



American Beverage Association v. City and County of San Francisco (N.D. Cal.)

Topics Covered: Public Health

Outcome: Neutral

Issue

The issue in this case was whether a San Francisco ordinance requiring warning labels on advertisements for sugar-sweetened beverages (SSBs) is constitutional.

AMA Interest

The AMA is committed to combatting the negative health impacts of SSBs, including through warning labels and restrictions on marketing.

Case Summary

This case represents a multi-year battle between San Francisco and SSB manufacturers, retailers, and advertisers. In 2015, San Francisco passed a law requiring a warning label on advertisements for SSBs to alert the public about the negative health impact of excess sugar.

The plaintiff groups successfully challenged the ordinance, arguing that the warning label requirements unduly burdened their speech. San Francisco then amended its ordinance in an attempt to comply with the prior ruling by the Ninth Circuit, and the plaintiff groups were again challenging the law.

Subsequently, San Francisco repealed its ordinance requiring the warning label on SSBs. On September 10, 2021, the district court granted the parties' joint stipulation to dismiss the case in light of the repeal.

Litigation Center Involvement

The Litigation Center, along with several other public health and nutrition groups, filed an *amicus* brief in support of the San Francisco ordinance.

United States District Court for the Northern District of California Brief