

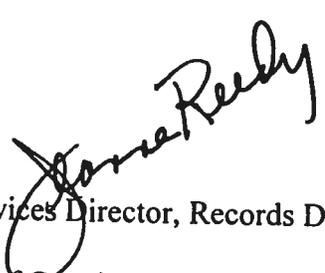
MEMORANDUM

City of Philadelphia  
Date: 2/12/10

TO: Shelly Smith, City Solicitor

FROM: Jeanne Reedy, Administrative Services Director, Records Dept.

SUBJECT: Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations



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The above Regulation promulgated by the Department of Public Health was received in the Department of Records on 1/12/10 for filing and advertising.

Inasmuch as there were no requests for hearings, this Regulation became effective midnight 2/11/10.

CC: Donald F. Schwarz, MD, MPH, Health Commissioner  
Nan Feyler, Chief of Staff  
Palak Raval-Nelson, Ph.D. Director, Environmental Health Services

Memorandum

City of Philadelphia

Date: 1/12/10

To: Donald F. Schwarz, MD, MPH, Health Commissioner

From: *Jeanne Reedy*  
Jeanne Reedy, Administrative Services Director, Records Dept.

Subject: Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations

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The above Amendment promulgated by the Department of Public Health was received in the Department of Records on 1/12/10 for filing and advertising.

If there are no requests for hearings this Amendment will become effective midnight 2/11/10.

Cc: Nan Feyler, Chief of Staff  
Palak Raval-Nelson, Ph.D. Director, Environmental Health Services

NOTICE IS HEREBY GIVEN, under Philadelphia Home Rule Charter Section Number 8-407 and 7-400 that on January 12, 2010 Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations

end.

promulgated by the Department of Public Health was filed with the Department of Records, Room 158, City Hall. Anyone affected thereby may file written request for hearing with the Department of Records within thirty (30) days from the above date.

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Joan T. Decker  
*Commissioner of Records*

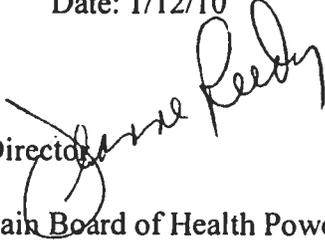
Cc: THE INQUIRER  
THE DAILY NEWS  
THE LEGAL INTELLIGENCER

Memorandum

City of Philadelphia

Date: 1/12/10

To: Toni Martinez, Advertising Supervisor

From: Jeanne Reedy, Administrative Services Director 

Subject: Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations

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The attached forms provide an exact copy of the subject for insertion in the three Philadelphia newspapers with the largest paid circulation as required under Section 8-497 of the Philadelphia Home Rule Charter.

We request that the insertion appear as soon as possible.

It will be necessary to inform the three newspapers to furnish us with a notarized original affidavit of proof of this publication within a week after it has been published.

Please acknowledge receipt of this advertisement by signing the enclosed copy of this memorandum and returning it to us.

Thank you.

Received In Procurement By: Jane C. Meekin Date: 1-13-2010

CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
OFFICE OF THE COMMISSIONER

MEMORANDUM

DATE: 1/12/2010

TO: Joan T. Decker, Commissioner, Department of Records

FROM: Donald F. Schwarz, MD, MPH, Health Commissioner (DF)

SUBJECT: Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations

In accordance with Section 6-308 (1) (c) of the Philadelphia Code, enclosed herewith are the public hearing documents in regard to the Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations.

The following procedural actions were taken.

Approved by Board of Health  
Approved by Law Department

December 10, 2009  
December 16, 2009

It is requested that the attached Department of Public Health regulation be filed for final action by the Department of Records.

This memorandum replaces the memorandum sent on January 5, 2010.

Should you require anything additional in this matter, please contact Palak Raval-Nelson, Ph.D. at 215-685-7492.

DFS/ktg

attachments

cc: Nan Feyler, Chief of Staff  
Palak Raval-Nelson, Ph.D. Director, Environmental Health Services

DEPARTMENT OF RECORDS  
2010 JAN 12 PM 1:18

228315

**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
OFFICE OF THE COMMISSIONER**

**MEMORANDUM**

**DATE:** 1/5/2010

**TO:** Joan T. Decker, Commissioner, Department of Records

**FROM:** Donald F. Schwarz, MD, MPH, Health Commissioner *DF*

**SUBJECT:** **AMENDMENTS TO THE ASBESTOS CONTROL  
REGULATIONS**

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In accordance with Section 6-308 (1) (c) of the Philadelphia Code, enclosed herewith are the public hearing documents in regard to the Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations.

The following procedural actions were taken.

Approved by Board of Health  
Approved by Law Department

December 10, 2009  
December 16, 2009

It is requested that the attached Department of Public Health regulation be filed for final action by the Department of Records.

Should you require anything additional in this matter, please contact Palak Raval-Nelson, Ph.D. at 215-685-7492.

DFS/ktg

attachments

cc: Nan Feyler, Chief of Staff  
Palak Raval-Nelson, Ph.D. Director, Environmental Health Services

2010 JAN 12 PM 1:18  
DEPARTMENT OF RECORDS

228316

**CITY OF PHILADELPHIA  
LAW DEPARTMENT**

**MEMORANDUM**

**DATE: January 4, 2010**

**TO: Donald F. Schwarz, MD, MPH, Health Commissioner**

**FROM: Martha Johnston, Senior Attorney** 

**SUBJECT: Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations**

I have reviewed the Philadelphia Board of Health's proposed Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations and find it to be legal and in proper form. In accordance with Section 8-407(a) of the Philadelphia Home Rule Charter, you may now forward the proposed Regulation to the Department of Records where it will be made available for public inspection.

Attachment

Cc: Nan Feyler, Chief of Staff  
Izzat Melhem, Acting Director, Environmental Health Services

2010 JAN 12 PM 1:18

DEPARTMENT OF RECORDS

228317



**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
OFFICE OF THE COMMISSIONER**

**MEMORANDUM**

**DATE:** 12/16/09

**TO:** Martha Johnston, Senior Attorney  
Appeals & Legislation Unit/Law Department

**FROM:** Donald F. Schwarz, MD, MPH, Health Commissioner 

**SUBJECT:** **REGULATION REGARDING DELEGATION OF CERTAIN  
BOARD OF HEALTH POWERS TO THE HEALTH  
COMMISSIONER WITH RESPECT TO MENU LABELING  
REQUIREMENTS AND VARIATIONS**

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In accordance with Section 6-308 (1) (c) of The Philadelphia Code, submitted herewith for legal review and approval is the Regulation Regarding Delegation of Certain Board of Health Powers to the Health Commissioner with Respect to Menu Labeling Requirements and Variations.

This regulation was approved by the Board of Health on December 10, 2009.

I ask that your findings be reported back to me for forwarding to the Department of Records for public inspection

DFS/ktg

attachments

cc: Nan Feyler, Chief of Staff  
Izzat Melhem, Acting Director, Environmental Health Services

DEPARTMENT OF RECORDS  
2010 JAN 12 PM 1:19

228318

CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
Board of Health

Regulation Regarding Delegation of Certain Board of Health  
Powers to the Health Commissioner

Adopted \_\_\_\_\_, 2009

**Section 1. Definitions**

*Board:* The Philadelphia Board of Health.

*Commissioner:* The Health Commissioner, or his or her designee.

**Section 2. Delegation to the Commissioner with Respect to Menu Labeling Requirements and Variations**

A. Pursuant to the authority granted to the Board in Section 6-308(1)(c) of The Philadelphia Code, and within the limits of the standards set forth in that section, the Commissioner is hereby authorized to review, on behalf of the Board, requests for variation from the requirements of Section 6-308, and to determine whether or not such variation is allowable.

B. Within 30 days of the submission of a request for variance, the Commissioner shall inform applicants in writing of his or her determination as to whether a variation of the requirements of section 6-308 will be allowed.

C. The Commissioner's determination that an applicant will not be allowed a variation from the requirements of Section 6-308 may be appealed to the Board of Health, by written application submitted to the Board within 30 days of receipt of the Commissioner's determination. The Board will make a determination within 60 days of receipt.

DEPARTMENT OF RECORDS  
2010 JAN 12 PM 1:19

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