



# Williams v. City of Philadelphia (Pa. S.Ct.), 164 A.3d 576 (Commw. 2017)

Topics Covered:      Sugar-Sweetened Beverages

## Issue

The issue in this case was whether a tax imposed by the City of Philadelphia on the wholesale distribution of sugar-sweetened beverages (SSBs) is valid.

## AMA Interest

The AMA believes SSBs are a burden on public health, and the public should be educated about the dangers they impose. The AMA supports taxes on SSBs.

## Case Summary

Several beverage groups, including the American Beverage Association, the Pennsylvania Beverage Association and the Pennsylvania Food Merchants Association, challenged the PBT as unlawful. They alleged that state and federal laws preempt Philadelphia's right to impose the PBT. The trial court dismissed the complaint in its entirety and upheld the tax as a valid exercise of the City's authority.

The plaintiffs appealed the dismissal order to the Commonwealth Court of Pennsylvania, and the dismissal was upheld. The plaintiffs appealed again, this time to the Pennsylvania Supreme Court.

## Litigation Center Involvement

The Litigation Center, along with the Pennsylvania Medical Society, the Philadelphia County Medical Society, and several other public health organizations (led by the American Heart Association), filed *amicus* briefs in the Commonwealth Court and the Supreme Court to support the tax. The briefs highlighted the harmful effects of SSB consumption.

Pennsylvania Supreme Court brief

Pennsylvania Commonwealth Court brief