

Public Hearing

MEMORANDUM

July 9, 2010

TO: County Council

FROM: Amanda Mihill, Legislative Analyst *Amihill*

SUBJECT: **Public Hearing:** Expedited Bill 39-10, Eating and Drinking Establishments - Nutrition Labeling - Implementation

Expedited Bill 39-10, Eating and Drinking Establishments - Nutrition Labeling - Implementation, sponsored by the Health and Human Services Committee, was introduced on June 29, 2010. Action is tentatively scheduled for July 20.

Bill 39-10 would establish an implementation schedule for certain eating and drinking establishments to post certain nutrition information on menu boards and menus. Bill 39-10 would implement the schedule recommended by the Executive and agreed to by the HHS Committee.

This packet contains:	<u>Circle #</u>
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Expedited Bill No. 39-10
Concerning: Eating and Drinking
Establishments - Nutrition Labeling -
Implementation
Revised: 6/22/2010 Draft No. 1
Introduced: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Health and Human Services Committee

AN EXPEDITED ACT to:

- (1) establish an implementation schedule for certain eating and drinking establishments to post certain nutrition information on menu boards and menus; and
- (2) generally amend County law regarding eating and drinking establishments.

By amending

2009 Laws of Montgomery County Chapter 29

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 2 of Chapter 29 of the 2009 Laws of Montgomery County**
2 **is amended as follows:**

3 **Sec. 2. Effective Date and Implementation.**

4 **(a) Effective Date.** Section 15-15A, inserted by Section 1 of this Act, takes
5 effect on July 1, 2010.

6 **(b) Implementation.** Section 15-15A must be implemented according to
7 the following schedule:

8 **(1) Between July 1 and July 31, 2010, the Department must notify all**
9 **eating and drinking establishments subject to the requirements of**
10 **Section 15-15A of the applicable laws and regulations.**

11 **(2) By September 15, 2010, an eating and drinking establishment**
12 **must submit to the Department an implementation plan. As part**
13 **of the implementation plan, an eating and drinking establishment**
14 **must identify a date by which the establishment will comply with**
15 **Section 15-15A.**

16 **(3) Any eating and drinking establishment subject to Section 15-15A**
17 **must comply with the requirements of that Section by January 1,**
18 **2011.**

19 **Sec. 2. Expedited Effective Date.** The Council declares that this Act is
20 necessary for the immediate protection of the public interest. This Act takes effect on
21 the date on which it becomes law.

LEGISLATIVE REQUEST REPORT

Expedited Bill 39-10, Eating and Drinking Establishments – Nutrition Labeling – Implementation

DESCRIPTION:	Expedited Bill 39-10 would establish an implementation schedule for certain eating and drinking establishments to post certain nutrition information on menu boards and menus
PROBLEM:	Code §15-15A (Nutrition Labeling) goes into effect on July 1, 2010; however, the regulations to implement the law will not be approved until late June.
GOALS AND OBJECTIVES:	To provide affected eating and drinking establishments with adequate time to comply with the County nutrition labeling requirements.
COORDINATION:	Department of Health and Human Services.
FISCAL IMPACT:	To be requested.
ECONOMIC IMPACT:	To be requested.
EVALUATION:	To be requested.
EXPERIENCE ELSEWHERE:	To be researched.
SOURCE OF INFORMATION:	Amanda Mihill, Legislative Analyst, 240-777-7815.
APPLICATION WITHIN MUNICIPALITIES:	To be researched.
PENALTIES:	Violations of §15-15A are a Class A violation.