



Preemption – Keeping Communities Back From Healthy Choices

The beverage industry and its allies are desperate stop local measures designed to reduce soda and sugary beverage consumption precisely because these local measures are working so well. The industry knows that consumption of soda has declined nationally—despite hundreds of millions being spent on marketing—because people are demanding healthier choices. With a growing number of communities from coast to coast recognizing the health and economic benefits from strong health policy to reduce sugary sweetened beverage consumption, the beverage industry is now resorting to backroom deals and underhanded efforts to preserve its profits.

- The Soda Industry has long sought out “Preemption” policies at the state level to eliminate or limits the authority of a “lower” level of government to offer local voters the ability to choose policies that reduce soda consumption.
- Preemption in California prevents voters and their local elected officials from enacting measures they feel are necessary to protect the health of their communities and allow public investments in critical local programs.
- Communities should be able to offer voters policy choices that are proven to promote good health, well-being, and equity.
- What works for the people in a large city may not work for the people in a small town in the same state. Preemption does not allow localized laws that most accurately reflect the unique views, values and needs of the people who live there.
- Preemption laws stop the policy incubator. Often the strongest and most innovative public health policies have emerged at the local level – often after long and hard-fought grassroots community efforts – before ultimately being adopted at the state or federal level. These grassroots campaigns increase local awareness of the issue, build community readiness and support, allow healthy public debate about how best to implement those policies.
- Preemption opponents claim they cannot keep up with a ‘patchwork’ of local laws throughout a state - But in reality, successful businesses are very accustomed to working with the unique market and laws in each local community.
- Once enacted, become cumbersome, rigid, difficult to repeal, and can negatively impact a state for decades.