S T A T E O F N E W Y O R K

6318

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Health

AN ACT to authorize the commissioner of health to develop a plan for voluntary reduction or elimination in the use of trans fat in various food service providers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Voluntary trans fat reduction or elimination program. 1. The commissioner of health is hereby authorized to develop a voluntary trans fat reduction or elimination program. For purposes of this section, "trans fat" means a specific type of fat formed when liquid fats are made into solid fats by the addition of hydrogen atoms, in a process known as hydrogenation. Such program shall consist of two main components: a public information campaign and a protocol for voluntarily reducing or eliminating the use of trans fats in foods prepared by:

a. food service establishments, including: restaurants, bars, membership organizations, fraternal organizations, and private clubs, excepting establishments licensed pursuant to section 64-a of the alcoholic beverage control law, that are not regulated by the department of agriculture and markets; and

b. any institution under the jurisdiction of the department of health including, but not limited to: public schools, hospitals, nursing homes, and adult and child daycare facilities.

2. The public information campaign shall be developed, in consultation with the department of education, to provide public service announcements, website sources and educational brochures about the health risks associated with trans fat in foods.

3. The commissioner of health, in consultation with the commissioner of education, shall include in the department of health's annual report not later than December 31, 2010, a report assessing the success of the voluntary trans fat reduction or elimination program. Such report shall

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09906-01-9

contain an evaluation of the effectiveness of the voluntary reduction or elimination program in reducing or eliminating the use of trans fat in prepared foods sold or provided in New York state, and any recommendations relating thereto. Such report shall be submitted to the governor, the temporary president of the senate, the speaker of the assembly, and any appropriate committees of the legislature concerned with nutritional standards and health in New York state.

S 2. This act shall take effect immediately. The commissioner of health is authorized and directed to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.