

CHILDREN'S MEALS SENATE BILL SB 1192 FAQs

The above regulation was passed with the intent to help guide parents in choosing healthier drink options for their children.

WHAT ARE THE PROVISIONS OF THE NEW LAW?

The provision prohibits restaurants from having sugary beverages, such as soda or juice, as a default beverage for a children's meal. This provision does not prohibit a restaurant's ability to sell, or a customer's ability to purchase, an alternative beverage instead of the default beverage offered with the children's meal, if requested by the purchaser of the children's meal.

WHO ENFORCES THE PROVISIONS OF THE NEW REGULATION?

The provision is enforced by the Tulare County Environmental Health Division as part of the routine inspection and complaint investigation of food service businesses.

WHAT IS CONSIDERED A CHILDREN'S MEAL?

Children's meal means a combination of food items and a beverage, or a single food item and a beverage, sold together at a single price, primarily intended for consumption by a child.

Default beverage means the beverage automatically included or offered as part of a children's meal.

WHAT BEVERAGES ARE ALLOWED TO BE OFFERED AS PART OF A CHILDREN'S MEAL?

A restaurant that sells a children's meal shall make the default beverage offered with the children's meal one of the following:

- 1) Water, sparkling water, or flavored water, with no added natural or artificial sweeteners.
- 2) Unflavored milk.
- 3) A nondairy milk alternative that contains no more than 130 calories per container or serving. A "nondairy milk alternative" means a non-dairy fluid milk substitute that meets the standards for the National School Lunch Program as set forth in Section 210.10 of Title 7 of the Code of Federal Regulations.

NOTE: The beverages listed or displayed on a restaurant **menu** or **advertisement** for a children's meal shall be one of the default beverages listed above.

WHEN ARE FOOD OPERATORS REQUIRED TO COMPLY WITH THE NEW REGULATION?

Effective January 1, 2019, restaurants are required to comply with the provisions of SB 1192.

Effective January 1, 2019, through December 31, 2019, the TCDEH will provide education and training on the requirements of the new regulations to restaurants during inspection.

Effective January 1, 2020, noncompliance may result in a notice of violation for the first violation.

- ✓ If a second violation occurs within a five-year period from the first violation, a fine of no more than \$250 will be charged.
- ✓ If a third or subsequent violation occurs within another five-year period, a fine of no more than \$500 will be charged.
- ✓ A restaurant shall not be found to have committed a violation under this chapter more than once during an inspection visit.

