

# NYC appeals ruling striking down soda size limit

28 March 2013

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(AP)—New York City is asking appeals judges to reinstate a ban on supersized sodas and other sugary drinks.

The city had vowed an appeal and said Thursday that lawyers had filed it late Monday. A Manhattan judge struck down the first-of-its-kind measure March 11, a day before it was to take effect.

The rule would prohibit many eateries from selling high-sugar drinks in more than 16-ounce portions. City officials say it will combat obesity.

Beverage makers and sellers say the rule is unfairly arbitrary because it would exempt some high-calorie drinks and some retailers, including supermarkets and [convenience stores](#). The critics also say the city Board of Health overstepped its authority in passing the ban.

The trial court judge agreed.

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