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Sophia Learning

English Composition II

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“In Search of the *Silver Bullet*: Regulatory Models to Address Childhood Obesity”

Joan Rothenberg has experience in research and development with several prominent food and beverage companies. She earned her Juris Doctor in Regulatory Law from George Mason University and currently serves as the Regulatory Counsel for the Food and Drug Administration. In 2010, Rothenberg’s article “In Search of the *Silver Bullet*: Regulatory Models to Address Childhood Obesity” was published in the Food and Drug Law Journal. The purpose of her article was to examine the history of the childhood obesity epidemic, identify the government’s role in preventing childhood obesity, and explain some of the regulatory models that have been enacted. She rounds this article off with regulatory models that have been proposed, as well as some alternatives to government regulation, before concluding with commentary on why most of these models have not been effective. Many of these regulatory models were aimed at advertising agencies and food and beverage companies, suggesting they alone were at fault. Rothenberg notes that the childhood obesity epidemic has many causes and offers a multilevel approach involving parents, schools, communities, industry, and policymakers. While I agree that this multilevel approach is needed, I believe it will require too much of a coordinated effort to be effective.

Rothenberg highlighted the importance of tackling childhood obesity by referencing data that suggests this generation of children could experience a shorter lifespan than their parents because obesity is the most common nutritional disorder for children in the United States

(Yanovski, 2001, as cited in Rothenberg, 2010, p. 187). She also notes that the increase in obesity could be relative to the increased availability of food in vending machines and restaurants. Rothenberg also leans on Harvard University research findings on improved food processing technologies that cut food preparation time in half. She also uses the economic burden of obesity to support the need for intervention, stating, “the estimate for care for overweight youth in the United States is \$14 billion annually” (Rothenberg, 2010, p. 188).

These health and economic impacts have not gone unnoticed. The regulatory models that have been proposed have taken different approaches to combat childhood obesity. Rothenberg described the New York City Board of Health’s 2006 amendment to the Health Code, which sought to phase out the use of artificial trans-fats. Similar amendments to prohibit the use of trans-fats were proposed in cities across the United States shortly thereafter, although prohibition was only one approach. Proposals to include labeling on soft drinks similar to the warning labels on cigarettes and alcohol were made. Changes to the marketing and advertising of unhealthy food to children have also been made. Rothenberg also noted that “snack taxes” on unhealthy food and beverages were also proposed. She provides the example of Maine, where lawmakers approved a tax on the syrup used to make soda, where the revenue would be used to fund a state health insurance program for small businesses. This was eventually overturned after a group of wholesalers and restaurants collected enough signatures to force a citizen vote (Cover, 2008, as cited in Rothenberg, 2010, p. 208). The one method described by Rothenberg that seemed to have the largest impact came from the Council of Better Business Bureau, which created the Children’s Food and Beverage Advertising Initiative. This initiative provides participating companies with advertising reviews to ensure their content aligns with the Initiative’s principles. These participating companies agreed to promote healthier dietary choices in their advertising to

children 12 and under at least 50 percent of the time. This agreement also includes reducing the use of third-party licensed characters in advertising aimed at children and not seeking food or beverage placement in entertainment aimed at children. This initiative has faced criticism since participation is voluntary and not mandated.

I believe that these attempts at combatting childhood obesity are noble in their intent but have ultimately done little to reverse this epidemic significantly. Those who oppose “snack taxes” claim that overconsumption of anything can have adverse effects, so the responsibility falls on parents. Parents claim that advertisers are taking advantage of a child’s inability to understand the concept of selling and persuasion. Those that oppose warning labels mention that, unlike tobacco and alcohol, food is necessary for survival. Rothenberg mentions that the cause of childhood obesity is not easily identified, and as such, the solution is not either. She contends that obesity prevention programs that avoid restrictions on choice are more likely to succeed, especially if they focus on attractive alternatives. She also contends that litigation against food and beverage companies is wasteful, as evidence of claimed damages is rarely found. This supports her claim that a multilevel approach to combatting childhood obesity is necessary.

The center of this issue is overconsumption, which means behavior modification is a possible remedy. Parents ultimately decide what their children can consume. Modeling appropriate behavior is not a foreign concept to most parents. This should include healthy eating habits. While food and beverage companies have an ethical duty to ensure their products do not cause harm, they are not liable for overconsumption. Children are easily influenced by peers and their favorite cartoon characters, but they do not have the means to provide for themselves. This places the responsibility directly on their parents.

## Reference

- Cover, S. M. (2008, July 13). Group Confident of Forcing Citizen Vote on Beverage Tax. *Portland Press Herald*.
- Rothenberg, J. R. (2010). In Search of the Silver Bullet: Regulatory Models to Address Childhood Obesity. *Food & Drug Law Journal*, 65(1), 185-216.
- Yanovski, J. A. (2001). Intensive therapies for pediatric obesity. *Pediatric Clinics of North America*, 48(4), 1041–1053. [https://doi.org/10.1016/s0031-3955\(05\)70356-4](https://doi.org/10.1016/s0031-3955(05)70356-4)

## Reflection Questions

**01. What ideas originally came to mind when you first read through the article? Did your initial response to the article change after reading it for a second time? (3-4 sentences)**

When I first read through the article, I believed that these attempts to combat childhood obesity were noble in their intent. These food and beverage companies should be held liable. After reading the article again, my response changed as I realized that so long as these products were not immediately harmful, they were not liable for overconsumption. I started to believe that parents were ultimately responsible for their children's consumption.

**02. How does paying attention to the way you respond to a source help you formulate your stance on a topic? (2-3 sentences)**

Paying attention to how you respond to a source helps ensure that your stance is articulated appropriately. This shows up in the evidence you present in your response. It is easy to determine whether you agree or disagree with a topic, but paying attention to how you respond helps make sure that you are not simply summarizing a source and that your stance is evident.

## Touchstone 1.1 Rubric and Feedback

Rubric Category	Your Grade
Source Summary (15 points) - 30%	Advanced (100%) - Provides a complete and accurate summary of the article's main purpose and argument in the writer's own words.
Source Response (15 points) - 30%	Advanced (100%) - Constructs a thoughtful and academically appropriate response to the source, including samples from the source that relate to the response.
Organization (5 points) - 10%	Advanced (100%) - Includes all of the required components of a summary and response essay, including an introduction with an engaging summary of the source's argument, and body paragraphs containing a detailed and thoughtful response to the argument.
Style (5 points) - 10%	Advanced (100%) - Demonstrates thoughtful and effective word choices, avoids redundancy and imprecise language, and uses a wide variety of sentence structures.
Conventions (5 points) - 10%	Advanced (100%) - There are only a few, if any, negligible errors in grammar, punctuation, spelling, capitalization, formatting, and usage.
Reflection (5 points) - 10%	Advanced (100%) - Demonstrates thoughtful reflection; consistently includes insights, observations, and/or examples in all responses, following or exceeding response length guidelines.

**SCORE: 50/50**

Nathan,

You've achieved a good balance between thorough and succinct in this accurate and well-organized summary. Your personal response is also critical and textually engaged. Please review the feedback carefully, and best of luck with your next touchstone! - James



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