



February 7, 2019

Testimony before the Committee on Children in support of HB 7007: An Act Prohibiting the Sale of Energy Drinks to Persons under Sixteen Years of Age.

Senator Abrams, Representative Linehan and members of the Committee, my name is Sally Mancini and I am the Director of Advocacy Resources at the UConn Rudd Center for Food Policy and Obesity. The UConn Rudd Center’s mission is to promote solutions to childhood obesity, poor diet, and weight bias through research and policy. We believe that every child, regardless of who they are, where they live, and what they look like, deserves the opportunity to eat healthfully.

The UConn Rudd Center strongly supports prohibiting the sale of energy drinks to children under the age of 16 as laid out in HB 7007. Based on the Center’s research on this topic, we see a need for this regulation for three primary reasons: 1) energy drink consumption is dangerous for children and teens; 2) energy drink companies aggressively market their products to youth; and 3) energy drinks are extremely accessible and widely purchased by adolescents. We also encourage you to include energy shots (2- to 3-oz concentrated liquids that contain 113 to 200 mg of caffeine) in this legislation.

We are pleased to briefly present the evidence base for this policy and offer ways to strengthen the current language in the bill to align with the best available research and energy drink product information.

Energy drinks pose a health risk to children and adolescents. An American Academy of Pediatrics policy statement released in 2011, and reaffirmed in 2018, found, “rigorous review and analysis of the literature reveal that caffeine and other stimulant substances contained in energy drinks have no place in the diet of children and adolescents” (Schneider and Benjamin 2011).

Researchers have demonstrated that the high amounts of caffeine, together with other stimulants in energy drinks, lead to serious health effects, such as seizures, diabetes, and cardiac abnormalities, especially in children, adolescents, and young adults (Seifert, et al. 2011). Emergency room visits related to energy drink consumption doubled from 2007 to 2011, and in severe cases, these products have led to death when rapidly consumed by young people with undiagnosed underlying heart conditions. A systematic review of the literature found energy drink consumption also linked to increased substance abuse and risk-taking behaviors among adolescents and young adults, with the most common adverse health effects impacting cardiovascular and neurological systems (Ali, et al. 2015).

The total caffeine content in energy drink products typically ranges from 68 to 160 mg in a 16-oz energy drink and 113 to 200 mg in a 2-oz energy shot (e.g., 5-hour energy); whereas most caffeinated sodas only contain approximately 35 mg of caffeine per 12-oz container. The

proprietary “energy blends” (e.g., B-vitamins, amino acids, and/or herbal supplements) included in these products also contain stimulants that have not been determined to be Generally Recognized as Safe (GRAS) by the U.S. Food and Drug Administration (FDA) in the amounts present in these drinks or in combination. Furthermore, the extent of harm to children and adolescents associated with the interaction between consuming caffeine and other stimulants in energy drinks is largely unknown. This is primarily because the FDA does not require energy drink companies to disclose the amount of stimulants included in their products (Harris and Munsell 2015).

Energy drink companies advertise to children as young as preschool age. Research conducted by the UConn Rudd Center, in conjunction with our Sugary Drink FACTS 2014 report, found that in 2013, preschoolers, children and teens saw more advertising for 5-hour energy than for any other single brand, and Red Bull ranked sixth in TV advertising to children and fourth for teens. While 5-hour Energy reduced its advertising spending in 2013 versus 2010, Red Bull increased advertising spending by 84% and TV advertising to youth by 59% or more. Further, both companies appeared to target their TV advertising to a teen audience, as teens saw 20% to 30% more of these ads compared with adults. On the internet, energy drink websites were among the most popular sites in our analysis for children and teens. 5HourEnergy.com was visited by twice as many teens compared with all other beverage company websites, and ranked second in visits by children. Child and teen visitors to the site increased by 600% and almost 800%, respectively, from 2010 to 2013. (Harris, Schwartz, et al. 2014)

The American Beverage Association, which represents Monster, Red Bull, The Coca-Cola Company, Dr. Pepper Snapple Group, PepsiCo, and ROCKSTAR committed to improving their labeling and marketing practices in 2014 (American Beverage Association 2014). Their commitments, however, only apply to children under 12 years of age and do not extend to online promotions, social media or digital marketing, which energy drink companies use to aggressively promote their products to young people, including adolescents between the ages of 12-15.

Energy drinks are easily accessible to adolescents. Common retail practices make energy drinks readily available to young people and encourage impulse purchases. For example, 79% of energy drinks are sold in convenience stores. Typically, they are stocked in beverage coolers alongside sodas and other soft drinks. Energy shots are frequently featured in freestanding displays near the checkout counter in convenience and drug stores (Harris, Schwartz, et al. 2014). Not surprisingly, in a review of self-report surveys, researchers found that 30–50% of adolescents and young adults reported ever consuming energy drinks (Seifert, et al. 2011), and almost one-third of teens (12-17 years old) consume them regularly (U.S. Department of Health and Human Services 2018). In addition, unlike soda and other sugary drink categories, consumption of energy drinks continues to increase. U.S. sales of energy drinks and shots reached an estimated \$13 billion in 2017, compared to \$8 billion in 2011 (Statistica 2018).

Suggested changes to HB 7007 bill language. To ensure that energy drink products are adequately covered by this bill, we recommend the Committee change the definition in three ways: 1) align with typical energy drink serving sizes; 2) specify additional types of stimulants commonly found in popular energy drinks; and 3) include energy shots in the definition. Our changes to the current definition included in Section 1.4 of the bill are deleted or underlined below:

“An “energy drink” is a: 1) a soft drink that contains (A) not less than eighty milligrams of caffeine per ~~eight~~ nine fluid ounces, and (b) an “energy blend” consisting of additional ingredients such as methylxanthines, B vitamins, amino acids or herbal ingredients (e.g., taurine, gaurana, ginseng) or 2) an energy shot with not less than 100 milligrams of caffeine per two fluid ounces.”

We thank the Committee on Children for raising HB 7007. Energy drink companies often claim that their products contain the same amount of caffeine as a premium coffeehouse coffee, but they do not publicize the following facts:

- Energy drinks’ proprietary blends of stimulants have not been proven safe by independent researchers and cannot be tested because companies will not release the amounts of these ingredients in their products.
- Children have been rushed to the emergency room and some have died because they rapidly consumed one or more energy drinks (which is unlikely to happen with a hot cup of coffee).
- Companies’ marketing is designed to make these products appear cool and daring, which especially resonates with teenage boys.
- Consumption of energy drinks has become commonplace among children as young as 12 years old, which poses considerable risks to their physical and mental health.

Energy drinks are largely unregulated and pose significant health risks to children and adolescents. Action on this issue is sorely needed. We welcome questions and/or requests for additional information on the UConn Rudd Center’s research regarding energy drinks.

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References

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