

File No. 150241

Committee Item No. 3

Board Item No. 4

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Land Use & Transportation

Date June 1, 2015

Board of Supervisors Meeting

Date JUNE 16, 2015

### Cmte Board

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Completed by: Andrea Ausberry Date May 28, 2015

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

[Administrative Code - Prohibiting Advertisements for Sugar-Sweetened Beverages on City Property]

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Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.

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

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

Section 1. The Administrative Code is hereby amended by revising Section 4.20 to read as follows:

SEC. 4.20. TOBACCO PRODUCT ~~AND~~ ALCOHOLIC BEVERAGE, AND SUGAR-SWEETENED BEVERAGE ADVERTISING PROHIBITION.

(a) No advertising of cigarettes or tobacco products, ~~or~~ alcoholic beverages, or Sugar-Sweetened Beverages shall be allowed on any property owned by or under the control of the City and County of San Francisco, except as exempted in subsections (c) and (d) below. For purposes of this Section 4.20, "alcoholic beverage" shall be as defined in California Business and ~~Professional Professions~~ Code section 23004 and shall not include cleaning solutions, medical supplies, and other products and substances not intended for drinking, and "Sugar-Sweetened Beverages" shall be as defined in subsection (e) below.

(b) This prohibition shall include the placement of the name of a company producing, selling, ~~or~~ or distributing cigarettes or tobacco products, ~~or~~ or alcoholic beverages, ~~or~~ or Sugar-

1 Sweetened Beverages, the name of a company producing Sugar-Sweetened Beverages, or  
2 the name of any cigarette or tobacco product, ~~or~~ alcoholic beverages, or Sugar-Sweetened  
3 Beverages, in any promotion of any event or promotion of any product or beverage on property  
4 owned by or under the control of the City and County of San Francisco. This prohibition shall  
5 not apply to any advertisement sponsored by a state, local, nonprofit or other entity designed  
6 to (i) communicate the health hazards of cigarettes and tobacco products, ~~or~~ alcoholic  
7 beverages or Sugar-Sweetened Beverages, (ii) encourage people not to smoke or to stop  
8 smoking, or encourage people not to drink ~~alcoholic~~ or to stop drinking alcohol or Sugar-  
9 Sweetened Beverages, or (iii) provide or publicize drug or alcohol treatment or rehabilitation  
10 services; nor shall this prohibition apply to the inclusion of the name of a company producing  
11 Sugar-Sweetened Beverages, or the name of a charitable foundation containing any such  
company's name, on signage listing sponsors of a charitable event occurring on City property.

13 (c) All leases, permits or agreements awarded by the City and County of San  
14 Francisco allowing any person to use City property shall specifically provide that there shall be  
15 no advertising of cigarettes or tobacco products, ~~or~~ alcoholic beverages, or Sugar-Sweetened  
16 Beverages as set forth in this Section 4.20. ~~This~~these prohibitions on advertising shall only apply  
17 to those leases, permits or agreements entered into, renewed, or materially amended from  
18 and after the effective date of ~~this~~these ordinance establishing the prohibition.

19 (d) City property used for operation of a restaurant, concert or sports venue, or other  
20 facility or event where the sale, production or consumption of alcoholic beverages is  
21 permitted, shall be exempt from the alcoholic beverage advertising prohibition in subsections  
22 (a) through (c) above, and City property used for operation of a restaurant, concert or sports venue,  
23 or other facility or event where the sale or production of Sugar-Sweetened Beverages is permitted,  
24 shall be exempt from the Sugar-Sweetened Beverage advertising prohibition in subsections (a) through

1 (c) above, but ~~this~~ either of these prohibitions may be made applicable by lease, permit or  
2 agreement.

3 (e) For purposes of this Section 4.20,

4 "Caloric Substance" means a substance that adds calories to the diet of a person who  
5 consumes that substance.

6 "Caloric Sweetener" means any Caloric Substance suitable for human consumption that  
7 humans perceive as sweet and includes, but is not limited to, sucrose, fructose, high fructose corn  
8 syrup, glucose and other sugars.

9 "Medical Food" means medical food as defined in Section 109971 of the California Health and  
10 Safety Code, including amendments to that Section.

11 "Milk" means natural liquid milk, natural milk concentrate or dehydrated natural milk  
12 (whether or not reconstituted) regardless of animal source or butterfat content. For purposes of this  
13 definition, "Milk" includes flavored milk containing no more than 40 grams of total sugar (naturally  
14 occurring and from added Caloric Sweetener) per 12 ounces.

15 "Natural Fruit Juice" means the original liquid resulting from the pressing of fruit, the liquid  
16 resulting from the complete reconstitution of natural fruit juice concentrate, or the liquid resulting from  
17 the complete restoration of water to dehydrated natural fruit juice.

18 "Natural Vegetable Juice" means the original liquid resulting from the pressing of vegetables,  
19 the liquid resulting from the complete reconstitution of natural vegetable juice concentrate, or the  
20 liquid resulting from the complete restoration of water to dehydrated natural vegetable juice.

21 "Nonalcoholic Beverage" means any beverage that is not subject to tax under Part 14  
22 (commencing with Section 32001) of the California Revenue and Tax Code.

23 "Sugar-Sweetened Beverage" means any Nonalcoholic Beverage sold for human consumption  
24 that has one or more added Caloric Sweeteners and contains more than 25 calories per 12 ounces of  
25 beverage, or any powder or syrup with added Caloric Sweetener that is used for mixing, compounding,

1 or making Sugar-Sweetened Beverages. Notwithstanding the foregoing sentence, "Sugar-Sweetened  
2 Beverage" does not include any of the following:

3 (1) Milk.

4 (2) Milk alternatives, including but not limited to non-dairy creamers or beverages  
5 primarily consisting of plant-based ingredients (such as soy, rice, or almond milk products), regardless  
6 of sugar content.

7 (3) Any beverage that contains solely 100 percent Natural Fruit Juice, Natural  
8 Vegetable Juice, or combined Natural Fruit Juice and Natural Vegetable Juice.

9 (4) Any product sold for consumption by infants, which is commonly referred to as  
10 "infant formula," or any product whose purpose is infant rehydration.

11 (5) Medical Food.

12 (6) Any product designed as supplemental, meal replacement, or sole-source nutrition  
13 that includes proteins, carbohydrates, and multiple vitamins and minerals.

14 (7) Any product sold in liquid form designed for use as an oral nutritional therapy for  
15 persons who may have a limited ability to absorb or metabolize dietary nutrients from traditional food  
16 or beverages.

17 (8) Any product sold in liquid form designed for use for weight reduction.

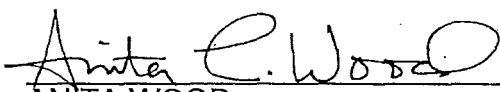
18 Section 2. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides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

22  
23 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
3 additions, and Board amendment deletions in accordance with the "Note" that appears under  
4 the official title of the ordinance.

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

By:   
ANITA WOOD  
Deputy City Attorney

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**LEGISLATIVE DIGEST**  
(6/1/15 - Amended in Committee)

[Administrative Code - Prohibiting Advertisements for Sugar-Sweetened Beverages on City Property]

**Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.**

Existing Law

Existing law prohibits advertising cigarettes or tobacco products or alcoholic beverages on property owned by or under the control of the City and requires all leases, permits or agreements awarded by the City that allow any person to use City property to specifically provide that there shall be no advertising of cigarettes or tobacco products or alcoholic beverages on such property, subject in each case to certain limited exceptions for alcoholic beverage advertising. The prohibition includes the placement of the name of a company producing, selling, or distributing cigarettes, tobacco products, or alcoholic beverages, or the name of any cigarette or tobacco product, or alcoholic beverages, in any promotion of any event or promotion of any product or beverage on property owned by or under the control of the City

Amendments to Current Law

The proposed legislation would do the following:

1. Prohibit advertising Sugar-Sweetened Beverages on property owned by or under the control of the City, subject to similar exceptions that apply for alcoholic beverage advertising.
2. Prohibit the placement of the name of a company producing Sugar-Sweetened Beverages, or the name of any Sugar-Sweetened Beverage, in any promotion of any event or promotion of any product or beverage on property owned by or under the control of the City, subject to an exception to allow the inclusion of a company's name on signage listing sponsors of a charitable event occurring on City property.

Background

Revised in Land Use and Transportation Committee on June 1, 2015 to (1) modify the proposed restrictions on advertising Sugar-Sweetened Beverages on property owned by or under the control of the City by eliminating the proposed restriction on advertising companies that distribute or sell Sugar-Sweetened Beverage, while retaining restrictions on advertising the products themselves and the companies that manufacture them, and (2) modify the proposed restriction on the placement of the name of a company producing Sugar-Sweetened

FILE NO. 150241

Beverages on City property to allow the inclusion of a company's name on signage listing sponsors of a charitable event.



1415-RBM-15

Youth Commission  
City Hall ~ Room 345  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4532



(415) 554-6446  
(415) 554-6140 FAX  
[www.sfgov.org/youth\\_commission](http://www.sfgov.org/youth_commission)

**YOUTH COMMISSION  
MEMORANDUM**

**TO:** Derek Evans, Public Safety and Neighborhood Services Committee Clerk  
**FROM:** Youth Commission  
**DATE:** Wednesday April 7, 2015  
**RE:** Referral response to BOS Files Numbers: 150241, 150243, 150245, 150252

At our regular meeting of **Monday, April 6, 2015** the Youth Commission voted unanimously to support the following four motions:

**To support BOS File No. 150241** – Administrative Code - Prohibiting Advertisements for Sugar-Sweetened Beverages on City Property

**To support BOS File No. 150243** – Administrative Code - Barring City Departments from Purchasing and City Contractors from Selling or Distributing Sugar-Sweetened Beverages

**To support BOS File No. 150245** – Health Code - Sugar-Sweetened Beverage Warning for Advertisements

**To support BOS File No. 150252** – Resolution Supporting California Senate Bill 203 (Monning) - Sugar-Sweetened Beverage Safety Warning Act

Youth commissioners support for these pieces of legislation follows on their previous support of efforts to curb sugary drink consumption to improve public health outcomes for young people, including their 2014 support of the proposed soda tax legislation and their participation in the Open Truth social media campaign.

Youth Commissioners thank the Board of Supervisors for their attention to this issue. If you have any questions about these recommendations, please do not hesitate to contact our office at (415) 554-6446, or your Youth Commissioner.

A handwritten signature in cursive script that reads "Michel Li".

Chair, Michel Li  
Adopted on April 6, 2015  
2014-2015 San Francisco Youth 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: Youth Commission  
FROM: Derek Evans, Assistant Clerk  
DATE: April 3, 2015  
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following legislation. At the request of the Youth Commission, this item is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 150241**

**Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.**

Please return this cover sheet with the Commission's response to **Derek Evans, Clerk, Public Safety & Neighborhood Services Committee.**

\*\*\*\*\*

**RESPONSE FROM YOUTH COMMISSION**      Date: \_\_\_\_\_

\_\_\_\_\_ **No Comment**

\_\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Youth Commission**

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Barbara A. Garcia, Department of Public Health  
Regina Dick-Endrizzi, Small Business Commission  
Nicole Wheaton, Office of the Mayor

FROM: Derek Evans, Assistant Committee Clerk

DATE: March 16, 2015

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors Public Safety and Neighborhood Services Committee has received the following legislation, which is being referred to your department.

**File No. 150241**

**Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.**

If you wish to submit any comments or reports, please forward those to the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

cc: Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health



**American Heart Association®**

life is why™

**Greater Bay Area Division**

426 17th St, Ste. 300, Oakland, CA 94612  
Phone (510) 903-4050 Fax (510) 903-4049

[www.heart.org](http://www.heart.org)

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May 29, 2015

London Breed  
President, San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244

Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation

Dear Board President Breed and the San Francisco Board of Supervisors:

The American Heart Association is proud to support the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to: ban sugar-sweetened beverage advertisements on public property; require health warnings on all posted sugar-sweetened beverage advertisements; and ban city spending on sugar-sweetened beverages. Reducing consumption of sugar-sweetened beverages is an important way to improve health.

Soda and other sugar-sweetened beverages are the number one source of added sugar in the American diet, and are linked to increased risk of diabetes and other serious diseases such as heart and liver disease, obesity and tooth decay. Definitive scientific studies have concluded that a major cause of the dramatic increase in diabetes and the equally significant increase in California's obesity rate is that most people consume nearly 300 more calories per day than 30 years ago and 43 percent of that caloric increase comes from the consumption of sugar-sweetened beverages.

The American Heart Association recommends that adults consume no more than five to nine teaspoons of added sugar per day, and that children consume even less. A 20-ounce bottle of soda contains the equivalent of approximately 17 teaspoons of sugar.

Added sugars are associated with many of the major risk factors for heart disease including overweight and obesity, dyslipidemia including elevated triglycerides, chronic inflammation and hypertension.

The AHA has an aggressive goal of improving the cardiovascular health of U.S. population by 20% by 2020, and we are measuring our achievement of that goal through seven heart health factors, including blood pressure,

glucose, cholesterol, physical activity, tobacco use, body weight, and healthy diet. An important component of the AHA healthy diet metrics is to limit sugar-sweetened beverages to 36 ounces or 450 calories a week, based on a 2000-calorie diet, scaled accordingly for other levels of caloric intake. Policies such as the three being considered in San Francisco are steps in the right direction, providing public education and changing the environment to support health-promoting beverage choices.

Supervisors Cohen, Mar, and Wiener have put together a package of legislation that will educate communities on the danger of overconsumption of sugar-sweetened beverages. We support their efforts because it is sensible public policy. The adverse health effects of the overconsumption of sugar-sweetened beverages are harming our communities. For these reasons, we are proud to support them and urge you to join them in their efforts to improve the health of San Francisco by voting to support these important measures.

Sincerely,

Patricia Sprincin, Chair

Yerem Yeghiazarians, MD, FACC, FAHA, FSCAI, President

American Heart Association, San Francisco-San Mateo County

CC:

Malia Cohen, Member, San Francisco Board of Supervisors

Eric Mar, Member, San Francisco Board of Supervisors

Scott Wiener, Member, San Francisco Board of Supervisors

Angela Calvillo, Clerk, San Francisco Board of Supervisors

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**From:** Elliot Haspel [<mailto:ehaspel@gmail.com>]  
**Sent:** Thursday, May 28, 2015 11:23 AM  
**To:** Breed, London (BOS); BreedStaff, (BOS)  
**Cc:** Calvillo, Angela (BOS); Mar, Eric (BOS); Cohen, Malia (BOS); Wiener, Scott  
**Subject:** Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation

Dear Board President Breed and the San Francisco Board of Supervisors:

I am writing to support the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to address the epidemic of type two diabetes, obesity and other diseases related to the consumption of sugar-sweetened beverages. Their legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents, will improve the health of people living in San Francisco, and will serve as a model for the rest of the country to follow.

I am an active resident of District 5, a former public school teacher, and the father of a 4-month-old. I want my daughter to grow up in a San Francisco that prioritizes health and its children over the interests of big corporations.

The facts related to the consumption of sugar-sweetened beverages are clear. One-third of today's youth—and one-half of African-American and Hispanic youth—will become diabetic if actions aren't taken. Drinking just one 12 ounce can of soda a day can increase your chance of getting type 2 diabetes by 25%. This is a public health crisis, and local policy leaders must take the lead to put forth innovative solutions to address the consumption of these drinks.

Please join supervisors Cohen, Mar and Wiener in their efforts to improve the health of San Francisco by voting to support these important measures. These are vital policies to the future health of San Francisco and the rest of the country.

Sincerely,  
Elliot Haspel

862 Haight St., #4  
San Francisco, CA 94117

CC/  
Malia Cohen, Member, San Francisco Board of Supervisors  
Eric Mar, Member, San Francisco Board of Supervisors  
Scott Wiener, Member, San Francisco Board of Supervisors  
Angela Calvillo, Clerk, San Francisco Board of Supervisors





# Out-of-Home Alcohol Advertising



## The Problem

Everyone, regardless of age, is exposed to out-of-home alcohol advertisements, almost as soon as they walk out the door. The connection between youth exposure to alcohol ads and underage drinking is well documented. The more ads kids see, the more likely they are to drink,<sup>1</sup> start drinking at an earlier age, drink more,<sup>2</sup> and experience alcohol-related problems.<sup>3</sup>

Out-of-home ads are not only traditional billboards and signs located outside. Out-of-home advertising includes various types of promotions located both outdoors (such as bus benches, kiosks, and vehicles such as buses and trucks), as well as inside (including video networks in subways and grocery stores, commercials before movies, and digital ads in airports, malls, and bars).

In 2012, advertisers spent \$6.7 billion on out-of-home advertising, a 22% growth over the last decade.<sup>4</sup>

Historically, the alcohol industry has been one of the largest purchasers of outdoor advertising.<sup>5</sup>

Advertisers have increasingly recognized that outdoor advertisements deliver a mass audience and reach consumers who are not exposed to newspapers or television news.<sup>6</sup>

Transit advertising is a particularly attractive medium. Research from New York City describes transit passengers as a captive audience; ads take advantage of the proximity to other riders:

*Participants in focus groups in New York City said they welcome advertising in subway cars because the advertisements help them avoid uncomfortable eye contact with other riders and provide something to look at during trips.<sup>6</sup>*

A study that examined out-of-home alcohol advertisements in ten U.S. cities found that alcohol ads in inner-city neighborhoods, were most prevalent on billboards, often featured beer products, and marketed the quality of the products.<sup>7</sup>

One study in Central Harlem, New York, found many ads near schools, churches, and playgrounds. The authors concluded "predominantly Black neighborhoods continue to face high exposure to outdoor alcohol advertising, including around sites at which youth congregate."<sup>8</sup>

Researchers found that 25% of outdoor advertising in Central Harlem was dedicated to promoting alcohol. Exposure to this advertising increased black women's chances of being a problem drinker by 13%.<sup>9</sup>

In Boston, researchers found that alcohol ads reached the equivalent of every adult in the Greater Boston region, and every 5th- to 12th-grade public school student, each day. More alcohol ads were displayed in public transit stations in neighborhoods with high poverty rates than in stations in neighborhoods with low poverty rates.<sup>10</sup>

A study of alcohol ads near Chicago schools found that "exposure to outdoor alcohol advertising around schools is associated with subsequent youth intentions to use alcohol" even among sixth-grade nonusers of alcohol.<sup>11</sup>

Most major U.S. transit authorities currently ban alcohol advertising on public transit, yet city-controlled transit furniture (bus benches, kiosks, etc.) are often not included in those bans.<sup>12</sup>

Though many metropolitan transit agencies have policies banning alcohol advertisements, some agencies have backtracked on their commitment to public health and safety. Yet the public money spent by any urban center to mitigate alcohol-related harm (e.g. medical, hospital, and emergency services; law enforcement; legal services; rehabilitation, treatment, and prevention services), far outweighs any potential revenue from alcohol advertising.

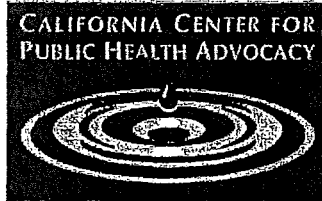
Local and state governments can enact laws and policies to reduce youth exposure to alcohol advertising on billboards and other out-of-home media. Advertising restrictions are associated with decreased consumption: After five years, a full ban on billboard advertising was associated with an estimated 3.8% lower spirit consumption.<sup>13</sup>

### Bottom Line

Out-of-home alcohol advertising may be high-tech, but it's not inevitable or acceptable. Communities can hold the alcohol industry accountable and enact, strengthen, and enforce policies that prevent youth overexposure to alcohol advertising.

1. Snyder LB, Millici FF, Slater M, et al. Effects of alcohol advertising exposure on drinking among youth. *Arch Pediatr Adolesc Med.* 2006;160:18-24.
2. Anderson P, Foxcroft D, Kaner E, et al. Does marketing communication impact on the volume and patterns of consumption of alcoholic beverages, especially by young people? A review of longitudinal studies. *Scientific Opinion of the Science Group of the European Alcohol and Health Forum.* 2009.
3. Grenard J, Dent C, Stacy A. Exposure to Alcohol Advertisements and Teenage Alcohol-Related Problems. *Pediatrics.* 2013 Feb;131(2):e369-79. doi: 10.1542/peds.2012-1480. Epub 2013 Jan 28.
4. Outdoor Advertising Association of America. Resource Center. Marketing and sales. Facts and figures. Revenue. Historical revenue. Available at: <http://www.oaaa.org/ResourceCenter/MarketingSales/FactsandFigures/Revenue/HistoricalRevenue.aspx>. Accessed December 10, 2013.
5. Scott M, Cohen D, Schonlau M, et al. Alcohol and tobacco marketing: evaluating compliance with outdoor advertising guidelines. *Am J Prev Med.* 2008;35:203-209.
6. Transit advertising sales agreements: A synthesis of transit practice. Washington DC: Transportation Research Board. 2004:15.
7. Moore H, Jones-Webb R, Toomey T, Lenk K. Alcohol advertising on billboards, transit shelters, and bus benches in inner-city neighborhoods. *Contemporary Drug Problems.* 2008;35:509-532.
8. Kwate NOA, Jernigan M, Lee T. Prevalence, proximity and predictors of alcohol ads in Central Harlem. *Alcohol Alcohol.* 2007;42:635-640.
9. Kwate NOA, Meyer IH. Association between residential exposure to outdoor alcohol advertising and problem drinking among African American women in New York City. *Am J Public Health.* 2009;99(2):228-230.
10. Gentry E, Poirier K, Wilkinson T, et al. Alcohol advertising at Boston subway stations: An assessment of exposure by race and socioeconomic status. *Am J Public Health.* 2011;101(10):1936-1941. doi:10.2105/AJPH.2011.300159.
11. Pasch KE, Komro KA, Perry CL, et al. Outdoor alcohol advertising near schools: what does it advertise and how is it related to intentions and use of alcohol among young adolescents? *J Stud Alcohol Drugs.* 2007;68:587-96.
12. Blakemore J, Mart S, Treffers R. These bus ads don't stop for children: Alcohol advertising on public transit. 2013. Available at: <http://alcoholjustice.org/resources/reports/934-summary-these-bus-ads-dont-stop-for-children-alcohol-advertising-on-public-transit.html>. Accessed December 10, 2013.
13. Zullo R, Bi X, Xiaohan Y, Siddiqui Z. 2013. The fiscal and social effects of state alcohol control systems. Ann Arbor, MI: Institute for Research on Labor, Employment, and the Economy, University of Michigan.

A nonpartisan, nonprofit  
organization established by the  
Northern and Southern California  
Public Health Associations



Post Office Box 2309  
Davis, California 95617  
Telephone 530.297.6000  
Fax 530.297-6200  
[www.PublicHealthAdvocacy.org](http://www.PublicHealthAdvocacy.org)

*Because health doesn't just happen*

May 28, 2015

Jane Kim  
San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244

**Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation**

Dear Supervisor Jane Kim:

The California Center for Public Health Advocacy (CCPHA) supports the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to address the epidemic of type two diabetes, obesity and other diseases related to the consumption of sugar-sweetened beverages. Their legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents, will improve the health of people living in San Francisco, and will serve as a model for the rest of the country to follow.

CCPHA is a nonpartisan, nonprofit organization that tackles the underlying factors that perpetuate childhood obesity and diabetes. We advocate for policy change simultaneously at state and local levels, we network local efforts together for statewide impact, and we support our work with grassroots organizing, strategic research, media advocacy, and direct lobbying. We successfully helped establish nutrition standards for foods in schools and helped California become the first state to require menu labeling. We also have a history of working toward requiring health warning labels on sugar-sweetened beverages at the state level.

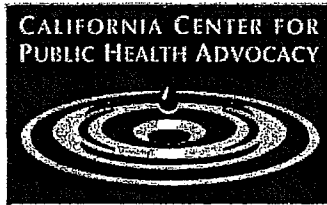
The facts related to the consumption of sugar-sweetened beverages are clear. One-third of today's youth—and one-half of African-American and Hispanic youth—will become diabetic if actions aren't taken. Drinking just one 12 ounce can of soda a day can increase your chance of getting type 2 diabetes by 25%. This is a public health crisis, and local policy leaders must take the lead to put forth innovative solutions to address the consumption of these drinks.

Please join supervisors Cohen, Mar and Wiener in their efforts to improve the health of San Francisco by voting to support these important measures. These are vital policies to the future health of San Francisco and the rest of the country.

Sincerely,

Harold Goldstein  
Executive Director  
California Center for Public Health Advocacy

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May 28, 2015

Norman Yee  
San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244

**Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation**

Dear Supervisor Norman Yee:

The California Center for Public Health Advocacy (CCPHA) supports the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to address the epidemic of type two diabetes, obesity and other diseases related to the consumption of sugar-sweetened beverages. Their legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents, will improve the health of people living in San Francisco, and will serve as a model for the rest of the country to follow.

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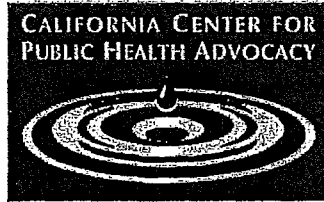
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Executive Director  
California Center for Public Health Advocacy

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May 28, 2015

John Avalos  
San Francisco Board of Supervisors.  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244

**Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation**

Dear Supervisor John Avalos:

The California Center for Public Health Advocacy (CCPHA) supports the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to address the epidemic of type two diabetes, obesity and other diseases related to the consumption of sugar-sweetened beverages. Their legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents, will improve the health of people living in San Francisco, and will serve as a model for the rest of the country to follow.

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The facts related to the consumption of sugar-sweetened beverages are clear. One-third of today's youth—and one-half of African-American and Hispanic youth—will become diabetic if actions aren't taken. Drinking just one 12 ounce can of soda a day can increase your chance of getting type 2 diabetes by 25%. This is a public health crisis, and local policy leaders must take the lead to put forth innovative solutions to address the consumption of these drinks.

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Sincerely,

Harold Goldstein  
Executive Director  
California Center for Public Health Advocacy

**From:** Calvillo, Angela (BOS)  
**Sent:** Tuesday, May 26, 2015 3:42 PM  
**To:** Somera, Alisa (BOS)  
**Subject:** FW: Please Support Sugary Drinks Purchasing and Advertising Legislation

For the sugary drink file please.  
Thank you  
Angela

**From:** Sheffield Hale [<mailto:sheffieldhale@gmail.com>]  
**Sent:** Monday, May 25, 2015 10:43 AM  
**To:** Breed, London (BOS); BreedStaff, (BOS)  
**Cc:** Calvillo, Angela (BOS); Mar, Eric (BOS); Cohen, Malia (BOS); Wiener, Scott  
**Subject:** Please Support Sugary Drinks Purchasing and Advertising Legislation

Dear Board President Breed and the San Francisco Board of Supervisors:

I, Sheffield Hale, support the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar and Scott Wiener to address the epidemic of type two diabetes, obesity and other diseases related to the consumption of sugar-sweetened beverages.

The proposed legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents and will improve the health of people living in San Francisco. The message will extend beyond San Francisco to the rest of the nation. These policies will serve as models for the rest of the country to follow.

The facts related to the consumption of sugar-sweetened beverages are clear. One-third of today's youth—and one-half of African-American and Hispanic youth—will become diabetic if actions aren't taken. Drinking just one 12 ounce can of soda a day can increase your chance of getting type 2 diabetes by 25%.

Sugar sweetened beverages are the largest single source of added sugars in the American diet, are less satiating than solid food, and contain little or no nutritional value. Numerous studies in adults and youth link the consumption of sugar-sweetened beverages with weight gain, obesity, type 2 diabetes, and heart disease. In fact, sugar sweetened beverages are the only beverage or food that has been directly linked to obesity.

Despite recent declines, consumption of sugar-sweetened beverages remains excessively high. In 2010, the average American adult consumed 151 calories per day from sugar-sweetened beverages. Certain populations derive a much larger proportion of calories from sugar-sweetened beverages than others. For instance, adolescent males (ages 12-17) consume, on average, nearly 300 calories a day, or 15% of their recommended daily calorie allowance, from sugarsweetened beverages. Soda, energy and sports drinks, sweetened water, fruit drinks, and sweetened coffee—all drinks that would be subject to the fee—are the largest source of daily calories for adolescents in the US. In addition, sugar-sweetened beverage consumption is highest among groups that have the highest risk of type 2 diabetes and obesity – low income people, Latinos and African Americans.

These high levels of consumption are driven by the extensive and aggressive industry marketing tactics. Moreover, this advertising targets the most vulnerable. For example, Latino and African American children see significantly more ads for sugar drinks and dollars spent on targeted marketing to Latinos and African Americans has increased sharply in recent years. While awareness of the adverse health effects of sugary sodas is increasing, many fewer people are aware that consuming sugary sports drinks and fruit drinks is no different from drinking sodas.

Thus the three measures are perfectly on target by addressing aggressive advertising of a product harmful to health and increasing awareness of the range of sugar-sweetened beverages and their health impacts.

This is a public health crisis, and local policy leaders must take the lead to put forth innovative solutions to address the consumption of these drinks.

Please join supervisors Cohen, Mar and Wiener in their efforts to improve the health of San Francisco by voting to support these important measures. These are vital policies to the future health of San Francisco and the rest of the country.

Sincerely,  
Sheffield Hale

340 Church St, SF, CA

# Action for Healthy Food

1218 Third Ave,  
Suite 505  
Seattle, WA 98101

May 13, 2015

London Breed  
President, San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244

**Re: Sugar-Sweetened Beverage Advertising and Purchasing Legislation**

Dear Board President Breed and the San Francisco Board of Supervisors:

Action for Healthy Food (AFHF) supports the legislation put forth by San Francisco Supervisors Malia Cohen, Eric Mar, and Scott Wiener to address the epidemic of type 2 diabetes, obesity, and other diseases related to the consumption of sugar-sweetened beverages.

The proposed legislation will ban sugar-sweetened beverage advertisements on public property, require health warnings on all posted sugar-sweetened beverage advertisements, and ban city spending on sugar-sweetened beverages. These important policies will send a clear message that San Francisco understands the impact the consumption of these beverages has on its residents and will improve the health of people living in San Francisco. The message will extend beyond San Francisco to the rest of the nation. These policies will serve as models for the rest of the country to follow.

AFHF is a national organization that promotes healthy food policy as a means towards increasing consumption and availability of healthy foods and beverages while decreasing consumption of unhealthy ones. The three proposed policies are innovative and necessary. We will follow closely the progress made in San Francisco and share it with our partners across the country, including local and state governments, foundations, health advocacy organizations, public health agencies, and others.

The facts related to the consumption of sugar-sweetened beverages are clear. One-third of today's youth—and one-half of African American and Hispanic youth—will become diabetic if actions aren't taken. Drinking just one 12 ounce can of soda a day can increase your chance of getting type 2 diabetes by 25%. Sugar-sweetened beverages are the largest single source of added sugars in the American diet, are less satiating than solid food, and contain little or no nutritional value. Numerous studies in adults and youth link the consumption of sugar-sweetened beverages with weight gain, obesity, type 2 diabetes, and heart disease. In fact, sugar sweetened beverages are the only beverage or food that has been directly linked to obesity.



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These high levels of consumption are driven by the extensive and aggressive industry marketing tactics. Moreover, this advertising targets the most vulnerable. For example, Hispanic and African American children see significantly more ads for sugar drinks and dollars spent on targeted marketing to Hispanics and African Americans has increased sharply in recent years.

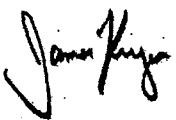
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This is a public health crisis, and local policy leaders must take the lead to put forth innovative solutions to address the consumption of these drinks.

Please join supervisors Cohen, Mar, and Wiener in their efforts to improve the health of San Franciscans by voting to support these important measures. These are vital policies to the future health of San Francisco and the rest of the country.

Sincerely,



James Krieger, MD, MPH  
Executive Director  
Action for Healthy Food

CC/

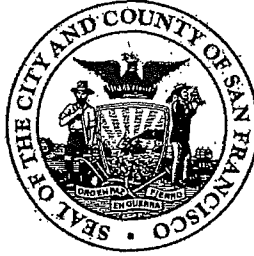
Malia Cohen, Member, San Francisco Board of Supervisors

Eric Mar, Member, San Francisco Board of Supervisors

Scott Wiener, Member, San Francisco Board of Supervisors

Angela Calvillo, Clerk, San Francisco Board of Supervisors

President, District 5  
BOARD of SUPERVISORS



Bosill, COB, Leg Dep.  
Dep. City Atty, PSNS,  
LN

City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-7630  
Fax No. 554-7634  
TDD/TTY No. 544-5227

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ll

London Breed

**PRESIDENTIAL ACTION**

Date: 5/5/15

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

Transferring (Board Rule No. 3.3)

File No. 150241 Cohen  
(Primary Sponsor)

Title. Ordinance amending the Administrative Advertisi

From: Public Safety & Neighborhood Services Committee

To: Land Use & Transportation Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

London Breed, President  
288 Board of Supervisors

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

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 [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 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 a Imperative Form.

Sponsor(s):

Cohen

Subject:

Administrative Code — Prohibiting Advertisements for Sugar-Sweetened Beverages on City Property

The text is listed below or attached:

Ordinance amending the Administrative Code to prohibit advertising of sugar-sweetened beverages on City property.

Signature of Sponsoring Supervisor: *Malia Cohen*

For Clerk's Use Only:

150241

