

File No. 170763

Committee Item No. 2

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

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Date: Sept. 27, 2017

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Date: \_\_\_\_\_

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Prepared by: John Carroll

Date: Sept. 22, 2017

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Environment Code - Antibiotic Use in Food Animals]

2  
3 **Ordinance amending the Environment Code to require certain retailers of raw meat**  
4 **and poultry to report the use of antibiotics in such products to the Department of the**  
5 **Environment, and require City departments to report the use of antibiotics in raw meat**  
6 **and poultry purchased by the City to the Department of the Environment.**

7 **NOTE: Unchanged Code text and uncodified text are in plain Arial font.**  
8 **Additions to Codes are in *single-underline italics Times New Roman font.***  
9 **Deletions to Codes are in ~~italics Times New Roman font.~~**  
10 **Board amendment additions are in double-underlined Arial font.**  
11 **Board amendment deletions are in ~~strikethrough Arial font.~~**  
12 **Asterisks (\* \* \* \*) indicate the omission of unchanged Code**  
13 **subsections or parts of tables.**

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The Environment Code is hereby amended by adding Chapter 27, entitled  
16 "Antibiotic Use in Food Animals," consisting of Sections 2701 through 2709, to read as  
17 follows:

18 **CHAPTER 27: ANTIBIOTIC USE IN FOOD ANIMALS**

19 **SEC. 2701. FINDINGS.**

20 (a) The overuse of antibiotics, also known as antimicrobial drugs, in human medicine and in  
21 meat and poultry production poses a pressing environmental and public health threat by allowing  
22 antibiotic-resistant bacteria to multiply and spread. In 2013, the Centers for Disease Prevention and  
23 Control ("CDC") identified antibiotic resistance as one of the top five health threats facing the country  
24 in the near future.

25 (b) In a 2013 report on antibiotic resistance threats in the United States, the CDC estimated  
that every year at least 2 million people contract antibiotic-resistant infections, and at least 23,000

1 people die as a result of these infections. Some researchers have estimated these infections cost the  
2 United States as much as \$55 billion annually due to excess healthcare costs and lost productivity.

3 (c) Increasingly, antibiotic-resistant bacteria are leading to infections that can be difficult to  
4 treat, require longer and more expensive hospital stays, and are more likely to be fatal than non-  
5 resistant bacterial infections. Without effective antibiotics, procedures such as chemotherapy,  
6 dialysis, and many surgeries become much riskier for patients because of the high risk of bacterial  
7 infections associated with these procedures.

8 (d) While improper use of antibiotics in the healthcare sector is a contributing factor,  
9 organizations such as CDC, the Food and Drug Administration (“FDA”) and the World Health  
10 Organization (“WHO”) recognize that the overuse and misuse of antibiotics in food animals is a  
11 significant source of the antibiotic-resistant bacteria that affect humans. In a 2015 American  
12 Academy of Pediatrics (“AAP”) technical report, the authors stated that the “use of antimicrobial  
13 agents in agriculture can harm public health, including child health, through the promotion of  
14 resistance.”

15 (e) Scientists recognize a growing “reservoir” of antibiotic resistance in our communities and  
16 environment. A significant portion of antibiotics administered to livestock are excreted in urine and  
17 manure, which are then spread as fertilizer on agricultural land. From there, antibiotics can run off  
18 into waterways and spread in other ways through the environment. This can lead to the proliferation  
19 and spread of resistant bacteria.

20 (f) Antibiotic-resistant bacteria have been found in drinking water near livestock facilities, in  
21 the top soil of dairies, and in the air downwind from industrial swine facilities and cattle feedlots. In  
22 addition to traveling off farms in water, air, and soil, antibiotic-resistant bacteria can be found on  
23 fruits and vegetables where manure has been applied to crops. Furthermore, insects and rats can  
24 carry resistant bacteria away from farms. Workers can also unwittingly carry antibiotic-resistant  
25 bacteria from livestock production facilities or processing plants into their communities. Antibiotic-

1 resistant bacteria can pass their resistant genes on to other bacteria. This allows some bacteria,  
2 including bacteria in the human gut, to become resistant to antibiotics that they have never  
3 encountered. Several recent studies indicate that living near livestock operations or near fields  
4 treated with manure can increase individuals' risk of contracting antibiotic-resistant infections or  
5 being colonized by antibiotic-resistant bacteria.

6 (g) In addition, scientists and governmental agencies routinely find antibiotic-resistant  
7 bacteria on animals at slaughter and on raw meat in grocery stores. In 12 years of testing through the  
8 National Antimicrobial Resistance Monitoring System ("NARMS"), the FDA has identified  
9 antibiotic-resistant bacteria that can cause illness on retail pork, chicken, ground beef, and ground  
10 turkey every year. For example, in the most recent reported testing in 2012, 33% of Salmonella, 60%  
11 of Enterococcus faecium, 30% of E. coli and, 11% of Campylobacter coli found in chicken were  
12 multidrug resistant (resistant to at least three antibiotic classes). WHO and CDC have deemed  
13 antibiotic-resistant infections from food pathogens a serious threat.

14 (h) A recent example illustrates the risks of injudicious use of antibiotics, which can cause  
15 global problems. In 2015, a study in China identified plasmid encoded colistin resistance (mcr-1),  
16 which is easily transferable to other bacteria, in a significant fraction of pig samples that had been  
17 collected for routine surveillance. Scientists believe the resistance was a result of colistin in animal  
18 feeds, which is not allowed for use in the United States. The same colistin resistance was detected in  
19 hospital patients. A couple of months later, alarmed scientists around the world had discovered the  
20 same colistin resistance in 19 countries, including in child and elderly patients, in the guts of healthy  
21 humans, in water, on retail meat, and in animals. Because the colistin gene was detected more often  
22 in animals than in people, the authors of the original study say it is likely that this form of colistin  
23 resistance originated in animals and spread to people.

24 (i) In January 2017, FDA completed implementation of its Guidance 213, enacting rules  
25 requiring veterinary approval for a host of antibiotics that were previously available over the counter

1 for growth promotion purposes. It also announced the withdrawal of approval for a portion of new  
2 animal drug applications that indicated the use of antibiotics for growth promotion for animals used to  
3 produce meat and poultry. However, antibiotics in every medically important class that was approved  
4 for growth promotion in livestock production will remain available for use at similar or the same  
5 doses for disease prevention. Even under Guidance 213, antibiotic products could continue to be  
6 administered to animals that are not sick in low doses on a routine basis in their feed and/or water  
7 prophylactically. Furthermore, Guidance 213 does not require use reduction targets or a means to  
8 track progress toward reduction of the use of antibiotics in livestock operations.

9 (j) According to 2009-2014 domestic sales and distribution data collected from  
10 pharmaceutical companies by the FDA, sales of medically-important antibiotics for food animals have  
11 increased every year and by 23% over the five-year period. From 2013 to 2014, the first year for  
12 voluntary implementation of Guidance 213, antibiotic sales of medically-important antibiotics  
13 increased by 3%.

14 (k) Both the Netherlands and Denmark have achieved significant reductions in livestock  
15 antibiotic use only after both routine disease prevention and growth promotion uses were banned.  
16 According to the government of the Netherlands, antibiotic use in the Dutch livestock industry fell by  
17 59% between 2009 and 2014. Between 1992 and 2008, Denmark reduced antibiotic use in swine  
18 production by almost 50%, while still experiencing a nearly 50% increase in production.

19 (l) There is no federal program in the United States to collect comprehensive and  
20 representative data on antibiotic use in livestock or poultry, nor any federal regulatory proposal to do  
21 so. The only information available is sales data that does not break down use by species or medical  
22 reason for use.

23 (m) In 2015, Governor Brown signed SB 27, a first-in-the nation law, which puts all  
24 medically-important antibiotics under veterinary oversight and restricts prophylactic use of antibiotics  
25 in livestock so that antibiotics may not be administered routinely. In addition, SB 27, codified at

1 Section 14400 et seq. of the California Food and Agriculture Code, directs the California Department  
2 of Food and Agriculture to monitor antibiotic use, sales, and antibiotic resistance. However, the law  
3 applies to livestock and poultry produced in California only.

4 (n) The marketplace remains fragmented and confusing for consumers. Other than for  
5 products labeled “Organic” or “No Antibiotics Administered,” antibiotic use practices remain  
6 opaque or misleading. For example, meat and poultry products may have been produced with regular  
7 use of antibiotics yet labeled “natural,” and products may claim to be produced without the use of  
8 “growth-promoting antibiotics” while using antibiotics routinely for disease prevention with  
9 growth-promoting effects. Should producers choose to label their products as compliant with SB 27,  
10 such labels will add to this confusing mix.

11 (o) San Francisco can play a pivotal role in addressing the inappropriate use of antibiotics in  
12 meat production by increasing transparency of antibiotic use practices by collecting, analyzing, and  
13 explaining the myriad policies on antibiotic use for raising livestock and poultry and the implications  
14 of different levels of antibiotic use for environmental health, antibiotic resistance and public health.

15 **SEC. 2702. DEFINITIONS.**

16 For the purposes of this Chapter 27, the following definitions apply:

17 “Antibiotic” means any antimicrobial drug that works against bacteria, is approved by the  
18 United States Food and Drug Administration (“FDA”), and is currently marketed for use in or on  
19 Meat or Poultry animals as approved in 21 C.F.R. §§ 558.55 et seq. and identified in the FDA’s 2014  
20 Summary Report On Antimicrobials Sold or Distributed for Use in Food-Producing Animals and  
21 subsequent annual reports.

22 “Antibiotic Not Currently Medically Important” means any antibiotic and its associated class  
23 that does not belong to a class that is listed as “important,” “highly important,” or “critically  
24 important” in Appendix A of FDA’s Guidance for Industry #152 and subsequent revisions to that list.  
25 Antibiotics Not Currently Medically Important are listed in the FDA’s 2014 Summary Report On

1 Antimicrobials Sold or Distributed for Use in Food-Producing Animals, and subsequent FDA annual  
2 reports.

3 "Antibiotic Use Policy" means a description of the antibiotic use practices, whether or not  
4 written or formalized, of a Producer of each Product Group sold in a Grocer's stores.

5 "City" means the City and County of San Francisco.

6 "Brand" means a distinguishing symbol, mark, logo, name, word, sentence or a combination  
7 of these items that companies use to distinguish their product from others in the market.

8 "Department" means the Department of the Environment.

9 "Director" means the Director of the Department of the Environment or his or her designee.

10 "Disease Control" means metaphylaxis, i.e., the administration of an antibiotic to a group of  
11 animals that are in contact with an animal or animals showing clinical signs of illness to protect the  
12 group from the spread of the disease.

13 "Disease Prevention" means prophylaxis, i.e., the administration of an antibiotic to animals,  
14 none of which are exhibiting clinical signs of disease.

15 "Grocer" means a person, firm, corporation, partnership, or other entity that owns and/or  
16 operates in the City a grocery store, whether general or specialty, as defined in Planning Code  
17 Section 102, and also owns or operates 25 or more grocery stores anywhere.

18 "Growth Promotion" means the administration of antibiotics to an animal to increase the  
19 animal's weight gain or growth, to increase feed efficiency, or for other production purposes not  
20 related to Disease Control, Prevention, or Treatment.

21 "Meat" means the edible part of the carcass of any mammal, such as cattle, calf, sheep, lamb,  
22 goat, rabbit, buffalo, or swine.

23 "Medically Important Antibiotic" means any antibiotic that belongs to a class that is listed as  
24 "important," "highly important," or "critically important" in Appendix A of FDA's Guidance for  
25 Industry #152 and subsequent revisions to that list.

1 "Poultry" means the edible part of the carcass of any bird.

2 "Producer" means a person or entity who establishes management and production standards  
3 for the maintenance, care, and raising of Meat and/or Poultry animals, and either: (1) operates a  
4 business raising Meat and/or Poultry animals that are used to produce any Product Group sold by a  
5 Grocer; or (2) purchases or otherwise obtains live Meat and/or Poultry animals that it slaughters,  
6 and/or sells for slaughter, for production of any Product Group sold by a Grocer.

7 "Product Group" means Raw Meat or Poultry of the same species of animal(s), brand, and sub-  
8 brand.

9 "Raw" means not cooked or cured.

10 "Routine Use" means regular administration of Antibiotics for Disease Prevention and/or  
11 Growth Promotion.

12 "Sub-brand" means a brand whose attributes are distinct, yet related to a broader main  
13 brand.

14 "Third-Party Certification" means certification by an organization that is not affiliated with the  
15 Grocer and that addresses antibiotic use by producers of a Product Group sold by the Grocer. The  
16 following third party certifications are accepted under this Chapter: U.S. Department of Agriculture  
17 ("USDA") Organic, USDA No Antibiotics Administered Process Verified (or equivalent USDA  
18 "process verified" claim), Global Animal Partnership, Certified Responsible Antibiotic Use, Humane  
19 Certified, and Animal Welfare Approved. The Director may, from time to time via regulations, add to  
20 this list of acceptable certifications.

21 "Treatment" means the administration of Antibiotics to animals when they are sick, i.e.,  
22 exhibiting clinical signs of bacterial disease.

23 **SEC. 2703. ANTIBIOTIC USE REPORTS—REPORTING AND DOCUMENTATION OF**  
24 **ANTIBIOTIC USE POLICIES FOR RAW MEAT PRODUCTS.**



1           (a) Beginning 180 days after enactment of this Chapter 27 and annually thereafter, each  
2 Grocer shall report to the Department on a form prescribed by the Director the Antibiotic Use Policy  
3 for each Product Group sold in the City during the previous year. The form shall require reporting of  
4 information including, but not limited to, the different purposes for which antibiotics are used, whether  
5 the use has a Third-Party Certification, the average number of days of antibiotic use per animal, the  
6 percentage of animals treated with antibiotics, the number of animals raised, and the total volume of  
7 antibiotics administered. The reporting shall distinguish between use of Medically Important  
8 Antibiotics, and Antibiotics Not Currently Medically Important. If there is no change to the Antibiotic  
9 Use Policy information from the previous year for a Product Group, the Grocer may report that fact in  
10 its response on the Department's form. A Grocer shall fill out a separate form for each distinct retail  
11 banner operated and/or owned by the Grocer.

12           (b) Upon a written petition from a Grocer showing, based on substantial evidence, that the  
13 reporting of certain required information is not feasible without significant hardship, the Director may  
14 exercise reasonable discretion to waive reporting of the relevant information for a period of time  
15 specified by the Director. Any waiver shall be crafted as narrowly as possible, to maximize disclosure  
16 as required by this Chapter 27. If a petition is granted, in responding to the form for the relevant  
17 Product Group, the Grocer shall indicate that it has a waiver for the relevant portions of the form. All  
18 petitions the Department receives shall be publicly posted on the Department's website for a minimum  
19 of 30 days. The Department shall, during a designated comment period, receive and post on its website  
20 written comments from the public for the Director to take under advisement in ruling on each petition.  
21 Where a written petition receives no response from the Director within 60 days, the petition shall be  
22 deemed approved to grant a waiver for one year. Once each year, the Director shall provide an  
23 opportunity for input on the petition review and approval process at a public meeting, and shall  
24 respond to the public input on each waiver for which concerns are raised.  
25

1 (c) Grocery stores and butchers that do not meet the definition of "Grocer" may elect to  
2 participate in the reporting process set forth in this Section 2703, and the Department shall encourage  
3 such participation.

4 (d) Five years from enactment of this Chapter, the Director shall evaluate whether the  
5 reporting program continues to provide useful information to the public. Such review shall occur every  
6 two years thereafter.

7 (e) Each Grocer shall retain documentation of the Antibiotic Use Policy for each Product  
8 Group sold in its stores. The following shall be sufficient documentation:

9 (1) A written statement from the Producer of each Product Group that provides  
10 information sufficient to address the queries in the Department's form;

11 (2) A Third-Party Certification that confirms the Producer's responses to the  
12 Department's form; and/or

13 (3) A store-wide Antibiotic Use Policy that applies to all Meat and Poultry products  
14 sold in the store, or that applies to all products in a particular category of Meat or Poultry sold in  
15 the store, such as chicken, turkey, pork, or beef; and the process, in writing, by which the Grocer  
16 enforces this policy, including any Third-Party Certifications used, written statements from  
17 Producers, purchasing specifications, or equivalent information that demonstrates enforcement of  
18 the store-wide policy.

19 For a Product Group for which there has been no change to the Antibiotic Use Policy from the  
20 previous year, the Grocer shall retain documentation establishing that there has been no change.

21 **SEC. 2704. ANTIBIOTIC USE REPORTS—ANALYSIS AND PUBLICATION OF FINDINGS.**

22 The Department shall analyze the antibiotic use reports collected pursuant to Section 2703, to  
23 educate the public about the Antibiotic Use Policies associated with different Meat and Poultry Product  
24 Groups and their availability in different grocery stores, distinguish between Medically Important  
25 Antibiotics and Antibiotics Not Currently Medically Important, and inform the public's purchasing

1 decisions. The Department shall publish its findings on its website, and may disseminate its findings  
2 through other means it deems appropriate.

3 **SEC. 2705. ANTIBIOTIC USE REPORTS—ENFORCEMENT AND PENALTIES.**

4 (a) The Director shall administer and enforce this Chapter 27.

5 (b) If the Director determines that a Grocer has violated this Chapter 27 or a regulation  
6 adopted pursuant thereto, the Director shall send a written warning, as well as a copy of this Chapter  
7 and any regulations adopted pursuant thereto, to the Grocer, specifying the violation. The Grocer  
8 shall have 30 days after receipt of the warning to correct the violation.

9 (c) If, after having received a warning in accordance with subsection (b), the Grocer fails to  
10 correct the noticed violation within 30 days after receipt of the warning, the Director may impose  
11 administrative penalties, including fines for violations of this Chapter 27 and/or of any regulation  
12 adopted pursuant thereto, and/or suspension or revocation of any permits held. Administrative  
13 Code Chapter 100, "Procedures Governing the Imposition of Administrative Fines," as amended, is  
14 hereby incorporated in its entirety and shall govern the imposition, enforcement, collection, and review  
15 of administrative fines imposed to enforce this Chapter or any rule or regulation adopted pursuant to  
16 this Chapter. Each day a Grocer fails to correct a violation shall constitute a separate violation for  
17 these purposes. Grocers and Producers shall be jointly and severally liable for delays in submitting  
18 required reports and for false statements made in reports to the Director or in the documentation  
19 required to comply with this Chapter.

20 (d) The City Attorney, a Grocer, or any organization with tax exempt status under 26 United  
21 States Code Section 501(c)(3) or 501(c)(4) and with a primary mission of protecting human health  
22 and/or the environment in the San Francisco Bay Area ("Non-profit"), may bring a civil action to  
23 enjoin violations of or compel compliance with any requirement of this Chapter 27 or any rule or  
24 regulation adopted pursuant to this Chapter, as well as for payment of civil penalties and any other  
25 appropriate remedy. The court shall award reasonable attorney fees and costs to the City Attorney.

1 Grocer, or Non-profit that is the prevailing party in a civil action brought under this subsection (d). A

2 Grocer or Non-profit may institute a civil action under this subsection (d) only if:

3 (1) The Grocer or Non-profit has filed a complaint with the Director containing  
4 sufficient information for the Director to assess its accuracy;

5 (2) 90 days have passed since the filing of the complaint without the Director issuing a  
6 warning or otherwise initiating remedial action;

7 (3) After the 90-day period referenced in subsection (d)(2) has passed, the Grocer or  
8 Non-profit has provided 30-day written notice to the Director and the City Attorney's Office of its intent  
9 to initiate civil proceedings;

10 (4) By the end of the 30-day period referenced in subsection (d)(3), the City Attorney's  
11 Office has not provided notice to the Grocer or Non-profit of the City's intent to initiate civil  
12 proceedings; and.

13 (5) The Grocer or Non-profit has executed an agreement indemnifying and holding  
14 harmless the City in connection with the action, in a form approved by the City Attorney's Office.

15 (e) Any Grocer who knowingly and willfully violates the requirements of this Chapter 27 or any  
16 rule or regulation adopted pursuant to this Chapter is guilty of a misdemeanor and upon conviction  
17 thereof is punishable by a fine of not less than \$50 and not more than \$500 for each day per violation,  
18 or by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and  
19 imprisonment.

20 (f) Any Grocer in violation of this Chapter 27 or any rule or regulation adopted pursuant to  
21 this Chapter shall be liable to the City for a civil penalty in an amount not to exceed \$1,000 per day per  
22 violation. Each day in which the violation continues shall constitute a separate violation. A civil  
23 penalty shall not be assessed pursuant to this subsection (f) for the same violation for which the  
24 Director assessed an administrative penalty pursuant to subsection (c).  
25

1           (g) In determining the appropriate penalties, the court or the Director shall consider the extent  
2 of harm caused by the violation, the nature and persistence of the violation, the frequency of past  
3 violations, any action taken to mitigate the violation, and the financial burden to the violator.

4           (h) No criminal, civil, or administrative action under this Section 2705 may be brought more  
5 than four years after the date of the alleged violation, except where evidence of the violation has been  
6 hidden or was otherwise unavailable in the exercise of reasonable diligence.

7           **SEC. 2706. CITY PROCUREMENT OF RAW MEAT—REPORTS OF CURRENT PRACTICES**  
8 **AND PUBLICATION OF RECOMMENDATIONS.**

9           (a) No later than 90 days after enactment of this Chapter 27, all City departments procuring  
10 Raw Meat and/or Poultry shall both conduct an audit of their Meat and Poultry purchases in the  
11 previous calendar year and submit a report to the Department of the Environment with the following  
12 information:

13                   (1) Percentages of Meat and Poultry procured that were produced with and without the  
14 Routine Use of Antibiotics, distinguishing between Meat and Poultry raised without any Antibiotics and  
15 Meat and Poultry raised without Routine Use of Medically Important Antibiotics whenever feasible;

16                   (2) A list of current suppliers, and whether those suppliers currently offer Meat and/or  
17 Poultry raised without the Routine Use of Antibiotics, distinguishing between Meat and/or Poultry  
18 raised without any Antibiotics and Meat and/or Poultry raised without Routine Use of Medically  
19 Important Antibiotics, and whether the suppliers could cease Routine Use of Medically Important  
20 Antibiotics within three years' time;

21                   (3) The estimated cost of obtaining Meat and/or Poultry raised without the Routine Use  
22 of Antibiotics, distinguishing between Meat and/or Poultry raised without any Antibiotics and Meat  
23 and/or Poultry raised without Routine Use of Medically Important Antibiotics; and

24                   (4) The expected timeline if the department were to transition to procurement of only  
25 Meat and/or Poultry raised without the Routine Use of Medically Important Antibiotics.

1           **(b) No later than 180 days after enactment of this Chapter 27, the Department of the**  
2 **Environment shall compile the departmental reports required by this Section 2706 and publish an**  
3 **analysis regarding opportunities for and feasibility of a City-wide procurement policy for Meat and**  
4 **Poultry raised without the Routine Use of Medically Important Antibiotics. The Department shall**  
5 **submit a copy of its analysis to the Board of Supervisors and the Mayor.**

6 **SEC. 2707. RULEMAKING.**

7           **(a) The Director, after a public hearing, shall adopt and may amend guidelines, rules,**  
8 **regulations, and/or forms as the Director deems necessary to implement this Chapter 27.**

9           **(b) No later than 90 days after enactment of this Chapter 27, the Department shall issue**  
10 **regulations specifying the contents and format for the form required by Section 2703.**

11 **SEC. 2708. UNDERTAKING FOR THE GENERAL WELFARE.**

12           **In enacting and implementing this Chapter 27, the City is assuming an undertaking only to**  
13 **promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an**  
14 **obligation for breach of which it is liable in money damages to any person who claims that such breach**  
15 **proximately caused injury.**

16 **SEC. 2709. SEVERABILITY.**

17           **If any section, subsection, sentence, clause, phrase, or word of this Chapter 27, or any**  
18 **application thereof to any person or circumstance, is held to be invalid or unconstitutional by a**  
19 **decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining**  
20 **portions or applications of the chapter. The Board of Supervisors hereby declares that it would have**  
21 **passed this chapter and each and every section, subsection, sentence, clause, phrase, and word not**  
22 **declared invalid or unconstitutional without regard to whether any other portion of this chapter or**  
23 **application thereof would be subsequently declared invalid or unconstitutional.**

1 Section 2. Effective Date. This ordinance shall become effective 30 days after  
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
4 of Supervisors overrides the Mayor's veto of the ordinance.

5  
6 APPROVED AS TO FORM:  
7 DENNIS J. HERRERA, City Attorney

8 By:   
9 NEHA GUPTA  
Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**  
(Substituted, 9/19/2017)

[Environment Code - Antibiotic Use in Food Animals]

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.**

Existing Law

San Francisco law does not currently require any disclosures regarding the use of antibiotics in meat or poultry products. Article 10 of the Health Code, regarding Meat and Meat Products, sets forth standards related to meat inspection and transport, and use of dyes, chemicals, and other substances in meat or meat products.

Amendments to Current Law

The proposal is an ordinance that would amend the Environment Code to require grocers of a certain size selling raw meat and/or poultry in the City to report to the Department of the Environment (the "Department") the producer's antibiotic use policy for each line of meat and poultry products sold. Grocers would also be required to retain documentation of these antibiotic use policies. The Department would publicly report on its website the antibiotic use policies of different meat and poultry brands sold by the covered grocers, and would be responsible for enforcement of the reporting requirements. Under the proposal, grocers for whom compliance would be infeasible may apply to the Department for a waiver from some or all reporting requirements.

The proposal would also require City departments procuring raw meat to conduct an audit of their meat purchases of the year prior to this proposal's enactment. These City departments would be required report to the Department information regarding the use of antibiotics in the purchased meat, and an estimate of when and whether they may be able to transition to procurement of meat raised without the routine use of antibiotics.

Background

This legislative digest accompanies a substitute version of this ordinance introduced on September 19, 2017. This proposal was initially introduced before on the Board of Supervisors on June 20, 2017.

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## Carroll, John (BOS)

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**From:** Carroll, John (BOS)  
**Sent:** Thursday, September 07, 2017 5:15 PM  
**To:** Dick-Endrizzi, Regina (ECN)  
**Cc:** Sheehy, Jeff (BOS); Barnes, Bill (BOS); Calvillo, Angela (BOS)  
**Subject:** RE: RE: BOS File No. 170763 [Environment Code - Antibiotic Use in Food Animals]

**Categories:** 170763

Thank you for the message.

I have added the communication to the official file for the ordinance.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170763](#)

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445 - Direct | (415)554-5163 - Fax

[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) | [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)



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*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

**From:** Dick-Endrizzi, Regina (ECN)

**Sent:** Wednesday, September 06, 2017 6:31 PM

**To:** Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Carroll, John (BOS) <[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)>

**Cc:** Sheehy, Jeff (BOS) <[jeff.sheehy@sfgov.org](mailto:jeff.sheehy@sfgov.org)>; Barnes, Bill (BOS) <[bill.barnes@sfgov.org](mailto:bill.barnes@sfgov.org)>

**Subject:** RE: BOS File No. 170763 [Environment Code - Antibiotic Use in Food Animals]

Dear Ms. Calvillo,

The Small Business Commission will not be hearing RE: BOS File No. 170763 [Environment Code - Antibiotic Use in Food Animals]. The attached letter provides the explanation as to the criteria used for the Commission not to hear the item.

Kindly,

**Regina Dick-Endrizzi** | Executive Director | Office of Small Business

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
Small Business Commission, City Hall, Room 448

FROM: Erica Major, Assistant Clerk, Public Safety and Neighborhood Services  
Committee, Board of Supervisors

DATE: July 3, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS - SUBSTITUTE  
Public Safety and Neighborhood Services Committee

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following substituted legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 170763

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

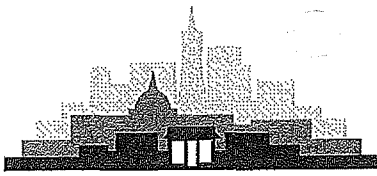
\*\*\*\*\*  
RESPONSE FROM SMALL BUSINESS COMMISSION - Date: 9/6/17

*Not hearing - see attached letter*

Recommendation Attached

*Regina Dick-Endrizzi*  
\_\_\_\_\_  
Chairperson, Small Business Commission

c: Menaka Mahajan, Small Business Commission



SAN FRANCISCO

**OFFICE OF SMALL BUSINESS**

CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

OFFICE OF SMALL BUSINESS  
REGINA DICK-ENDRIZZI, DIRECTOR

September 6, 2017

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 170763 [Environment Code - Antibiotic Use in Food Animals]

Dear Ms. Calvillo,

The Small Business Commission will not be hearing BOS File No. 170763.

The Commission will not be hearing this legislation as it apply to grocers that “owns or operates 25 or more grocery stores anywhere”, as defined in Section 2702. Definitions, “Grocer”.

The Small Business Commission and Office of Small Business (OSB) would like to acknowledge the Department of the Environment (DOE) for taking a measured approach in developing such a regulatory policy. Currently, it could be challenging for small butchers and grocers to obtain and report the use of antibiotics in raw meat and poultry products.

The legislation requires that five years from the enactment date of this legislation the Director shall evaluate whether the reporting program continues to provide useful information to the public. In the event the Department of Environment deems it useful and plans to extend the reporting to small businesses, the Office of Small Business does request DOE include OSB in drafting any proposed ordinances.

Sincerely,

A handwritten signature in black ink, appearing to read "Regina Dick-Endrizzi", written in a cursive style.

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Jeff Sheehy, Board of Supervisors  
Mawuli Tugbenyoh, Mayor's Office  
Deborah Raphael, Department of the Environment  
Lisa Pagan, Office of Economic and Workforce Development

## Carroll, John (BOS)

---

**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, July 17, 2017 9:24 AM  
**To:** BOS-Supervisors; Carroll, John (BOS)  
**Subject:** FW: Testimony for Ordinance File No. 170763  
**Attachments:** SF letter\_Ordinance.pdf; Analysis of findings - SF.DOCX

**Categories:** 170763

**From:** Ginny Siller [mailto:GSiller@ahi.org]  
**Sent:** Monday, July 17, 2017 7:02 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Testimony for Ordinance File No. 170763

To: The Public Safety and Neighborhood Services Committee  
Attn: Ms. Erica Major, Clerk

On behalf of the Animal Health Institute, please find the attached witness testimony and analysis for submission on Ordinance File No. 170763 pertaining to reporting on the use of antibiotics.

Please let me know if you have any questions.

Thank you,  
Ginny

Ginny Siller  
Animal Health Institute  
Director, Government Affairs  
1325 G Street NW, Suite 700  
Washington, DC 20005  
Ph 202 662 4128  
Fx 202 393 1667  
[www.ahi.org](http://www.ahi.org)  
[www.healthyanimals.org](http://www.healthyanimals.org)

Ronald B. Phillips  
Vice President, Legislative and Public Affairs

July 17, 2017

Ms. Erica Major  
Clerk, Public Safety and Neighborhood Services Committee  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

Dear Committee members:

We are writing to express strong opposition to File No. 170763 pertaining to reporting on the use of antibiotics. The Animal Health Institute is the trade association for research-based companies that make medicine for animals, including the antibiotics used to keep food animals healthy.

Antibiotic resistance is an important public health threat that is being addressed by policymakers at both the international and national levels. The Food and Drug Administration (FDA), working with cooperation from industry, has just implemented far-reaching changes on January 1, 2017, to the way antibiotics are used and regulated for animals in the United States. This proposed ordinance would have the singular effect of burdening and increasing costs to covered retailers in San Francisco and their customers.

Unfortunately, the ordinance is based largely on misinformation. Many of the findings in Sec. 2701 are either incomplete or simply false. Please see the analysis of these findings in an attachment to this letter.

The proposed ordinance requires certain retailers to produce data and information that is not available, thereby punishing retailers and their customers. Any information produced will only add to the confusion that this ordinance admits already exists.

On January 2, 2017, the FDA announced successful implementation of a new policy that eliminates the use of medically important antibiotics for promoting growth in animals, and requires all remaining uses to be under the supervision of a veterinarian. All remaining uses – those for disease treatment, disease control, and disease prevention – are considered by FDA to be therapeutic uses. They are therapeutic because they are targeting disease and pathogens – the FDA-approved label lists a specific disease or a specific pathogen against which the antibiotic will act. With veterinary oversight, that specific disease or pathogen must be threatening the health of the flock or herd before the antibiotic can be administered. “Routine” use no longer exists. Because of this new policy, medically-important antibiotics will be used in food animals only to fight disease under the supervision of a licensed veterinarian.

There are federal efforts underway to collect additional data and information about the use of antibiotics in food animals. The recently-passed federal budget for fiscal year 2017 provides funding for the U.S. Department of Agriculture to undertake several initiatives to better understand the levels, patterns, and

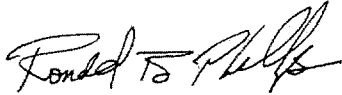
July 17, 2017

Page 2

drivers of antibiotic use and produce information that will help farmers and veterinarians make the best possible management decisions about the use of antibiotics.

This ordinance only produces additional burdens and confusion. This important public health issue is being addressed through national policies that have already been enacted, and we urge you to reject this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald B. Phillips". The signature is written in a cursive, flowing style.

Ronald B. Phillips

## Analysis of Findings in File No. 170763

- (a) The first several items selectively cite the 2013 Centers for Disease Control report on Antibiotic Resistance Threats. That report enumerated 18 specific pathogens that comprise the largest threats and discussed the origins of each. Only two of the 18 have potential sources in agriculture. The statement in item (d) about agriculture being a “major” source of antibiotic resistance is not correct and does not reflect consensus opinion. All uses of antibiotics should be judicious, which is why the agriculture industry has worked with FDA to implement its Judicious Use Policy.
- (g) This items also selectively cites NARMS data. While selecting some data from the meat portion of the program, it fails to note that 80 percent of all Salmonella isolates in humans carry no antibiotic resistance – a number that has grown over the 20-year life of the NARMS program. The most recent FDA announcement of findings from the NARMS program cites several encouraging trends.
- (h) This item discusses resistance from the antibiotic colistin, which has never been used or approved for use in the United States.
- (i) This item inaccurately claims that growth promotion and disease prevention doses are the same. At the time the FDA program was implemented, there were no medically important compounds that had growth promotion and disease prevention claims that were the same. In all cases, either the dose or the duration, and usually both, were different.
- (j) This item incorrectly states the implementation data of the FDA program. The program was announced in 2013, but not implemented until January 1, 2017.
- (l) In fact, there IS a federal program in the United States to collect this information. The program is currently underway at the U.S. Department of Agriculture and was funding in the recent spending bill passed by Congress.
- (m) The California law mirrors the steps taken at the federal level for the whole country. So, while the California bill only applies to California, the same provisions are being implemented nationally by the FDA Judicious Use Policy and the USDA data collection program.
- (n) This is an argument for not passing this ordinance. There are federally approved labels that retailers must comply with to provide information to consumers on the use of antibiotics. This item claims – rightfully so – that the California state law only adds confusion. This local ordinance will add further confusion.
- (o) The proposed ordinance will only add greater confusion and burden.

## Carroll, John (BOS)

---

**From:** Board of Supervisors, (BOS)  
**Sent:** Monday, July 03, 2017 1:54 PM  
**To:** jkaplan@nrdc.org  
**Cc:** BOS-Supervisors; Carroll, John (BOS)  
**Subject:** FW: Letter of support for antibiotics reporting ordinance (File 170763)  
**Attachments:** Board of Supervisors Support 6.29.17.pdf

**Categories:** 170763

Hello,

Thank you for your email, it has been sent to the Board Members and will appear in the Petitions and Communications pages of our July 11, 2017 agenda. Looping in the Public Safety and Neighborhood Services Clerk to add it to the official file.

Regards,

Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
San Francisco, CA 94102-4689  
Phone: (415) 554-7703 | Fax: (415) 554-5163  
[Board.of.supervisors@sfgov.org](mailto:Board.of.supervisors@sfgov.org) | 415-554-5184

**Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).**

**The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.**

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

---

**From:** Kaplan, Jonathan [mailto:jkaplan@nrdc.org]  
**Sent:** Thursday, June 29, 2017 5:51 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Kar, Avinash <akar@nrdc.org>; Sharma, Swati (ENV) <swati.sharma@sfgov.org>; Rodriguez, Guillermo (ENV) <guillermo.rodriguez@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>  
**Subject:** Letter of support for antibiotics reporting ordinance (File 170763)

Dear Ms. Calvillo,

I'm writing to submit a letter to the Board of Supervisors in support for legislation introduced by Supervisor Sheehy regarding the reporting and disclosure of livestock antibiotic use. The ordinance file number is 170763.



Thank you for your attention to this matter. Best Regards, Jonathan Kaplan

**JONATHAN KAPLAN**  
*Director, Food &  
Agriculture Program*

**NATURAL RESOURCES  
DEFENSE COUNCIL**

111 SUTTER ST., 20TH FLOOR  
SAN FRANCISCO, CA 94104  
T 415.875.6130

**JKAPLAN@NRDC.ORG  
NRDC.ORG**

Please save paper.  
Think before printing.

**Alliance of Nurses for a Healthy Environment • Antibiotic Resistance  
Action Center, Milken Institute School of Public Health, George  
Washington University • CALPIRG • Center for Food Safety • Center  
for Foodborne Illness Research & Prevention • Center for Science in  
the Public Interest • Clean Water Action • Environmental Working  
Group • Food & Water Watch • Food Chain Workers Alliance • Health  
Care Without Harm • Healthy Food in Health Care • Keep Antibiotics  
Working • Natural Resources Defense Council • Physicians for Social  
Responsibility, San Francisco Bay Area Chapter • Prevention Institute  
• Roots of Change • San Francisco Marin Medical Society •  
Distinguished individuals**

June 29, 2017

Board of Supervisors  
City and County of San Francisco  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

**Re: Support for San Francisco Ordinance on Reporting of Antibiotic Use Policies Associated with Meat and Poultry (File No. 170763)**

Dear Supervisors:

We, the undersigned, urge your support for San Francisco proposed legislation that would require large grocery chains in San Francisco to report to the City the antibiotic use policies associated with their fresh meat and poultry. The City could then analyze the information and share it with residents to inform their shopping decisions. While the chicken industry is changing rapidly in response to growing consumer demand for better practices, many producers and industry sectors (such as the pork and beef sectors) lag behind. Information on antibiotic use practices is lacking, except from a few companies that have restricted or eliminated their use of antibiotics. The proposed legislation would continue San Francisco's proud history of being at the vanguard of efforts to support consumers' right to information and to protect public health and the environment.

Prominent authorities like the Centers for Disease Control and Prevention (CDC) warn that antibiotic resistance is a public health crisis, leading to growing numbers of infections that can be difficult to treat, require longer and more expensive hospital stays, and are more likely to be fatal. While overuse of antibiotics in the healthcare sector is a factor in the rising rates of antibiotic resistance, the livestock

sector also plays a role—because 70% of all antibiotics that are important for human medicine (medically important antibiotics) sold in the United States are sold for use in poultry and livestock. Much of that use is on animals that are not sick.

Major scientific and health organizations like the CDC, World Health Organization (WHO), and the American Academy of Pediatrics (AAP) agree that inappropriate use of antibiotics in livestock endangers public health through the spread of antibiotic resistant bacteria from farms to the community, including on meat. The WHO, the AAP, and the European Medicines Agency/European Food Safety Authority recommend that antibiotics should only be used to control or treat bacterial infections.

The federal government's approach has a big loophole. The Food and Drug Administration has prohibited some uses of medically important antibiotics on animals that are not sick (to speed up animal growth), but continues to allow similar routine use of these drugs on healthy animals for other purposes (preventing disease in often unsanitary, stressful, and crowded conditions), facilitating continued overuse. California has stepped up by prohibiting all routine use of antibiotics in-state when animals are not sick (including for disease prevention) and by requiring monitoring of livestock antibiotics. But, the new law does not apply to out-of-state producers whose products are sold in San Francisco.

San Francisco's proposed legislation fills the gap by requiring grocers to report to the City the antibiotic use practices associated with each line of poultry or meat product sold in their stores. This would supplement the State's new law by providing San Franciscans information about meat and poultry produced outside California. The legislation is an important step forward for public health and environmental protections and consumers' right-to-know, and we urge your support.

*Institutions*

Avinash Kar  
Senior Attorney  
*Natural Resources Defense Council*

Barbara Sattler, RN, DrPH, FAAN  
Professor, University of San Francisco\*  
Board Member  
*Alliance of Nurses for a Healthy Environment*

Laura Rogers  
Deputy Director  
*The Antibiotic Resistance Action Center*  
*Milken Institute School of Public Health, The George Washington University*

Jason Pfeifle  
Public Health Advocate  
*CALPIRG*

Tanya Roberts  
Former Economist at USDA  
Chair, Board of Directors

*Center for Foodborne Illness Research & Prevention*

Rebecca Spector  
West Coast Director  
*Center for Food Safety*

Michael F. Jacobson, Ph.D.  
Executive Director  
*Center for Science in the Public Interest*

Andria Ventura  
Toxics Program Manager  
*Clean Water Action*

Bill Allayaud  
California Director of Government Affairs  
*Environmental Working Group*

Patty Lovera  
Assistant Director  
*Food & Water Watch*

Joann Lo  
Co-Director  
*Food Chain Workers Alliance*

Lucia Sayre  
Western U.S. Regional Director | National Leadership Team  
*Healthy Food in Health Care*  
*Health Care Without Harm*

Steven Roach  
Food Safety Program Director, Food Animal Concerns Trust  
*Keep Antibiotics Working*

Robert M. Gould, MD  
President  
*San Francisco Bay Area Chapter*  
*Physicians for Social Responsibility*

Juliet Sims  
Associate Program Director  
*Prevention Institute*

Michael Dimock  
President  
*Roots of Change*

Steve Heilig, MPH  
Director of Public Health and Education  
*San Francisco Marin Medical Society*<sup>^</sup>

Individuals

Michael J. Martin, MD, MPH, MBA  
*Associate Clinical Professor*  
*Department of Epidemiology and Biostatistics, University of California, San Francisco*\*

Joan Casey, PhD  
*Postdoctoral Scholar*  
*Department of Environmental Science, Policy, and Management*  
*University of California at Berkeley*\*

Daphne Miller, MD  
*Family Physician*  
*Associate Clinical Professor, University of California San Francisco*\*

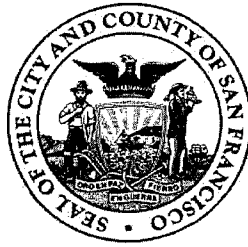
Jay Graham, PhD, MPH  
*Program Director*  
*Public Health Institute*\*

Lee Riley, MD  
*Professor and Head, Division of Infectious Diseases and Vaccinology*  
*School of Public Health, University of California, Berkeley*\*

\* For identification purposes only

<sup>^</sup> in both an individual and institutional capacity

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Naomi Kelly, City Administrator, Office of the City Administrator  
Barbara A. Garcia, Director, Department of Public Health  
Deborah Raphael, Director, Department of the Environment  
John Rahaim, Director, Planning Department

FROM: John Carroll, Assistant Clerk, Public Safety and Neighborhood  
Services Committee, Board of Supervisors

DATE: September 21, 2017

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

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The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following substitute legislation, introduced by Supervisor Sheehy on September 19, 2017:

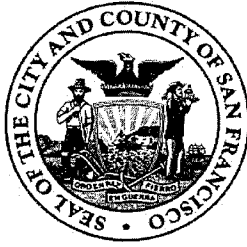
**File No. 170763**

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.**

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Lynn Khaw, Office of the City Administrator  
Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
Guillermo Rodriguez, Department of the Environment  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

**MEMORANDUM**

TO: Regina Dick-Endrizzi, Director  
**Small Business Commission, City Hall, Room 448**

FROM: Erica Major, Assistant Clerk, Public Safety and Neighborhood Services  
Committee, Board of Supervisors

DATE: July 3, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS - SUBSTITUTE  
Public Safety and Neighborhood Services Committee

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following substituted legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 170763**

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

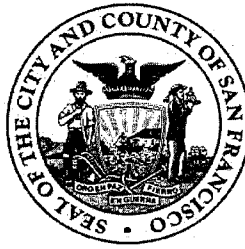
\*\*\*\*\*  
**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

**No Comment**  
 **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**

c: Menaka Mahajan, Small Business Commission

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Naomi Kelly, City Administrator, Office of the City Administrator  
Barbara A. Garcia, Director, Department of Public Health  
Deborah Raphael, Director, Department of the Environment  
John Rahaim, Director, Planning Department

FROM: Erica Major, Assistant Clerk, Public Safety and Neighborhood Services  
Committee, Board of Supervisors

DATE: July 3, 2017

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

---

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following substitute legislation, introduced by Supervisor Sheehy on June 27, 2017:

**File No. 170763**

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in raw meat and poultry purchased by the City to the Department of the Environment.**

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Lynn Khaw, Office of the City Administrator  
Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
Guillermo Rodriguez, Department of the Environment  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department



BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Naomi Kelly, City Administrator, Office of the City Administrator  
Barbara A. Garcia, Director, Department of Public Health  
Deborah Raphael, Director, Department of the Environment  
John Rahaim, Director, Planning Department

FROM: Erica Major, Assistant Clerk, Public Safety and Neighborhood Services  
Committee, Board of Supervisors

DATE: June 26, 2017

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Sheehy on June 20, 2017:

**File No. 170763**

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in meat purchased by the City to the Department of the Environment.**

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Lynn Khaw, Office of the City Administrator  
Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
Guillermo Rodriguez, Department of the Environment  
AnMarie Rodgers, Planning Department  
Aaron Starr, Planning Department

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
**Small Business Commission, City Hall, Room 448**

FROM: Erica Major, Assistant Clerk, Public Safety and Neighborhood Services  
Committee, Board of Supervisors

DATE: June 26, 2017

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Public Safety and Neighborhood Services Committee

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 170763**

**Ordinance amending the Environment Code to require certain retailers of raw meat and poultry to report the use of antibiotics in such products to the Department of the Environment, and require City departments to report the use of antibiotics in meat purchased by the City to the Department of the Environment.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*  
**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

\_\_\_\_\_ **No Comment**  
\_\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**

c: Menaka Mahajan, Small Business Commission

Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2017 SEP 19 PM 2:02  
 BY Time stamp  
 or meeting date *BZ*

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ 170763 ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Sheehy

Subject:

Environment Code - Antibiotic Use in Food Animals

The text is listed:

*attached*

Signature of Sponsoring Supervisor:

*[Handwritten Signature]*

For Clerk's Use Only