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

200

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to disclosure of the ingredients and nutritional information of foods offered for sale in fast food restaurants

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

Section 1. The general business law is amended by adding a new article 30-B to read as follows:

ARTICLE 30-B

FAST FOOD RESTAURANTS

SECTION 645. DISCLOSURE OF FOOD INGREDIENTS AND NUTRITIONAL INFORMATION BY FAST FOOD RESTAURANTS.

S 645. DISCLOSURE OF FOOD INGREDIENTS AND NUTRITIONAL INFORMATION BY FAST FOOD RESTAURANTS. 1. AS USED IN THIS ARTICLE, "FAST FOOD RESTAURANT" MEANS ANY FRANCHISED OUTLET OF A RESTAURANT CHAIN THAT DERIVES THIRTY PERCENT OR MORE OF ITS BUSINESS FROM THE SALE OF PREPARED, READY TO EAT FOOD, WHICH IS SERVED IN A CONTAINER OR WRAPPER AND IS CONSUMED ON THE PREMISES.

2. UPON REQUEST, A FAST FOOD RESTAURANT SHALL MAKE AVAILABLE AT THE RESTAURANT THE DISCLOSURE OF THE INGREDIENTS AND NUTRITIONAL INFORMATION, INCLUDING ITEMS USED IN PREPARATION, OF EACH AND EVERY ITEM OF FOOD OFFERED FOR SALE AT THE RESTAURANT TO INCLUDE THE FOLLOWING:

(A) THE COMMON OR USUAL NAME OF THE FOOD OR BEVERAGE;

(B) THE NAMES OF THE SPECIFIC INGREDIENTS;

(C) EACH INDIVIDUAL FAT AND/OR OIL INGREDIENT OF A FOOD BY ITS SPECIFIC COMMON OR USUAL NAME;

(D) ALL NUTRIENT QUANTITIES (INCLUDING VITAMINS, MINERALS, CALORIES, PROTEIN, CARBOHYDRATE, FAT, SODIUM AND POTASSIUM) SHALL BE DECLARED IN RELATION TO THE AVERAGE OR USUAL SERVING; AND

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

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(E) THE NAMES OF THE SPECIFIC SPICES, ARTIFICIAL FLAVORINGS, ARTIFICIAL COLORINGS AND CHEMICAL PRESERVATIVES.

3. ALL FAST FOOD RESTAURANTS SHALL PERMANENTLY POST IN A CONSPICUOUS PLACE, A SIGN UPON WHICH THERE SHALL BE IMPRINTED IN NO LESS THAN FIFTY-POINT BOLD TYPE THE FOLLOWING NOTICE:

"UPON REQUEST YOU HAVE THE RIGHT TO OBTAIN A LIST OF THE INGREDIENTS OF FOOD OFFERED FOR SALE AT THIS RESTAURANT"

4. A VIOLATION OF SUBDIVISION TWO OR THREE OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL PENALTY OF NOT LESS THAN FIFTY DOLLARS OR NOT MORE THAN TWO HUNDRED FIFTY DOLLARS FOR EACH VIOLATION.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.