



INSTRUCTIONS FOR APPLICATIONS FOR DISTRIBUTION FROM THE YOUTH BEVERAGE CONSUMER EDUCATION AND RESEARCH FUND Disbursement Cycle for Year 2021-2022

The Office of the Attorney General established the Youth Beverage Consumer Education and Research Fund to give state or local agencies, public or non-profit colleges or universities, or non-profit organizations in California access to grants for study, research, or education concerning youth nutrition or consumption of non-branded water. For Fiscal Year 2021-22 a total of \$120,000 in grant funding is available to support statewide research or education efforts on youth nutrition or the consumption of non-branded water by children.

In 2017, the Attorney General office announced the concurrent filing of a complaint and a settlement involving allegations that the Gatorade Company violated California consumer protection laws by making misleading statements about water in a mobile videogame application it used to promote Gatorade sports drinks to teens and young adults.

Each applicant may apply for a grant of up to \$24,000.

The California Attorney General's Office (AG's Office) administers the Fund, and the grants shall be disbursed at the sole discretion of the California Attorney General's Office.

NOTICE: The grant application, including supporting documents, communications with the AG's Office and reports to the AG's office, may become the subject of a California Public Record Act (PRA) request (Gov. Code, section 6250 et seq.). Please do not include information in your application that should remain confidential, such as personally identifying information. If such information is necessary to support the application, please send correspondence to YouthBeverageStudy@doj.ca.gov requesting to discuss the issue by telephone, but do not include such confidential information in the request.

1. Schedule for Applications and Distributions

Applications for the 2021-2022 Disbursement Cycle must be received by June 7, 2021. The AG's Office may, in its discretion, invite the submission of additional grant applications during the 2021-2022 Disbursement Cycle at a later date.

Applications must be sent electronically to YouthBeverageStudy@doj.ca.gov. A confirmation email will be sent to the applicant once the application has been received. It is the applicant's responsibility to follow up to confirm that the application has been received if they haven't received a confirmation email.



Applications should be no more than five pages, not including the application form and supporting documentation. Applications should address the provision of metrics through which the grant's effectiveness can be measured.

Applicants are limited to one application per Disbursement Cycle. However, there is no prohibition against re-submitting the same application in a future cycle, if it has been denied in a previous cycle.

2. **Distribution from the Youth Beverage Consumer Education and Research Fund: Authorized Grantees, Purpose and Parameters**

a. *Authorized Grantees and Amounts*

California state or local agencies, California public or non-profit colleges or universities, or California non-profit organizations are authorized to apply. No more than 20 percent of the \$120,000 fund, or \$24,000, shall go to a single recipient agency, college or university, or non-profit organization.

b. *Purpose*

Distributions to authorized grantees must be used for study, research, or education in the areas of (1) nutrition of children or teenagers, or (2) consumption of non-branded water, in accordance with the grant terms. Applications should therefore explain how and to what extent the distribution will be used for these purposes. Distributions may be used to augment, but not to supplant, the budget of the grantee.

c. *Parameters*

i. *Grant Conditions*

Grant funds may only be utilized for the purposes set forth in the award letter, and the award is subject to all conditions described in the award letter and in these instructions. Unexpended grant funds, and grant funds that have been expended for any purpose other than those authorized, must be returned or refunded to the AG's Office upon request or upon expiration of the grant term, whichever occurs first.

ii. *Funding Should Advance Study, Research or Education*

The Attorney General's Office encourages applications that propose to use grant funds that will



directly advance or support study, research or education concerning youth nutrition or consumption of non-branded water.

Applications can be made to fund new or existing projects and for equipment that is needed for an ongoing project. If requesting funds for the purpose of purchasing equipment, applicants must certify that the equipment is either (a) needed for an ongoing study, research or education project concerning youth nutrition or consumption of non-branded water, or (b) will be primarily used for study, research or education concerning youth nutrition or consumption of non-branded water.

Special consideration will be given to proposals that provide research or education in connection with childhood nutrition or the consumption of water in disadvantaged communities, such as communities that have an annual median household income that is less than 80 percent of the statewide annual median household income. Special consideration will also be given to proposals concerning research and education that may relate to geographic areas in which children consume sugary beverages or branded water because of the lack of available potable water.

iii. Two-year Projects

To allow applicants to advance more complex and/or longer-term projects, applications may seek grants with a term of up to two years.

iv. Modifications of Approved Applications

The Attorney General's Office recognizes that circumstances may arise that would warrant a modification of the terms of a grant, or the purposes for which grant funds can be used. Approved applicants may apply to the AG's Office at any time for such a modification, which may be granted at the Merits Review Committee's discretion.

v. Staff Expenses

An application can be made to fund in full or partially fund new project-specific positions or limited term positions. Absent extraordinary circumstances, funds may not be used to pay for already existing staff salary, benefits, overtime, or other compensation.

vi. Limitations on Travel or Training Expenses

The Attorney General's Office will not approve requests to use disbursements for non-project-related travel or training. Travel-related expenses, such as per diems, hotels and rental cars, will be reimbursed at the State's government rate. The Attorney General's Office generally will not approve disbursements to train non-full-time employees.



d. *Factors that the Attorney General's Office May Consider*

In addition to those considerations described above, in making decisions regarding which projects to fund, the factors that the Attorney General's Office may consider include the following:

- (1) the intended purpose of the project for which funds are sought;
- (2) the specificity of the proposal, including the use of funds, expected costs and expenses, materials and personnel to be used, the services or goods to be provided through the project (in addition, if the application is for a video, brochure, or instruction unit, it is extremely helpful for the applicant to provide a draft of the text or a detailed description of the contents);
- (3) competing requests for funding;
- (4) the anticipated benefit to the public if the project is approved; and
- (5) whether the applicant has the demonstrated ability to safeguard and properly account for and report on the use of grant funds.

3. **Additional Grant Conditions**

Grants are subject to the conditions described in these instructions and the award letter, and to the following conditions:

- a. The grantee will comply with the Judgment and each and every order of the Court in connection with the Fund and the disbursement received.
- b. The grantee will vigilantly safeguard the monies disbursed and maintain financial controls sufficient to protect such monies and ensure that the use of monies fully comports with the grantee's application for the disbursement, and provide detailed written description of such financial controls upon request by the Attorney General's Office.
- c. The funding requested will not be used to pay for regular staff of the agency or entity applying for this project.

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- d. The person submitting the application represents that his/her office is authorized to accept funds under applicable state and local laws and that the budget of the applicant's office/unit will not be reduced by the receipt of disbursement funds. Disbursement funds shall be used to augment but not supplant the budget of the disbursement recipient.
- e. Except as otherwise expressly agreed by the Attorney General's Office in writing, the funds will only be used for the purposes identified in the award letter.
- f. The grantee will provide the Attorney General's Office and its agents all information and documents concerning the use of funds and will maintain sufficient records for auditing purposes to substantiate any expenditure. In the event of a multi-agency project, the initial disbursement applicant shall be solely responsible for complying with this paragraph, except as otherwise expressly agreed by the Attorney General's Office in writing.
- g. Approval of this application does not constitute the California Attorney General's endorsement of the grantee's project.
- h. Except as otherwise expressly agreed by the Attorney General's Office in writing, upon request, or upon conclusion of the grant term, the grantee must return all unused or improperly used grant funds to the California Attorney General's Office, with the notation "Youth Beverage Consumer Education and Research Fund Reimbursement."
- i. If an application is for the production of any materials, the Applicant agrees to permit the California Attorney General's Office and other authorized prosecutors to use those materials, without restriction, for their intended purposes.
- j. The Applicant will submit a report to the Attorney General's Office within 60 days of the end of the grant period, or the completion of the project for which the grant was awarded, whichever comes first. The report shall specify how grant funds were used, as well as provide a description of the progress and/or outcome of the project for which the grant was awarded. A template for the progress report will be provided once the grant is awarded.
- k. Grantees shall maintain all records related to the use of grant funds for a period of five years from the date of the final expenditure or return of grant funds. The Attorney General's Office shall be permitted to review all such documents upon request.