

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PUBLIC HEALTH AND
HUMAN SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, September 17, 2019
10:20 a.m.

PRESENT:

COUNCILWOMAN CINDY BASS, CHAIR
COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILMAN DEREK S. GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILL 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."

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2 COUNCILWOMAN BASS: Good
3 morning. This hearing is called to
4 order. This is a public hearing of the
5 City Council Committee on Public Health
6 and Human Services, and the purpose of
7 this public hearing is to hear testimony
8 on Bill No. 190505.

9 I'd like to recognize the
10 presence of a quorum of Committee
11 members. Members of the Committee in
12 attendance are Councilman Bill Greenlee,
13 Councilwoman Blondell Reynolds Brown, and
14 Council President Darrell Clarke.

15 And now if we can have the
16 Clerk read the title of the first bill.

17 THE CLERK: Bill No. 190505,
18 amending Title 6 of The Philadelphia
19 Code, entitled "Health Code," by adding a
20 new Chapter 6-311, entitled "Children's
21 Meals at Food Service Establishments."

22 COUNCILWOMAN BASS: And if we
23 could have the Clerk call the first panel
24 to testify.

25 THE CLERK: Tom Farley,

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2 Commissioner, Department of Public
3 Health.

4 (Witness approached witness
5 table.)

6 COUNCILWOMAN BASS: Good
7 morning, Commissioner. Before you make
8 your remarks, Councilwoman Blondell
9 Reynolds Brown would like to be
10 recognized.

11 COUNCILWOMAN BROWN: Thank you,
12 Chairwoman.

13 Good morning. To Councilwoman
14 Bass, Chair of this Committee, and
15 members of this Committee, I do want to
16 say thank you very much for the brief
17 remarks on this legislation that has not
18 taken as long as some other major issues
19 we've tried to help on behalf of
20 children.

21 Bill 190505 takes another step
22 in the City's effort to combat the
23 dangerous health effects of obesity. By
24 requiring restaurants to list healthy
25 beverages when designing menu items for

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2 children, we help young people develop
3 healthy habits early that will last them
4 a lifetime.

5 My staff and I are proud of the
6 legislative record of City Council when
7 it comes to taking action to improve the
8 health of all citizens, but most
9 particularly the most vulnerable among
10 us, children.

11 In 2010, after nearly two years
12 of conversation, discussion, negotiation,
13 and compromise, the City of Philadelphia
14 implemented one of the first menu
15 labeling bills in the country. In fact,
16 I think we were the third behind Seattle
17 and New York. That legislation became a
18 model for a nationwide bill that was
19 eventually signed into law nationally.
20 President Barack Obama; in fact, Michelle
21 Obama, came to the City of Philadelphia
22 to speak about our menu labeling bill and
23 then they used some of the language for
24 the Affordable Healthcare Act.

25 Fast forward to last year, my

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2 office worked very, very closely with the
3 Health Commissioner and introduced
4 legislation requiring sodium warning
5 labels on menu items that have as much
6 sodium as a person should eat during an
7 entire day.

8 After many more months of
9 negotiation and compromise, that effort
10 also received the support of each member
11 of City Council, and the good news is
12 that this goes into effect on menus this
13 week.

14 Thank you, Commissioner.

15 Today we zero in on the
16 contents of children's menus. The fight
17 against obesity in children is a critical
18 one for every Philadelphia neighborhood.
19 Approximately 41 percent of the young
20 people in our city age 6 to 17 are
21 overweight and obese, 41 percent, which
22 is 8 percent above the national average.

23 Data reveals that overweight
24 children and adolescents are more likely
25 to become overweight or obese as adults.

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2 And when it comes to childhood obesity,
3 we know that the consumption of sugary
4 beverages play an outsized and oversized
5 role. In fact, I call sugary beverages
6 liquid sugar. Just one 12-ounce can of
7 soda every day for one year is equal to
8 55,000 calories or 15 pounds a year.

9 The School District and the
10 City of Philadelphia have taken steps to
11 remove unhealthy beverages from the list
12 of options for young people. I might
13 note that it was my office again that
14 recommended more than ten years ago that
15 we take sodas out of our public schools,
16 and after much debate and negotiating
17 with the School Board, the compromise was
18 to take sugary beverages out of schools
19 for grades K through 8.

20 In this effort, we were proud
21 to work with a number of stakeholders. I
22 want to thank in particular the American
23 Heart Association and the American
24 Association of Pediatrics for your
25 leadership and stewardship of this

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2 particular legislation and also again to
3 our Health Commissioner, Tom Farley, and
4 all the members of your team.

5 I want to thank the others that
6 we sat down at the table with many times,
7 the National Beverage Association, the
8 Pennsylvania Restaurant and Lodging
9 Association, and representatives from
10 local beverage distributors like
11 Coca-Cola and Pepsi, for your authentic
12 engagement. It was an important, civil,
13 respectful conversation.

14 It must be noted that a number
15 of the restaurants and beverage companies
16 have already taken steps to ensure kids
17 include healthy beverages. McDonald's,
18 for instance, recently changed their
19 recipes for apple juice and chocolate
20 milk respectively on their children's
21 menu. Because McDonald's decided to be
22 proactive, they will easily be able to
23 comply with this new requirement.

24 Before we proceed with
25 testimony, I'd speak briefly to the

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2 amendments that have been circulated.

3 The amendment -- I think I'll wait and do
4 the amendments when we get to that. Is
5 that all right?

6 COUNCILWOMAN BASS: That's
7 fine.

8 COUNCILWOMAN BROWN: Okay. So
9 this is a lot of content, so I'll wait
10 until we hear testimony and then when we
11 move to action on the bill, speak to the
12 amendments.

13 Thank you, Madam Chairwoman.

14 COUNCILWOMAN BASS: Thank you,
15 Councilwoman.

16 Okay. And we can now have our
17 testimony from Commissioner Farley.

18 Good morning. Please state
19 your name for the record and begin with
20 your testimony.

21 COMMISSIONER FARLEY: Good
22 morning. Good morning, Chairperson Bass
23 and members of the Public Health and
24 Human Services Committee. I'm Dr. Thomas
25 Farley, Health Commissioner for the City

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2 of Philadelphia. Thank you for allowing
3 me to provide testimony on Bill No.
4 190505, which, if enacted, would require
5 food service establishments that offer
6 children's meals to offer only healthy
7 beverages as default choices.

8 Obesity in early childhood is
9 associated with five times the risk of
10 adult obesity, and obesity in adults
11 increases the risk of hypertension,
12 diabetes, and respiratory, joint, and
13 mental health problems. Today, 22
14 percent of Philadelphia's children are
15 obese, posing a serious threat to their
16 future health. Sugar-sweetened beverages
17 are the largest source of added sugar in
18 the American diet. Consumption of these
19 drinks has been linked to higher rates of
20 obesity, diabetes, heart disease, and
21 dental caries. It is not a habit we
22 should be encouraging in our city's
23 children.

24 Children eat at restaurants
25 frequently, consuming about a quarter of

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2 their total calories at these
3 establishments. Children who consume
4 combination meals at restaurants are more
5 likely to drink sugar-sweetened beverages
6 and consume significantly more calories,
7 about 180 more on average, than other
8 children eating at the same
9 establishments. The inclusion of sugary
10 drinks in meals labeled as children's
11 meals sends a dangerous message to
12 parents that there's nothing wrong with
13 children consuming these beverages
14 regularly.

15 Bill No. 190505 can help change
16 that message. It requires that
17 children's combination meals offer as the
18 default choice healthier beverages,
19 including water and milk. If they want
20 to, parents could choose to purchase
21 sugary drinks for their children, but we
22 know that people very often accept the
23 default choice presented to them. This
24 bill supports the Health Department's
25 efforts to combat childhood obesity by

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2 recommending that parents avoid giving
3 sugary drinks to children, and for this
4 reason, we are supportive of the bill.

5 My one recommendation for the
6 bill is to exclude fruit juice as a
7 default option. The high sugar content
8 in fruit juice, including 100 percent
9 fruit juice, contributes to increased
10 calorie consumption and the risk of
11 dental caries. The American Academy of
12 Pediatrics has stated that fruit juice
13 offers no nutritional benefits over whole
14 fruits for infants and children and has
15 no essential role in the healthy,
16 balanced diets of children.

17 Philadelphia's Board of Health
18 took these recommendations into account
19 when it passed its resolution on
20 childhood obesity prevention in early
21 childhood care, which states that early
22 childhood care providers should neither
23 provide fruit juice nor permit its
24 provision to children in their care,
25 including 100 percent fruit juice.

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2 I might add that a lot of 100
3 percent fruit juice has more calories per
4 ounce than Coca-Cola does.

5 This bill would build on
6 important public health contributions
7 Philadelphia City Council has made
8 through its passage of the Philadelphia
9 beverage tax. As you know, this tax
10 helps children by funding
11 pre-kindergarten, community schools, and
12 the renovation of parks and recreation
13 centers, but it also is a powerful public
14 health tool to decrease consumption of
15 sugary drinks. With a minor change to
16 remove fruit as a default beverage, Bill
17 No. 190505 could also make progress in
18 efforts to combat obesity by helping to
19 decrease sugar consumed by the City's
20 children.

21 Thank you for the opportunity
22 to testify. I'm available to answer any
23 questions.

24 COUNCILWOMAN BASS: Thank you,
25 Commissioner. I do have one question.

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2 In your testimony you say that children
3 that eat at restaurants frequently
4 consume about a quarter of their total
5 calories at these establishments and
6 those who consume combination meals are
7 more likely to drink sugar-sweetened
8 beverages, and I'm just curious about
9 that information, that data. Can you
10 discuss that a little bit further?

11 Because like it doesn't seem to me to be
12 a natural thing that because you're
13 eating a combination meal, that you are
14 consuming more calories than if you were
15 not having a combination meal. So you
16 can you just explain that to me?

17 COMMISSIONER FARLEY: Yeah.

18 That just comes from a study where they
19 just collected data on people going to
20 chain restaurants, and that's what they
21 found, is that the kids whose parents
22 purchase combination meals for them were
23 more likely to consume sugary drinks and
24 consume substantially more calories.

25 We all are busy and so we tend

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2 to go with default choices given to us,
3 even though we have our ability to
4 choose, and a combination meal, at least
5 until recently, typically a sugary drink
6 was the default beverage. So parents
7 would say give me a combination meal,
8 because they wanted the toy maybe, and
9 they got a soda. So the kids consume
10 more. So this change in that default
11 would make a big difference while still
12 preserving choice.

13 COUNCILWOMAN BASS: Okay.

14 Councilwoman.

15 COUNCILWOMAN BROWN: Thank you,
16 Commissioner.

17 I want to further comment on
18 the view or perspective of the American
19 Association of Pediatrics and the concern
20 that fruit juice is being included, and I
21 need to quote and put on the record
22 additional information from the American
23 Association of Pediatrics where they say,
24 and I quote, "100 percent fresh or
25 reconstituted fruit juice can be a

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2 healthy part of the diet of the children
3 older than one year when consumed as part
4 of a well-balanced diet." But to
5 punctuate your point, they say, and I
6 repeat what you stated, "fruit drinks,
7 however, are not nutritionally equivalent
8 to fruit juice," end quote.

9 COMMISSIONER FARLEY: Yeah. If
10 I could explain that further.

11 COUNCILWOMAN BROWN: Please,
12 please, please.

13 COMMISSIONER FARLEY: Most of
14 what children consume as the parents
15 perceive as fruit juice is in fact fruit
16 drinks, and it's got a little bit of
17 fruit juice in it and then a lot of sugar
18 and water in it.

19 COUNCILWOMAN BROWN: That's
20 right.

21 COMMISSIONER FARLEY: Your
22 typical juice box, which parents think
23 about as healthy these days. It's
24 basically, you know, a soda without the
25 carbonation in it. It's not healthy, and

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2 that's the biggest consumption of sugary
3 drinks among small children these days.

4 So fruit drinks are a real
5 problem from our perspective. Even the
6 100 percent fruit juice, though, doesn't
7 really solve that problem. It has a lot
8 of calories as well, and we don't think
9 it's necessary. So we would recommend
10 that you not have that as a default.

11 COUNCILWOMAN BROWN: Okay. All
12 right, then.

13 I thank you, Councilwoman.

14 COUNCILWOMAN BASS: Thank you.

15 If there's no more questions
16 from the panel for the Commissioner,
17 thank you so much for your testimony.

18 COMMISSIONER FARLEY: Thank
19 you.

20 COUNCILWOMAN BASS: If we can
21 have our next panel come forward and have
22 the Clerk read the names of the next
23 panel.

24 THE CLERK: Jacob Zychick,
25 American Heart Association. Dennis

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2 Ortiz, American Heart Association.

3 (Witnesses approached witness
4 table.)

5 COUNCILWOMAN BASS: Good
6 morning.

7 (Good morning.)

8 COUNCILWOMAN BASS: Please
9 state your name for the record and begin
10 your testimony.

11 MR. ZYCHICK: My name is Jacob
12 Zychick and I'm with the American Heart
13 Association.

14 Good morning and thank you for
15 the opportunity to speak to Chair Bass
16 and other members of this Committee. My
17 name is Jacob Zychick and I am the
18 Community Advocacy Director with the
19 American Heart Association here in
20 Philadelphia. As part of our Community
21 Impact Team, I have had the opportunity
22 to work with Chef Dennis Ortiz and other
23 fantastic volunteers who are engaged in
24 the community to improve health outcomes
25 to live longer, healthier lives. Our

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2 work has taken us to non-traditional
3 spaces, including churches, schools, and
4 a whole slew of community partners. We
5 continue to hear from families that there
6 is a need to make the options where they
7 consume their food from healthier, and
8 that is why we are supportive of
9 Councilmember Reynolds Brown's
10 legislation, Bill 190505, that would make
11 the default beverage with children's
12 meals sold in the City water, milk, or
13 100 percent fruit juice. We believe at
14 the American Heart Association that this
15 bill will continue to develop healthier
16 eating habits for children.

17 As we spoke to Philadelphians
18 and neighborhood community organizations,
19 one thing was clear. We needed to
20 develop policy that would have an
21 immediate impact on families with young
22 children. We learned that nearly 85
23 percent of families in the nation eat out
24 at restaurants at least five times per
25 week.

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2 That is why I am here this
3 morning, to continue the great steps and
4 work done by the Department of Health led
5 by Commissioner Farley, Councilwoman
6 Blondell Reynolds Brown, and the entire
7 Philadelphia City Council. We need to
8 continue this proactive approach to
9 improve health disparities seen in our
10 city.

11 The American Heart Association
12 is supportive of this Bill 190505, which
13 would make the beverage default option
14 include with children's meals sold in the
15 City water, milk, or 100 percent fruit
16 juice under eight ounces. We believe
17 that this is an important step to improve
18 healthy options that many families
19 purchase their food from and making the
20 healthier choice the easier choice.

21 Before I conclude this morning,
22 I want to thank Councilmember Reynolds
23 Brown for her over two decades of
24 incredible service to children and
25 nutrition policy in our city. Thank you,

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2 Councilmember, and look forward to
3 continue to work together to improve
4 thousands of lives for our youth in
5 Philadelphia.

6 Thank you.

7 COUNCILWOMAN BASS: Thank you
8 for your testimony.

9 And if we can have you state
10 your name for the record, sir, and begin
11 your testimony.

12 CHEF ORTIZ: Good morning,
13 Councilmembers. My name is Dennis Robert
14 Ortiz and I am here to share my
15 testimony.

16 Hello, everyone. Like I said,
17 my name is Dennis Ortiz. I would like to
18 thank the Committee, first of all, for
19 Public Health and Human Services,
20 specifically Committee Chair Cindy Bass,
21 for this hearing and allowing me to take
22 the time to speak this morning.

23 For the last three years, I
24 have been given the opportunity to be a
25 healthy cooking instructor with American

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2 Heart Association. I have been leading
3 cooking demonstrations while I also work
4 to be a healthier version of myself. I
5 believe that a lot of the choices that I
6 made when I was younger contributed to
7 the hardships I face until this day. My
8 goal is to work with youth to develop
9 healthy eating habits at an early age
10 that will stand for the rest of their
11 lives.

12 Today we're not asking for
13 much. All we want is to implement
14 healthy drink options at restaurants,
15 which would be a great start in
16 motivating our youth to live a healthier
17 lifestyle.

18 As of 2018, 22 percent of the
19 children in Philadelphia suffer from
20 obesity, with the rate only worsening.
21 Like Jacob said, 85 percent of families
22 do eat out five or more times a week.
23 African American kids and teens see twice
24 as many ads for sugary drinks than their
25 white peers, while marketing towards

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2 Hispanic kids went up over 45 percent
3 over the last three years, especially on
4 Spanish-speaking television and radio
5 stations.

6 Despite claims by 45
7 restaurants to offer healthier drink meal
8 options, research shows there was no
9 improvement to calories, sodium, and
10 saturated fat in kids menu items that had
11 been offered. With about one in five
12 children in the City impacted by obesity,
13 I believe that it is important to enact a
14 healthy-by-default children's meal policy
15 that would make a healthier choice the
16 easier choice for families today.

17 That is why the American Heart
18 Association and I are supportive of a
19 kids meal policy that would remove sugary
20 beverages from kids meals sold in the
21 city while offering a healthier option,
22 such as water, skim milk, or 100 percent
23 juice.

24 Once again, I want to thank all
25 the Councilmembers on this Committee who

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2 work tirelessly to improve the health of
3 our youth.

4 Thank you very much.

5 COUNCILWOMAN BASS: Thank you.

6 And thank you both for your
7 testimony today.

8 I do want to acknowledge that
9 we've been joined by Councilman Derek
10 Green, who is a member of this Committee.

11 Any questions from the panel?

12 Councilwoman Blondell Reynolds
13 Brown.

14 COUNCILWOMAN BROWN: Thank you
15 very much.

16 I do need to say thank you, and
17 I'm always grateful that it was Mayor
18 John Street and his wife, Naomi Post
19 Street, who actually recommended me to be
20 a Robert Wood Johnson Fellow because they
21 saw very early on my interest in the life
22 chances of our city's children. And so I
23 credit them for planting the seed and
24 helping me grow in a space that was not
25 terribly new since early in my career I

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2 spent it focusing on children, but giving
3 me a chance to really deepen and narrow
4 my interest around the health of
5 children. So this really, 19 years
6 later, is a continuation of their
7 willingness to give me that chance. So I
8 thank you for that compliment very, very
9 much.

10 CHEF ORTIZ: We really
11 appreciate it. Have a great day. Thank
12 you.

13 COUNCILWOMAN BASS: Thank you
14 very much for your testimony.

15 And if we could have the Clerk
16 call the last panel to testify.

17 THE CLERK: Barbara Gold,
18 Saarah Hussan, Huntley Hardison, Jessica
19 Perfetto.

20 (Witnesses approached witness
21 table.)

22 COUNCILWOMAN BASS: Good
23 morning.

24 DR. GOLD: Good morning.

25 COUNCILWOMAN BASS: If you want

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2 to state your name for the record and
3 begin with your testimony.

4 DR. GOLD: Good morning. My
5 name is Barbara Gold and I have been in
6 general pediatric practice in
7 Philadelphia for more than 35 years,
8 which is why I took the time to come here
9 this morning and talk about the
10 importance of the healthy kids meal bill.

11 I think all of us in this room
12 know how incredibly hard it is to change
13 eating patterns, our own or other
14 people's. That is why every single thing
15 that we do as politicians, healthcare
16 workers, and public health officials is
17 so important to improve diet at a young
18 age before habits become ingrained. This
19 is so important.

20 When I started in practice, I
21 had perhaps one or two children with Type
22 2 diabetes in my practice. By the time I
23 retired four years ago, I was diagnosing
24 it and seeing patients with it on an
25 almost weekly basis.

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2 The CDC now estimates that 40
3 percent of the population will develop
4 Type 2 diabetes in their lifetime. That
5 is a staggering number of people who will
6 suffer and who will require expensive
7 healthcare for many, many years.

8 I often told parents that soda
9 is nothing more than a candy bar in a
10 can, knowing that they were unlikely to
11 let their kids have candy for breakfast
12 or in their baby bottle, both of which I
13 have seen even in my office when you
14 assume that they maybe were a little
15 worried about what I was seeing.

16 The American Heart Association
17 says that no child should have more than
18 one eight-ounce sugary drink per week,
19 but that guideline is followed by very
20 few.

21 Those of us in this room are
22 concerned about public health, and I see
23 it as our responsibility to do what we
24 can to help parents make sure that their
25 kids are as healthy as possible. I often

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2 had to remind my office staff that no one
3 intends to raise a child with poor health
4 habits, but there are so many factors
5 that promote unhealthy habits that we
6 must use every rule, law, or policy we
7 can to counteract the promotion of these
8 unhealthy drinks by the beverage and
9 sugar industries and the national
10 agricultural policies that encourage
11 them.

12 In 2004, the School District
13 approved a regulation, as has been cited
14 previously, limiting beverages in school
15 lunchrooms and school vending machines to
16 100 percent fruit juice, milk, and water.
17 The regulation was developed in
18 coordination with The Food Trust as part
19 of the School Nutrition Policy initiative
20 working with the SRC and City Council.
21 This sent a clear message to kids,
22 parents, the schools, and the public
23 about what beverage choices were
24 healthier.

25 Today we can add to that

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2 initiative by mandating that restaurants
3 offer all these healthier choices as the
4 default option rather than soda, since
5 evidence from a wide range of fields,
6 including retirement plans, organ
7 donation, and healthcare, shows that
8 people tend to stick with default options
9 and that setting beneficial defaults has
10 a high risk of acceptability.

11 Ninety-one percent of parents
12 buy at least one lunch or dinner for
13 their children at a fast food restaurant
14 every week. This is a very big deal,
15 this bill.

16 And I will add parenthetically
17 that the American Academy of Pediatrics
18 and I would much prefer that it was just
19 plain milk and water, not 100 percent
20 juice, but it's better than soda, as has
21 been already commented.

22 The Food Marketing Workgroup
23 says parents play a central role in
24 determining what their children eat.
25 However, restaurants should support, not

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2 undermine, parents' efforts to feed their
3 children healthfully.

4 I urge you today to help
5 parents do what they know is best by
6 approving this bill.

7 Thank you.

8 COUNCILWOMAN BASS: Thank you
9 for your testimony.

10 And, sir, you may state your
11 name for the record and begin.

12 DR. HARDISON: Good morning.

13 COUNCILWOMAN BASS: Good
14 morning.

15 DR. HARDISON: Chairperson
16 Bass, Committee members, fellow speakers,
17 ladies and gentlemen. It is an honor to
18 address you on an important policy
19 proposal to help promote healthy
20 nutritional habits among the youth of
21 Philadelphia.

22 My name is Huntley Hardison. I
23 am a retired pediatric neurologist. In
24 addition to working for 25 years in the
25 section of neurology at Saint

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2 Christopher's Hospital for children, I
3 consulted at many hospitals in the
4 Delaware and Lehigh Valley areas.

5 Whereas the bulk of my practice focused
6 on children with nervous system
7 disorders, I have experience in medical
8 epidemiology, general medicine,
9 pediatric, psychiatry, and neurology.

10 I'm Board certified in pediatrics as well
11 as psychiatry and neurology, with special
12 qualifications in child neurology. I am
13 a Fellow of the American Academy of
14 Pediatrics and the American Academy of
15 Neurology.

16 According to the National
17 Center for Chronic Disease Prevention and
18 Health Promotion, the leading causes of
19 death and disability are heart disease,
20 cancer, chronic lung disease, Alzheimer's
21 disease, diabetes, and chronic kidney
22 disease. These are diseases that afflict
23 60 percent of adults. Forty percent of
24 us have two or more of these conditions.
25 The risks that lead to these chronic

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2 diseases include tobacco use, poor
3 nutrition, lack of physical exercise, and
4 excessive alcohol use.

5 Today you are hearing testimony
6 in favor of Bill No. 190505. I support
7 the bill and urge each of you to vote in
8 the affirmative. The bill directly
9 addresses one of the lifestyle behaviors
10 that increases one's risk of suffering
11 from diabetes in that the bill mandates a
12 food service establishment that offers a
13 children's meal to offer a healthy
14 beverage choice, like water, non-fat
15 milk, or 100 percent juice.

16 A healthy-by-default children's
17 meal policy will continue Philadelphia's
18 proactive approach to improve health
19 disparities. Restaurant, food, and
20 beverages account for about 25 percent of
21 a child's caloric intake and often come
22 in the form of pre-packaged children's
23 meals. In Philadelphia where nearly one
24 in five children are impacted by obesity,
25 it is imperative to continue our work

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2 improving access to healthier food and
3 beverage options in food establishments
4 from which families frequently purchase
5 their meals.

6 Over the past several decades,
7 the world has become increasingly aware
8 of the role of added sugars, particularly
9 in beverages, as a major driver of
10 increased weight gain and diabetes. The
11 consumption of sugar-sweetened beverages
12 is on the rise worldwide and is driving
13 an increasing incidence of obesity,
14 diabetes, and other diseases of
15 circulation and metabolism. Many
16 countries have tried many different kinds
17 of interventions to help reduce popular
18 consumption of sugary beverages, and the
19 most effective one has been taxation of
20 sugar-sweetened beverages. Other
21 interventions that should be effective
22 but are in need of further study include
23 public awareness campaigns, front-of-pack
24 labeling, and substitutes for
25 sugar-sweetened beverages. Examples of

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 substitutes have included unsweetened or
3 lightly sweetened water, milk, tea, or
4 coffee. Bill No. 190505 appropriately
5 addresses the last option.

6 Now is the time to implement
7 the program. After implementation, one
8 should monitor the resulting changes in
9 dietary and marketing behavior among
10 school-aged children and the community.

11 As a neurologist, I am
12 concerned about the impact of diabetes on
13 the nervous system, in particular
14 diabetic neuropathy and memory disorders.
15 Diabetes-associated nerve damage leads to
16 distal numbness, skin ulcers, and chronic
17 pain that is unbearably similar to
18 electrical shocks. In addition, patients
19 with diabetes may lose automatic nerve
20 control of vital body functions.
21 Diabetes-associated nerve damage affects
22 90 percent of patients with diabetes. It
23 is a major reason for the increased cost
24 of diabetic healthcare.

25 Recent information from the

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 70-year-old three-generation Framingham
3 Heart Study in Massachusetts addresses
4 the relationship between frequent
5 consumption of sugary drinks and early
6 signs of Alzheimer's disease. Data
7 analysis shows that compared with
8 participants who consume less than one
9 sugary beverage a day, those with higher
10 intakes of sugary beverages were
11 significantly more likely to have reduced
12 brain volume on magnetic resonance
13 imaging, MRI, and lower test scores of
14 logical memory. Reduced brain volume and
15 poor memory are hallmarks of early
16 Alzheimer's disease.

17 In conclusion, I favor Bill No.
18 190505 based on medical and scientific
19 evidence. I wish to thank Councilmember
20 Blondell Reynolds Brown for sponsoring
21 the bill and for more than four decades
22 of service to the City.

23 Thank you for your kind
24 attention.

25 COUNCILWOMAN BASS: Thank you

1 9/17/19 - PUBLIC HEALTH - BILL 190505

2 for your testimony.

3 Councilwoman Brown.

4 COUNCILWOMAN BROWN: Thank you
5 for the acknowledgment of the work that
6 my staff and I have done. It's always
7 been a team effort, and we rely on
8 experts to help us and guide us in
9 exercising good judgment when it comes to
10 policy. Thank you for the
11 acknowledgment.

12 COUNCILWOMAN BASS: Thank you.

13 Is there anyone else here to
14 testify on Bill No. 190505?

15 (No response.)

16 COUNCILWOMAN BASS: Anyone else
17 here to testify?

18 (No response.)

19 COUNCILWOMAN BASS: Okay. So
20 Councilwoman Brown would like to be
21 recognized.

22 We are now going to go into a
23 public meeting and motions for Bill No.
24 190505.

25 The Chair recognizes

1 9/17/19 - PUBLIC HEALTH - BILL 190505

2 Councilwoman Blondell Reynolds Brown for
3 a motion to amend Bill No. 190505.

4 COUNCILWOMAN BROWN: Thank you,
5 Madam Chairwoman. I would like to offer
6 an amendment to Bill No. 190505, a copy
7 of which has been circulated to all
8 members of the Committee, and before we
9 act on the amendments or adopt the
10 amendments, I'd like to speak on them.

11 COUNCILWOMAN BASS: Okay.
12 Councilwoman Brown, if you want to give
13 your commentary now.

14 COUNCILWOMAN BROWN: Yes,
15 please. Thank you.

16 So the amendment includes
17 technical changes that clarify a
18 restaurant's ability to list all healthy
19 beverage items on its menus. One of the
20 lessons learned from my menu labeling
21 bill was that it does take restaurants
22 time to make adjustments on their menus.
23 And so we're going to delay the
24 implementation to give restaurants
25 adequate notice to update their menus

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 with these new healthy options.

3 Additionally, after again
4 speaking and meeting with a number of
5 stakeholders, the American Association of
6 Pediatrics, the Robert Wood Johnson
7 Foundation, the United States Department
8 of Agriculture, as well as stakeholders
9 right here in our community -- and I do
10 want to include and acknowledge Coca-Cola
11 who sat down with us as well to help us
12 come to some more than common
13 understanding in this case, we found some
14 common ground. This bill also expands
15 the type of beverages that can be
16 included on a child's menu to include
17 low-fat chocolate milk under 130 calories
18 and 100 percent vegetable juice.

19 So we believe that this
20 amendment seeks to and -- we believe that
21 we are now striking a delicate balance
22 between enabling restaurants to provide
23 the options to families and ensure that
24 those options have healthy nutritional
25 value. So while not 100 percent on all

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 sides, we found a delicate balance in
3 between the two, and I want to thank my
4 staff and those stakeholders for that.

5 So now having spoken to the
6 details of the amendments, Councilwoman,
7 I would like to see us adopt the
8 amendments, period.

9 (Duly seconded.)

10 COUNCILWOMAN BASS: It's been
11 moved and properly seconded that the
12 amendments that were just circulated be
13 adopted.

14 All those in favor of the
15 amendments signify by saying aye.

16 (Aye.)

17 COUNCILWOMAN BASS: Any
18 opposed?

19 (No response.)

20 COUNCILWOMAN BASS: No.

21 The Chair recognizes
22 Councilwoman Blondell Reynolds Brown for
23 a motion on Bill No. 190505, as amended.

24 COUNCILWOMAN BROWN: Thank you,
25 Madam Chair. I move that Bill No.

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 190505, as amended, be reported from this
3 Committee with a favorable recommendation
4 and further move that the rules of
5 Council be suspended so as to permit
6 first reading at our next scheduled
7 session.

8 (Duly seconded.)

9 COUNCILWOMAN BASS: It's been
10 moved and properly seconded that Bill No.
11 190505, as amended, be reported from this
12 Committee with a favorable recommendation
13 and further moved that the rules of
14 Council be suspended to permit first
15 reading of this bill at the next session
16 of Council.

17 All in favor will signify by
18 saying aye.

19 (Aye.)

20 COUNCILWOMAN BASS: Anyone
21 opposed?

22 (No response.)

23 COUNCILWOMAN BASS: No. Okay.
24 The ayes have it and the motion carries.
25 Bill No. 190505, as amended, will be

1 9/17/19 - PUBLIC HEALTH - BILL 190505
2 reported from this Committee with a
3 favorable recommendation, with a request
4 that the rules of Council be suspended to
5 permit first reading at the next session
6 of Council.

7 This concludes our business for
8 the Committee of Health and Human
9 Services.

10 Thank you for attending.

11 (Committee on Public Health and
12 Human Services concluded at 10:54 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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