



City and County of San Francisco

Edwin M. Lee, Mayor

# San Francisco Department of Public Health

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Director of Health

## San Francisco Department of Public Health

### Policy & Procedure Detail\*

<b>Policy &amp; Procedure Title:</b> DPH Healthy Food and Food Expenditure Policy (F\$C6, GAD2)	
<b>Category:</b> Fiscal	
<b>Effective Date:</b> 9/1/15	<b>Last Reissue/Revision Date:</b> n/a
<b>DPH Unit of Origin:</b> Fiscal	
<b>Policy Contact - Employee Name and Title; and/or DPH Division:</b> Anne Okubo, Deputy Financial Officer – Food Expenditure Policy, Christina Goette - Healthy Food Policy	
<b>Contact Phone Number(s):</b> Anne Okubo, 554-2825; Christina Goette, 628-206-7630	
<b>Distribution:</b> DPH-wide <input checked="" type="checkbox"/>	<b>If not DPH-wide, other distribution:</b>

\*All sections in table required.

### 1. Purpose of Policy

The purpose of this document is to identify the guidelines for expenditures of DPH funds for food.

In addition, effective September 1, 2015, and June 27, 2016, the San Francisco Board of Supervisors adopted two ordinances (99-15, 91-16) barring City departments from using City funds to purchase Sugar Sweetened Beverages (SSBs) and requiring City departments to use their best efforts to meet nutritional guidelines for food served at City events and meetings. In light of these developments, this policy has two additional objectives:

- a. To ensure that DPH and its contractors are compliant with recently enacted legislation prohibiting the use of City funds to purchase Sugar Sweetened Beverages; and
- b. To ensure that DPH staff make their best efforts to adhere to the nutritional guidelines when purchasing food served at DPH events and meetings.

### 2. Definitions

- a. **Prepackaged Food** has the same meaning as set forth in California Health and Safety Code Section 113876 as amended.
- b. **City Meeting/City-Sponsored Event** means a meeting or event that is convened, hosted, or organized by the City, regardless of whether the meeting or event occurs on City property or whether the attendees are limited to City officials or staff.

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**The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.**

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~  
~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

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- c. **Serving** has the meaning set forth in Section 101.9(b) {J} of Title 21 of the Code of Federal Regulations as amended.
- d. **Sugar Sweetened Beverage (SSB):**<sup>1</sup> any Nonalcoholic Beverage sold for human consumption that has one or more added Caloric Sweeteners and contains more than 25 calories per 12 ounces of beverage. Notwithstanding the foregoing sentence, it does NOT include any of the following:
- Milk;
  - Milk alternatives, including but not limited to non-dairy creamers or beverages primarily consisting of plant-based ingredients (such as soy, rice or almond milk products), regardless of sugar content;
  - Any beverage that contains solely 100 percent Natural Fruit Juice, Natural Vegetable Juice, or combined Natural Fruit Juice and Natural Vegetable Juice;
  - Any product sold for consumption by infants, which is commonly referred to as “infant formula,” or any product whose purpose is infant rehydration;
  - Medical Food;
  - Any product designed as supplemental, meal replacement, or sole-source nutrition that includes proteins, carbohydrates, and multiple vitamins and minerals;
  - Any product sold in liquid form designed for use as an oral nutritional therapy for person who may have a limited ability to absorb or metabolize dietary nutrients from traditional food or beverages;
  - Any product sold in liquid form designed for use for weight reduction.

### 3. Policy

#### a. Expenditures

Expenditure of DPH funds for food is allowed if food is served for a business purpose.

Allowable Expenditures:

1. Food provided to clients for a legitimate client benefit or purpose (e.g. vouchers for groceries, food provided to clients, client incentives, etc.).
2. Food provided to employees or others during a business event such as:
  - a. All-day event or an event where the location or the schedule of the event does not allow a recess for a meal or attendees cannot access food (e.g. conference, retreat, workshop, etc.).
  - b. Special purpose events or events that do not occur frequently such as quarterly or annual events where there is no opportunity for attendees to access food (e.g. staff training event, program-wide meeting, technical review panels etc.).

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<sup>1</sup> Sugar Sweetened Beverage definition excerpted from Ordinance 99-15, available at <http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances15/o0099-15.pdf> and attached to this policy. This Ordinance is codified within San Francisco’s Administrative Code, Chapter 101.

3. Food provided to employees or others working on behalf of DPH during an emergency or critical incident (e.g. city disaster response, system failure, etc.).

Expenditures That Are Not Allowed:

1. Food provided to employees or others during routine events such as weekly or monthly meetings, staff meetings, routine training, etc.
2. Food provided to employees or others when a recess for a meal break has been provided or attendees have access to food (e.g. training that allows an employee a one hour break between the morning and afternoon sessions).
3. Food served for an entertainment purpose (e.g. staff celebrations, parties, etc.).
4. Food provided to a contractor or vendor as an incentive or reward for services provided.
5. Alcoholic beverages, sugar sweetened beverages, or other food items prohibited by city ordinances.

- b. Food and Beverages for DPH meetings and events.** Please see attached flow chart. In accordance with Ordinances 99-15 and 91-16 outlining requirements for foods and beverages purchased with City funds:

- 1. The Department of Public Health (DPH) and its contractors may not use City Funds to purchase SSBs.** Effective September 1, 2015, San Francisco Ordinance 99-15 prohibits all City Departments, including DPH, from using City funds to purchase Sugar Sweetened Beverages. Further, it bars the sale, provision or distribution of Sugar Sweetened beverages under a City contract or grant, thereby extending the prohibition to DPH contractors and grantees.

Employees should refer to San Francisco Administrative Code Chapter 101 for exemptions, waivers, exclusions, and enforcement parameters. An important exclusion is for the purchase of SSBs for DPH patients in cases where a “medical professional has determined that providing such beverages is part of the appropriate course of treatment for the patient.”<sup>2</sup>

- 2. The Department of Public Health may not serve SSBs at any DPH-sponsored event or at any event held on DPH property.** In accordance with Ordinance 99-15, Sugar-Sweetened Beverages may not be served at any DPH-sponsored event or any event held on DPH property, including, but not limited to, meetings, gatherings, and conferences.
- 3. The Department of Public Health must use its best efforts to ensure that all foods and beverages served at City Meetings or City-Sponsored Events and purchased using City funds meet the nutritional standards in section 4b below.**

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<sup>2</sup> See Ordinance 99-15.

#### 4. Procedures

##### a. Expenditures

1. The requesting program must identify budgeted funds to pay for food expenditures in advance of the purchase of food.
2. A purchase order must be set up with a compliant city vendor in advance of purchasing food; or follow other city purchasing procedures. Or an employee must have advance authorization to purchase food in order to be reimbursed for food expense.
3. The food expenditure must be reasonable (e.g. quantity of food purchased is consistent with the number of attendees, per unit cost is reasonable, type of food that is served is reasonable, etc.).
  - i. The cost of food per attendee must not exceed the maximum federal GSA per diem rates. Maximum per diem rates per person for San Francisco as of May 2016 are:
    - Breakfast \$17; lunch \$18, dinner \$34.
4. Supporting documentation demonstrating the business purpose of the food expenditure must be provided (e.g. purpose of event, number of attendees, location, duration, cost per attendee, invoice or receipt, etc.).

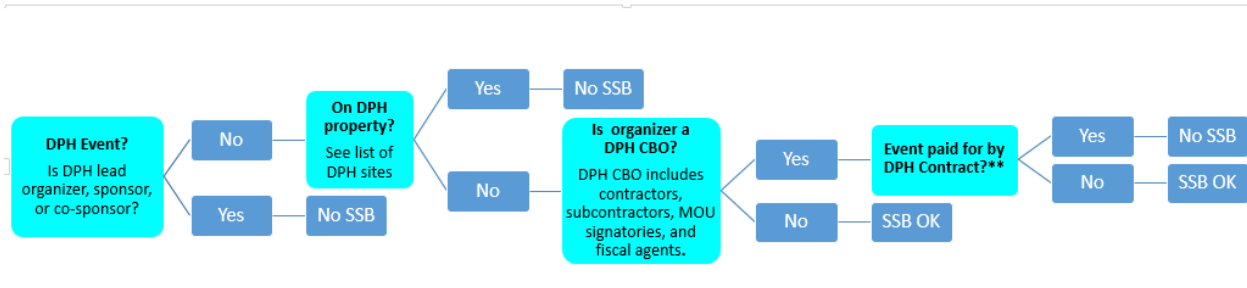
##### b. Food and Beverages for DPH meetings and events

1. Sugar-Sweetened Beverages
  - i. DPH employees that order, authorize or purchase refreshments for any purpose must ensure that SSBs are not purchased:
    - a) with DPH funds, regardless of origin; OR
    - b) for a DPH event/any event held on DPH property.
  - ii. The DPH SSB policy enforcement staff must ensure that all DPH contractors are made aware of this policy.
2. Healthy Food: DPH employees that order, authorize, or purchase refreshments for any purpose must use their best efforts that ensure that all foods and beverages served at City Meetings or City-Sponsored Events and purchased using City funds meet the nutritional standards outlined in Ordinance 91-16.

#### 5. References

- a. Controller's Policies and Procedures.
- b. [Ordinance 99-15 re: Sugar Sweetened Beverages](#)
- c. [Ordinance 91-16 re: Prepackaged foods](#)

### 1. DPH SSB Purchase Policy



\*\* Purchase restriction applies to any DPH funds, regardless of origin.