# The New York City Council

City Hall
New York, NY 10007

## Legislation Details (With Text)

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| **File #:** | Res 0022-2018 | **Version:** * | **Name:** | Congress to introduce and pass legislation to allow states and municipalities to expand upon the Food and Drug Administration's nutritional labeling requirements on menus and menu boards. |
| **Type:** | Resolution | | **Status:** | Filed (End of Session) |
| | | | **In control:** | Committee on Health |
| **On agenda:** | 1/31/2018 | | | |
| **Enactment date:** | | | **Enactment #:** | |
| **Title:** | Resolution calling on the United States Congress to introduce and pass legislation to allow states and municipalities to expand upon the Food and Drug Administration's nutritional labeling requirements on menus and menu boards. | | | |
| **Sponsors:** | Fernando Cabrera, Justin L. Brannan | | | |
| **Indexes:** | | | | |
| **Attachments:** | 1. Res. No. 22, 2. January 31, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 01-31-2018, 4. Minutes of the Stated Meeting - January 31, 2018 | | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 1/31/2018 | * | City Council | Introduced by Council | |
| 1/31/2018 | * | City Council | Referred to Comm by Council | |
| 12/31/2021 | * | City Council | Filed (End of Session) | |

Res. No. 22

Resolution calling on the United States Congress to introduce and pass legislation to allow states and municipalities to expand upon the Food and Drug Administration's nutritional labeling requirements on menus and menu boards.

By Council Members Cabrera and Brannan

Whereas, The Patient Protection and Affordable Care Act (ACA) of 2010 directs the Food and Drug Administration (FDA) to establish menu labeling requirements for restaurants, similar retail food establishments and vending machines; and

Whereas, On December 1, 2014, FDA finalized two rules requiring that calorie information be listed on menus and menu boards for standard menu items offered for sale in a restaurant or similar retail food establishment that is part of a chain with 20 or more locations, doing business under the same name, and offering for sale substantially the same menu items; and

Whereas, According to the FDA, Americans eat and drink about one-third of their calories away from home; and

Whereas, Consumers should be provided with nutritional information at food service establishments to make informed decisions regarding food purchases; and

Whereas, The ACA specifies that State or local governments cannot impose nutrition labeling requirements for foods sold in establishments covered by the final FDA rules, unless such requirements are identical to the federal requirements; and

Whereas, Although the FDA's new rules require calorie information to be posted, the new rules do not require additional nutritional information, such as sodium content; and

Whereas, About 90 percent of Americans eat too much sodium, which can cause high blood pressure, according to the FDA; and

Whereas, According to a study published in JAMA Internal Medicine, most adults in the United States consume more added sugar than is recommended for a healthy diet and the odds of dying from heart disease rise with the percentage of sugar in the diet; and

Whereas, The New York City Board of Health required calorie postings on menus in 2008 and recently passed a requirement for restaurants to include warnings on food items with excessive sodium contents; and

Whereas, New York City strives to be at the forefront of consumer nutrition education and should not be restricted from expanding the FDA's nutrition labeling requirements; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to introduce and pass legislation to allow states and municipalities to expand upon the Food and Drug Administration's nutritional labeling requirements on menus and menu boards.

CP
LS 5396/Res. 839/2015
LS 468

12/13/17