



**NAMA Member Legislative Alert**  
**October 30, 2009**

**Federal Issues:**

**Pelosi Healthcare Bill Includes Calorie Disclosure**

Legislation unveiled on Thursday by House Speaker Nancy Pelosi (D-CA) includes draft language which will require disclosure of calories for food and beverages sold in vending machines. Language requires that:

“In the case of an article of food sold from a vending machine that— does not permit a prospective purchaser to examine the Nutrition Facts Panel before purchasing the article or does not otherwise provide visible nutrition information at the point of purchase; and is operated by a person who is engaged in the business of owning or operating 20 or more vending machines, the vending machine operator shall provide a sign in close proximity to each article of food or the selection button that includes a clear and conspicuous statement disclosing the number of calories contained in the article.”

This one sentence is included in the U.S. House Rules Committee 1,990 page bill, and is identical to draft language in the U. S. Senate. If passed, the Secretary of Health and Human Services will begin to create rules on how such disclosure will take place. For additional information contact Ned Monroe at [nmonroe@vending.org](mailto:nmonroe@vending.org)

**NAMA Estimates Calorie Disclosure to Cost Vending Industry \$56.4 Million**

As federal requirements that the vending industry disclose calorie counts for all food and beverage products advance in the U.S. Congress, the Congressional Budget Office (CBO) is preparing cost estimates of this new regulation. To prepare their figures, the CBO requested that NAMA also estimate costs. This week, NAMA estimated that the first year start-up cost to comply with basic disclosure would be \$56.4 million. Disclosure costs increase dramatically if Congress imposes additional requirements. NAMA continues to lobby Congress on this regulation. For additional information contact Ned Monroe at [nmonroe@vending.org](mailto:nmonroe@vending.org)

**Federal Soft Drink Tax Not Yet Included in Healthcare Legislation**

Neither the U.S. House nor Senate versions of healthcare reform legislation include a much discussed new federal excise tax on sugar sweetened beverages. At this point, there does not appear to be sufficient votes to pass the \$10 billion per year tax. However, NAMA remains concerned that an amendment may be offered on the floor of the Senate to impose this tax to help fund healthcare reform. If you would like to email your Senators to oppose any sugar sweetened beverage tax, you can use NAMA's new government affairs web site [www.NAMAVoice.com](http://www.NAMAVoice.com). For additional information contact Ned Monroe at [nmonroe@vending.org](mailto:nmonroe@vending.org) Also as a reminder, you can track NAMA's breaking legislative news on our weekly newsletter posted on the NAMA Government Affairs Legislative News web page at <http://www.vending.org/government/bulletins.php>

### **NAMA-PAC Collecting Prior Authorizations**

NAMA has an active federal Political Action Committee which is used to support the election of U.S. House and Senate candidates who support the legislative agenda of the industry. Under Federal Election Commission regulations, NAMA cannot talk to member companies about your NAMA-PAC until you sign a NAMA-PAC Prior Authorization form. To learn more about your NAMA-PAC, to learn how it helps elect members of Congress, or to learn how you can donate to support your NAMA-PAC contact Ned Monroe at [nmonroe@vending.org](mailto:nmonroe@vending.org) to request your NAMA-PAC Prior Authorization Form. We must receive your signed authorization before we can ask you or your co-workers for a donation or to explain how NAMA-PAC helps protect and advance the industry.

### **State Issues:**

#### **New York: 5-Cent Deposit Collected on Bottled Water Beginning October 31st**

A federal judge issued an order on October 23<sup>rd</sup> lifting an injunction on an expansion of the state's bottle bill. Beginning October 31<sup>st</sup>, a five-cent deposit will be imposed on all containers of water under a gallon, as beer and soda containers have had for years. Judge Deborah A. Batts, of the U.S. District Court, said the new deposits would result in more recycling and less litter. The Food Industry Alliance of New York State, a trade group representing groceries, has said the expansion will increase the cost of a 24-pack of water by \$2. Governor Paterson issued a statement on Friday saying that 80 percent of unclaimed deposits would go to the state as much-needed revenue. For more information contact Pam Gilbert at [pgilbert@vending.org](mailto:pgilbert@vending.org).