

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH AMENDING THE LONG BEACH  
MUNICIPAL CODE BY ADDING CHAPTER 8.17 RELATING  
TO DEFAULT BEVERAGES OFFERED WITH CHILDREN'S  
MEALS

WHEREAS, the City Council desires to promote healthy meal options for  
children and families and contribute to building a healthier community; and

WHEREAS, families in the City of Long Beach often have limited time to  
obtain and prepare healthy food, making dining out an appealing and sometimes  
necessary option; and

WHEREAS, a 2013 study of the most profitable fast food restaurant chains  
in the U.S. found that only three percent (3%) of the assessed meal combinations met the  
expert nutrition standards for children's meals; and

WHEREAS, a study in 2017 of the U.S. fast food and full service restaurant  
chains that offered children's meals found that nearly eighty percent (80%) of drink  
choices offered in kids' meals were sugar-sweetened beverages and that there has been  
an increase in calories coming from beverages in kids' meals between 2012 and 2015;  
and

WHEREAS, sugar-sweetened beverages alone make up to nine percent  
(9%) of the calories children consume daily, and evidence suggests sugar-sweetened  
beverages are linked to obesity; and

WHEREAS, obesity-related health conditions include type 2 diabetes, heart  
disease, stroke, high blood pressure, high cholesterol, certain cancers, asthma, low self-  
esteem, and depression, according to the U.S. Department of Health and Human  
Services and the Centers for Disease Control and Prevention; and

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1 WHEREAS, in Long Beach, nearly forty-one percent (41%) of children are  
2 overweight or obese and forty-four percent (44%) of Long Beach fifth graders are obese;  
3 these rates are higher than both LA County and the State of California; and

4 WHEREAS, the City Council of the City of Long Beach believes that limiting  
5 the sugary beverages offered with children's meals will contribute to the overall health  
6 and well-being of the City of Long Beach.

7  
8 NOW, THEREFORE, the City Council of the City of Long Beach ordains as  
9 follows:

10  
11 Section 1. Chapter 8.17 is added to the Long Beach Municipal Code to  
12 read as follows:

13 Chapter 8.17

14 CHILDREN'S MEALS

15  
16 8.17.010 Purpose.

17 Recognizing the dangers of childhood obesity and the connection  
18 between this epidemic and sugar-sweetened beverages, the purpose of this  
19 Chapter is to promote healthy lifestyles in the children and youth of the City  
20 of Long Beach and to combat the childhood obesity epidemic by limiting the  
21 beverages offered in meals for children and youth to healthy choices.

22 8.17.020 Definitions.

23 A. "Children's meal" means a combination of food items, or food  
24 item(s) and a beverage, sold together as a single price, primarily intended  
25 for consumption by children.

26 B. "Restaurant" means a food establishment that serves food to  
27 customers for consumption on or off premises, including fast-food and full-  
28 service dining establishments. It includes, but is not limited to, drive-

1 through or walk-up counters, coffee shops, cafes, pizza parlors, and dine-in  
2 establishments. A restaurant, for purposes of this Chapter, may provide  
3 alcoholic beverage sales for drinking on premises provided that such sales  
4 are ancillary to food service.

5 C. "Default beverage" means the beverage automatically  
6 included or offered as part of a children's meal, absent a specific request by  
7 the purchaser of the children's meal for an alternative beverage.

8 8.17.030 Default beverages in children's meals.

9 A. A restaurant that sells a children's meal that includes a  
10 beverage shall make the default beverage offered with the children's meal  
11 one of the following:

12 1. Water, sparkling water, or flavored water, with no  
13 artificial sweeteners or additives;

14 2. Nonfat or one percent (1%) milk, or non-dairy milk  
15 alternative that is under one hundred thirty (130) calories per container  
16 and/or serving offered for sale; or

17 3. One hundred percent (100%) juice, with no artificial  
18 sweeteners or additives, that is under forty (40) calories per serving.

19 B. Nothing in this Section prohibits a restaurant's ability to sell, or  
20 a customer's ability to purchase, a substitute or alternative beverage  
21 instead of the default beverage offered with a children's meal, if requested  
22 by the purchaser of the children's meal.

23 8.17.040 Inspection.

24 All restaurants shall be subject to inspections conducted on a  
25 periodic basis pursuant to Chapter 8.44 of this Code and any other  
26 applicable laws to determine whether they comply with the requirements of  
27 this Chapter.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2017, by the following vote:

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Mayor