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

8266

2015-2016 Regular Sessions

I N A S S E M B L Y

June 16, 2015

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

AN ACT to amend the public health law, in relation to requiring chain restaurants to label menu items that have a high content of sodium

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

Section 1. The public health law is amended by adding a new section 1356 to read as follows:

S 1356. CHAIN RESTAURANTS; SODIUM CONTENT OF MENU ITEMS. 1. FOR PURPOSES OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "CHAIN RESTAURANT" SHALL MEAN A RESTAURANT WHICH IS ONE OF FIFTEEN OR MORE RESTAURANTS THAT ARE OPERATED UNDER THE SAME NAME AT DIFFERENT LOCATIONS WITHIN THE STATE AND ARE OPERATED UNDER THE SAME OWNERSHIP OR BY FRANCHISE AGREEMENTS.

B. "RESTAURANT" SHALL MEAN ANY COMMERCIAL EATING ESTABLISHMENT WHICH IS DEVOTED, WHOLLY OR IN PART, TO THE SALE OF FOOD FOR ON-PREMISES CONSUMPTION.

2. EVERY CHAIN RESTAURANT OPERATING WITHIN THIS STATE SHALL CAUSE TO BE PLACED ON ITS MENUS A SALT-SHAKER-LIKE SYMBOL NEXT TO ANY FOOD ITEM THAT IS OFFERED FOR SALE BY SUCH RESTAURANT THAT CONTAINS MORE THAN TWO THOUSAND THREE HUNDRED MILLIGRAMS OF SODIUM. SUCH MENUS SHALL ALSO CONTAIN A STATEMENT THAT THE PLACEMENT OF SUCH SALT-SHAKER-LIKE SYMBOL NEXT TO A MENU ITEM INDICATES THAT SUCH MENU ITEM CONTAINS MORE THAN TWO THOUSAND THREE HUNDRED MILLIGRAMS OF SODIUM.

3. ANY CHAIN RESTAURANT THAT VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN TWO HUNDRED FIFTY DOLLARS FOR EACH MENU THAT DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

S 2. The provisions of this act shall not apply to chain restaurants located in any city with a population of one million or more on and

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

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after the date on which such city, or any department of such city, adopts or enacts, a rule, regulation, ordinance, local law, order or policy having the same or substantially similar effect as the provision of this act; provided, however, that any restaurant located in such city shall be used in calculating the number of restaurants located within this state for purposes of paragraph a of subdivision 1 of section 1356 of the public health law as added by section one of this act.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.