



RAMW

Restaurant Association Metropolitan Washington

Dine Out ★ Dine Often ★ Dine Deliciously

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PUBLIC HEARING

**COMMITTEE ON
HUMAN SERVICES**

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SANDRA (SANDY) ALLEN
CHAIRPERSON**

TESTIMONY

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RESTAURANT ASSOCIATION
METROPOLITAN WASHINGTON**

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Good Morning Chairperson Allen, Members and Staff of the Committee on Human Services. My name is Lynne Breaux and I am Executive Director of the Restaurant Association Metropolitan Washington (RAMW.) RAMW is a trade association representing over 500 restaurants and food service-related industries in metropolitan Washington, DC and is a state affiliate of the National Restaurant Association. DC restaurants have contributed approximately \$160 million in sales tax alone to DC coffers in 2002, not to mention the multiple license fees and taxes paid by the hospitality industry. DC restaurants employ approximately 28,000 workers. Our membership runs the spectrum from large operations to small businesses.

Thank you for giving us the opportunity to testify here today. Economically, logistically and philosophically RAMW opposes proposed bill 15-0387. The DC restaurant industry is one of the major factors in DC's current renaissance and is on the cusp of national and international culinary greatness. Our restaurants have been garnering well-deserved press and accolades for their high gastronomic quality and diversity and for that we thank the committed restaurateurs of our community. But instead of attempts to make it an easier place for the industry to do business, the Council is now introducing legislation that will make doing business in DC increasingly difficult with more regulations and economic hardships.

Restaurant operators have stated that they will not venture into DC if this bill is passed. It creates an economic barrier to DC benefiting border jurisdictions and jobs will mostly likely be lost. This bill affects service stations, convenience stores, street vendors, as well as fine dining venues. A partial list of this bill's opposition coalition includes: Darden Restaurants, Inc: Red Lobster, Olive Garden, Bahama Breeze and Smoky Bones, Cracker Barrel Old Country Stores, Inc., District of Columbia Soft Drink Association, Food and Beverage Wholesalers, Food Marketing Institute, Greater Washington Board of Trade, Grocery Manufacturers of America, Hotel Association of Washington, DC, International Franchise Association, McDonalds, NRA, Ruth's Chris Steak House, Washington Maryland Delaware Service Station and Automotive Repair Association, Yum! Brands, which include A & W, KFC, Long John Silver, Pizza Hut and Taco Bell.

Passage of this bill would create yet one more hurdle to businesses already struggling with a flat economy and a difficult regulatory environment, disabling not only to the hospitality industry but also to the city. The cost of implementation, execution, additional employee training on the analysis of all food and beverage as required by this bill will be extensive and expensive to a restaurant or like business. There is problematic logistical application; fat

content differs based on meat temperature preference, etc. Who will implement and enforce this new law?

The legislation will create substantial additional burdens in regulation and enforcement to the restaurant industry and to the District government. Liability associated with this bill is disastrous with potential lawsuit ramifications resulting if a spoonful, more or less, of an ingredient is inadvertently altered from the recipe during prep. Since the legislation also calls for the posting of unspecified nutritional data, the legal quagmire is sure to be deep.

Restaurants were exempted from the 1990 Nutrition Labeling Act primarily due to the fact that 70% of all restaurant orders are customized. The majority of the menu analyses would be inaccurate and thus the public would be misinformed. The problems of obesity have not receded despite the mandated posting of nutritional content of packaged goods.

The definition in the legislation is vague, it discouraging restaurant ownership, and discriminates amongst like businesses. The statements that this legislation is “just for chains” is belittling to the hard working employees of restaurant groups of 10 or more and remember, chains are owned by franchisees and by Moms and Pops, too. Many of our countries’ finest restaurants are included in this category and their customers can forget mouth-watering menus with enticingly appetizing descriptions, replaced instead with in your face: calorie counts, grams of saturated fat plus trans fat, grams of carbohydrates and milligrams of sodium. Whew, how attractive is that on a menu, for both food and for beverage?

Please see attached prototype menus prepared by the Maine Restaurant Association, which recently defeated this type of proposed legislation and note that for just root beer alone, there are extensive wordy explanations to inform the public of the hazards of imbibing that soda! Proponents of menu labeling play a shameful blame game disparaging restaurants, our civil liberties, freedom of choice, personal responsibility and the pleasurable drinking, dining experience.

Neither obesity nor fitness can be legislated. According to National Restaurant Association (NRA) statistics, 76% all meals are consumed in the home and nutrition labeling is not a solution to the complex problem of obesity. RAMW and NRA recommend and advocate education not increased regulations.

Again, thank you Mrs. Allen for allowing us the opportunity to testify today.