

## MEMORANDUM

Agenda Item No. 11(A)(12)

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

**DATE:** March 4, 2008

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution urging  
Florida Legislature to  
require restaurants to post  
nutrition information

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz and Commissioner Katy Sorenson.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** March 4, 2008

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

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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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A) (12)

3-4-08

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
REQUIRE RESTAURANTS THAT HAVE TEN OR MORE  
LOCATIONS IN FLORIDA TO POST NUTRITION  
INFORMATION FOR ALL STANDARD MENU ITEMS ON  
MENUS AND MENU BOARDS

**WHEREAS**, restaurants are an important source of food for Miami-Dade County residents: an estimated one third of daily caloric intake comes from food purchased and prepared outside of the home, and this proportion is increasing; and

**WHEREAS**, assuring that our residents are informed of the nutritional facts of their dining options is a public health priority; and

**WHEREAS**, obesity is epidemic in the United States and in Miami-Dade County, and is an important risk factor for many chronic diseases including heart disease, stroke, diabetes, cancer and asthma; and

**WHEREAS**, federally mandated nutrition labeling on standardized food products for sale in supermarkets facilitates informed choice: nearly three quarters of consumers report that they look at calorie information on the Nutrition Facts Panel, and about half indicate that nutrition information affects their food choices; and

**WHEREAS**, consumers lack easily accessible information to make informed choices when eating in restaurants; and

**WHEREAS**, nutritional information provided at the time of food selection in restaurants would enable consumers to make more informed, healthier choices and can reasonably be expected to reduce obesity and the many related health problems which obesity causes; and

**WHEREAS**, cities and counties in Florida are preempted from passing legislation requiring restaurants to display nutritional information on menus and menu boards because the

State of Florida currently has exclusive jurisdiction to regulate restaurants pursuant to Chapter 509, Florida Statutes; and

**WHEREAS**, the Florida Legislature could require that restaurants display nutritional information on menus and menu boards; and

**WHEREAS**, informing the public of the nutritional information of the food that they consume 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. Urges the Florida Legislature to require restaurants that have ten (10) or more locations in Florida to post nutrition information, including calories, fat, and cholesterol, for all standard items on menus and menu boards, with additional nutritional information, such as protein, saturated fat, trans fat, carbohydrates, sodium, cholesterol and vitamins, made available, in writing, at the customer's request.

Section 2. Urges the Florida Department of Business and Professional Regulation, which has regulatory oversight over restaurants in Florida, and the Florida Department of Health to undertake meaningful regulatory and educational measures that keep the public informed as to the nutritional content of the food that they are consuming in Florida's restaurants.

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Secretary of the Florida Department of Business and Professional Regulation, and the Secretary of the Florida Department of Health.

Section 4. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above and the adoption of the initiatives set forth in Section 2

above, and directs the Office of Intergovernmental Affairs to include this item in the 2008 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Joe A. Martinez, Commissioner Jose "Pepe" Diaz, and Commissioner Katy Sorenson 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	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of March 2008. 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.

*MD*

Mandana M. Dashtaki