



Memorandum

TO: RULES AND OPEN GOVERNMENT
COMMITTEE

FROM: Councilmember Forrest Williams

SUBJECT: SEE BELOW

DATE: July 7, 2008

Approved

Forrest Williams

Date

7/7/08

SUBJECT: RECOMMENDATION IN SUPPORT OF SB 1420

RECOMMENDATION

Please agendaize the following item for the City of San Jose to adopt the attached resolution (see attachment) in support of SB 1420, initiated by State Senator Alex Padilla, to fight obesity in California. The resolution encourages major food retailers to label menus with nutritional content.

BACKGROUND

Obesity rates in adults have doubled in the last twenty years, 65 percent of American adults and 17 percent of youth are over weight. SB 1420 is an important step in giving consumers the information they need to make healthier food choices. Americans spend 46 percent of their food dollars on food prepared outside of the home; restaurant meals. Consumers will be aware of the nutritional content of restaurant meals. The United States District Court recently ruled New York City's menu labeling ordinance legal, appropriate and in public interest.

2008 JUL - 7 11:59

CC: Honorable Mayor, City Council

Lee Price, City Clerk

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San Jose City Clerk



Resolution in Support of SB 1420

Whereas, Obesity rates in adults doubled over the last twenty years--currently, two-thirds of American adults (65%) are overweight or obese and the percentage of seriously overweight children tripled in the past two decades (from 4% to 15%); and

Whereas, Obesity is a major risk factor for many health problems, including heart disease, which is the leading cause of death in the United States, diabetes, and some cancers; and

Whereas, since 1994 pursuant to the Nutrition Labeling and Education Act (NLEA), food manufactures have been required to provide nutritional information on nearly all packaged foods. However, the NLEA explicitly exempts restaurants; and

Whereas, In 1970, Americans spent just 26% of their food dollars on food prepared outside the home, like restaurant meals; today that amount is 46%; and

Whereas, At most restaurants, people can only guess the nutritional quality of the food. Larger portions, higher calories and fat lack of nutritional information have become a huge problem for the health of today's Americans; and

Whereas, Studies have found a positive association between eating out and higher caloric intakes and body weights. For example, children eat almost twice as many calories when they eat a meal at a restaurant (770 calories) as at home (420 calories); and

Whereas, Recognizing the need for consumers to have the information they need to make healthier choices when eating out, State Senator Alex Padilla (D-Pacomia) has introduced SB 1420; and

Whereas, SB 1420 would require chain restaurants with 15 or more outlets in California to provide nutritional information per item on printed menus and menu boards; and

Whereas, The United States District Court recently ruled that New York City's menu labeling ordinance --similar to the provisions of SB 1420--is legal, appropriate, and in the public interest; and

Whereas, New York City is already implementing a menu-labeling ordinance, as major food retailer have begun posting caloric counts on menu boards; and

SB 1420 is an important step in giving consumers the information they need to make healthier food choices. Consumers have the right to know the nutritional content of restaurant meals; and now, therefore be it

Resolved, that the City of San Jose will write a letter to the California legislature stating its support of SB 1420.

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SB 1420 (as of 7/31/08)

Support

Health Organizations

American Academy of Pediatrics (CA)
American Cancer Society
American Diabetes Association
American Heart Association
CA Adolescent Nutrition and Fitness Program
CA Association for Health, Physical Education, Recreation and Dance
CA Black Health Network, Inc.
CA Center for Public Health Advocacy
CA Chapter of the American College of Cardiology
CA Chiropractic Association
CA Food Policy Advocates
CA Medical Association
CA Nurses Association
CA Optometric Association
CA Pan-Ethnic Health Network
CA WIC Association
Catholic Healthcare West
FIRST 5 Santa Clara County
Health Officers Association of California
Latino Coalition for a Healthy California
Latino Diabetes Association
LA Health Action
Lucile Packard Children's Hospital at Stanford
Merced/Mariposa County Asthma Coalition
Mission Community Hospital
Prevention Institute
St. Joseph Health System
Stanford Hospital and Clinics
Stanford School of Medicine

City and County Support for SB 1420

Alameda County Board of Supervisors
Berkeley City Council
City and County of San Francisco
City of Albany
City of Aliso Viejo
City of Cotati
City of Baldwin Park
City of Greenfield
City of Hawaiian Gardens
City of Palm Springs
City of Rohnert Park
City of San Diego
City of Santa Cruz
City of San Fernando
City of Selma
City of West Hollywood
City of Yucaipa
El Dorado County Board of Supervisors
League of California Cities - Latino Caucus
Los Angeles County Board of Supervisors
Marin County Board of Supervisors
Santa Clara County Board of Supervisors

Elected Official Support for SB 1420

Adrienne J. Tissier, President, Board of Supervisors of the **County of San Mateo**

John S. Lazar, Mayor, **City of Turlock**

Ronald O. Loveridge, Mayor, **City of Riverside**

Salud Carbajal, 1st District Supervisor, **County of Santa Barbara**

Scott H. Peteres, Council President, **City of San Diego**

Other Support

AFSCME

CA State PTA

Congress of CA Seniors

Consumer Federation of California

Consumers Union

Gray Panthers

Los Angeles Unified School District

PolicyLink

Roll International Corporation

State Building and Construction Trades Council of CA

Strategic Alliance

Individuals: 372

Opposition

CA Alliance for Consumer Protection
CA Chamber of Commerce
CA Restaurant Association
CA Retailers Association
Corona Chamber of Commerce
Irvine Chamber of Commerce
Jerry Duncan, Council Member, City of Fresno
Modoc County Board of Supervisors
National Association of Theatre Owners of CA
Redondo Beach Chamber of Commerce and Visitors Bureau
Rodrick Foods, Inc.
Rubio's Fresh Mexican Grill
Southwest California Legislative Council
Starbucks Coffee Company
Wendy's International, Inc.

Neutral

LA Chamber of Commerce
Golden Gate Restaurant Association

Opposition Letters from Individuals: Printed on Letterhead

Anthony's Seafood Group
Baker's
Bazaar Del Mundo
Claim Jumper Restaurants
Gulfstream
Hillstone Restaurant Group
Hooters
Houston's
IHOP #601, #1718, #1724
La Fonda de San Mateo
Maria's Italian Kitchen
North Beach Restaurant
Outback Steakhouse
Sal's Mexican Restaurant
Shadowbrook Crow's Nest
Wendy's of Los Angeles

Individuals: 358

