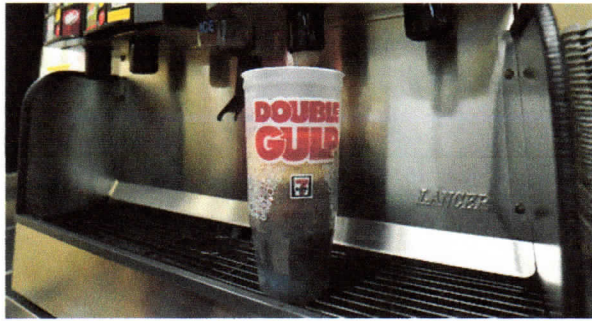




## Big Drinks Are Back

A state judge in New York strikes down a ban on large-sized sugary beverages

MAR 13, 2013 | By Alice Park for TIME with AP reporting



TIMOTHY A. CLARY—AFP/GETTY IMAGES

Grocery and convenience stores like 7-Eleven were never included in New York City's ban because they are not regulated by the city.

On Monday, State Supreme Court Justice Milton Tingling struck down New York City's ban on big sugary drinks just hours before it was supposed to take effect. The law would have banned the sale of sugared beverages larger than 16 oz. at New York restaurants, mobile food carts, sports arenas and movie theaters.

Tingling said the ban would have left people with many other ways to consume sugary drinks. "The loopholes in this rule effectively defeat the stated purpose of this rule," he wrote.

Although the ban was widely supported by health professionals, it was not popular with food retailers or many city residents. They asked, why single out sugared sodas, when there are many reasons why people are overweight? And if sugared beverages are being targeted, why not take

stronger measures against other sources of sugar, such as candy and other sweets?

The American Beverage Association (ABA) and other opponents of the rule supported the judge's decision. "The court ruling provides a sigh of relief to New Yorkers and thousands of small businesses in New York City that would have been harmed by this unpopular ban," an ABA spokesperson said.

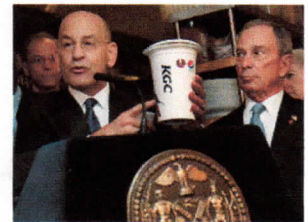
### Health in the Big Apple

New York City Mayor Michael Bloomberg led the ban on large drinks. He aimed to cut obesity rates in the U.S., where at least two-thirds of American adults are considered overweight. Bloomberg says the city will appeal the judge's decision. "We believe the judge is totally in error in how he interpreted the law, and we are confident we will win on appeal," Bloomberg said.

More than half of New York City adults and nearly 40 percent of the city's public elementary and middle school students are considered overweight.

New York City's Board of Health members believe that banning mega-sized drinks is an important step toward helping consumers not only to drink fewer calories, but may also encourage people to make other healthy changes to their diet. The board reviewed data showing that sugared drinks make up 43 percent of the added sugar in the average American diet. Now, with big drinks back on store shelves, New Yorkers will make their own choices about how to stay healthy.

What do you think? Should the government ban large sugary drinks to help consumers make healthier choices? Or should people be allowed make their own choices about beverage size? Vote in the TFK poll below!



SETH WENIG—AP

Montefiore Hospital President and CEO Steven Safyer (left) talks about the reversal of the soda ban at a press conference with New York City Mayor Michael Bloomberg.

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