



## Legislation Text

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File #: 180133, Version: 0

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180133  
ORIGINAL

ALD. RAINEY

An ordinance relating to healthy food standards for convenience food stores.  
68-25 cr

This ordinance shall mandate requirements for convenience food stores to stock and maintain staple food items from all major food groups based on USDA nutritional guidelines.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 68-25 of the code is created to read:

### **68-25 . Healthy Foods Required at Convenience Food Stores.**

1. INTENT. It is the intent of the common council, in the interest of public, health, safety and welfare, to ensure that convenience stores in the city of Milwaukee provide a certain minimum level of healthy food.
2. DEFINITIONS. In this section:
  - a. "Accessory food item" means a non-staple food item, such as coffee, tea, cocoa, carbonated and non-carbonated drink, candy, condiment, or spice.
  - b. "Convenience food store" has the meaning provided in s. 68-1-12.
  - c. "Staple food" means a food item intended for home preparation and consumption, including meat, poultry, fish, bread, and breadstuffs, cereals, vegetable, fruit, fruit or vegetable juice, and dairy product.
3. HEALTHY FOODS REQUIRED. Each convenience food store shall offer the following food items for home preparation and consumption on a continuous basis:
  - a. Milk: 5 gallons of unsweetened, unflavored, fluid cow's milk in up to a gallon or half-gallon containers in any combination of at least 2 of the following varieties: skim or nonfat, 1%, or 2%, or "plain" or "original" soy milk or other milk alternatives.
  - b. Cheese: 6 pounds of cheese in packages of at least one-half pound (8 oz.) each, in any combination of at least 3 varieties, not including processed cheese products.
  - c. Eggs: 6 containers of one dozen fresh large-size eggs or 12 half dozen fresh large size eggs.
  - d. Meat and vegetable proteins sources: At least 3 varieties of meat, poultry, and canned fish packed in water, or vegetable proteins such as nut butter or tofu. Nut butters may be up to 18 oz. in size and are not to contain any other food product such as jelly, jam, chocolate or honey.
  - e. Fruits and vegetables: 30 pounds to 50 pounds total of fresh or frozen fruits and vegetables that do not contain added ingredients, such as sweeteners, salt, sauces, or seasonings, in at least

7 varieties, with at least 5 varieties that are fresh and perishable, and with no more than 50% of the total selection being from a single variety.

- f. Juice: 6 containers of any combination of the following, as long as at least 2 containers are 100% citrus juice (orange, grapefruit or orange/grapefruit) in any combination of the following types:
    - f-1. 11 to 12 oz. containers of pure and unsweetened frozen or non-frozen concentrate 100% juice
    - f-2. 59 oz. or larger containers of pure and unsweetened 100% juice.
  - g. Whole grain cereal: 4 boxes or bags 12 oz. or larger of whole grain cereal or cereal grains in any combination of at least 3 varieties.
  - h. Whole grains: 5 pounds of whole grains of at least 3 varieties such as bread, corn tortillas, brown rice or oatmeal.
  - i. Canned beans: 192 oz. of canned beans or legumes in any combination of at least 3 varieties.
  - j. Dried peas or beans, lentils: 4 packages, up to 16 oz. in size of dried beans, peas or lentils without any added ingredients.
4. EXEMPTIONS. The following shall be exempt from the requirements of this section:
- a. Any convenience food store located in a downtown zoning district as enumerated in s. 295-701.
  - b. Convenience food stores located in a shopping center as defined in s. 295-201-549.
5. PENALTY. Any person violating this section shall be subject to a Class D penalty provided under s. 61-10.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

Kari B. Gipson  
LRB 170665-1  
04/25/2018