

MEMORANDUM

Agenda Item No. 11(A)(30)

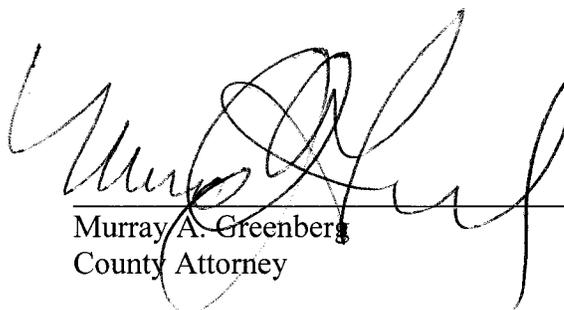
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution prohibiting
County and Public Health
Trust Employees from using
trans fats in foods prepared
by Miami-Dade County or
the Public Health Trust

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle, Commissioner Rebeca Sosa and Senator Javier D. Souto.



Murray A. Greenberg
County Attorney

MAG/dcp



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

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Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A) (30)

Veto _____

04-24-07

Override _____

RESOLUTION NO. _____

RESOLUTION PROHIBITING COUNTY AND PUBLIC HEALTH TRUST EMPLOYEES FROM USING TRANS FATS OR ANY PRODUCT CONTAINING TRANS FATS IN FOODS PREPARED BY MIAMI-DADE COUNTY OR THE PUBLIC HEALTH TRUST; DIRECTING THE COUNTY AND PUBLIC HEALTH TRUST NOT TO ENTER INTO, RENEW OR EXTEND ANY CONTRACT UNLESS THE CONTRACTOR, VENDOR, SUPPLIER OR LESSEE AGREES NOT TO USE TRANS FATS; DIRECTING COUNTY STAFF NOT TO PURCHASE PRODUCTS THAT CONTAIN TRANS FATS ON ALL EXISTING CONTRACTS

WHEREAS, trans fats are chemically-engineered cooking oils that, at high levels of consumption, have been found to increase LDL (“bad”) cholesterol and decrease HDL (“good”) cholesterol; and

WHEREAS, trans fats are found in fried foods and baked goods, including french fries, doughnuts, pastries, pie crusts, biscuits, pizza dough, snack chips, cookies, crackers, margarines, and shortenings; and

WHEREAS, trans fats harden artery walls, increasing blood pressure, and increase dangerous inflammation that can contribute to the onset of diabetes; and

WHEREAS, effective January 1, 2006, the Food and Drug Administration (FDA) required food companies to list trans fats content separately on the Nutrition Facts panel of all packaged foods, such as snack chips and cookies; and

WHEREAS, the FDA’s action has caused many food manufacturers, such as Frito-Lay, Pepperidge Farms, Country Crock, Lean Cuisine, and Kellogg’s, to reformulate their foods to be able to show that their products have no trans fats; and

WHEREAS, the American Heart Association supports regulatory efforts to reduce trans fats in packaged foods, baked goods and restaurant meals, but encourages a comprehensive “phased-in approach” to eliminating the use of trans fats, which ensures that a sufficient supply of healthier alternative cooking oils and shortenings are available to restaurants and bakeries to prevent the substitution of unhealthy alternatives; and

WHEREAS, the Miami-Dade Public Schools recently prohibited the use of trans fats in foods prepared by the Miami-Dade Public Schools beginning with the 2007-08 school year; and

WHEREAS, eliminating or reducing the consumption of artificial trans fats has the promise of substantially improving the public health, and correspondingly reducing health care costs,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Prohibits County and Public Health Trust employees from using trans fats or any product containing trans fats, in foods prepared by Miami-Dade County or the Public Health Trust in facilities such as hospitals and jails; and requires County and Public Health Trust employees to use healthier alternatives notwithstanding any other provision of this resolution.

Section 2. Directs the County and the Public Health Trust not to enter into, renew or extend any contract unless the contractor, vendor, supplier or lessee agrees as part of the contract, renewal or extension:

1. Not to use trans fats in any food provided to the County or Public Health Trust;
2. Not to sell or otherwise provide to the County or Public Health Trust prepackaged foods that contain trans fats, including cookies, crackers and snack chips;
3. Not to sell or otherwise provide to the County or Public Health Trust prepared foods that contain trans fats, including catered foods;

4. Not to make available for sale or consumption at facilities owned or operated by the County or Public Health Trust food products that contain trans fats, including prepared and prepackaged foods; and
5. To use healthier substitutes in place of trans fats in all of the above-referenced circumstances.

Section 3. Directs County staff not to purchase products that contain trans fats, and instead purchase products that contain healthier alternatives, on all existing contracts where the County has the option but not the requirement to purchase or make available products that contain trans fats.

Section 4. Urges all current County and Public Health Trust contractors, vendors, suppliers and lessees to immediately discontinue using trans fats in food they provide the County and Public Health Trust or make available for sale at facilities owned or operated by the County or Public Health Trust, including prepared and prepackaged foods, and replace trans fats and products that contain trans fats with healthier substitutes.

Section 5. Directs the County Manager to provide all County contractors, vendors, suppliers and lessees that prepare, provide, or sell products containing trans fats a copy of this resolution.

The foregoing resolution was sponsored by Commissioner Katy Sorenson, Commissioner Jose "Pepe" Diaz, Commissioner Carlos A. Gimenez, Commissioner Sally A. Heyman, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle, Commissioner Rebeca Sosa and Senator Javier D. Souto and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman
Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairman thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

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