

# City of Philadelphia



(Bill No. 190505)

## AN ORDINANCE

Amending Title 6 of The Philadelphia Code, entitled "Health Code," by adding a new Chapter 6-311, entitled "Children's Meals at Food Service Establishments."

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 6 of The Philadelphia Code is amended to read as follows:

### TITLE 6. HEALTH CODE

\* \* \*

#### CHAPTER 6-100. GENERAL PROVISIONS.

\* \* \*

§ 6-102. Definitions.

\* \* \*

*(6.3) Children's Meal. Any combination of food and beverage items offered for sale together at a single price and primarily intended for consumption by children.*

\* \* \*

*(11.1) Default Beverage. Any beverage that is automatically included or offered as part of a children's meal, absent a specific request by the purchaser of the children's meal for an alternative beverage.*

\* \* \*

#### CHAPTER 6-300. FOOD.

\* \* \*

§ 6-311. *Children's Meals at Food Service Establishments.*

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*(1) No Food Service Establishment that offers a Children's Meal that includes a beverage shall offer as a Default Beverage, or include in a menu of beverage options for such Children's Meal, any beverage other than one of the following:*

- (a) water, sparkling water or flavored water, with no added natural or artificial sweeteners;*
- (b) nonfat or one percent flavored or unflavored milk or non-dairy milk alternative containing no more than 130 calories per container or serving as offered for sale; or*
- (c) one hundred percent fruit or vegetable juice, or fruit or vegetable juice combined with water or carbonated water, with no added natural or artificial sweeteners, in a serving size of no more than eight ounces.*

*(2) Nothing in this Section prohibits a Food Service Establishment from selling, or a customer from purchasing, a beverage other than the Default Beverage offered with a Children's Meal, if the customer requests the substitute or alternative beverage.*

*(3) The Department and Board may take all actions necessary for the implementation of this Section, including the promulgation of regulations by the Board.*

*(4) Compliance with this Section shall be required three (3) months after the effective date.*

*(5) Penalties. A violation of this Section shall be punishable by a fine of up to five hundred dollars (\$500). For the purpose of enforcing the provisions of this Section, notices of violation shall be issued by authorized Department inspectors or any other persons authorized to enforce ordinances. Such notices of violation shall be issued under the procedures set forth in § 1-112, except that the amount required to be remitted in response to a notice of violation shall be two hundred fifty dollars (\$250).*

**SECTION 2.** This Ordinance shall take effect April 1, 2020.

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**Explanation:**

*Italics indicate new matter added.*

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*BILL NO. 190505 continued*

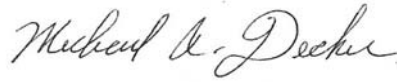
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# City of Philadelphia

*BILL NO. 190505 continued*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on September 26, 2019. The Bill was Signed by the Mayor on October 2, 2019.



Michael A. Decker  
Chief Clerk of the City Council