

STATE OF NEW YORK

3871--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 31, 2019

Introduced by M. of A. ORTIZ, SAYEGH, JACOBSON, FALL, GOTTFRIED, EPSTEIN, SIMON, TAYLOR, RODRIGUEZ, WILLIAMS, RAYNOR, BICHOTTE, ARROYO, DAVILA -- Multi-Sponsored by -- M. of A. M. L. MILLER -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

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:

1 Section 1. The public health law is amended by adding a new section
2 1356 to read as follows:

3 § 1356. Chain restaurants; sodium content of menu items. 1. For
4 purposes of this section the following terms shall have the following
5 meanings:

6 a. "Chain restaurant" shall mean a restaurant which is one of fifteen
7 or more restaurants that are operated under the same name at different
8 locations within the state and are operated under the same ownership or
9 by franchise agreements.

10 b. "Restaurant" shall mean any commercial eating establishment which
11 is devoted, wholly or in part, to the sale of food for on-premises
12 consumption.

13 2. Every chain restaurant operating within this state shall cause to
14 be placed on its menus a salt-shaker-like symbol next to any food item
15 that is offered for sale by such restaurant that contains more than two
16 thousand three hundred milligrams of sodium. Such menus shall also
17 contain a statement that the placement of such salt-shaker-like symbol
18 next to a menu item indicates that such menu item contains more than two
19 thousand three hundred milligrams of sodium.

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

LBD08222-03-9

1 3. Any chain restaurant that violates the provisions of this section
2 shall be subject to a civil penalty of not more than two hundred fifty
3 dollars for each menu that does not comply with the requirements of this
4 section.

5 § 2. The provisions of this act shall not apply to chain restaurants
6 located in any city with a population of one million or more on and
7 after the date on which such city, or any department of such city,
8 adopts or enacts, a rule, regulation, ordinance, local law, order or
9 policy having the same or substantially similar effect as the provision
10 of this act; provided, however, that any restaurant located in such city
11 shall be used in calculating the number of restaurants located within
12 this state for purposes of paragraph a of subdivision 1 of section 1356
13 of the public health law as added by section one of this act.

14 § 3. This act shall take effect one year after it shall have become a
15 law.