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

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, 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

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

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.

Joan T. Decker  
Commissioner of Records

Cc: THE INQUIRER  
THE DAILY NEWS  
THE LEGAL INTELLIGENCER
Memorandum

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

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: [Signature] 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

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
December 10, 2009

Approved by Law Department
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
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

SUBJECT: AMENDMENTS TO THE ASBESTOS CONTROL REGULATIONS

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  
December 10, 2009
Approved by Law Department  
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
MEMORANDUM

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
CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE COMMISSIONER

MEMORANDUM

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

DATE: 12/16/09

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
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.