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Current Events in Context: Pop Politics



Image of a big gup machine by [freedryk](#).

Recently a New York State Supreme Court Justice made it clear that there's more at stake in New York City's "soda ban" than simply how many empty calories you can fit into a plastic container. Mayor Bloomberg's overturned law stands at the center of a controversy that demonstrates the difficult business of making public policy—his "War on Soda" is a sticky mix of science, economics, and politics.

The new law would have banned big, sugary drinks from restaurants, theaters, sports venues, and pushcarts in New York City. Any soda or energy drink with more than 25 calories per 8 ounces could not be sold in a container exceeding 16 ounces, excepting beverages made of 100% fruit juice or 50% dairy products. Although everyone was ready to make the shift—here is a mayor who had already successfully banned trans-fats and indoor smoking—Justice Milton Tingling struck down the law just one day before it took effect, calling the regulation "arbitrary and capricious."

The case turns partly around the question of whether the city's public health

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officials, who operate under the executive branch, are allowed to regulate sugary drinks. The beverage industry claims that Bloomberg tried to make an end-run around the legislative process, which explains why the law contains so many loopholes and exemptions-the Board of Health only regulates food establishments, so convenience stores could sell all the mega-sodas they like.

A more interesting question, however, is whether the health problem that Bloomberg is addressing rises to the level of an epidemic. Right now, almost 6 out of 10 New York City residents are overweight or obese. The Mayor's office contends that high doses of sugar in large drinks is a major contributor to a problem that is taking lives daily, and therefore falls under the purview of its health officials.

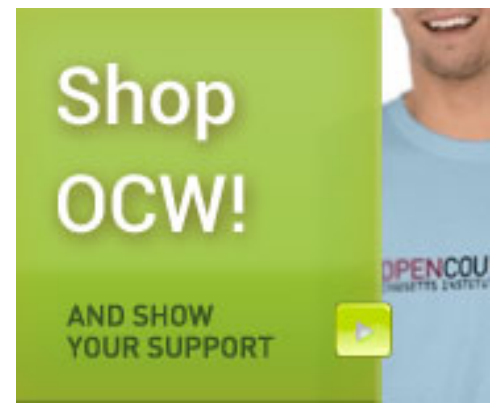
Is the soda ban "nanny state" intervention, or a reasonable effort at "portion control" for an addictive substance? Evidence shows that soda consumption and obesity disproportionately impact the poorer neighborhoods, where cheap calories often trump nutrition. But the soda companies and their lobby have thrown millions of dollars into public relations campaigns that focus on calorie labeling, nutritional education, and exercise over outright bans.

The city will appeal the decision and the battle will continue to bubble. In the meantime, you can learn more about the politicization of food in the modern world and the difficulties of crafting effective health policies by checking out these courses:

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