

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 529 and SENATE, No. 521**

STATE OF NEW JERSEY

DATED: OCTOBER 8, 2020

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate Committee Substitute for Senate Bill No. 529 and Senate Bill No. 521.

This committee substitute requires children's meals sold or offered for sale in restaurants to adhere to certain nutritional standards outlined in the bill.

Specifically, a children's meal sold, offered for sale, or sold by a restaurant would contain no more than: 600 calories per serving, 770 milligrams of sodium, 35 percent of calories from fat, 35 percent of calories from total sugars, 10 percent of calories from saturated fat, 0.5 grams of trans fat, at least 0.5 cups of fresh fruits or vegetables (fruits and vegetables would not include juices, condiments, jellies, jams, or spreads), and either a whole grain product, a lean protein, or at least 0.5 cups of non-fat or one percent milk, low fat yogurt, or one ounce of reduced fat cheese.

If the children's meal is served with a beverage, that beverage would be required to be: water, sparkling water or flavored water, with no added natural or artificial sweeteners; flavored or unflavored nonfat or one percent fat dairy milk, or a flavored or unflavored non-dairy beverage that is nutritionally equivalent to fluid milk, in a serving size of eight ounces or less; or one hundred percent fruit or vegetable juice, or any combination thereof, with no added natural or artificial sweeteners, in a serving size of eight ounces or less. The juice may contain water or carbonated water.

A restaurant using a standard printed menu would be required to list the nutritional content of the meal and, if the meal includes a beverage, the caloric information for the beverage, next to a children's meal on the menu using a font and format that is at least as prominent, in size and appearance, as that used to post either the name or price of the meal.

As defined in the substitute, "children's meal" means a combination of food items or food items and a beverage, sold together at a single price, primarily intended for consumption by children, and "restaurant" means any facility or part thereof in which food is prepared and provided or served for consumption on the premises.

The Department of Health or a local board of health would: have the right to enter the premises of a restaurant at which a children's meal is sold, offered for sale, or served, at any time during normal business hours and upon presentation of appropriate credentials, in order to determine compliance with the provisions of the substitute; and advise the owner, operator, or proprietor of the restaurant of any suspected violations and order appropriate action to be taken, if it has reason to suspect that a violation has occurred.

Under the substitute's provisions, an owner, operator, or the proprietor of a restaurant who sells, offers to sell, or serves a children's meal in violation of the provisions of the bill would be liable to a civil penalty not to exceed \$1,000 for a first offense, \$2,000 for the second offense, and \$3,000 for the third and subsequent offense. Penalties against an owner, operator, or the proprietor of the restaurant could not exceed \$15,000 during a 30-day period.