



Ankin Law Office LLC

Protecting the Rights of Injured Workers

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San Francisco Bans Popular McDonald's "Happy Meal"

The city of San Francisco has effectively banned McDonald's "Happy Meal." The city's Board of Supervisors passed an ordinance on November 2, 2010 requiring that meals that include toys with their purchase, like the popular Happy Meal does, meet specific **nutritional guidelines**. Since the Happy Meal currently does not meet such nutritional requirements, it is effectively banned from the McDonalds restaurants throughout the city.

The ordinance, which will take effect in December 2011, requires that meals that include toys have less than 600 calories, less than 640 milligrams of sodium and less than 35% of calories from fat (with less than 10% from saturated fat). The meal must also include at least a half cup of fruit or three-quarters of a cup of vegetables.

Supporters of the ordinance believe that it could be an extra incentive for other restaurants – not just McDonalds – to offer healthy food options to children. They hope that if children are told that they can get a toy with the healthier option, they will choose that meal.

In support of the ordinance, the Board of Supervisors cited a study recently released by Yale University's Rudd Center for Food Policy and Obesity, which examined 12 popular restaurant chains and found that only 12 out of more than 3,000 kids' meals met the nutritional guidelines for preschool-aged children.

According to the study, the **fast food industry** spent \$4.2 billion on advertising in 2009, with approximately 40% of preschool-aged children asking to go to McDonald's on a weekly basis and 15% on a daily basis. The study revealed that 84% of parents admitted that their children had eaten at fast food restaurant at least once in the past week.

Not surprisingly, McDonald's expressed disappointment in the ordinance. "Parents tell us it's their right and responsibility — not the government's — to make their own decisions and to choose what's right for their children," said McDonald's spokeswoman Danya Proud.

Others are also skeptical of the likelihood that the ordinance will be successful in achieving its intended goal of combatting childhood obesity and promoting healthy eating. There are many causes of childhood obesity, including genetics and sedentary lifestyle and banishing certain foods or meals can have the unintended consequence of making them even more appealing to children.

Mayor Gavin Newsom vetoed the ordinance shortly after it was passed, but since the ordinance passed by an 8-3 vote, the Board of Supervisors is expected to overrule his veto.

McDonald's is expected to dispute the legality of the ordinance but so far it has denied to comment on any **potential legal action**.

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