

Amendment __1__ to Council Bill 17-2015

BY: Calvin Ball

Legislative Day No: 8

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Amendment No. 1

(This amendment would do the following:

- 1. Delete the definition of “Food or beverage concession” and “Youth Oriented Government Facility”;*
- 2. Create a definition for “Packaged”;*
- 3. Alter the definition of “Healthy food or beverage” and “Youth-Oriented County Government Program”;*
- 4. Change the requirements for Food and Beverages on County Property;*
- 5. Change the requirements in the Howard County Healthy Food and Beverage Standards;*
 - 6. Alter the Exemptions section;*
 - 7. Delete the Pricing provision;*
 - 8. Alter the Placement section;*
 - 9. Change the Contracts section;*
- 10. Change the Monitoring and Recommendations section; and*
- 11. Change the Enforcement and Compliance section).*

On the title page, in the fifth line of the title, after “placement”, strike “, pricing, advertising, and marketing” and in the sixth line of the title, strike “Office of Purchasing” and substitute “Department of the County Administration”.

On page 1, in line 24, after “Report”, insert “to the County Administration” and strike “states” and substitute “stated”.

On page 2, in line 16 strike “SECTION” and substitute “SUBTITLE”. On the same page, in line 23, after “System”, strike the remainder of the sentence through line 24.

On page 3, strike lines 1 – 17, in their entirety and substitute the following:

1 (4) HEALTHY FOOD OR BEVERAGE OPTION MEANS ANY PACKAGED FOOD OR BEVERAGE
2 THAT MEETS THE HOWARD COUNTY HEALTHY FOOD AND BEVERAGE STANDARDS
3 AS ESTABLISHED IN SECTION 12.1801 OF THIS SUBTITLE.

4 (5) PACKAGED MEANS BOTTLED, CANNED, CARTONED, SECURELY BAGGED, OR
5 SECURELY WRAPPED, WHETHER PACKAGED IN A FOOD ESTABLISHMENT OR A FOOD
6 PROCESSING PLANT. "PACKAGED" DOES NOT INCLUDE A WRAPPER, CARRY-OUT BOX,
7 OR OTHER NONDURABLE CONTAINER USED TO CONTAINERIZE FOOD WITH THE
8 PURPOSE OF FACILITATING FOOD PROTECTION DURING SERVICE AND RECEIPT OF THE
9 FOOD BY THE CONSUMER.

10 (6) YOUTH-ORIENTED COUNTY GOVERNMENT PROGRAM MEANS ANY COUNTY-
11 SPONSORED PROGRAM DESIGNED FOR YOUTH PARTICIPATION WITHOUT PARENTAL
12 SUPERVISION, INCLUDING BEFORE AND AFTER SCHOOL PROGRAMS, RECREATION
13 PROGRAMS, AND DAY CAMPS."

14
15 On page 3, beginning in line 19, strike the remainder of the page; and continue striking
16 through line 11 on page 5, and substitute the following:

17 **"SECTION 12.1801. HOWARD COUNTY HEALTHY FOOD AND BEVERAGE STANDARDS.**

18 (A) HEALTHY BEVERAGE OPTIONS SHALL CONTAIN NO MORE THAN 40 CALORIES PER
19 PACKAGE EXCEPT:

20 (1) MILK, INCLUDING NON-FAT, OR LOW-FAT MILK, SOY MILK, RICE MILK OR OTHER
21 SIMILAR DAIRY OR NONDAIRY MILK WITH NO MORE THAN 130 CALORIES PER 8
22 OUNCES PACKAGED IN CONTAINERS NO LARGER THAN 12 OUNCES;

23 (2) PACKAGES OF 8 OUNCES OR LESS OF 100% FRUIT OR VEGETABLE JUICE OR FRUIT
24 JUICE COMBINED WITH WATER, WITH NO ADDED CALORIC SWEETENERS, AND NO
25 MORE THAN 140 MG OF SODIUM PER PACKAGE.

26
27 (b) WATER WITH NO ADDED CALORIC OR NON-CALORIC SWEETENERS MUST BE SOLD AS PART OF
28 THE TOTAL BEVERAGE OFFERINGS IN ANY BEVERAGE VENDING MACHINE ON COUNTY
29 PROPERTY.

1
2 (c) DIET DRINKS WITH NON-CALORIC SWEETENERS SHALL CONSTITUTE NO MORE THAN ONE-
3 THIRD OF THE TOTAL BEVERAGE OFFERINGS IN A VENDING MACHINE ON COUNTY
4 PROPERTY.

5
6 (d) HEALTHY FOOD OPTIONS SHALL MEET THE FOLLOWING STANDARDS:

- 7 (1) CONTAIN NO TRANS-FAT (0.5 G OR LESS PER SERVING);
8 (2) CONTAIN NO MORE THAN TWO-HUNDRED CALORIES PER PACKAGE;
9 (3) CONTAIN LESS THAN THIRTY-FIVE PERCENT OF CALORIES FROM FAT;
10 (4) CONTAIN LESS THAN TEN PERCENT OF CALORIES FROM SATURATED FAT;
11 (5) CONTAIN NO MORE THAN THIRTY-FIVE PERCENT OF CALORIES FROM TOTAL
12 SUGARS, EXCEPT FOR LOW FAT (1% OR 2%) OR NONFAT DAIRY OR NONDAIRY MILK
13 PRODUCTS, AND FRUITS OR VEGETABLES; AND
14 (6) CONTAIN NO MORE THAN TWO-HUNDRED MG OF SODIUM PER PACKAGE.
15

16 **SECTION 12.1802. FOOD AND BEVERAGES ON COUNTY PROPERTY**

17 (a) ALL PACKAGED FOOD OR BEVERAGE ITEMS, SERVED OR SOLD AS PART OF YOUTH-
18 ORIENTED COUNTY GOVERNMENT PROGRAMS, SHALL BE HEALTHY FOOD OR
19 BEVERAGE OPTIONS.

20
21 (b) ON ALL COUNTY PROPERTY, AT LEAST SEVENTY-FIVE PERCENT OF THE
22 PACKAGED FOOD AND BEVERAGE OPTIONS OFFERED IN VENDING MACHINES SHALL
23 BE HEALTHY FOOD OR BEVERAGE OPTIONS.”.

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25 On page 5, in line 14, strike “FOLLOWING ARE EXEMPT FROM THE”. And in the same line,
26 after “SUBTITLE” insert “DO NOT APPLY TO THE FOLLOWING”.

1 On page 5, in line 17, strike “EXCEPT THAT THE COUNTY SHALL ENSURE THAT PLAIN
2 DRINKING WATER IS AVAILABLE TO PATRONS FOR FREE UPON REQUEST AT THESE
3 EVENTS”. And on the same page, in line 21, strike “OR IN YOUTH-ORIENTED
4 COUNTY FACILITIES”.

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6 On page 6, strike lines 1 through 13, and substitute the following:

7 **“SECTION 12.1804. PACKAGED FOOD AND BEVERAGE PLACEMENT.**

8 (a) “ALL HEALTHY FOOD OR BEVERAGES OFFERED FOR SALE IN VENDING MACHINES ON
9 COUNTY PROPERTY MUST BE DISPLAYED IN WAYS THAT ARE EASILY VISIBLE AND
10 DISTINGUISHABLE FROM LESS-HEALTHY ITEMS.

11
12 (b) HEALTHY FOOD AND BEVERAGE OPTIONS SHALL COMPRISE AT LEAST HALF OF EACH ROW
13 OF DISPLAY SPACE IN VENDING MACHINES ON COUNTY PROPERTY SO THAT HEALTHY
14 OPTIONS ARE EASILY VISIBLE AT EVERY LEVEL.”.

15
16 On page 6, strike lines 16 through 20, and substitute:

17 “(A) IN THE ABSENCE OF ANY EXISTING BINDING CONTRACT OR AGREEMENT, ALL
18 PACKAGED FOOD AND BEVERAGES OFFERED FOR SALE IN VENDING MACHINES ON
19 COUNTY PROPERTY OR SERVED OR SOLD AS PART OF YOUTH-ORIENTED COUNTY
20 GOVERNMENT PROGRAMS, SHALL COMPLY WITH THIS SUBTITLE.”.

21 On the same page, in line 22, strike “BUSINESS” and substitute “ENTITY”.

22
23 On page 6, beginning in line 26, strike the remainder of the page; and continue striking
24 through line 17 on page 7, and substitute the following:

25
26 **“SECTION 12.1806. MONITORING AND RECOMMENDATIONS.**

27 (a) THE DEPARTMENT OF COUNTY ADMINISTRATION SHALL REVIEW THE HOWARD COUNTY
28 HEALTHY FOOD AND BEVERAGE STANDARDS AND SUBMIT A BIENNIAL REPORT (FROM THE

1 DATE OF IMPLEMENTATION) TO THE COUNTY EXECUTIVE, THE COUNTY COUNCIL AND THE
2 COUNTY BOARD OF HEALTH.

3
4 (b) THE BIENNIAL REPORT SHALL REVIEW THE HOWARD COUNTY HEALTHY FOOD AND
5 BEVERAGE STANDARDS AND MAKE RECOMMENDATIONS ON THE BEST PRACTICE NUTRITION
6 STANDARDS FOR PACKAGED FOOD AND BEVERAGES OFFERED FOR SALE IN VENDING
7 MACHINES ON COUNTY PROPERTY OR SERVED OR SOLD AS PART OF YOUTH-ORIENTED
8 COUNTY GOVERNMENT PROGRAMS AND MAY:

9 (1) DEVELOP A HEALTHY FOOD AND BEVERAGE GUIDE TO SUPPORT COMPLIANCE;

10 (2) MAINTAIN A LIST OF PRODUCTS THAT MEET THE HOWARD COUNTY HEALTHY FOOD
11 AND BEVERAGE STANDARDS AS ESTABLISHED IN SECTION 12.1801; AND

12 (3) REPORT ON THE TOP SELLING PACKAGED FOOD AND BEVERAGES SOLD BY QUARTER,
13 AS WELL AS, TOTAL REVENUES PER MACHINE OVER TIME.”.

14
15 On page 7, in line 19, immediately following “ENFORCEMENT” insert “AND
16 COMPLIANCE”. On the same page in line 20, strike “OFFICE OF PURCHASING” and
17 substitute “DEPARTMENT OF COUNTY ADMINISTRATION”.

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19 On page 7, beginning in line 22, strike the remainder of the page; and continue striking
20 through line 9 on page 8.

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22 On page 8, in line 11, strike “OFFICE OF PURCHASING” and substitute “DEPARTMENT OF
23 COUNTY ADMINISTRATION”. On the same page, in line 12, strike “RANDOM AND”.

24 Also on the same page, in lines 15 and 16, strike “REMOVAL OF FOOD OR
25 BEVERAGE CONCESSIONS OR”. Renumber the section accordingly.