

STATE OF NEW YORK

9829

IN ASSEMBLY

April 11, 2024

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to prohibiting
chain restaurants from charging extra for non-dairy alternatives in
beverages

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section
2 391-w to read as follows:

3 § 391-w. Extra charge for non-dairy alternatives prohibited. 1. No
4 chain food service establishment shall charge an additional fee for the
5 use of non-dairy alternatives in beverages.

6 2. For the purposes of this section, the term:

7 (a) "chain food service establishment" shall mean a food service
8 establishment which is one of fifteen or more such establishments that
9 are:

10 i. operated under the same name at different locations within the
11 state; and

12 ii. operated under the same ownership or by franchise agreement.

13 (b) "non-dairy alternatives" shall mean plant-based products that are
14 marketed and sold as alternatives to milk and are made from nuts, seeds,
15 rice, oats, or legumes.

16 § 2. This act shall take effect immediately.

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

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