.

The annual health care costs associated with obesity have been estimated at between \$147 billion and \$190 billion, Rhode said. Taxpayers finance nearly half of all medical costs associated with obesity through Medicare and Medicaid.

Rhode's article, "Obesity and Public Policy: A Roadmap for Reform," was published in the fall 2015 issue of the Virginia Journal of Social Policy & the Law. The article is currently available in hard copy and is expected to be available online soon.

More information: [Obesity And Public Policy: A Roadmap For Reform Virginia](#). *Journal of Social Policy & the Law*.

Provided by Stanford University

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