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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC HEALTH AND

4

HUMAN SERVICES

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, January 25, 2007
10:30 a.m.

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PRESENT:

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COUNCILWOMAN MARIAN B. TASCO, CHAIR

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COUNCILWOMAN DONNA REED MILLER

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COUNCILMAN DARRELL L. CLARKE

14

COUNCILMAN JAMES F. KENNEY

COUNCILMAN JUAN RAMOS

COUNCILWOMAN BLONDELL REYNOLDS BROWN

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BILL 060958 - An ordinance amending Title 6 of
The Philadelphia Code, entitled "Health Code,"
by prohibiting the use of artificial trans
fats in restaurants and other food service
establishments, under certain terms and
conditions.

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COUNCILWOMAN TASC0: Good

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morning. Thank you for coming this

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morning. The Committee on Public Health

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and Human Services is now in session.

6

I'd like to recognize Councilman Juan

7

Ramos, who is the sponsor of this bill,

8

Councilwoman Donna Reed Miller, and two

9

other Councilmembers are on their way.

10

We will have a quorum before the end of

11

the day when we take action on this piece

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of legislation, but we do not want to

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keep you here all day and so we're going

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to begin the discussion. And we'd like

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to have the Clerk read the ordinance.

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THE CLERK: Bill No. 060958, an

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ordinance amending Title 6 of The

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Philadelphia Code, entitled "Health

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Code," by prohibiting the use of

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artificial trans fats in restaurants and

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other food service establishments, under

22

certain terms and conditions.

23

COUNCILWOMAN TASC0: Thank you

24

very much. We do have the quorum.

25

Councilman Kenney has joined us. So the

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2 Committee is now in session and we will
3 begin the hearing.

4 The Chair recognizes Councilman
5 Ramos.

6 COUNCILMAN RAMOS: Thank you,
7 Madam Chair, and thank you for being here
8 and the co-sponsors, Councilwoman Donna
9 Reed Miller and Councilwoman Blondell
10 Reynolds Brown, and I thank my colleague,
11 Councilman Kenney, for joining us here
12 this morning to hear from the public on
13 such an important issue.

14 On December the 14th of last
15 year, I introduced a bill in City Council
16 that modifies Philadelphia's Health Code
17 prohibiting the use of artificial trans
18 fats in food service establishments.
19 Under this new proposal law, no food
20 containing artificial trans fats where
21 the trans fat content of the food in
22 question is in excess of 0.5 grams per
23 serving may be served, stored or used in
24 Philadelphia restaurants and other food
25 service establishments.

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2 Artificial trans fat increases
3 the risk of heart disease, stroke and
4 death by increasing bad cholesterols and
5 decreasing good cholesterols. Research
6 on the direct link between heart disease
7 and the consumption of artificial trans
8 fats has been well documented, creating a
9 growing national health issue. And heart
10 disease is one of Philadelphia's leading
11 causes of death. Heart attacks and
12 related illnesses burden our hospitals,
13 reduce productivity of our workplace,
14 distort our insurance rates and the
15 healthcare safety net, and they destroy
16 families.

17 We need to battle heart disease
18 in a sustainable and preventive and more
19 intelligent manner. Philadelphia's
20 government needs to help all of us in
21 that more intelligent fight. I expect
22 that if Philadelphia's food service
23 establishments replace artificial trans
24 fat with currently available heart
25 healthy alternatives, the result will be

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2 as much as a six percent reduction in
3 coronary heart disease events in our
4 community. The resulting public health
5 impact of such reduction will be very
6 significant. Millions of dollars and,
7 much more importantly, many lives will be
8 saved.

9 Already several restaurant
10 chains, including Wendy's, Starbucks,
11 Subway, Denny's, Chili's, Ruby
12 Tuesday's -- I'm getting hungry -- and
13 KFC have either eliminated or started to
14 reduce the use of trans fats and see the
15 promotion of this change has an important
16 successful marketing tool. In the long
17 run, this legislation is likely to
18 attract customers to Philadelphia
19 restaurants and dining halls.

20 Also, I have written a letter
21 to the School District of Philadelphia
22 asking them to voluntarily remove trans
23 fat additives from school cafeterias, and
24 I expect a positive response in the near
25 future.

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2 Today we would like to hear
3 from you, the public, on how you feel
4 about this trend-setting legislation.

5 Thank you, Madam Chair, for
6 letting me give this speech.

7 COUNCILWOMAN TASCO: Thank you
8 very much.

9 Councilman Kenney, would you
10 like to comment?

11 COUNCILMAN KENNEY: No.

12 COUNCILWOMAN TASCO: We'd like
13 to thank Councilman Ramos for taking the
14 initiative to take action on this issue.
15 It is a very important issue, and this
16 Committee, the Public Health and Human
17 Services Committee, is responsible for
18 taking action and finding ways to help
19 our citizens to remain healthy. And if
20 we can only get Pathmark to fry their
21 chicken in hydrogenated grease, then we'd
22 be all right. That's about the only
23 thing I eat.

24 But it's a worthwhile effort
25 here. It's a good issue, and we're

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2 looking forward to hearing your testimony
3 this morning. And I understand we have
4 something exciting coming around around
5 12 o'clock from Ms. Gwen Foster to show
6 us that non-trans fat foods can be tasty
7 and healthy and easy to prepare. So if
8 you don't have to leave, stick around for
9 this wonderful treat.

10 The Chair now calls on
11 Commissioner Carmen Paris from the Health
12 Department. Is she here? She's not
13 here. You're going to testify?

14 MR. MELHEM: I will be
15 testifying.

16 COUNCILWOMAN TASC0: Sure.
17 Come forward, please. Would you identify
18 yourself, please, for the record.

19 MR. MELHEM: Yes. My name is
20 Izzat Melhem, the Assistant Health
21 Commissioner.

22 COUNCILWOMAN TASC0: All right.
23 You may proceed.

24 MR. MELHEM: My pleasure. May
25 I start?

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2 COUNCILWOMAN TASCO: Yes.

3 MR. MELHEM: Good morning,
4 Councilwoman Tasco and members of the
5 Committee on Public Health and Human
6 Services. I am Izzat Melhem, Assistant
7 Health Commissioner. Thank you for the
8 opportunity to present testimony today on
9 Bill 060958, which would prohibit the use
10 of artificial trans fats in food
11 establishments.

12 Trans fatty acids, typically
13 referred to as trans fats, are formed
14 when liquid vegetable and plant oils
15 undergo a chemical process called partial
16 hydrogenation, in which hydrogen is added
17 to make the oils more solid. This
18 artificial industrial process provides
19 for a longer shelf life for baked goods
20 and longer fry life for cooking oils.

21 Food products using partially
22 hydrogenated oils or margarines contain
23 trans fats. Partially hydrogenated oils
24 are commonly found in processed foods
25 like commercial baked products, including

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2 cookies, crackers, cakes and bread. They
3 are also used as cooking oils for fried
4 foods such as French fries, fish, chicken
5 and doughnuts.

6 Artificial trans fats have no
7 nutritional value, are harmful to health
8 and should be prohibited from food
9 establishments. Artificial trans fats
10 increase the level of low-density
11 lipoproteins, the bad cholesterol, while
12 decreasing the level of high-density
13 lipoproteins, which is the good
14 cholesterol.

15 Because of the harmful effects
16 of artificial trans fat and their
17 ubiquity in the American diet, the U.S.
18 Food and Drug Administration now requires
19 nutrition labels to list trans fat
20 content. However, because food
21 establishments are not required to list
22 the nutrition content of their food
23 items, most people do not know the
24 nutrition content of the meals when
25 dining out and, thus, cannot make healthy

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2 eating choices about where to dine and
3 what foods to avoid while dining out.

4 When you add the ready
5 availability of inexpensive, unhealthy,
6 fast foods and the lack of access to
7 fresh, nutritious foods, you have a
8 recipe for a public health crisis and an
9 urgent need for new approaches to
10 regulating what gets into foods people
11 eat. A prohibition of artificial trans
12 fats in food establishments is a
13 proportionate response to the urgent need
14 to eliminate this unnecessary substance
15 from the food supply.

16 The proposed bill would require
17 food establishments to maintain written
18 records for each menu item to disclose
19 menu item contents and to maintain labels
20 or manufacturers' data for all components
21 that are either fats or prepared foods.
22 Department of Public Health sanitarians,
23 during routine inspections, would simply
24 compare these documents with the menu for
25 compliance. The sanitarian would issue a

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2 violation statement if the food
3 establishment were found out of
4 compliance. This review could be very
5 time consuming, and the Environmental
6 Health Services Unit estimates that two
7 additional sanitarians would be needed to
8 maintain current productivity levels.

9 The Department of Public Health
10 does not recommend any specific penalties
11 at this time. Rather, we believe
12 compliance with this legislation is
13 primarily an issue of education and
14 outreach. Other metropolitan areas that
15 have prohibited trans fats in food
16 establishments have fostered a number of
17 educational programs to both consumers
18 and food establishments to assist in the
19 transition. For example, New York City
20 is offering training on trans fat free
21 cooking to chefs. Other locations are
22 sponsoring trans fat free cooking
23 contests. The Division of Chronic
24 Disease Prevention could coordinate
25 citywide information and technical

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2 assistance programs for food
3 establishments and the public with the
4 assistance of one full-time nutritionist,
5 one full-time health educator and a
6 funded public information campaign.

7 Because the record-keeping
8 requirements of the bill are minimal,
9 costs to food establishments should also
10 be minimal for this requirement.

11 Switching from partially
12 hydrogenated cooking oils to
13 non-partially hydrogenated unsaturated
14 cooking oils is simply a matter of
15 identifying and ordering an alternative
16 product. Two major fat and oil producers
17 are already in the position to roll out
18 trans fat substitutes in large quantities
19 and, for the most part, at comparable
20 prices. Thus, we do not expect food
21 establishments to face any barriers
22 finding trans fat free alternatives.

23 Switching cooking oils should
24 have only a marginal impact on cost items
25 for food items, like French fries, that

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2 involve deep-frying or sauteing in the
3 oil. To see why, consider the fact that
4 a 35-pound case of oil could cook at
5 least 1,000 servings of French fries.
6 This means that every dollar increase in
7 the price of the cooking oil increases
8 the cost of a serving of French fries by
9 only one-tenth of one cent.

10 The proposed bill accommodates
11 the greater time required to modify
12 recipes for baked goods by including a
13 longer period of time prior to
14 enforcement for baked goods. During this
15 period, an information campaign led by
16 the Department of Public Health could
17 help facilitate successful recipe
18 modifications. Fortunately, Philadelphia
19 has the luxury of learning from the
20 experience of others who have passed bans
21 on trans fat. In Denmark, which banned
22 trans fat in 2003, virtually no one,
23 according to press accounts, notices any
24 differences in the taste of food. Fries
25 are still crispy and cookies are still

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2 tasty. We should expect no less in
3 Philadelphia.

4 Thank you for the opportunity
5 to present testimony today on this
6 important issue. I will now answer
7 questions.

8 COUNCILWOMAN TASC0: Thank you
9 very much.

10 MR. MELHEM: You're welcome.

11 COUNCILWOMAN TASC0:
12 Councilman, you have questions?

13 COUNCILMAN RAMOS: A few
14 questions that I have received, and, for
15 the record, I must state that the
16 response has been overwhelmingly in
17 support of the trans fat ban in the City
18 of Philadelphia. And a little survey
19 that we conducted out of my office we
20 found that -- I wasn't very surprised,
21 but slightly surprised -- that the
22 younger age bracket, I think 18 to 20
23 something, that was all for this. And I
24 think all of us at the age of 18 are
25 eating in -- we can eat anything. So I

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2 was very pleased with the response I got
3 from that age group.

4 Do you see yourself going into
5 a restaurant and taking a sample of the
6 food and taking it to a lab to see if in
7 fact it has more than 0.5 grams of trans
8 fat in it?

9 MR. MELHEM: We have not
10 considered that approach to the
11 enforcement.

12 COUNCILMAN RAMOS: Good.
13 According to your testimony, you'll be
14 looking into the supply closet, right, to
15 see and take a look at the labels; is
16 that correct?

17 MR. MELHEM: That would also --
18 that would be a part of it. Also, we
19 require the establishment to maintain
20 files of labels of menu items as well as
21 ingredients, and we would use those as
22 well as identify items during the course
23 of our normal inspection.

24 COUNCILMAN RAMOS: Yes.
25 Because that was one of the questions I

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2 got, is the Health Department going to go
3 and start taking samples of the food and
4 taking them to the lab, and I told them
5 that the way we put the legislation, we
6 worded the legislation, that my
7 understanding that it will be no, that
8 that might be a little bit too much --
9 that would be intrusion and that we will
10 not do that. You see it the same way,
11 then?

12 MR. MELHEM: That is correct.
13 We do.

14 COUNCILMAN RAMOS: Thank you.
15 Thank you, Madam Chair.

16 COUNCILWOMAN TASCO: Any other
17 questions or comments?

18 Councilman Kenney.

19 COUNCILMAN KENNEY: Thank you
20 very much.

21 In restaurants, traditional
22 sit-down restaurants, white table cloth
23 type of restaurants, is this a big issue?
24 Because most of their food is, I guess,
25 fresher than the needed shelf life that

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2 trans fats provides for other types of
3 foods. Do you find that to be the case
4 or is there -- I don't want to name a
5 restaurant, but a restaurant on Walnut
6 Street, would they have a trans fat issue
7 generally or is this more a fast food
8 operation?

9 MR. MELHEM: This really --
10 there are no lines as to what type of
11 restaurant. I think mainly it would be
12 anywhere that prepares foods, whether
13 they use a spread, for example, like a
14 margarine on breads or for frying. So I
15 don't think it would be specific to
16 either a white table restaurant or a fast
17 food -- white table cloth or a fast food
18 restaurant.

19 COUNCILMAN KENNEY: This is not
20 a butter issue, right?

21 MR. MELHEM: I beg your pardon?

22 COUNCILMAN KENNEY: This is not
23 a butter issue.

24 MR. MELHEM: It's not a butter
25 issue.

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2 COUNCILMAN KENNEY: This is an
3 industrial processed frying oil.

4 MR. MELHEM: Correct. That's
5 why I was careful to say "spreads."

6 COUNCILMAN KENNEY: So if it's
7 a deep-fried situation, most likely they
8 would have an issue with having to change
9 what they deep fry in?

10 MR. MELHEM: That is one aspect
11 of this.

12 COUNCILMAN KENNEY: But if
13 you're sauteing in a restaurant with
14 butter, it's not generally an issue?

15 MR. MELHEM: Correct. This is
16 an artificially produced product.

17 COUNCILMAN KENNEY: What would
18 be the benefit for even a fast food
19 restaurant to have the trans fat oil?
20 Does it last longer as far as being
21 able -- in the fryolator itself, does it
22 last a longer period of time and that's
23 why they use it?

24 The baked goods side of it
25 makes sense to me. Although if the stuff

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2 is bad, the shelf life is extended, so,
3 therefore, the product lasts longer.

4 MR. MELHEM: Correct.

5 COUNCILMAN KENNEY: But in a
6 fryolator in a fast food restaurant, the
7 benefit to having the hydrogenated oil or
8 partially hydrogenated oil is because of
9 the length of time the oil lasts?

10 MR. MELHEM: Well, initially it
11 adds stability to the frying oil. The
12 frying oil could be used longer before it
13 breaks down.

14 COUNCILMAN KENNEY: Do you know
15 how much longer? I mean, what's the
16 difference?

17 MR. MELHEM: I do not know
18 specifically, but I know there are
19 alternatives out there. The major
20 manufacturers have come out with --

21 COUNCILMAN KENNEY: I'm not
22 arguing the benefits of trans fats. I
23 just want to understand for my own
24 mindset why would you use it in the first
25 place. I mean, what was the benefit of

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2 it to begin with? Again, on the baked
3 goods side, I kind of understand
4 increasing the shelf life of a baked good
5 product, but in a restaurant, where is
6 the benefit to it?

7 MR. MELHEM: As far as frying,
8 it would be -- like for frying foods, the
9 oil, you would be able to use it longer,
10 to continually fry foods over and over
11 again before it breaks down, and it
12 imparts a bad taste when it does break
13 down. So the partial hydrogenation
14 stabilizes it longer.

15 COUNCILMAN KENNEY: Okay.
16 Thank you.

17 COUNCILWOMAN TASC0: Is there a
18 time limit or any regulation on how often
19 or how long a restaurant can reuse the
20 oil, cooking oil? I mean, they deep fry,
21 particularly a fast food or a corner
22 take-out. Is there any requirement that
23 they not use this oil for maybe one day
24 or they can use it for a week, or how
25 long?

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2 MR. MELHEM: I think more
3 significant than the time, I'm sure an
4 oil would break down over time. Even if
5 it wasn't used, it would be maybe a
6 longer time, but once it's used, you have
7 more of a breakdown process. You have
8 impurities placed into that -- that make
9 it into the oil from the foods.

10 So I think the factor here is
11 more of how frequently it's used for
12 frying, like how much food you put in
13 there to fry in that oil. That's really
14 what the life of that oil would -- the
15 factor that would influence the life of
16 that oil, that cooking oil.

17 COUNCILWOMAN TASC0: So that
18 the length of time that it has the
19 ability to fry it, it impacts the quality
20 of the end product.

21 MR. MELHEM: Correct. If you
22 use the same oil over and over again
23 frying -- and restaurants obviously, as
24 we know, get very, very busy, and like
25 French fries, chicken, anything that's

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2 deep fried, if they're constantly using
3 the same oil, it will break down and it
4 will get a lot of impurities in it as
5 well.

6 During our inspection, we do
7 identify those types of issues. When we
8 evaluate a restaurant, we do check their
9 cooking equipment. And if we've seen a
10 condition where there's a lot of
11 impurities in an oil such as particles of
12 food that have come off, we will cite
13 that.

14 COUNCILWOMAN TASCO: What is
15 the status of the law in New York? Do
16 you have any update on where they are and
17 the enforcement of this law?

18 MR. MELHEM: I do know -- I
19 don't know specifically, but I do know
20 that there was an 18-month grace period
21 before it was implemented, and part of
22 what I mentioned in my testimony was to
23 give businesses the opportunity to change
24 menus or to change ingredients and
25 recipes.

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2 COUNCILWOMAN TASC0: What's
3 happening with the national companies who
4 produce cookies and cakes? I mean,
5 what's happening in that environment?

6 MR. MELHEM: Interestingly,
7 it's appropriate that you ask that. Just
8 this morning I was approached by a
9 co-worker in my office before I came over
10 to buy Girl Scout cookies, and when I
11 looked at the order sheet, you have
12 pictures of the cookies, and every cookie
13 that was pictured, right next to it was a
14 star to highlight the fact that it had
15 zero grams of trans fat.

16 So there is a national trend.
17 I mean, actually, it's a global trend to
18 move away from the use of trans fats in
19 foods. A lot of major manufacturers are
20 moving away from it. You're seeing more
21 and more baked products on shelves,
22 cookies, cakes, crackers, that are
23 promoting the fact on their labeling that
24 they do not contain any trans fats.

25 COUNCILWOMAN TASC0: Do they

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2 have a "sell by" date on them or "use by"
3 date on these products?

4 MR. MELHEM: They do for
5 freshness, but it's nothing that the
6 Health Department would regulate.

7 COUNCILWOMAN TASC0: Okay.
8 Thank you.

9 Any other questions?

10 (No response.)

11 COUNCILWOMAN TASC0: Thank you
12 very much. Thank you for coming.

13 MR. MELHEM: It was my
14 pleasure. Thank you.

15 COUNCILWOMAN TASC0: We have
16 Dr. Daniel Rader, American Heart
17 Association. I hope I pronounced that
18 correctly.

19 DR. RADER: Thank you very much
20 for having me here today. My name is
21 Dr. Daniel Rader. I'm a Professor of
22 Medicine and Director of Preventive
23 Cardiology at the University of
24 Pennsylvania and also here representing
25 the American Heart Association. My

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2 clinical interest and my research are
3 really dedicated to the preventing heart
4 disease and stroke. I happen to share
5 the opinion of the American Heart
6 Association, so I'm going to read from
7 parts of their position paper with regard
8 to this issue.

9 The American Heart Association
10 has long recognized the consumption of
11 artificial trans fats is a health risk to
12 American people and encourages their
13 removal from packaged goods and foods
14 prepared in restaurants and bakeries. In
15 2006, the AHA issued its diet and
16 life-style recommendation advising people
17 to limit their consumption of trans fats
18 to no more than one percent of daily
19 caloric intake.

20 The AHA supports regulatory
21 efforts at the local level, such as this
22 one, to reduce trans fats in packaged
23 foods, baked goods and restaurant meals,
24 provided healthy alternatives and
25 practical guidance are taken into

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2 consideration. We feel that such efforts
3 are most likely to achieve their intended
4 goal if they incorporate a comprehensive
5 phased-in approach to eliminating the use
6 of artificial trans fats.

7 We are concerned, as we've
8 heard, that a mandatory ban on trans fats
9 alone if unaccompanied by an effective
10 program of education and a reasonable
11 implementation schedule may raise the
12 risk of unintended consequences; that is,
13 the substitution of trans fats with
14 unhealthy oils high in saturated fats.
15 Therefore, the AHA wants to ensure that a
16 sufficient supply of healthier
17 alternative oils and shortenings are
18 available to restaurants and bakeries to
19 prevent the substitution of unhealthy
20 alternatives. As the supplies of healthy
21 trans free oils become more abundant and
22 restaurants find appropriate substitutes,
23 these issues will be of less concern.

24 Thus, the American Heart
25 Association recommends, one, a sufficient

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2 time frame for phase-in; two, regulatory
3 safeguards that provide policymakers
4 flexibility in implementation; and,
5 three, strong programmatic and
6 educational efforts to assist the
7 restaurant industry concurrent with these
8 regulations.

9 The AHA, therefore, recommends
10 specifically the following: Verify that
11 enough healthy alternatives are available
12 to meet the projected demand of
13 restaurants and bakeries; provide
14 exemptions or grace periods for
15 restaurants if governing agencies confirm
16 that healthier oil alternatives are not
17 available in sufficient amounts, if
18 there's a disruption in supply or if
19 late-stage operational adjustments are
20 identified by restaurants and bakers;
21 discourage the substitution of trans fats
22 with other unhealthy oil and shortening
23 products; extend the phase-in time frame
24 for baking, a crucial component in the
25 effective implementation of a ban on

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2 trans fats; and, finally, provide the
3 restaurant service industry with specific
4 guidance on which cooking oils and
5 shortenings to use and how to incorporate
6 them into their food preparation process;
7 that is, specific recipes, different
8 temperatures, appropriate schedules for
9 frying, et cetera.

10 In summary, the American Heart
11 Association supports the ban on
12 artificial trans fats, provided that it
13 is accompanied by an effective program of
14 education and a reasonable period of
15 implementation, including systematic
16 efforts to ensure the availability and
17 use of healthier alternatives.

18 Thank you very much for this
19 opportunity to testify before you today.

20 COUNCILWOMAN TASC0: Thank you.

21 Do you have any questions?

22 COUNCILMAN RAMOS: For how long
23 has the American Heart Association had
24 this position on the danger of trans fat?

25 DR. RADER: I think the formal

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2 position really has been since January of
3 '06 when labeling began. So that's
4 really when the formal position. I think
5 for a long time the AHA has followed the
6 research. Actually, funded a lot of the
7 research on this issue, has made informal
8 recommendations that people should limit
9 their trans fat intake, but felt that
10 until labeling was implemented, that
11 people really had no ability to actually
12 do this because they had no idea what to
13 look at.

14 So once the labeling came into
15 effect, the AHA then stated that people
16 should limit their intake to less than
17 one percent of total caloric intake.

18 COUNCILMAN RAMOS: The FDA
19 requiring that you state the nutritional
20 fact and specifically trans fat, how do
21 you think that has impacted your position
22 and your concern about the direct
23 correlation between heart disease and the
24 consumption of trans fats?

25 DR. RADER: That's a very

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2 important question, and I think what
3 you're asking is has consumer desire to
4 limit trans fats actually led to
5 increased intake of, for example,
6 saturated fats or other things that might
7 be just as harmful. I don't think we
8 have enough data yet in this relatively
9 short time to know from data what the
10 answer to that is. My overall sense is
11 that, just speaking anecdotally and
12 looking at what I've seen, that the
13 reduction in trans fats in, for example,
14 commercially baked goods that consumers
15 are attempting to apply based on now
16 labeling changes has not been necessarily
17 accompanied by a comparable increase in
18 saturated fat. So that's, of course, our
19 hope and our concern as we move toward
20 more and more banning of trans fats.

21 COUNCILMAN RAMOS: People are
22 always concerned with us lawmakers
23 whether we're intruding in the rights of
24 citizens, and we sure don't want to be
25 looked at as people that are always

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2 intruding, but there is a role for
3 government. I remember in the -- I think
4 it was around the early '60s that all of
5 a sudden people stopped using in their
6 households to a very high percentage,
7 they stopped using lard, but it was
8 because government put out these reports.
9 I believe the Heart Association back then
10 put out these reports and told us all the
11 use of lard in your daily cooking could
12 be a very bad thing. And then all of a
13 sudden, people throughout America,
14 families, my household -- I remember my
15 mother said, This is over with, we're
16 going here with corn oil.

17 So I think this is a very
18 important thing to do at this time. It
19 is not -- although in Philadelphia's case
20 in respect to legislation is kind of
21 trend-setting, but this is not anything
22 that government has not done in the past
23 to warn its citizens, yes, we all are --
24 a lot of us do -- I do, I can have some
25 fried chicken this afternoon or this

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2 evening, but the fact of the matter is
3 that when I am now being told be careful
4 with what you're frying that chicken in
5 and that you can actually eat it and it
6 will taste the same.

7 The household oil that we use
8 in my house, I saw zero trans fat on it a
9 few months ago and then I, just out of
10 curiosity because of my interest in this
11 matter, I called the company. I called
12 the producer up, and he said, Well, we
13 have been using trans fat for the last 15
14 years in that oil.

15 DR. RADER: Exactly.

16 COUNCILMAN RAMOS: Maybe
17 because I was just very hungry, but I did
18 not notice a taste difference. There
19 might have been, but I just did not
20 notice it at all.

21 DR. RADER: I think education
22 has its limits, and I think when it comes
23 to going to restaurants, you don't have
24 the ability to use the education to
25 really determine whether you're going to

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2 intake trans fats. And the only way to
3 do it is not to go to restaurants at all.
4 So I think this initiative really is very
5 important if it can be done I think in an
6 appropriate way.

7 COUNCILMAN RAMOS: Thank you,
8 Madam Chair.

9 COUNCILWOMAN TASC0: I have a
10 couple of questions. Could we get
11 Mr. Melhem back to the table? Could you
12 come back?

13 Don't leave, Dr. Rader.

14 I believe in New York that it
15 was the Health Commissioner there who
16 initiated the action around this issue in
17 New York and brought it to the City
18 Council. In this instance, our
19 Councilmember has introduced this
20 ordinance. And there are a lot of
21 questions raised by Dr. Rader regarding
22 education around this program, and I
23 wanted to know, is our Health Department
24 ready and have the ability to begin an
25 education program about this matter?

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2 MR. MELHEM: Yes. Our Division
3 of Chronic Disease Prevention --

4 COUNCILWOMAN TASC0: I can't
5 hear you. Would you speak into the mike,
6 please.

7 MR. MELHEM: Oh, I'm sorry.
8 Yes. Our Division of Chronic Disease
9 Prevention is ready to work with our
10 Environmental Health Services Unit to not
11 only put together an educational
12 component for businesses but also to
13 distribute it during the normal course of
14 our inspections to establishments to
15 educate business owners and --

16 COUNCILWOMAN TASC0: Do you
17 have enough staff to do that?

18 MR. MELHEM: Well, as I
19 indicated, the additional staff that we
20 would need in order to be able to do this
21 effectively, but we would use whatever
22 means we have to make sure that it is
23 accomplished.

24 COUNCILWOMAN TASC0: Now, you
25 were here when we had the discussion

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2 about the sanitarians around inspections,
3 food inspections at restaurants.

4 MR. MELHEM: Yes, I was here.

5 COUNCILWOMAN TASC0: Would you
6 need additional sanitarians to work with
7 the restaurant owners on this bill?

8 MR. MELHEM: Well, with our
9 current staff, it would cut into our
10 production levels, our productivity. So
11 we would do the best we can, but it would
12 require additional staff.

13 COUNCILWOMAN TASC0: In
14 addition to what you requested during the
15 hearings on food inspectors, you would
16 need additional members also?

17 MR. MELHEM: Yes. The original
18 numbers we presented did not take into
19 account the enforcement of this
20 ordinance.

21 COUNCILWOMAN TASC0: Could you
22 have the Commissioner get to us an
23 analysis of what she would need to
24 enforce this legislation?

25 MR. MELHEM: Certainly.

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2 COUNCILWOMAN TASC0: And also
3 what we need to deal with the sanitarians
4 we had already talked about, additional
5 sanitarians we need, what's the total
6 complement of employees, sanitarians, do
7 we need to satisfy both issues.

8 MR. MELHEM: Okay. And it
9 would also be the staffing for the
10 Division of Chronic Disease Prevention.

11 COUNCILWOMAN TASC0: Right. We
12 need to know the staffing levels, please.

13 MR. MELHEM: Yes. Certainly.

14 COUNCILWOMAN TASC0: Thank you.

15 MR. MELHEM: You're welcome.

16 COUNCILWOMAN TASC0: Thank you
17 very much.

18 Councilwoman Blondell Reynolds
19 Brown has a couple of questions of both
20 gentlemen.

21 Dr. Rader?

22 DR. RADER: I'm sorry.

23 COUNCILWOMAN TASC0:

24 Councilwoman Brown.

25 COUNCILWOMAN BROWN: Good

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2 morning. First I would like to commend
3 my colleague, Councilman Juan Ramos, for
4 putting this on the radar screen and in a
5 huge way just grabbing our attention and
6 then reminding others of us who are
7 always concerned about weight loss that
8 if we look at this, it moves us in that
9 direction.

10 I'm curious to know your
11 perspective on the issue of labeling,
12 where you've seen it work in other
13 places, do you think it works, do you
14 think it's beneficial, do you think it's
15 of value? Because my staff and I have
16 actually been doing the homework on
17 labeling, so we want to complement the
18 work of Councilman Juan Ramos in this
19 area.

20 DR. RADER: Labeling of
21 commercial products that one would buy in
22 a grocery store?

23 COUNCILWOMAN BROWN: Well, more
24 specifically, you walk into a McDonald's
25 and labeling that would tell us what is

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2 the content.

3 DR. RADER: Oh, labeling like
4 this Quarter Pounder contains X amount of
5 trans fat?

6 COUNCILWOMAN BROWN: Yes.

7 DR. RADER: Well, as we heard
8 from labeling of commercial products, I
9 really think ultimately that type of
10 information, when consumers are given it,
11 will have an impact on behavior and I
12 think has already begun to have an impact
13 on behavior in terms of labeling of
14 commercial products that we buy in
15 grocery stores. So I do believe that
16 there's a role for that and I think that
17 that type of education and information
18 available to the consumer does influence
19 behavior.

20 Now, I can't quote you the
21 studies that have actually proven that.
22 That's more of a sense of my own
23 interaction with patients, my own
24 discussions with colleagues. But I do
25 believe that that sort of an approach

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2 certainly can have an effect, and there
3 are many people who, given the
4 information, will make decisions based on
5 that that hopefully will be in their best
6 interest from their own health.

7 COUNCILWOMAN BROWN: I
8 certainly see the logic in that, and in
9 the world that we work in, you have to
10 anticipate the argument against labeling.
11 Anecdotally, when we sought to encourage
12 or we actually asked the School District
13 to take sodas out of the schools, we were
14 approached by a major bottling company in
15 the City on why go in that direction. So
16 ultimately the School District rendered a
17 decision that there would be no sodas in
18 school for any children.

19 So with that backdrop, do you
20 think that what you just presented in
21 terms of why it's a good thing to do, do
22 you think that that would hold water for
23 major food retailers like McDonald's and
24 Kentucky Fried and others that labeling
25 is a good thing to do, it helps the

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2 consumers who come to your franchise make
3 better decisions about what they eat?

4 DR. RADER: Yeah. These are
5 great questions. I don't pretend to be
6 an expert in these issues, but I'll give
7 you my opinion.

8 COUNCILWOMAN BROWN: Please.

9 DR. RADER: I do think that a
10 lot of these establishments feel under
11 siege as a result of all the information
12 that the public is now getting about how
13 fast food leads to obesity, leads to
14 diabetes, leads to heart disease and
15 stroke. And I do feel that some of them
16 are beginning to recognize that actually
17 by being out front and actually changing
18 their practices to use types of oils that
19 truly are more healthy and then having
20 the opportunity, perhaps induced by a
21 little bit of legislation like this, to
22 actually promote that and say, We are
23 doing this and, by the way, here's the
24 information on trans fats, on saturated
25 fats, see, we're actually changing in

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2 response to your desires, my hope would
3 be that at the end their business won't
4 suffer, but actually if you look over a
5 10- or 20-year horizon, their business
6 may actually ultimately be much better
7 than going down the path of being a
8 pariah because they've served these
9 terribly unhealthy meals to people.

10 Perhaps I'm giving too much
11 credit to the average consumer, but I
12 think that's where things are headed in
13 terms of that type of psychology.

14 COUNCILWOMAN BROWN: We thank
15 you for your testimony. You can
16 anticipate coming back on the labeling
17 matter.

18 DR. RADER: Thank you.

19 COUNCILWOMAN BROWN: Thank you.

20 COUNCILWOMAN TASC0: Thank you
21 very much.

22 The Chair calls Dr. Samuel
23 Gidding, Professor of Pediatrics at
24 Thomas Jefferson University.

25 DR. GIDDING: Thank you very

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2 much. Since some of my points in my
3 written testimony have been covered, I'm
4 going to emphasize points in my testimony
5 related to some of the discussion and
6 issues that have not been brought up.

7 We're obviously here because
8 trans fats are bad for you. I want to
9 point out that right now the trans fat
10 content of the American diet is about two
11 to three percent, and for many
12 individuals it's much higher than that.
13 And in addition to some of the other
14 associations that have been talked about,
15 there probably are associations with
16 diabetes and sudden death as well.

17 Another important point of the
18 evidence is that what we see in humans
19 goes all the way down to animal studies.
20 So when people began observing adverse
21 effects of trans fats in humans, animal
22 studies were done, and this research
23 confirms all of the adverse effects.

24 It is estimated that about
25 three to six percent of coronary heart

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2 disease events could be prevented with a
3 substantial reduction in trans fat
4 intake. Being an advocate for children,
5 I believe this effect may be even greater
6 in long-term disease prevention.

7 Children eat countless meals with trans
8 fats, fried foods in fast food
9 restaurants, commercially prepared meals
10 in schools and junk foods with trans
11 fats. Lifetime exposure will accelerate
12 atherosclerosis in this population,
13 particularly in the obese children that
14 are also at risk for diabetes.

15 American Heart Association and
16 other organizations currently recommend
17 that trans fats be less than one percent
18 of the calories in the diet. Consumers
19 can now choose foods free of trans fat,
20 thanks to the presence of food labels
21 indicating the amount of trans fats in
22 products. An indication of consumer
23 interest in limiting trans fat intake is
24 the response of industry to the new food
25 labeling requirement. Formulations of

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2 many products were adjusted to limit or
3 eliminate trans fats, and products that
4 previously contained trans fats are often
5 now advertised as being free from trans
6 fats in the new formulation.

7 In addition to the -- I think
8 fiber provides a good example of the
9 impact of diet of food labeling, because,
10 for example, in my own counseling to
11 increase dietary fiber intake, the fiber
12 line, which has now been on food labels
13 for many years, is a very good indicator
14 of the quality of cereals, and many of my
15 patients who have had nutrition education
16 are making cereal choices based on their
17 fiber content. So I think it's very
18 effective.

19 A significant source of trans
20 fat remains in the American food supply
21 and that's from restaurants and other
22 commercial providers of foods such as
23 bakeries where food labeling is not
24 required. It is now estimated that at
25 least one-third of meals are consumed

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2 outside of the home and it's probably a
3 higher percentage because of the decline
4 in home cooking. Typical foods that have
5 a high trans fat content include French
6 fries, breaded and deep-fried chicken and
7 fish, pizza, burritos and baked goods.

8 I think another key thing where
9 people forget about trans fats is in
10 pizza crust, for example, so that you
11 need another baked product that's
12 consumed very highly.

13 And I think this gets to the
14 heart of the regulation issue: If you
15 don't have labeling, consumers are unable
16 to make choices, and I think that's the
17 value of labeling to emphasize that. And
18 I can tell you that within the Heart
19 Association I'm on a writing committee
20 now for family-based nutrition and the
21 idea of providing consumers with
22 important nutritional information at
23 checkout is being considered as a
24 recommendation. I mean, that's not
25 policy yet, but we're thinking about

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2 developing that type of policy in the
3 next year or two.

4 It's already been mentioned how
5 bans on trans fat have been successfully
6 introduced without change in taste
7 preference of consumers in countries like
8 Denmark. And I want to emphasize this
9 point: The regulation of trans fat
10 content in restaurants is appropriate.
11 Well, why is that? Well, first, foods
12 with added trans fats produce harm and
13 consumers have little opportunity to
14 choose foods without trans fats. So
15 there's a question of choice there.
16 Providers of commercial food that's been
17 well discussed by the Health Department
18 can use alternative fats in food
19 preparation.

20 I think this is something else
21 where Philadelphia is in the vanguard and
22 it shows the benefit of these types of
23 regulation. Regulation of tobacco use
24 provides a successful example as a model
25 for this legislation. It has now been

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2 well documented that ending smoking in
3 restaurants and at bars and other public
4 places has lowered heart attack rates by
5 as much as 25 percent in communities
6 immediately after that legislation has
7 been enacted. And in New York City I
8 think the numbers are smaller but have
9 been sustained over a five- or six-year
10 period.

11 So we know that putting
12 regulation behind what we understand from
13 public health and research is important
14 in improving health, so I urge you to
15 pass the amendment to Title 6 of The
16 Philadelphia Health Code.

17 Thank you.

18 COUNCILWOMAN TASC0: Thank you
19 very much.

20 Questions?

21 (No response.)

22 COUNCILWOMAN TASC0: Thank you
23 very much for coming.

24 Charmain Edwards.

25 MS. EDWARDS: Good morning,

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2 everyone. My name is Charmain Edwards.
3 I'm from the Health Promotion Council,
4 and all of the fine speakers before me
5 and Councilman Ramos, you pretty much
6 covered everything that I wanted to talk
7 about.

8 COUNCILWOMAN TASC0: There's
9 nothing wrong with repeating the message
10 so that people get it. That's why they
11 advertise the same commercial 50 million
12 times, so that the receiver hears the
13 message, because a lot of people don't
14 hear the message the first time. So
15 let's just continue to repeat what's
16 being said.

17 MS. EDWARDS: Okay. Thank you.
18 We previously referred to the required
19 food manufacturers to list the trans fat
20 as 0.5, and also the other recommendation
21 was no more than two grams based on a
22 2,000 calorie diet. And pretty much when
23 you look at food labeling, it's usually
24 based on a 2,000 calorie diet. So
25 they're saying no more than two grams

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2 throughout that whole day.

3 COUNCILWOMAN TASC0: Of trans
4 fats.

5 MS. EDWARDS: Yes. One thing
6 about cooking oils, you were asking
7 questions about the degrading of the
8 oils. The way it's supposed to be is,
9 you're supposed to only use the oil a
10 certain amount of time anyway, but some
11 establishments use the oil longer because
12 it costs a lot to change that whole
13 fryolator. And a lot of them also will
14 drain out particles and reuse the oil.
15 So I think it differs from establishment
16 to establishment how much they want to
17 invest in buying this oil, how much they
18 feel they're going to lose if they throw
19 it out and have to replace it.

20 What we've been doing primarily
21 is, I work with women in recovery and we
22 work with the shelter systems, and we've
23 been teaching about trans fat for like
24 the last five years. We've also put
25 together recipes and a cookbook for the

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2 shelters. I think we have like nine that
3 we attend to. And they are appropriate.
4 They're USDA regulations. We look out
5 for the fat, the sugar and the salt
6 content.

7 As far as this whole law goes,
8 I'm not too familiar with it. I was just
9 told yesterday that it was going to be
10 here today and I really didn't get a
11 chance to research a lot of things, but I
12 think that if something is listed on
13 menus, it would be very helpful. For
14 instance, I teach Serve Safe, and a lot
15 of people, they still want their meat
16 rare. They still want soft-cooked eggs.
17 But you have to have some type of codicil
18 or some type of notification on that menu
19 that you're eating these undercooked
20 foods at your risk.

21 COUNCILWOMAN TASCO: How is
22 that?

23 MS. EDWARDS: Well, what
24 happens is, say, for instance, there's
25 steak on -- say there's eggs on and you

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2 want a three-minute egg or you want a
3 soft egg. Then they'll say like maybe on
4 the bottom "undercooked foods may lead
5 to..." So there's something on there to
6 give you some indication --

7 COUNCILWOMAN TASCO: May lead
8 to what?

9 MS. EDWARDS: Maybe food
10 poisoning or salmonella or something like
11 that. And especially like juice bars,
12 they're required to have something up,
13 because the juices sometimes are not
14 pasturized, they're fresh squeezed. You
15 don't know where the fruit came from.
16 You don't know how it was handled.

17 So I think that if there's
18 something written on a menu to indicate
19 that, maybe an asterisk, this food
20 contain trans fat or trans fatty acids or
21 something to that effect and give the
22 consumer the chance to make up his or her
23 mind as to whether she wants to eat this
24 product. Again, I think education is
25 key, because we've really been talking

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2 about it for like a little over five
3 years now at various sites.

4 COUNCILWOMAN TASC0: If you
5 looked at two grams of trans fat, what
6 would that look like?

7 MS. EDWARDS: Well, it's
8 like -- now you're taking me way, way
9 back to chemistry, but from what I
10 recall, 32 grams equal an ounce. So it's
11 really not a whole lot.

12 Any chemistry buffs in here?
13 (No response.)

14 MS. EDWARDS: Help me out here.

15 COUNCILWOMAN TASC0: Could
16 anybody tell us what two grams would be?
17 I'm trying to control my --

18 MS. EDWARDS: It's hard to
19 decide what a gram is unless they
20 actually show you a gram, but I think, if
21 I remember correctly -- and I'm not going
22 to give my age away, but I think it was
23 32 grams equal an ounce. So you can
24 imagine what two grams must be. It's
25 practically nothing. And also, we talked

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2 about artificial trans fat. There's also
3 trans fat that's naturally occurring, and
4 what they found -- the studies have found
5 that the naturally occurring trans fats
6 which are found in animal-based foods are
7 not as destructive as artificial trans
8 fat.

9 I did a little research
10 yesterday and Crisco has come up with a
11 trans fat free shortening, but I'm
12 thinking in the back of my mind that it's
13 still probably saturated.

14 COUNCILWOMAN TASC0: Usually on
15 these packages they list that this is
16 hydrogenated. That's how you know that
17 there's trans fat in the product. But
18 the labeling does not list how many
19 grams, right?

20 MS. EDWARDS: Right, but
21 they're going to -- I read here where it
22 says the Food and Drug Administration now
23 requires food manufacturers to list trans
24 fat or fatty acids on their food labels.
25 So I think that we're going to begin to

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2 see it.

3 COUNCILWOMAN TASC0: They'll
4 put the number of grams there? Because
5 if you're telling me I need two grams per
6 a 2,000 calorie diet --

7 MS. EDWARDS: That will
8 probably be on the bottom, but what
9 they're probably going to put is --
10 they're not going to stop you from buying
11 anything, of course, and, of course, some
12 things are going to have more than 0.5
13 grams, but at least you'll know. Like
14 say if you fix this -- I don't want to
15 say a brand name, but this chicken and
16 you see there it has trans fats, maybe
17 two grams per serving, then you know
18 like, Whoa, that's way over the top, I
19 need to stay somewhere around 0.5.
20 Again, education is key, because how do
21 you know 0.5 is okay whereas two grams is
22 not?

23 COUNCILWOMAN TASC0: Okay.

24 Well, are there any other questions?

25 COUNCILMAN RAMOS: I just want

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2 to say that I am glad you testified.

3 MS. EDWARDS: Thank you.

4 COUNCILMAN RAMOS: Seriously,
5 you added a whole different perspective
6 to the good testimonies of the people
7 that preceded you. When you mentioned
8 Crisco, I saw that the other day as well,
9 that Crisco was lightening up on their
10 product.

11 MS. EDWARDS: And KFC and
12 Starbucks. They're starting to come
13 around. And it's not going to happen
14 overnight, we know that, but I think
15 there should be some indication, as I
16 said earlier, where the consumer knows
17 what they're eating and then they can
18 make the decision.

19 COUNCILMAN RAMOS: Thank you
20 for your testimony.

21 MS. EDWARDS: Thank you.

22 COUNCILWOMAN TASC0: Thank you
23 for your testimony.

24 John Weidman. Hi.

25 MR. WEIDMAN: Hi. Good

1 1/25/07 - PUBLIC HEALTH - BILL 060958
2 morning, Councilmembers and guests. My
3 name is John Weidman. I'm the Deputy
4 Executive Director of The Food Trust, and
5 we're a Philadelphia-based non-profit
6 working to improve access to affordable
7 and nutritious food.

8 The Food Trust's mission
9 includes both nutrition education and
10 environmental change to improve health in
11 low-income communities. Nutrition
12 education and information are critical to
13 preventing obesity and encouraging
14 healthy eating, but they are not enough.
15 When you live in a community that is
16 surrounded by cheap fast food joints and
17 convenience stores, it is not easy to
18 make healthy choices for your family. To
19 address the current epidemic of
20 diet-related disease like hypertension,
21 diabetes, heart disease, we must make
22 eating nutritious foods easy by creating
23 an environment that supports healthy
24 eating, and banning trans fat in
25 Philadelphia is a significant step toward

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2 that goal.

3 The Food Trust worked with the
4 strong support of City Council to get
5 soda banned in the Philadelphia School
6 District, and today the Philadelphia
7 School District has the strongest vending
8 policy in the country, allowing only
9 water, milk and 100 percent fruit juice
10 in school vending machines. The kids did
11 not riot. The schools did not close down
12 for lack of funding. Life went on, only
13 with a vending policy that supported
14 sound nutrition among our children. And
15 our city is better for this change.

16 COUNCILWOMAN TASC0: And it's
17 working out fine, right?

18 MR. WEIDMAN: It's working out
19 fine.

20 COUNCILWOMAN TASC0: People do
21 adjust.

22 MR. WEIDMAN: Today we have a
23 similar opportunity to improve health and
24 reduce healthcare costs by banning trans
25 fat in restaurants. Trans fat is an

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2 unnecessary health threat in our food
3 supply. Furthermore, the presence of
4 trans fat in restaurant foods, as a
5 number of folks have mentioned today, is
6 not always apparent to consumers. People
7 trying to choose healthier foods have
8 their efforts undermined by the hidden
9 dangers of trans fat that could be in
10 anything from a pie crust -- trans fat
11 could be in anything in a restaurant from
12 a pie crust or a muffin to the oil that
13 your fish was cooked in.

14 The threat to our health is
15 real. And as we heard a number of people
16 mentioned, trans fat lowers the good
17 cholesterol and raises the bad
18 cholesterol. So it's pretty bad.

19 Most of us in this room either
20 take medication to lower cholesterol or
21 have a friend or family member who does.
22 So we all know how serious high
23 cholesterol is and the consequences of
24 not addressing it.

25 In 2003, the National

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2 Academies' Institute of Medicine

3 concluded that the only safe level of

4 trans fat in the diet is zero.

5 Furthermore, according to the

6 comprehensive Nurses' Health Study, the

7 largest investigation of women and

8 chronic disease, trans fat doubles the

9 risk of heart disease in women.

10 As I mentioned before, The Food

11 Trust's mission incorporates both

12 education and environmental change. To

13 make this ban successful, the City needs

14 a public education effort to explain it

15 to consumers, letting them know that

16 trans fat free does not automatically

17 mean eat all you want, it's health food.

18 And I would strongly support the

19 legislation Councilwoman Reynolds Brown

20 mentioned on restaurant menu labeling,

21 which would really help in that effort.

22 Right now not everyone in the

23 City is aware of the harm trans fat can

24 cause and might not understand the need

25 for a ban or might be concerned that they

1 1/25/07 - PUBLIC HEALTH - BILL 060958
2 won't ever be able to have a cheesesteak
3 again.

4 COUNCILWOMAN TASC0: I'm not
5 cutting out the cheesesteak.

6 MR. WEIDMAN: Exactly.

7 COUNCILWOMAN TASC0: Once a
8 year.

9 MR. WEIDMAN: We know that a
10 trans fat ban will not limit consumers'
11 food choices, and a public education
12 effort will help consumers understand the
13 benefits of the policy.

14 Also as already mentioned, this
15 is not a freedom of choice issue, because
16 consumers don't know how to choose foods
17 that don't have trans fat. Without a
18 city policy, consumers are left
19 unprotected from the hidden dangers every
20 time they walk into a restaurant. It
21 wasn't so long ago that you could smoke
22 in a hospital room while visiting a sick
23 relative. Now that idea seems
24 ridiculous. And in the same way that we
25 now recognize the dangers of secondhand

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2 smoke and through the leadership of
3 Council and the Mayor moved to remove it
4 from our environment, we're recognizing
5 the dangers of trans fat. In the near
6 future the idea of adding trans fats to
7 foods will seem unthinkable and
8 Philadelphia has the opportunity today to
9 be ahead of the curve.

10 Trans fat won't just improve
11 the health of our residents; it also will
12 help businesses. All Philadelphia
13 employers are struggling with spiraling
14 healthcare costs. The major driver in
15 these costs is diet-related disease, and
16 a trans fat ban will help contain
17 healthcare costs.

18 And as we have also heard
19 today, this will not significantly impact
20 food industry, and many food industries
21 are already making the switch to get rid
22 of trans fat. Health conscious consumers
23 may be more apt to eat out in a city that
24 is trans fat free.

25 In closing, I want to thank

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2 Councilman Ramos for introducing this
3 legislation and Council for holding this
4 hearing. Banning trans fat is the right
5 policy for Philadelphia. It will lead to
6 healthier residents, lower healthcare
7 costs and it will allow Philadelphia
8 restaurants who serve the best food in
9 the country to continue to thrive.

10 Thank you.

11 COUNCILWOMAN TASC0: Thank you
12 very much for your testimony.

13 Are there any questions?

14 (No response.)

15 COUNCILWOMAN TASC0: Thank you
16 for the good job you're doing with The
17 Food Trust. I appreciate your
18 leadership.

19 MR. WEIDMAN: Thank you.

20 COUNCILWOMAN TASC0: I'd like
21 to apologize to Mr. Jacobson. I did miss
22 your name. You were next. Please come
23 forward. Mike Jacobson, Executive
24 Director, Center for Science in the
25 Public Interest.

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2 Did I miss anyone else? I'm
3 coming to the rest of the people.

4 Thank you.

5 MR. JACOBSON: Thank you very
6 much for having the opportunity to
7 testify at this important hearing. I'm
8 the Executive Director of the Center for
9 Science in the Public Interest, a
10 non-profit health advocacy organization
11 based in Washington, DC. Among other
12 things, CSPI led the effort to win
13 passage of the law requiring nutrition
14 labeling on food packages. And we
15 publish the Nutrition Action Health
16 letter that's the largest circulation
17 health newsletter in the world. We have
18 about 900,000 subscribers, including many
19 in Philadelphia, of course.

20 We've long been concerned about
21 trans fat. It was in 1993 that we first
22 urged the Food and Drug Administration to
23 list trans fat on food labels. The FDA
24 finalized its labeling regulation in 2003
25 and now trans fat is listed on almost

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2 every packaged food in the supermarket.
3 We also worked closely with the New York
4 City's Health Department on its new trans
5 fat regulation for restaurants, which
6 will go into effect later this year. I'm
7 very pleased that Councilmember Ramos has
8 introduced a bill that would make this
9 city the first to adopt legislation
10 limiting trans fat in restaurants.

11 Partially hydrogenated oils are
12 the source of most of the trans fat in
13 our diet and have had a dramatic recent
14 history. Twenty years ago the Food and
15 Drug Administration and academic
16 scientists thought that trans fat was
17 perfectly safe. But all that changed in
18 1990 when research began demonstrating
19 that trans fat on a gram-for-gram basis
20 was the single most harmful fat in the
21 food supply in terms of promoting heart
22 disease. There now is virtual unanimity
23 among scientists that people should
24 consume as little trans fat as possible
25 from partially hydrogenated oils. You've

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2 heard figures of under one percent of
3 calories, under two grams a day. That's
4 less than half a teaspoon of trans fat.
5 Ain't much.

6 While my organization began
7 calling for the labeling of trans fat in
8 1993, the research conducted since then
9 has shown that trans fat is far more
10 harmful than anybody originally
11 suspected. That's why in 2004 CSPI
12 petitioned the FDA to regulate partially
13 hydrogenated oil much more strictly and
14 get it out of the food supply to the
15 greatest extent possible. We also called
16 on the FDA to require restaurants to
17 immediately disclose on menus and menu
18 boards if their foods contained trans
19 fat. And back in 2004 was when Denmark
20 became the first nation to virtually ban
21 partially hydrogenated oils and largely
22 eliminate the presence of artificial
23 trans fat. Denmark has seen a decrease
24 in heart disease deaths that probably is
25 partly due to the ban on trans fat.

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2 Many food manufacturers,
3 including big ones like Kraft, Frito-Lay
4 and ConAgra, responded to the FDA's
5 labeling requirement by switching to
6 healthier trans free oils. However,
7 restaurants don't provide labeling, and
8 many restaurants have not switched to
9 healthier oils. The legislation you are
10 considering would help protect
11 Philadelphians from a very significant
12 cause of heart disease.

13 Harvard researchers recently
14 estimated that each year trans fat causes
15 72,000 to 228,000 heart attacks,
16 including about 50,000 deaths each year.
17 Considering that Philadelphia's
18 population is one-half percent of the
19 U.S. population, those figures translate
20 into about 360 to 1,140 heart attacks and
21 about 250 deaths annually. Those
22 illnesses and deaths are unnecessary and
23 many could be prevented by the
24 legislation being considered today.

25 The Heart Association and the

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2 federal government have recommended that
3 Americans get less than that two grams
4 per day. Many restaurant foods contain
5 far more than that. A large order of
6 McDonald's fries provides eight grams of
7 trans fat or about four days' worth. At
8 Burger King, a mom could start the day
9 with eight grams of trans fat in her hash
10 browns while her child consumed four and
11 a half grams in the French Toast Kid's
12 Meal. At over at Krispy Kreme, most
13 doughnuts contain at least five grams of
14 trans fat. At KFC, a chicken pot pie
15 contains 14 grams of trans fat, seven
16 days' worth of trans fat.

17 Because the FDA has refused to
18 take national action, CSPI has been
19 supporting strong city and state
20 legislation that would get trans fat out
21 of restaurants. The bill you're
22 considering would limit the amount of
23 trans fat in restaurant foods. And it's
24 feasible. Many restaurants, large and
25 small, are demonstrating that they can

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2 largely get rid of the trans fat. Such
3 big chains as KFC and Taco Bell recently
4 joined Wendy's, Ruby Tuesday, Chili's
5 Grill & Bar and Panera Bread in moving
6 toward healthier oils. Wendy's said that
7 the new oils don't cost any more than the
8 old.

9 Small restaurants, too, such as
10 Ina's Kitchen in Chicago; Katz's Deli in
11 New York; Pete's Kitchen in Denver;
12 Country Diner in Akron, Ohio; Faros
13 Family Restaurant in Fond du Lac,
14 Wisconsin and many others have largely
15 eliminated trans fat. Some have said
16 that the switch was cost neutral, while
17 others say that the extra expense was
18 minimal. Legal Sea Foods, a small chain
19 here in the Northeast, told me that their
20 fish tastes better now that it is fried
21 in liquid oil.

22 Disney Theme Parks and
23 Universal Studio Theme Parks have
24 announced that they're getting rid of
25 trans fat from the foods in their parks.

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2 McDonald's sells foods without trans fats
3 in much of Europe, Israel, Australia, New
4 Zealand and certain other countries but
5 not in Philadelphia or the rest of the
6 United States.

7 Denmark has essentially banned
8 partially hydrogenated oils by setting a
9 two percent limit on the trans fat
10 content of the oils in food. McDonald's,
11 KFC and Burger King, as well as every
12 Danish company, has switched to trans
13 free oils, apparently without any
14 problems or complaints.

15 In sum, if all those
16 restaurants could switch and protect
17 their customers' health, so could every
18 restaurant in Philadelphia. It would be
19 nice if every restaurant switched
20 voluntarily, but they're not. That's why
21 Philadelphia and every other city and
22 state should fulfill their responsibility
23 to protect the public's health by passing
24 legislation such as the bill you are
25 considering. You could save hundreds of

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2 lives at virtually no cost to citizens
3 and the City and only a temporary modest
4 cost and inconvenience to the
5 restaurants. I hope that the City
6 Council and the Mayor will approve the
7 legislation promptly.

8 Thank you very much for this
9 opportunity to testify.

10 COUNCILWOMAN TASCO: Thank you
11 very much.

12 Councilman.

13 COUNCILMAN RAMOS: Thank you,
14 Madam Chair.

15 Mr. Jacobson, I want to
16 personally thank you and someone special
17 on your staff that has worked with my
18 legislative aide, Andrew Zalenski, on the
19 trans fat legislation, Mia Dell, for the
20 time and effort your organization put
21 forth with working with us. We
22 appreciate your support and we appreciate
23 the assistance in providing us with
24 information that helped us design this
25 piece of legislation.

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2 I just want to add to your list
3 of neighborhood eateries that in
4 Philadelphia Tony Luke's, one of our best
5 cheesesteak eateries in this city, told
6 us all a couple weeks ago, he said, I got
7 rid of trans fat a long time ago, and the
8 taste has not changed, obviously by the
9 long lines outside of his eatery around
10 lunchtime and the evening.

11 Again, the role of government
12 in this and the response in the cities
13 that you mentioned where food
14 establishments have on their own,
15 restaurants, have taken it upon
16 themselves to ban the use of trans fat in
17 their food preparation, do you see this
18 as a response of the public letting our
19 food-selling providers that this is our
20 concern and we will patronize you, but
21 you need to make these adjustments so we
22 can continue to patronize you?

23 MR. JACOBSON: I think some
24 restaurants changed because they have
25 responsible owners who said this is the

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2 healthy thing to do. There are others,
3 the large chains, that are under the
4 microscope and they've endured some bad
5 publicity. McDonald's was sued for
6 saying it would get rid of trans fat and
7 then not doing so. We sued Kentucky
8 Fried Chicken last year for not
9 disclosing that it's using trans fat.
10 And we wanted to get rid of it, and they
11 have said they're going to get rid of it
12 shortly.

13 So it's a variety of reasons.
14 New York City's regulation certainly put
15 the restaurant industry on notice, and so
16 any restaurant that operates in New York
17 City is going to have to change. Dunkin
18 Donuts said that it's going to change in
19 New York City and, because of that, it's
20 going to change everywhere in the
21 country, once it figures out how to do
22 it.

23 One of the previous witnesses
24 was asked why restaurants used it, and
25 one reason is cost, another is stability,

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2 but a big one is just habit. They're
3 using -- they've been using today
4 whatever they used yesterday. They
5 didn't have an incentive to change. But
6 New York City, maybe Philadelphia,
7 litigation, bad publicity is giving
8 restaurants an incentive. And it's
9 getting easier because the oil producers
10 are coming up with new kinds of oils.
11 Farmers are growing new oil seeds with
12 seeds that can produce oil that is more
13 stable. So that's solving some of the
14 problems that companies might have had
15 five years ago.

16 COUNCILMAN RAMOS: St. Joseph
17 University here in Philadelphia recently
18 announced also that they're going to
19 phase out the use of trans fat in their
20 cafeterias at the University, and I want
21 to congratulate and applaud St. Joseph's
22 University. And the School District of
23 Philadelphia, I sent a letter out to them
24 asking them to go in the right direction
25 and ban trans fat in their cafeterias,

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2 and I'm expecting a positive response.

3 MR. JACOBSON: That's great.

4 COUNCILMAN RAMOS: But I think
5 that the public realizes and all of us
6 are realizing that this is one of those
7 issues, one of those things that we have
8 to do, that we can debate. The smoking
9 ban was a very big debate in this town,
10 but it was the right thing to do. And I
11 travel, like my other colleagues and many
12 of us in this room, we travel in all
13 parts of the city, and I see our
14 restaurants doing just as well. Lately
15 I've seen them packed. And we know that
16 for the better good of the overall
17 population of the people, we in
18 government do have a responsibility and
19 we just cannot just say, Well, we don't
20 want to intrude. If it is for the
21 betterment of the public health of our
22 citizens, government in fact has had a
23 historical role of involvement.

24 MR. JACOBSON: One of the
25 restauranteurs in Chicago told me that

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2 she wants the Health Department coming
3 into her restaurant and looking for
4 roaches and testing the temperature of
5 the refrigerator and freezer. She says,
6 Because if they come into my restaurant,
7 I know they're going to the other guys'
8 restaurant and that makes for a level
9 playing field. And she's one of those
10 who got rid of the trans fat, and she
11 thinks it was easy for her and that every
12 restaurant can do it.

13 Compared to a smoking ban, this
14 is almost a freebie, because it's so easy
15 for restaurants to switch to healthier
16 fats and oils. And I think you asked a
17 previous witness or he said that he
18 wasn't -- he was concerned about
19 restaurants switching to other harmful
20 fats and oils, and, in fact, I don't know
21 of a single instance where restaurants or
22 food processors have not improved the
23 oils that they're using when they got rid
24 of trans. And even if they switched to
25 butter, which is promoting heart disease,

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2 or palm oil or lard, those are all better
3 than partially hydrogenated oil. You
4 can't do wrong. But the restaurant
5 industry has almost universally when they
6 switch, they go to a much healthier
7 liquid oil. For baked goods, a pie crust
8 won't work with canola oil or soy bean
9 oil. You have to use something that's a
10 harder fat. But what they've been using
11 for Oreo cookies and so on has been
12 always better than that partially
13 hydrogenated oil. We can't lose. And it
14 sounds like the only cost to the City is
15 hiring a couple more health inspectors
16 and a couple of educators, which is a
17 minimal cost considering the lives that
18 you're going to save.

19 And a companion bill, as the
20 previous witness mentioned, Councilwoman
21 Brown, I think is very important also,
22 which is menu labeling, to get calories
23 right up on the menu board so people can
24 make an informed choice. They go into
25 Starbucks, they know that this drink has

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2 600 calories. And McDonald's, they know
3 that a cheeseburger has this many
4 calories, that that will, I think, make a
5 real dent in the obesity problem that
6 affects this city and every other place
7 in the country. I would be glad to work
8 with you on that.

9 COUNCILWOMAN TASC0: Question,
10 Councilwoman.

11 COUNCILWOMAN BROWN: We welcome
12 that completely. And, again, I want to
13 go on the record thanking both you and
14 the former witness with The Food Trust
15 for your testimony, and when I hear what
16 is happening in other countries around
17 the world, then, yes, there's no reason
18 why Philadelphia can't get in line and
19 follow the leadership of New York on this
20 issue.

21 Thank you for your testimony.

22 MR. JACOBSON: Thank you.

23 COUNCILWOMAN TASC0: Thank you.

24 We appreciate your testimony. Let me
25 just ask you, how about vegetable oil?

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2 Does that --

3 MR. JACOBSON: Say that again.

4 COUNCILWOMAN TASC0: Vegetable
5 oil, are there hydrogenated fats in
6 there, vegetable oil?

7 MR. JACOBSON: There are
8 different oils. Oils like soy bean oil,
9 corn oil, canola oil, safflower oil,
10 sunflower oil, those are all perfectly
11 fine and they actually will tend to
12 reduce the risk of heart disease by doing
13 good things to the cholesterol levels.
14 There are other vegetable oils, palm oil
15 and coconut oil, that aren't as good.
16 They are better than partially
17 hydrogenated oil but not as good.

18 COUNCILWOMAN TASC0: Okay.

19 COUNCILWOMAN BROWN: Olive oil?

20 COUNCILWOMAN TASC0: Olive oil?

21 MR. JACOBSON: Olive oil is
22 certainly one of the good ones. It won't
23 be used in restaurants much because it
24 has a taste. You don't want your French
25 fries tasting of olives. And it's so

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2 expensive. And that's why most
3 restaurants won't switch to butter,
4 because it's so expensive compared to
5 canola oil or some other oil.

6 COUNCILWOMAN TASC0: Thank you
7 very much for your testimony.

8 MR. JACOBSON: Thank you. My
9 pleasure.

10 COUNCILWOMAN TASC0: We're all
11 getting an education here today.

12 Next we have Dom Giordano.

13 (No response.)

14 COUNCILWOMAN TASC0: Bonita
15 Cummings?

16 Is there anyone else here to
17 testify on this bill? Oh, here she is.
18 Okay.

19 MS. CUMMINGS: Good morning.

20 COUNCILWOMAN TASC0: Good
21 morning.

22 MS. CUMMINGS: My name is
23 Bonita Cummings. I am the Director of
24 Strawberry Mansion Community Concern,
25 elected Committeewoman, the 28th Ward,

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2 13th Division.

3 My qualifications to this issue
4 is my certification as a holistic health
5 consultant and my present studies of
6 holistic assessment at Delaware Valley
7 Naturopathic Medical Association
8 Nutritional Health Series.

9 And as it is appointed unto men
10 once to die, but after this, the
11 judgment. It is not so much the dying as
12 much as it is the quality of that dying.

13 Further, people are filling up
14 with disease and dying prematurely, and
15 God is not pleased with dying from trans
16 fats. Trans fats - hydrogenated oil
17 causes, develops, promotes or is linked
18 to heart disease, stroke, lethargy,
19 multiple sclerosis, obesity, gallstones,
20 blood sugar problems, hypertension,
21 cellulite, malnutrition and hypoglycemia.
22 Also, it builds plaque in the arteries,
23 hardening them. This hinders circulation
24 and passage of nutrients to the cells.
25 Hardening of the arteries from trans fats

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2 is a direct link, it's a direct link, to
3 the violence of the children. They can't
4 breathe. It is also the reason for the
5 high incidence of asthma.

6 That brings me to this point:
7 On the Zoning Board Alert List, from
8 January 31, 2007 to February 7, 2007,
9 there are 13 trans fat, fast food
10 applicants. That's in one week. The
11 Zoning Board will see 13 applicants, and
12 if they all pass, they will be spread
13 about this city in different corner
14 neighborhood stores.

15 Each week thereafter there is
16 at least another one to 13 applicants.
17 Remember, we only have 28 health
18 inspectors to 14,000 already restaurant
19 establishments. If this bill passes
20 through Council, it is not to take effect
21 until September 1, 2007. In the
22 meantime, the neighborhood districts,
23 particularly North, West and Southwest
24 Philadelphia, will get 20 to 50 more
25 corner stores that is causing disease and

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2 killing the residents, especially the
3 children.

4 So if we're serious about this
5 bill, No. 060958, trans fats, we have to
6 look at how the Zoning Board of
7 Adjustment is continuing to give the
8 neighborhood communities in the next week
9 more trans fat businesses.

10 Even if this bill doesn't pass,
11 we need a moratorium on trans fat
12 neighborhood corner stores right now.
13 They are pouring into Philadelphia by the
14 thousands. Why and is it necessary to
15 have neighborhoods fill up with dangerous
16 businesses?

17 Even if the bill passes,
18 enforcement for neighborhood stores will
19 be a challenge, especially since these
20 businesses presently operate above the
21 law. Trans fat oil collection in
22 neighborhood businesses is presently a
23 problem. When was the oil last changed?
24 When was it picked up, et cetera? So if
25 the Council could have some dialogue

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2 around the issue of enforcement and
3 regulation, it, too, would be most
4 appreciated.

5 Oil should never be used or
6 reused after it has once been heated. In
7 neighborhood businesses, this is done all
8 the time. It is the chemicals used in or
9 around the seed that they make the oil
10 from that causes the diseases we see in
11 our children and women, especially breast
12 cancer and heart disease, chemicals like
13 hexane, nickel, et cetera. Attached to
14 my testimony I put some pictures so that
15 you could see what a trans fat oil spill
16 looks like over the City of Philadelphia
17 streets.

18 And, again, trans fats from the
19 influx of neighborhood corner stores
20 killing or causing disease in hundreds of
21 people a day, whether this bill passes or
22 not, needs to be addressed today.

23 Thank you.

24 COUNCILWOMAN TASC0: Thank you
25 very much for your testimony.

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2 Are there any questions?

3 (No response.)

4 COUNCILWOMAN TASCO: We
5 certainly appreciate your continued
6 advocacy for the health of the citizens
7 of Philadelphia, particularly when you
8 fight for your neighbors, you fight for
9 everybody, and we appreciate that and
10 thank you for coming out to testify.

11 Councilman.

12 COUNCILMAN RAMOS:

13 Ms. Cummings, I echo the same sentiments
14 of our Chairperson, Councilwoman Tasco.
15 I was commenting to my colleague,
16 Blondell Reynolds Brown, that you sure
17 took it right to the grassroots like you
18 always do and brought some interesting
19 angles on this, like the issue of zoning,
20 how many establishments are going before
21 Zoning.

22 I'm optimistic that we're going
23 to be able to get this bill passed and I
24 sure will be calling on all my colleagues
25 to join me and the Committee to get this

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2 bill made into law, and the Zoning Board
3 will know that this law will be in effect
4 and that they need to, when they approve
5 or disapprove zoning, make sure that
6 these questions of trans fat and other
7 issues that you have been a champion of
8 for a number of years are also addressed.
9 So we appreciate -- I appreciate your
10 testimony this morning.

11 MS. CUMMINGS: Thank you. I
12 just wanted to say violence right now is
13 a major, major issue and concern. Trans
14 fats clog arteries. Blood carries
15 oxygen. And because our children cannot
16 breathe, it causes them to be very
17 agitated, and that agitation does not
18 allow for them when they leave home in
19 the morning to go to school and be
20 diligent and pay attention. And it also
21 makes them irritated when you touch them,
22 when you talk to them. They can't
23 breathe. And if you've ever seen a
24 person have an asthma attack or a person
25 that blood sugar is low or high, it

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2 appears as if they're thrashing. And
3 that's part of the problem with the
4 children. So as we address the trans fat
5 issue, it should definitely help with
6 some of the agitation of the children in
7 the City of Philadelphia.

8 Thank you.

9 COUNCILWOMAN TASC0: Thank you
10 very much.

11 What we're going to do, Toby,
12 before you come to testify, we're going
13 to go into our public meeting.
14 Councilwoman Miller has to go and we want
15 to vote this bill out of Committee. And
16 then we'll go back into the public
17 meeting, have your testimony, and then
18 Ms. Foster will come forth and end it
19 with her demonstration. Is that okay?

20 MR. RICH: Yes.

21 COUNCILWOMAN TASC0: We will
22 now go into our public meeting, and the
23 Chair calls on Councilman Ramos regarding
24 Bill 060958.

25 COUNCILMAN RAMOS: Thank you,

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2 Madam Chair. I move that Bill No. 060958
3 be reported out of Committee with a
4 favorable recommendation and further move
5 that the rules of Council be suspended to
6 permit first reading of this bill at our
7 next Council meeting.

8 (Duly seconded.)

9 COUNCILWOMAN TASC0: It has
10 been moved and seconded that Bill 060958
11 be reported out of Committee with a
12 favorable recommendation and that the
13 rules of Council be suspended so that
14 this bill will be heard at the next
15 session of Council.

16 All in favor will say aye.

17 (Aye.)

18 COUNCILWOMAN TASC0: Is there
19 any opposition?

20 (No response.)

21 COUNCILWOMAN TASC0: There
22 being no opposition, the motion is
23 carried. Thank you very much.

24 Thank you, Councilwoman Miller,
25 for coming back, but we now go back into

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2 the public hearing.

3 Mr. Toby. Thank you very much.

4 Identify yourself.

5 MR. RICH: Yes. Good

6 afternoon, Councilwoman Tasco, Councilman

7 Ramos, Councilwoman Blondell Reynolds

8 Brown. I'm Toby Rich from Scoop and I'm

9 called the "Mayor of Girard Avenue."

10 You know what? I got some

11 notes, but, you know, I want to talk from

12 my heart on this because I want to

13 commend you, Mr. Ramos, on this. You

14 know, I've recently lost my beloved

15 father to -- he had a bad heart and he

16 had like about four or five bypasses.

17 And when I talked with my brother in

18 Florida about dad's position, he was

19 saying, Tob, if dad had had a better

20 diet, things could have been a little

21 different. Dad was eating hoagies and

22 cheesesteaks and all the stuff we love

23 here in Philadelphia. And don't get me

24 wrong. I'm not knocking that stuff, but

25 I realize now that the fast foods --

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2 because I didn't just lose my father. I
3 lost quite a few friends that were 45,
4 50, 60 and losing them to heart attacks.
5 Young kids having strokes. I saw a very
6 obese young man have a heart attack, and
7 my other mother was taking care of him.
8 And to find out that all you had to do
9 was change the oil, like in an
10 automobile, change the oil.

11 Dunkin Donuts, I love their
12 doughnuts, and all they have to do is
13 change the oil. And, you know, we look
14 past something like this, but what you
15 did by bringing this to the table,
16 Councilman Ramos, is allow us to see that
17 we have a problem. If we were to fix the
18 violence problem today, this thing with
19 fats would be on the agenda, because we
20 have people dying from heart attack,
21 dying from stroke, dying from various
22 diseases from eating food. And the food
23 is wrong because the stuff that's used to
24 prepare the food is the wrong stuff.

25 I see Councilman Clarke and I

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2 want to thank him because I know this is
3 something that he would work on, because
4 there are people in his district up there
5 on Girard Avenue -- we just had Mr. Bo
6 White, an old head. Bo is 80, but we
7 ain't ready for him to die yet. He had a
8 stroke. And we're losing people.

9 And I don't want to go on long,
10 but I just want to say I want to thank
11 ya'll for bringing something to the table
12 like this. I know I've been getting real
13 corny lately, it's bothering me, but I'm
14 glad God, in his infinite wisdom, is
15 allowing me to find things that are
16 helping us as a city and getting me in
17 touch with seeing things that I saw
18 people die from and be able to bring it
19 to the table and say, Hey, you know what,
20 if we change the oil in this doughnut, if
21 we eat a bran flake instead of this other
22 stuff, if we change the oil that we use
23 to cook that cheesesteak, we might save
24 somebody's life. And if we can do that
25 right here in the City of Brotherly Love

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2 with sisterly affection, pointing kids in
3 the right direction, if we can do it
4 here, it can be done anywhere.

5 Thank you.

6 COUNCILWOMAN TASC0: Thank you
7 very much for your testimony.

8 While Ms. Foster is coming
9 forward, I'd like to recognize the fact
10 that we have a letter of testimony which
11 will be entered into the record from
12 Manuel Miraball, President and CEO of the
13 National Puerto Rican Coalition;
14 Dr. Dariush Mozaffarian, Assistant
15 Professor of Medicine, Harvard Medical
16 School; Dr. Carlos A. Camargo, Jr.,
17 Associate Professor, Harvard Medical
18 School and member of the U.S. Dietary
19 Guidelines Advisory Committee; Dr. Wahida
20 Karmally, Associate Research Scientist,
21 Director of Nutrition for The Irving
22 Center for Clinical Research, Columbia
23 University, along with numerous e-mails
24 from citizens from Philadelphia.

25 Thank you. Good afternoon.

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2 Would you proceed with your testimony,
3 Ms. Foster.

4 MS. FOSTER: Good afternoon. I
5 am grateful to Councilwoman Tasco, our
6 Chair Lady, and to Councilmembers for
7 allowing me to -- I don't have a speech
8 or a script, but I always like to show by
9 demonstrating. So I'm going to, if you
10 don't mind -- and this is lunchtime, and
11 I think since we don't have so many
12 people, I'm going to introduce now those
13 who are going to share by way of allowing
14 you to taste what we consider is easy,
15 affordable, it's tasty and it's healthy.
16 So I'm going to show how easy it is.

17 I would like for you to see one
18 of the young people whom we train who is
19 a part of one of our after-school
20 programs at Travelers Aid, the Director
21 of that program, Mr. Meltrum Monk (ph).
22 They have allowed her to leave school a
23 little early so that they could serve
24 you. Desiree Mitchell.

25 Desiree, could you just come

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2 out for a minute?

3 She made me promise that we
4 won't have her make a speech. But
5 Desiree is one of those we have certified
6 as a junior Chef in Red. And by the way,
7 I forgot to say I'm Gwen Foster with the
8 Mayor's Office of Health and Fitness.

9 And the young lady you see in
10 red with the chef's cap, that's Juanita
11 Alexander, one of our trainers out of our
12 Office of Health and Fitness. And we
13 provide training to lay people, give them
14 skills. First of all, an appreciation
15 for healthy foods, and then give them the
16 skills. That's true empowerment. And
17 then we leave them in their circles of
18 influence in the community. And we've
19 discovered with our Chefs in Red, whether
20 they are the adults or the children, the
21 communities hear them a lot better than
22 they hear me, because they figure I'm
23 paid to give these messages.

24 But we just want you to see how
25 easy it is these young people prepare

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2 these foods. We give them instruction
3 not only in nutrition principles but
4 sanitation, and they are very credible
5 and they're becoming a national --
6 they're popular nationally now. And so I
7 would like -- I don't know how we can do
8 this. Can we serve everybody in here or
9 can we --

10 COUNCILWOMAN TASCO: What we
11 will do, we will adjourn this hearing and
12 then people can just come up and be
13 served. And we thank you so much for
14 having them prepare this demonstration
15 for us. And Councilman Ramos will end
16 the session with his comments.

17 MS. FOSTER: Thank you very
18 much.

19 COUNCILMAN RAMOS: Is it trans
20 fat free?

21 MS. FOSTER: Did I fail to say
22 that? Of course. Not only -- you know,
23 there's good, better, best. There are
24 good things, there are better things, but
25 we've started our training with the best.

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2 Since year 2000, they have not used any
3 trans fats. As a matter of fact, no
4 saturated fats. As a matter of fact, no
5 animal protein. And people hardly
6 recognize the difference.

7 So I want you to see the
8 burgers that these kids put together with
9 their own style. They're extremely
10 tasty. They're oat burgers, if you will,
11 on whole grain buns. They know how to
12 make the whole thing from scratch. So
13 we've trained them with the best, zero
14 trans fats, no saturated fats, no animal
15 fats, totally healthy. And we're
16 cooperating with our colleagues in the
17 Health Department. We work together.
18 And, yes, we're prepared to give that
19 kind of training to our constituents.

20 Thank you for having us, and I
21 hope you enjoy what our Chefs in Red have
22 prepared for you.

23 COUNCILWOMAN TASC0: Thank you,
24 but I see that we had someone come in
25 briefly to make a comment.

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2 Would you come and identify
3 yourself? We're sorry. We had called
4 for other people to testify. You
5 probably just got here.

6 MR. GRASELA: Good afternoon.

7 And I apologize. I don't mean to ruin
8 lunch. My name is Wayne Grasela. I'm
9 Director of Food Services for the School
10 District of Philadelphia. With me here I
11 have Joan Nachmani, who is not only
12 Director of our Nutrition Education
13 Program at the District but also the
14 Coordinator of Dietetic Services. And I
15 wanted Councilman Ramos to acknowledge
16 the fact that the District is represented
17 here. We are in receipt of your letter.
18 Thank you very much. And that the
19 District is fully supportive of this
20 movement.

21 I do not have a prepared
22 testimony. I apologize. I did not
23 receive the notice until yesterday
24 afternoon and I could not put it
25 together. However, we intend to develop

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2 a position letter or statement and we
3 will provide it to Council to give you a
4 full understanding of what the District's
5 position is on this and the direction
6 we're going to go with this.

7 COUNCILWOMAN TASCO: Thank you
8 very much.

9 MR. GASELA: Thank you.

10 MS. NACHMANI: I would just
11 like to add --

12 COUNCILWOMAN TASCO: You are?

13 MR. NACHMANI: I'm Joan
14 Nachmani. I'm the Director of the
15 Nutrition Education Program for the
16 School District and have worked very
17 closely with the beverage policy as of
18 July 2004 and worked in actually drafting
19 a snack policy which addressed fat issues
20 as well. Unfortunately, we were a little
21 proactive or, should I say, fortunately
22 we were proactive in trying to develop a
23 snack policy and pass that through the
24 District and set snack standards, one
25 being total fat and saturated. At the

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2 time in 2004, trans fat was not in the
3 forefront of the news, and labeling
4 issues were not addressed as well with
5 trans fat content, but what I would like
6 to say is as part of our wellness policy
7 that we've established as of the
8 beginning of this school year, which was
9 mandated across the country, we have
10 rolled our beverage policy, which you're
11 well aware of, our snack policy standards
12 in there, as well as nutrition education
13 standards, health standards, physical
14 activity standards into an approved
15 policy by the District, and in that
16 policy we will review and make
17 adjustments in the snack standards with
18 total fat, saturated fat listed there as
19 seven grams or less for total fat per
20 serving, two grams or less for saturated
21 fat per serving, and hopefully make an
22 amendment in that policy for trans fats
23 as well, that we will try to eliminate
24 the use of trans fats in our wellness
25 policy and state that in the policy.

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2 COUNCILWOMAN TASC0: Thank you
3 very much. We appreciate that.

4 MS. NACHMANI: Thank you.

5 COUNCILWOMAN TASC0: You will
6 probably discuss that again when the
7 School Board comes before Council in the
8 spring.

9 MS. NACHMANI: Absolutely.

10 COUNCILWOMAN TASC0: We'll have
11 a further expounding on that.

12 MR. GRASELA: We'd be glad to.

13 COUNCILWOMAN TASC0:
14 Councilman.

15 COUNCILMAN RAMOS: Just thank
16 you for that pleasant surprise from the
17 School District of Philadelphia. And I
18 know that you work on it and make it
19 effective. We'll work together with the
20 Chair of this Committee and I on making
21 sure that whatever you need and
22 information, whatever it takes for you to
23 implement a trans fat free cafeteria in
24 our school system. Thank you so much.

25 MR. GRASELA: You're quite

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2 welcome. Thank you.

3 MS. NACHMANI: Thank you.

4 COUNCILWOMAN BROWN: I simply
5 wanted to go on record to say a huge
6 thank you to the School District for
7 taking a very aggressive position with
8 regards to the sodas in the schools and
9 just acted very aggressively in response
10 to, as I said, local bottlers who had
11 other views about this, and simply to put
12 that on the record. Thank you very much.

13 MS. NACHMANI: Thank you.

14 MR. GRASELA: Thank you.

15 COUNCILWOMAN TASC0: Thank you
16 very much.

17 There being no other testimony,
18 this hearing is adjourned.

19 (Committee on Public Health and
20 Human Services adjourned at 12:05 p.m.)

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