The New York City Council

Legislation Text

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Res. No. 326

Resolution calling upon the Congress of the United States to pass H.R. 3444, introduced by Representative DeLauro, and S.2108, introduced by Senator Harkin, which would ensure that consumers receive information about the nutritional content of restaurant and vending machine food.

By Council Members James, Quinn, Baez, Barron, Gerson, Lopez, Nelson, Palma, Perkins, Sanders, Seabrook and Vann

Whereas, According to the Centers for Disease Control and Prevention, two-thirds of American adults are overweight or obese, and the rates of obesity have doubled in children and tripled in teens since 1980; and

Whereas, A study by the Medical and Health Research Association of New York City's Neighborhood WIC Program, which provides food for women, infants and children up to age 5, found that 14% of 2-year-olds and 25% of 3 to 4 year-olds are overweight; and

Whereas, The American Obesity Association ("AOA") reports that obesity increases the risk of developing a number of health conditions including type 2 diabetes, hypertension, coronary heart disease, ischemic stroke, colon cancer, post menopausal breast cancer, endrometrial cancer, gall-bladder cancer, infertility, osteoarthritis and obstructive sleep apnea; and

Whereas, According to Congressional findings, the annual cost of obesity to families, businesses, and governments in the United States is approximately $117,000,000,000; and

Whereas, Furthermore, over the past two decades, there has been a significant increase in the number of meals prepared or eaten outside the home, with an estimated one-third of the calories consumed from and almost half of total food dollars spent on food purchased from or eaten at restaurants and other food service establishments; and

Whereas, While federal law currently requires nutrition labeling on most processed foods, nutrition

information is not generally required for menu items at restaurants and other food service establishments; and

Whereas, Use of food labels is associated with healthier eating habits; and

Whereas, Given the limited availability of nutrition information and the larger-than-standard serving portions, it may be difficult for consumers to make informed choices regarding their intake of calories at restaurants; and

Whereas, Studies have shown that consumers are interested in receiving nutrition information when ordering their food at a restaurant so that they may make an educated decision regarding what to purchase; and

Whereas, The Surgeon General and Secretary of Health and Human Services recommends that, to reduce the incidence of obesity, there be increased availability of nutrition information for food eaten and prepared away from home; and

Whereas, On November 5, 2003, Representative DeLauro introduced H.R.3444, to be cited as the Menu Education and Labeling Act, which would amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers receive information about the nutritional content of restaurant and vending machine food; and

Whereas, On February 24, 2004, Senator Harkin introduced a companion bill, S.2108, also to be known as the Menu Education and Labeling Act; and

Whereas, This legislation would require that restaurants that are part of a chain of at least 20 outlets doing business under the same trade name provide a listing of the total number of calories, grams of saturated fat, and milligrams of sodium adjacent to any item on menus in a clear and conspicuous manner; and

Whereas, This legislation would also require that vending machines and restaurant menu boards display the total number of calories of each item; now, therefore, be it

Resolved, That the Council of The City of New York calls upon the Congress of the United States to pass H.R. 3444, introduced by Representative DeLauro, and S.2108, introduced by Senator Harkin, which would ensure that consumers receive information about the nutritional content of restaurant and vending machine food.