

Introduced by Senator Padilla

December 6, 2010

An act relating to food facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 20, as introduced, Padilla. Food facilities: menu labeling.

Existing law, the California Retail Food Code, requires, on and after January 1, 2011, each food facility in the state that meets specified criteria to disclose calorie content information per standard menu item, as specified. The State Department of Public Health administers and local enforcement agencies enforce this code. Existing law provides that, on and after July 1, 2009, a food facility that violates these provisions is guilty of an infraction.

Existing law, the federal Food, Drug, and Cosmetic Act, requires certain restaurants and similar retail food establishments to disclose nutrient content information, as specified, and provides that certain state and local nutrient content information requirements that are not identical to the federal law are preempted.

This bill would declare the intent of the Legislature to enact legislation that would conform state menu labeling requirements to federal requirements.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

1 (a) In 2008, the Legislature enacted Section 114094 of the
2 Health and Safety Code to provide consumers within California
3 with better access to nutritional information about prepared foods
4 sold at food facilities with at least 20 locations with the same name
5 in the state so that consumers can understand the nutritional value
6 of available foods.

7 (b) On March 23, 2010, the federal Patient Protection and
8 Affordable Care Act was enacted to, among other things, provide
9 consumers in all states with access to nutritional information about
10 the prepared foods sold at restaurants or similar retail food
11 establishments that are part of a chain with 20 or more locations
12 doing business under the same name.

13 SEC. 2. It is the intent of the Legislature to enact legislation
14 that would conform state menu labeling requirements with federal
15 menu labeling requirements.