# STATE OF NEW YORK

3878

2021-2022 Regular Sessions

# IN ASSEMBLY

January 28, 2021

Introduced by M. of A. BURKE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to supplementing food and beverage nutrient information with colors depending on the total amount of the nutrient in such product

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. The agriculture and markets law is amended by adding a new section 214-p to read as follows:

**§ 214-p. Nutrition labeling of food and beverage products. 1. Any food or beverage with a nutritional fact label or other documentation from a manufacturer list identifying nutrients shall indicate the amount of total fat, saturated fat, total sugars and sodium in such food or beverage and supplement such information with a color depending on the amount of the nutrient in the product.**

**2. The following nutrients shall be colored green if the food product contains a total amount that is:**

**(a) less than or equal to three grams per one hundred grams of total fat.**

**(b) less than or equal to one and one-half grams per one hundred grams of saturated fat.**

**(c) less than or equal to five grams per one hundred grams of total sugars.**

**(d) less than or equal to one hundred twenty milligrams per one hundred grams of sodium.**

**3. The following nutrients shall be colored amber if the food product contains a total amount that is:**

**(a) between three and seventeen and one-half grams per one hundred grams of total fat.**

**(b) between one and one-half and five grams per one hundred grams of saturated fat.**

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

LBD07445-01-1

(c) between five and twenty-two and one-half grams per one hundred grams of total sugars.

(d) between one hundred twenty and six hundred milligrams per one hundred grams of sodium.

4. The following nutrients shall be colored red if the food product contains a total amount that is:

(a) more than seventeen and one-half grams per one hundred grams or more than twenty-one grams per serving of total fat.

(b) more than five grams per one hundred grams or more than six grams per serving of saturated fat.

(c) more than twenty-two and one-half grams per one hundred grams or more than twenty-seven grams per serving of total sugars.

(d) more than six hundred milligrams per one hundred grams or more than seven hundred twenty milligrams per serving of sodium.

5. The following nutrients shall be colored green if the beverage contains a total amount that is:

(a) less than or equal to one and one-half grams per one hundred milliliters of total fat.

(b) less than or equal to three quarters grams per one hundred milliliters of saturated fat.

(c) less than or equal to two and one-half grams per one hundred milliliters of total sugars.

(d) less than or equal to one hundred twenty milligrams per one hundred milliliters of sodium.

6. The following nutrients shall be colored amber if the beverage contains a total amount that is:

(a) between one and one-half and eight and three quarters grams per one hundred milliliters of total fat.

(b) between three quarters and two and one-half grams per one hundred milliliters of saturated fat.

(c) between two and one-half and eleven and one quarter grams per one hundred milliliters of total sugars.

(d) between one hundred twenty and three hundred milligrams per one hundred milliliters of sodium.

7. The following nutrients shall be colored red if the beverage contains a total amount that is:

(a) more than eight and three quarters grams per one hundred milliliters or more than ten and one-half grams per serving of total fat.

(b) more than two and one-half grams per one hundred milliliters or more than three grams per serving of saturated fat.

(c) more than eleven and one quarter grams per one hundred milliliters or more than thirteen and one-half grams per serving of total sugars.

(d) more than three hundred milligrams per one hundred milliliters or more than four hundred milligrams per serving of sodium.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.