

Written Testimony on HB 1556, Business Regulation – Sugary Beverage Advertisements – Warning Labels

Dear Delegate Ross and Members of the House of Delegates Health Committee:

Thank you for the opportunity to provide testimony on House Bill 1556. My name is Anna H. Grummon, PhD, and I am an assistant professor at Stanford University School of Medicine. I am a behavioral scientist with over a decade of experience studying nutrition policies, including warning labels. I am submitting this testimony in my personal capacity, and my views do not necessarily reflect those of my institution.

I support HB 1556 and respectfully suggest a favorable report with amendments. Research consistently shows that sugary drink consumption contributes to obesity, type 2 diabetes, and dental caries, and reducing consumption of these beverages is an important public health goal. Health warnings are a promising, evidence-based strategy to inform consumers and encourage healthier choices. I also offer several suggested amendments to strengthen the bill and improve its effectiveness.

1. Benefits of Warnings on Advertisements for Unhealthy Products

Research indicates that displaying health warnings on advertisements for unhealthy products can increase consumer understanding and encourage healthier behaviors. For example, Sanders-Jackson and colleagues found that displaying warnings on advertisements for e-cigarettes reduced young adults' cravings for and intentions to purchase e-cigarettes.¹ In their study, some types of e-cigarette health warnings even reduced cravings for combustible cigarettes.¹ Similarly, Slater and Domenech found that displaying health warnings on advertisements for beer helped young adults shift their beliefs toward a better understanding of the risks of alcohol consumption.² Studies have also shown that requiring health warnings on social media advertisements for e-cigarettes is associated with those advertisements receiving less engagement,³ suggesting that warnings could help mitigate the negative effects of these advertisements. Finally, experimental research finds that requiring health warnings on advertisements for sugary beverages does not generate unintended consequences, such as leading consumers to falsely believe that sugary beverages are the only contributor to weight gain.⁴

Together, these studies support HB 1556 by indicating the benefits of requiring health warnings on advertisements for unhealthy products.

2. Revise Warning Language to Align with the Definition of Covered Beverages

HB 1556 defines a “sugary beverage” as a beverage that contains added sugars or non-nutritive sweeteners. However, the proposed warning statement refers specifically to beverages “with added sugar.” This mismatch in language could create confusion or inconsistencies in implementation. To improve clarity, the General Assembly may wish to consider revising the warning statement to better align with the bill’s definition of covered beverages or alternatively revising the definition of covered beverages to match the warning language.

3. Clarify the Meaning of “Highly Visible”

The bill specifies that the warning label must be “highly visible.” Research on health warnings suggests that certain design features increase visibility and effectiveness, including bold formatting, high-contrast colors, and recognizable warning symbols. For example, experimental studies have found that health warnings that use icons such as a triangle with an exclamation mark are perceived as particularly attention-grabbing and effective at communicating risk.⁵⁻⁷ Experiments have also found that some warning label colors, such as black, red, or yellow backgrounds, are especially effective.⁸⁻¹⁰ Research also suggests that warnings that occupy a larger percentage of advertisements for e-cigarettes may reduce engagement with the advertisement.³ Together, this research suggests that legislators may wish to consider detailing specific formatting requirements to ensure that warnings meet the requirement of being “highly visible.” This might include specifying:

- Minimum font size
- Minimum warning label size (e.g., as a percentage of the advertisement)
- Required color contrast
- Placement requirements within the advertisement

Providing clear design standards would help ensure warnings are consistently visible and effective.

4. Consider Pairing Warnings on Advertisements with Warnings on Products

Finally, legislators may wish to consider pairing advertisement warnings with a complementary policy requiring front-of-package health warnings on sugary beverages. Because product packaging also functions as advertising, front-of-package warnings can work alongside advertisement warnings to reinforce health information and support informed decision-making. Moreover, warnings on products are delivered at the moment when consumers are deciding what to buy or consume, making them a particularly effective intervention for promoting informed decisions and encouraging healthier choices.

A large body of randomized experiments indicates that health warnings on sugary beverages can reduce purchases and consumption. For example, our meta-analysis of 23 experimental studies found that sugary beverage warnings reduce sugary drink purchases.¹¹ Our randomized controlled trials have also found that health warnings on sugary beverages lead adults to purchase approximately 23% fewer calories from sugary beverages¹² and reduce the likelihood that parents purchase sugary beverages for their children by approximately 37%.¹³ Randomized experiments also show that health warnings inform consumers, for example by helping consumers understand how healthy or unhealthy sugary beverages are.^{14,15}

In turn, modeling research indicates that requiring health warnings on sugary beverages could reduce obesity prevalence among adults by approximately 3 percentage points, equating to approximately 5 million fewer adults with obesity nationwide.¹⁶ Modeling research also indicates that requiring health warnings on sugary beverages could help prevent 480,000 to nearly 1 million cases of type 2 diabetes over 10 years.¹⁷

Pairing warnings on advertisements with warnings on products could maximize the public health impact of Maryland's efforts to reduce diet-related disease.

Conclusion

HB 1556 represents an important step toward improving consumer awareness of the health risks associated with sugary beverages. Evidence suggests that health warnings can meaningfully influence consumer behavior and support healthier choices.

Thank you for considering my testimony.

Sincerely,



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