

Study Blasts Obamacare's Menu Mandates As Having Zero Impact On Obesity

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Forcing restaurants, movie theaters, and grocery stores to put calorie counts and nutritional information on menus has no long-term impact on obesity.

So says a new study from the Cato Institute, which draws on nearly 300,000 respondents to the Behavioral Risk Factor Surveillance System (BRFSS) who hail from 30 large cities between 2003 and 2012.

So-called “menu mandates” stirred controversy when they were introduced by New York City Mayor Michael Bloomberg back in 2009.

Supporters of the law said the mandate would nudge consumers to eat less and would cut obesity, while skeptics said the law would put a cost on business, be ineffective and was part of an ever-growing nanny state.

Menu mandates were eventually made a provision in the Obamacare legislation, but their implementation has been delayed until 2017. The menu mandates set out in Obamacare are projected to affect 300,000 establishments. After almost a decade of these mandates, Cato argues there is now sufficient data to examine the effects.

“We find that the impact of such labeling requirements on BMI, obesity, and other health-related outcomes are trivial, and, to the extent it exists, it fades out rapidly,” says Dr. Aaron Yelowitz, an adjunct scholar at the Cato Institute and author of the study.

“For virtually all groups explored, the long-run impact on body weight is essentially zero. Analysis of subgroups suggests that to the extent that menu mandates affect short-run outcomes, they do so through a ‘novelty effect’ that wears off quickly. Subgroups that were thought likely to experience the largest gains in knowledge from such mandates exhibit no short-run or long-run changes in weight.”

Customer priorities are mostly focused on convenience, price, and taste, with calorie labels playing almost no part in their decision, apart from when they are initially introduced, according to Cato.

“There is a statistically significant reduction in obesity at time of implementation—roughly 1.25 percentage points—which would bring down the obesity rate to 24.5 percent. However, the effects are short-lived. In year after enactment, the novelty of menu mandates appears to wear

off, and obesity rates again rise, such that the entire impact on obesity disappears within four years.”

After NYC’s calorie count menus were shown to have no effect on obesity rates, one of the menu’s most vocal supporters and former Obama regulatory czar, Cass Sunstein, suggested an even simpler version of the scheme should be rolled out, putting red lights in high-calorie foods and green lights on healthier ones.

Yelowitz argues doubling down on this approach will do little to tackle America’s expanding waistline as consumers are not suffering from a lack of nutritional or calorie information.

“The current analysis shows that the problem is not lack of knowledge or conveying information—on the contrary, the consumers who responded to the menu mandates were among the most knowledgeable. Rather, people have preferences that are more or less fixed, and for the most part, people enjoy cheeseburgers more than broccoli.”