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## A BILL FOR AN ACT

RELATING TO ADVERTISING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that childhood obesity  
2 represents a far reaching problem in our State. While childhood  
3 obesity can lead to social stigmatization, compromised health,  
4 and lower educational performance in the short term, the long-  
5 term effects of obesity include the onset of diabetes, increased  
6 risk of heart disease, and increased health care and health  
7 insurance costs. Each problem by itself represents a strain on  
8 state financial resources, and a long-term cost that diverts  
9 funding from other important government functions, including  
10 public safety and education.

11           The legislature also finds that a restriction on the  
12 advertising of food products and beverages that do not meet  
13 current department of education nutrition standards directly  
14 advances the state's interest in combating childhood obesity as  
15 the advertising for food products and beverages that directly  
16 contribute to childhood obesity make prevalent use of licensed  
17 characters and advertising on children's television programs.



1           The legislature further finds that this restriction on  
2 advertising is not more restrictive than necessary to serve the  
3 state's interest as the restriction does not affect advertising  
4 on different programs nor does it prevent the use of forms of  
5 advertising other than the use of licensed characters. The  
6 purpose of this Act is to restrict the advertising of certain  
7 food products and beverages.

8           SECTION 2. Notwithstanding any provision of the law to the  
9 contrary, food products or beverages that do not meet the  
10 department of education's nutritional standards number two or  
11 six shall not be advertised within the state through the use of  
12 licensed characters or on children's television programs.

13           For purposes of this Act, "children's television programs"  
14 means television programs designed for and marketed to children,  
15 normally broadcast during the morning, afternoon, and weekends,  
16 and whose main purpose is to entertain or educate children on  
17 basic life skills, ideals, or values.

18           "Licensed characters" means characters, usually cartoons,  
19 that are licensed by their creators to mass marketers or  
20 businesses, whereby a royalty is paid to the license owner when  
21 a product bearing their image is sold or is used in advertising.

22           SECTION 3. This Act shall take effect upon its approval.



# H.B. NO. 1674

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "H. H. H. H. H.", is written over a horizontal line.

JAN 28 2009



**Report Title:**

Childhood obesity; marketing

**Description:**

Prohibits certain marketing techniques of certain food products and beverages.

