



PUBLIC HEALTH ASSOCIATION OF NEW YORK CITY  
1710 First Avenue • Suite 282 • New York, New York 10128  
tel: 212-722-1063 • fax: 212-722-0726 • email: [info@phanyc.org](mailto:info@phanyc.org) • [www.phanyc.org](http://www.phanyc.org)

**PHANYC Statement for the NYC Department of Health and Mental Hygiene  
Public Hearing on Proposed amendment of Article 81 of NYC Health Code to add §81.50  
October 31, 2006**

**Good morning. My name is Amy J. Schwartz, and I am the Executive Director of the Public Health Association of New York City, an affiliate of the American Public Health Association, the national organization of public health professionals.**

**The Public Health Association of New York City, the largest and oldest independent public health organization in the city, writes in support of recently proposed amendments to Article 81 of the Health Code to (1) require restaurants to list the calorie content on menus and (2) to require restaurants to phase out *trans* fat. We support these amendments because they will help New York City to reduce the single largest cause of death, cardiovascular disease, and the fastest growing major cause of death, diabetes. These proposals will also add one more tool to New York City's efforts to reduce obesity and to reduce the unacceptably high disparities in health between better off and poor New Yorkers and between whites, on the one hand, and African-Americans and Latinos on the other.**

**The proposal for restaurants to list calorie content of food is a modest but important step in making New Yorkers aware of the high calorie content of many restaurant foods. By enabling New Yorkers to make more informed choices, the City can lend a helping hand to the many New Yorkers who want to lose weight. The proposal will affect only about one in ten restaurants but since these establishments are chains with high volume business and serve high proportions of low-income people, this targeting has a strong public health rationale.**

**The proposal to phase out artificial *trans* fat will also help to reduce cardiovascular disease and diabetes and will protect New Yorkers from a substance that has no known nutritional value. Moreover, numerous research studies over the last 12 years have shown that *trans* fats contribute to tens of thousands of premature deaths. The failure of the New York City food industry to voluntarily label or remove dangerous *trans* fats despite this evidence makes public health regulation a logical next step.**

**Critics of the proposed regulations, primarily food lobbyists and their supporters, raise two spurious arguments that we urge the Board of Health to reject. First, they suggest that the proposed *trans* fat regulation will restrict**

**New Yorkers' freedom of choice. But no New Yorker has ever ordered a portion of *trans* fat. These products were added to the food supply not to benefit consumers but to enhance food industry profits. After these regulations are in effect, New Yorkers will continue to enjoy every food now available, but without the worry that an unnecessary and hidden ingredient is harming their health.**

**Second, some critics say that since other products and practices contribute to obesity, cardiovascular disease and diabetes, why pick on *trans* fats or require caloric labeling?**

**In our view, this is like arguing that since seat belts don't prevent all car crashes, we should abandon their use. Unfortunately, no single intervention can reverse these epidemics. Rather, an accumulation of individual, community and policy steps will be needed to stem these conditions. Labeling the caloric content and phasing our *trans* fats in restaurants are two modest, low cost and effective steps for improving health. These steps will save lives, educate New Yorkers about the ongoing need to pay attention to their diet and contribute to a climate where further steps can be taken to save more lives.**

**We endorse the passage of these two amendments with enthusiasm.**

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For more information on this testimony or the Public Health Association of New York City, please contact Amy J. Schwartz, PHANYC Executive Director at (212) 722-1063 or [info@phanyc.org](mailto:info@phanyc.org) , or Nicholas Freudenberg, Distinguished Professor of Public Health, Hunter College and PHANYC President at [nfreuden@hunter.cuny](mailto:nfreuden@hunter.cuny). Please see “Nutrition and Physical Activity in New York City: Defining a Common Policy Agenda. Public Health Association of New York City,” for additional information on nutrition and physical activity at <http://www.phanyc.org/files/Nutrition%20Report%207-24.3.pdf>. Visit [www.phanyc.org](http://www.phanyc.org) .