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**Texas Latest to Ban Sodas in Schools – Investigating “Cokes for Kickbacks” Contracts**

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Texas has become the latest jurisdiction to ban sugary soft drinks in schools, following similar moves by Los Angeles, San Francisco, New York City and other smaller jurisdictions, and a trend-setting decision in Seattle to substantially cut back on so-called "pouring rights" or "Cokes For Kickbacks" contracts."

These moves come at a time when a coalition of lawyers committed to using legal action as a weapon against obesity have begun threatening to sue members of school boards who renew so-called "Cokes For Kickbacks" contracts under which the school received a commission for selling the beverages.

"The threat of legal action is serving as a catalyst for re-examining the idea that children should be pressured to buy sugary soft drinks in schools, and a growing number of school boards appear ready to reconsider," says public interest law professor John Banzhaf, who is helping to lead the movement.

The new policy prohibits school districts from providing elementary school children with sodas, as well as hard candy or gum, during the school day, and middle school children are prohibited from buying these items during breakfast and lunch. The policy even prohibits parents from bringing sodas or lollipops to class parties.

Most importantly, said Banzhaf, the Texas Department of Agriculture is investigating the common practice of high schools contracting with soda companies to sell soft drinks to school children in return for commissions - so-called "pouring rights" or "Cokes For Kickbacks" contracts.

Shortly after a small group of anti-obesity attorneys announced that they would be targeting schools which sell soft drinks to children, the Los Angeles School Board decided to ban such sales. More recently, the New York City School Board agreed - as a

follow up to a law suit - to ban sugary soft drinks and many other fattening foods from its schools.

Then, within the past month, Seattle's School Board substantially cut back on its "Cokes For Kickbacks" contract: shutting off the vending machines entirely during the day in middle schools, and during the lunch period in high schools; requiring the machines to provide healthier beverage choices; and making the contract cancelable at any time. These substantial changes occurred only after Banzhaf and a local attorney sent letters to each member of the Seattle School Board threatening to sue them if the proposed contract (which did not contain these limitations) was renewed.

More recently, Banzhaf had announced that his group - which had grown to over 100 at a recent conference in Boston on how to use legal action as a weapon against obesity - was looking at soda use in schools in several jurisdictions, including Texas and Massachusetts.