

**HUMBOLDT STATE UNIVERSITY**  
**University Senate**

**Resolution on Opposing Pouring Rights Exclusivity Contracts at Humboldt State University**

26-16/17-Avitia/Lance - April 25, 2017 - Second Reading

**RESOLVED**, That the University Senate of Humboldt State University urges the administration not to re-enter into a pouring rights exclusivity contract with PepsiCo, and not to enter into any pouring rights exclusivity contracts from this day forward; and be it further

**RESOLVED**, That the University Senate encourage administration to search for creative and alternative sources of funding for athletics, scholarships and other student financial assistance that might otherwise benefit from exclusivity contracts; and be it further

**RESOLVED**, That the University Senate discourage administration to resort to increasing student fee dollars for the purpose of recovering funds previously acquired for athletics through the PepsiCo pouring rights exclusivity contract.

***RATIONALE:***

A pouring rights contract between HSU and a soft drink manufacturer, such as Coca Cola Co. or Pepsi Co., is not suitable for Humboldt State University, due to its violation of HSU core values and visions of environmental responsibility, social justice, good health, local empowerment and shared governance. The 2015-2020 Strategic Plan states, "We must build on Humboldt State's uniqueness. No other university in the world is quite like us. Humboldt is different. As our mission states, we are committed to social and environmental justice. We share a passion for exploration, for action, and for making the world a better place. We believe in diversity, in all its forms, and in how a diverse community enriches the educational experience of all students. We have a special niche in higher education, and we need to communicate, market, and capitalize on this". The HSU Office of the President explicitly outlines the University's vision and values, "Humboldt State University will be the campus of choice for individuals who seek above all else to improve the human condition and our environment", and "We believe individuals must be environmentally, economically and socially responsible in the quest for viable and sustainable communities". The HSU website encourages students to come to HSU to "be part of a campus known for its longstanding commitment to social and environmental responsibility", and according to President Rossbacher, "Humboldt State University has long had a commitment to sustainability". The Climate Action Plan of HSU expresses concern over the current trajectory of sustainable practices, "A bold and transformational commitment to sustainability is necessary to have a real impact on our climate—and planetary—future and to foster the next generation of sustainability leaders. Making this commitment emphasizes our willingness to make changes to adapt to a changing climate."

HSU is currently engaged in a pouring rights exclusivity contract with Pepsi Co that expires June 30, 2017. Pouring rights are "the exclusive rights of a beverage maker or distributor to have its

products sold at a particular venue, event, or institution". HSU issued a Request For Information (RFI) for "Campus Beverage Vending and Pouring Rights" March 10, 2017, with the purpose "to gain knowledge of services and supplies available with an estimate of their corresponding costs, commissions, in-kind benefits, scholarships, grants, or other educational awards".

Pepsi Co. has a history of engaging in practices that are damaging to the environment, and human health and livelihood, including deforestation and human rights violation. Soft-drink companies have been known to bypass federal law, by "donating sodas to schools for free distribution during school meal periods", and by developing sweetened fruit drinks that "contain just enough juice (5%) to circumvent definition as a food of minimal nutritional value". The United Steelworkers of America and the International Labor Rights Fund filed lawsuits in 2001 and 2006 on behalf of Colombian labor union SINALTRAINAL charging Coca Cola Co. with contracting "with or otherwise directed paramilitary security forces that utilized extreme violence and murdered, tortured, unlawfully detained or otherwise detained or otherwise silenced trade union leaders." Since then other lawsuits have been filed against Coca Cola Co. for human rights violations that have occurred in Mexico, Guatemala, China, El Salvador, and India. Coca-Cola Co. and Pepsi Co. are responsible for the depletion and pollution of drinking water in India and elsewhere, and are destroying integral water sources used for irrigation, drinking and sanitation by entire communities around the world. Pepsi's latest advertisement commercial was pulled due to "trivializing the Black Lives Matter Movement", and "appropriating imagery from serious protests to sell its product, while minimizing the danger protesters encounter and the frustration they feel". Large beverage companies disproportionately target and affect communities of color. "If current trends continue, 40% of all Americans will get [type 2] diabetes in their lifetimes and half of Latino and African American children born in 2000 will get [type 2] diabetes sometime in their lives. Already, almost one-quarter of teens have either [type 2] diabetes or prediabetes – double the rate of just 10 years ago". President Rossbacher wrote in an email to campus on October 4, 2016, "We all share responsibility for addressing inequity and for preventing racist ideas from taking root".

San Francisco State University students successfully shut down their administration's attempt to engage in a pouring rights contract; students organized and campaigned, their University President heard their concern and responded, "After listening carefully to the concerns and information I received from our students, faculty and staff, I have decided not to move forward with the process of establishing a partnership with a beverage company". SFSU is the only University within the CSU that does not have a pouring rights contract. HSU students have a history of initiating change on campus, including but not limited to: supporting the planting of fruit trees, supporting "Meatless Mondays", making HSU a Zero Waste Campus, reducing campus' usage of toxic chemicals, opposing fracking. The University has also expressed interest in improving services to "our students, our communities, our region, state, and the world".

The Strategic Plan recognized that there is an issue with transparency on this campus, "We heard over and over again the desire for greater transparency in decision-making, including budgeting, for clearer communication, for having a campus culture that is welcoming and supportive of all members, and for seeing the strategic plan implemented". The CSU system

practices shared governance which is defined as “the practice of developing university policy through consultation with university constituents, including students”. The students of Humboldt State stand in support of the transition away from Pepsi Co. and pouring rights contracts.

This is a key moment in the legacy of Humboldt State University, a moment in which we are called to act and stand up for our values of social and environmental justice, our rights to good health, to safety from exploitation, and to the meaningful financial restructuring of our education system.

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