

AMENDED LEGISLATIVE DIGEST

[Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or other Youth Focused Incentive Items.]

Ordinance amending Article 8 of the San Francisco Ordinance Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

Existing Law

The San Francisco Health Department permits all restaurants in San Francisco under Article 8 of the San Francisco Health Code. The department inspects the permitted establishments and enforces the applicable health and safety requirements.

Amendments to Current Law

The proposed legislation amends Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.9, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items. The ordinance defines "Incentive Item" as meaning (1) any toy, game, trading card, admission ticket or other consumer product, whether physical or digital, with particular appeal to children and teens but not including "Single Use Articles" as defined in California Health & Safety Code Section 113914 as of January 1, 2009, or (2) any coupon, voucher, ticket, token, code, or password redeemable for or granting digital or other access to an item listed in (1).

A restaurant may combine a free toy or Incentive Item with the purchase of a meal if the meal does not include any of the following as defined in the ordinance: excessive calories, excessive sodium, excessive fat including saturated fat, and trans fat exceeding 0.5 grams. A meal must also contain at least 0.5 cups or more of fruits or vegetables. Breakfast items must contain 0.5 cups of fruits or vegetables.

A Restaurant may provide a free toy or Incentive Item in combination with the purchase of a single food item or beverage if the food or beverage includes less than 35% of total calories from fat and less than 10% of calories from added caloric sweeteners.

The ordinance has been amended to remove the requirement that a meal include whole grains. The ordinance has also been amended to take effect on December 1, 2011.

The Department of Public Health shall enforce the ordinance and the Director of the Health Department may issue administrative citations for the violations of the ordinance under San Francisco Administrative Code Chapter 100.

The intent of this proposed ordinance is to improve the health of children and adolescents in San Francisco by setting healthy nutritional standards for children's meals accompanied by toys or other incentive items. These standards will support families seeking healthy eating choices for their children by permitting restaurants to offer toys and other incentive items only in conjunction with foods meeting specified nutritional criteria. This legislation imposes no requirements for the advertising or labeling of food or beverages or disclosure of ingredients.