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MANHATTAN'S HIGHEST DAILY CIRCULATION NEWSPAPER



# GEE FIZZ!

New Yorkers, businesses  
prep for big soda ban

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**Kelly's new column**

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# LAST STRAW FOR BIG SODAS



## THE RULES

**Need help understanding how the sugary beverage ban works? Here's a rundown.**

**WHAT IS PROHIBITED:** Sugary drinks served in containers greater than 16 ounces.

**WHAT ISN'T BANNED:** Diet sodas served in containers greater than 16 ounces that have fewer than 25 calories per 8 ounces. Large-serving alcoholic beverages and dairy products are also exempt.

**WHERE THE BAN AFFECTS:** Any place that gets a Health Department letter grade, including delis, restaurants, movie theaters and stadiums. Supermarkets are exempt from the ban since the state regulates them.

(IVAN PEREIRA)

A 20 oz. soda, or Texas-sized drink, at Dallas BBQ could no longer be served if the soda ban sticks.

NANCY BOROWICK

**BY IVAN PEREIRA**  
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Ready or not, the city's ban on oversized sugary drinks is set to take effect on Tuesday, and it's already having an impact on diets in the Big Apple.

Some fast food chains, restaurants and other eateries have begrudgingly prepped for the new regulations, while some New Yorkers have altered their fizz intake.

City nutritionists say they've seen a rise in clients who are more conscious about the size of their soda since Mayor Michael Bloomberg introduced the ban in May.

"I do see an alert and an awareness of how much soda they are drinking," said Queens nutritionist and dietitian Maria Moriarty. "They're reading the bottle and seeing how many ounces are in a bottle."

The proposal still awaits a judge's decision on a lawsuit filed by the soda companies, but the city said it will stick by its launch date so that it can tackle the 58% obesity rate.

Under the plan, the city would level a \$200 fine per violation against any city establishment with a health department letter grade that sells sugary drinks greater than 16 ounces. Diet drinks fewer than 25 calories per 8 ounces, dairy products and alcoholic drinks are exempt from the regulation.

A recent Quinnipiac University poll found that New Yorkers were almost evenly divided on the plan.

Lisa Young, an adjunct professor of nutrition at NYU, said that despite some outcry, New Yorkers are scaling back on their soda. "Even if you're opposed to it, you become more aware how ridiculously large these sodas have be-

come," she said.

Memorial Vilakazi, 49, agreed and said she tries to avoid soda. "When you're drinking it, your body starts to crave it. But if you start drinking water, then your body will start craving that, too," she said.

The food industry, however, is more reluctant to change.

The courts have not ruled or responded to the request for a stay on the ban from plaintiffs including the American Beverage Association and the NAACP, which could delay the regulation. Because of this limbo, some businesses said they haven't started preparing their shops for the ban.

Eric Levine, director for the Dallas BBQ chain, said the staff at his 10 restaurants are taking a wait-and-see approach when it comes to removing their "Texas-size" 20-ounce soda option.

"We serve 150,000 a week, so when we change something like that, it's going to be huge and costly," he said.

Some larger brands, such as Dunkin' Donuts, are already removing bigger containers for their hot chocolates and iced coffees. Dunkin' Donuts also won't put sugar in its large and extra-large coffees.

Although a representative for the chain said it complied with the ban, it still didn't support it.

"Placing another burden on small businesses is simply not the way to go," said Michelle King, a spokeswoman for Dunkin' brands, in a statement.

Some big venues, such as the Barclays Center, were in tune with the mayor's proposal and didn't hesitate before changing their sizes.

The Department of Health said it understands the concerns of the businesses and would give them a three-month grace period for fines.

A spokeswoman for the office said their bottom line was to curb obesity before it kills more New Yorkers.

"Portion sizes of sugary drinks have grown and studies show people consume more when given larger portions, often without even realizing it," the spokeswoman said.

(WITH ANNA SANDERS)