

City of Philadelphia



(Bill No. 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.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 6 of The Philadelphia Code is amended to read as follows:

TITLE 6. HEALTH CODE.

CHAPTER 6-100. GENERAL PROVISIONS.

* * *

§6-102. Definitions.

* * *

(19.1) Food Service Establishment. A food establishment where food or drink is prepared or served for consumption either on the premises or elsewhere, including such establishments as restaurants, grills, diners, sandwich shops, dining rooms of hotels, coffee shops, cafeterias, taverns, market stalls, vending carts, vending vehicles and other similar places.

* * *

§6-307. *Foods Containing Artificial Trans Fats.*

(1) No person shall store, distribute, hold for service, use in preparation of any menu item or serve any foods containing artificial trans fat, as defined in this section, in any food service establishment except food that is served directly to patrons in a manufacturer’s original sealed package.

(2) A food shall be deemed to contain artificial trans fat if the food is labeled as, lists as an ingredient, contains or is vegetable shortening, margarine or any kind of partially hydrogenated vegetable oil, except that a food the nutrition facts label of which, or other documentation from the manufacturer, lists the trans fat content of the food as less than 0.5 grams per serving shall not be deemed to contain artificial trans fat.

City of Philadelphia

BILL NO. 060958 continued

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(3) *Food service establishments shall maintain on site either the original labels identifying the trans fat content or approved alternative documentation for all food products:*

- (a) *that are, or that contain, fats, oils or shortenings;*
- (b) *that are, when purchased by such food service establishments, required by applicable law to have labels; and*
- (c) *that are being stored, distributed, held for service, used in preparation of any menu items or served by the food service establishment.*

Documentation acceptable to the Department from the manufacturers of such food products, indicating whether the food products contain vegetable shortening, margarine or any kind of partially hydrogenated vegetable oil, or indicating trans fat content, may be maintained instead of original labels, or where original labels are not required by law.

(4) *This section shall take effect on September 1, 2007 with respect to oils, shortenings and margarines containing artificial trans fat that are used for frying or in spreads and shall take effect on September 1, 2008 with respect to all other uses of foods containing artificial trans fat.*

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

City of Philadelphia

BILL NO. 060958 continued

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City of Philadelphia

BILL NO. 060958 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on February 8, 2007. The Bill was Signed by the Mayor on February 15, 2007.



Patricia Rafferty
Chief Clerk of the City Council