


*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
199-37 (LS)	Committee on Maritime Transportation, Air Transportation, Parks, Tourism, Higher Education and the Advancement of Women, Youth, and Senior Citizens by request of I Kongressun Manhoben Guåhan, the Guam Youth Congress, in accordance with 2 GCA §7102.	AN ACT TO <i>AMEND</i> § 23101 AND TO <i>ADD</i> A NEW § 23110, BOTH OF CHAPTER 23, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SUGARY DRINKS.	10/31/23 11:34 a.m.						

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2023 (FIRST) Regular Session**

**Bill No. 199-37 (LS)**

**Introduced by:**

Committee on Maritime  
Transportation, Air  
Transportation, Parks, Tourism,  
Higher Education, and the  
Advancement of Women,  
Youth, and Senior Citizens. 

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by request of *I Kongressun  
Manhoben Guåhan*, the Guam  
Youth Congress, in accordance  
with 2 GCA § 7102.

**AN ACT TO AMEND § 23101 AND TO ADD A NEW § 23110,  
BOTH OF CHAPTER 23, TITLE 10, GUAM CODE  
ANNOTATED, RELATIVE TO SUGARY DRINKS.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Title.** This Act shall be known as the *Sugary Drink Portion Cap*  
3 *Act*.

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
5 obesity is a significant contributory factor to Guam's leading causes of death and  
6 disability, including cardiovascular disease, stroke, diabetes, and other metabolic  
7 comorbidities. As per a 2022 report from the Centers for Disease Control and  
8 Prevention (CDC), the current obesity rate in Guam is 30-35%. Other lifestyle  
9 factors, especially regular exercise, are not practiced frequently enough amongst  
10 Guam's population to negate the effects of excessive sugary drink consumption.

1            *I Liheslaturan Guåhan* also finds that a lack of regulation regarding the sale  
2 of sugary drinks in the food and beverage industry contribute to Guam’s obesity rate.  
3 Consumers typically purchase the largest available beverage size due to perceived  
4 savings and better value, increasing the amount of added sugars consumed on a daily  
5 basis.

6            *I Liheslaturan Guåhan* recognizes that this lack of regulation within the food  
7 and beverage industry has contributed to these high obesity rates and may be  
8 resolved by implementing restrictions on the portion sizes of sugary drinks.

9            *I Liheslaturan Guåhan* further recognizes the complexity of this public health  
10 issue, understanding that a comprehensive strategy is necessary to reduce obesity,  
11 and will not be solved by reducing the portion size of sugary drinks served in the  
12 food and beverage industry alone. Other efforts, including consumer education on  
13 calorie consumption, promotion of healthy diets and physical activity, increasing  
14 healthy food access, and personal lifestyle changes are also necessary to reduce the  
15 obesity risk in Guam.

16            Therefore, it is the intent of *I Liheslaturan Guåhan* to limit the size of sugary  
17 drinks that may be sold, thereby reducing added sugar consumption in the food and  
18 beverage industry and reducing the risk of preventable diseases in the interests of  
19 public health.

20            **Section 3.** § 23101 of Chapter 23, Title 10, Guam Code Annotated, is  
21 *amended*, to read:

22            “(h) *product contact surface* means any surface of the vending machine,  
23 appurtenances or containers which comes into direct contact with any food, beverage  
24 or ingredient; ~~and~~

25            (i) *new* as used in reference to new eating and drinking establishments applies  
26 to eating and drinking establishments constructed or machines or equipment  
27 installed after the effective date of this Chapter;

1        (j) sugary drinks mean drinks that have added sugars, including soda,  
2 sweetened iced tea, sports drinks, energy drinks, fruit punch and other fruit-flavored  
3 drinks. Seltzers, sugar-free drinks, diet drinks, sweetened flavored milk and 100%  
4 juice are not included under the definition; and

5        (k) self-service refers to instances where customers have access to the  
6 resources to provide service to themselves without a service representative’s direct  
7 action. These would include open tap soda fountains, vending machines, and other  
8 sugary drink self-service portion of an eating and drinking establishment as well as  
9 food service establishments.”

10        **Section 4.** A new § 23110 is added to Chapter 23 of Title 10, Guam Code  
11 Annotated, to read:

12        **“§ 23110. Limit on Drink Portions.**

13        (a) Eating and drinking establishments and vending machines are not  
14 permitted to sell sugary drinks that are larger than seventeen (17) fluid  
15 ounces.

16        (b) Food service establishments and eating and drinking establishments shall  
17 not allow the use of cups larger than seventeen (17) fluid ounces when  
18 the customer is to use that cup for self-service.

19        This section shall not apply to sugary drinks sold for medical purposes and  
20 bottled drinks sold for carry-out.”

21        **Section 5. Effective Date.** This Act *shall* become effective on January 1,  
22 2025.

23        **Section 6. Severability.** If any provision of this Act or its application to any  
24 person or circumstance is found to be invalid or inorganic, such invalidity shall not  
25 affect other provisions or applications of this Act that can be given effect without  
26 the invalid provision or application, and to this end the provisions of this Act are  
27 severable.