

Resolution No.: 16-1451
Introduced: June 29, 2010
Adopted: July 20, 2010

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE MONTGOMERY COUNTY BOARD OF HEALTH**

By: Health and Human Services Committee

SUBJECT: Resolution to Amend Resolution #16-1194, Board of Health Regulation Requiring Certain Eating and Drinking Establishments to Post Certain Nutrition Information on Menu Boards and Menus

Background

1. County Code §2-65, as amended effective August 10, 2000, provides that the County Council is, and may act as, the County Board of Health, and in that capacity may adopt any regulation which a local Board of Health is authorized to adopt under state law.
2. Maryland Code Health-General Article §3-202(d) authorizes the County Board of Health to adopt rules and regulations regarding any nuisance or cause of disease in the County.
3. On November 17, 2009, the Council adopted Resolution 16-1194, which approved a Board of Health Regulation Requiring Certain Eating and Drinking Establishments to Post Certain Nutrition Information on Menu Boards and Menus.
4. On July 20, 2010, the County Council held a public hearing on this regulation. As required by law, each municipality in the County and the public were properly notified of this hearing.
5. The County Council, sitting as the Board of Health, finds after hearing the testimony and other evidence in the record of the public hearing that establishing an implementation schedule for eating and drinking establishments to post certain nutrition information on menu boards and menus is necessary to protect the health of County patrons.

Action


The County Council for Montgomery County, Maryland, sitting as the County Board of Health, amends Resolution #16-1194, Board of Health Regulation Requiring Certain Eating and Drinking Establishments to Post Certain Nutrition Information on Menu Boards and Menus, as follows:

Nutrition labeling in eating and drinking establishments

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- (1) **Implementation.** The regulation must be implemented according to the following schedule:
- (1) Between July 1 and July 31, 2010, the Department must notify all eating and drinking establishments subject to the requirements of this regulation of the applicable laws and regulations.
- (2) By September 15, 2010, an eating and drinking establishment must submit to the Department an implementation plan. As part of the implementation plan, an eating and drinking establishment must identify a date by which the establishment will comply with this regulation.
- (3) Any eating and drinking establishment subject to this regulation must comply with the requirements of the regulation by January 1, 2011.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council