



Written by [Raven Clabough](#) on June 1, 2012

NYC Mayor Proposes Ban on Super-sized Sugar Drinks

New York City continues to inch its way toward Nanny State with Mayor Michael Bloomberg leading the charge. The latest effort from the Bloomberg administration involves [outlawing](#) super-sized sodas and other sugary drinks.

Mayor Bloomberg has banned the sale of all drinks over 16 ounces at venues across the city of New York, including movie theaters and street carts. The ban does not apply to diet sodas, fruit juices, dairy drinks, or even alcoholic beverages. Likewise, it does not apply to drinks sold in grocery stores.

Establishments that do not comply with the ban, which could go into effect as early as March, could face fines of \$200.

Naturally, the touted benefits behind the ban is to minimize the consumption of sugary drinks and improve the health of New York residents, but Fox News notes the obvious issues posed by such a recommendation: “The ban, though, doesn’t seem to take into account the obvious work-around. Want more than 16 ounces? Just buy two bottles. There’s no Big Apple ban on doing that — yet.”

While the ban has not yet been approved by the Board of Health, there is little doubt that it will be, since the board is full of Bloomberg appointees.

Once passed, the super-sized drink ban will be added to the growing list of banned items and activities in New York, including trans-fat and smoking.

It is the first ban of its type in the United States.

According to Bloomberg, “It’s what the public wants the mayor to do.”

But not all of the public is on board with his proposal.

Stefan Friedman, spokesman for the New York City Beverage Association, called the Mayor’s proposal “zealous” and said that officials interested in helping curb obesity should find real solutions. The association added, “Soda is not driving the obesity rates.”

Likewise, Coca Cola released a statement asserting that the company has already been addressing obesity by placing calorie counts on the front of its products.

“The people of New York City are much smarter than the New York City Health Department believes,”



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the statement said. “New Yorkers expect and deserve better than this. They can make their own choices about the beverages they purchase.”

On his blog, Judson Phillips of Tea Party Nation slammed Bloomberg for his ban, declaring, “There are a whole lot of things New Yorkers would rather King Michael be doing other than telling New Yorkers what they can or cannot drink.”

“It is time to move the Statue of Liberty,” he added.

Still, some New Yorkers support the measure. One city resident voiced support for the ban to MyFoxNY.com, stating “Sodas are really unhealthy and I don’t see any reason you need to drink 20 ounces of soda.”

Critics point out that such an assertion brings up the obvious question: How are the consumption patterns of any individual the business of anyone else? After all, it takes a true elitist mentality for one to believe that he is in the proper position to dictate the food behavior of another.

The problem is that some Americans believe they have a [financial interest](#) in some of the behaviors of individuals, and to an extent, they are correct. For example, if individuals engage in ghastly dietary habits and require loads of medical treatment to address the problems they create through those dietary habits, and those medical treatments are paid for by Medicaid or Medicare, then taxpayers are in fact financially invested in the eating habits of those individuals. Likewise, in the event that Americans live unhealthy lifestyles and become so badly disabled as a result that they are deemed no longer capable of working and collect Social Security or disability checks, the taxpayers become financially invested in the behaviors of those individuals as well.

But constitutionalists say the solution is not to dictate human behavior, a notion that should never be permitted in a free society. Rather, the best approach is to rethink the entire social services system that ties taxpayer dollars to the behavior of the American people.

Such a solution, however, is scarcely ever truly considered by lawmakers, as it has long been considered the “third rail of American politics.” The exception to that is, of course, Texas Rep. Ron Paul. As a result, governments, both at the local and federal level, have taken it upon themselves to address obesity.

Chocolate milk has been removed from school cafeterias across the country, toys are being taken out of fast food kids’ meals, and cash-strapped states have turned to “sin taxes,” all under the alleged guise of addressing obesity. Meanwhile, healthy options like raw milk and products grown on family farms continue to face the harsh scrutiny and overreach of the Food Safety Modernization Act.

And while the government has not yet decided it has the authority to take complete control our diets, at least not yet, it has engaged in these sorts of endeavors to “nudge” us in the right direction.

That notion seems to come straight from Cass Sunstein, the Obama administration’s regulatory czar who authored the book, *Nudge-Improving Decisions about Health, Wealth, and Happiness*.

Sunstein’s book provides a variety of measures that can be taken in order to ‘nudge’ Americans towards healthier lifestyles while giving it the appearance that Americans are in fact making the decisions themselves, through the employment of behavioral psychology.

One example that Nudge provides to help encourage students to eat healthier is to place healthier food choices at eye level while healthier choices are placed out of sight.



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Sunstein has indicated that the presence of too many choices can be confusing to the American people. In describing the premise of his book, Sunstein virtually claimed that the American people were too ignorant to make proper decisions. “We think there is a little Homer Simpson in all of us. Sometimes we have self-control problems, sometimes we’re impulsive. In these circumstances, both public and private institutions, without coercing, can make our lives a lot better.”

There’s good news, according to Sunstein, however. “Once we know that people are human and have some Home Simpson in them, then there’s a lot that can be done to manipulate them.”

It’s worth mentioning that the government’s insistence on tackling the obesity epidemic in the United States is not as intrinsically inspired by a desire to aid the American people as they would like for us to believe, nor is it entirely driven by money. According to First Lady Michelle Obama, obesity is a national security problem.

In December, 2010, [she](#) said in prepared remarks: “Military leaders tell us that when more than one in four young people are unqualified for military service because of their weight, childhood obesity isn’t just a public health threat, it’s not just an economic threat, it’s a national security threat as well.”

After all, how else can they assure that they have enough soldiers to fight in the numerous wars in which they would like for the American military to be engaged?

It seems that Mayor Bloomberg is just one of the many generals leading the troops.



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