

Trans Fat Bans in Restaurants and Schools

Trans Fat Ban Laws/Regulations

New York City, NY - Passed December 5, 2006

Summary: Bans artificial trans fat in food service establishments, except when food is served directly to patron's in a manufacturer's original sealed package. Effective July 1, 2007 with respect to cooking oils, shortening, and margarines and on July 1, 2008 with respect to all other foods.

Philadelphia, PA – Passed February 15, 2007

Summary: Bans artificial trans fat in food service establishments, including restaurants, grills, diners, sandwich shops, dining rooms of hotels, coffee shops, cafeterias, market stalls, vending carts, vending vehicles and other similar places. An exception is made for food that is served directly to patrons in a manufacturer's original sealed package. Effective September 1, 2007 with respect to oils, shortenings, and margarines used for frying or in spreads and September 1, 2008 for all other uses of foods.

Puerto Rico – Passed April 21, 2007

Summary: Bans artificial trans fat in food establishments, except when food is served directly to the clients in the original package seal of the manufacturer. Food establishments include restaurants, every fast food restaurant, food establishments that operate as a franchise, home-delivery food services, and all types of mobile units where food is prepared and saved. Effective January 1, 2008.

Montgomery County, MD – Passed May 15, 2007

Summary: Bans artificial trans fat in any eating or drinking establishment including restaurants, coffee shops retail markets, cafeterias, short-order cafes, luncheonettes, taverns, sandwich stands, soda fountains and any food service facility in an industry, institution, hospital, club, school, church, catering kitchen, or camp, except when food is served to patrons in the original package seal of the manufacturer. Effective January 1, 2008 with respect to oils, shortening and margarines used for frying or in spreads and January 1, 2009 for oils or shortenings used for deep frying of yeast dough or cake batter; and all other foods.

Albany, NY - Passed May 24, 2007

Summary: Requests that the Albany County Board of Health and the Health Commissioner develop a practicable plan to phase-out artificial trans fat at all Albany County restaurants and food service establishments.

Brookline, MA – Passed May 31, 2007

Summary: Bans artificial trans fat in restaurants and schools effective November 2008 with respect to oils, shortenings, and margarines used for frying or in spreads and April 30, 2009 for all other uses of foods.

King County, WA – Passed July 19, 2007

Summary: Bans artificial trans fat in food establishments, except when food is served directly to patron's in a manufacturer's original sealed package or any food served in a school. Effective May 1, 2008 with respect to oils and shortenings that are used for frying or in spreads and February 1, 2009 with regards to margarines, oils or shortenings used for deep frying of yeast dough or cake batter and all other foods.

Nassau County, NY – Passed September 18, 2007

Summary: Bans artificial trans fat in food service establishments, except when food is served directly to patron's in a manufacturer's original sealed package. Effective April 1, 2008 with respect to oils, shortenings and margarines used for frying or in spreads and April 1, 2009 for oils or shortenings used in deep frying of yeast dough or cake batter and all other foods.

Louisville, KY – Passed December 20, 2007

Summary: Directs the Louisville Metro Public Health and Wellness Department to conduct education programs on the harmful effects and dangers of consuming trans fat and requests the Health Department to review this issue for appropriate regulatory action.

Westchester County, NY – Passed December 20, 2007

Summary: Bans artificial trans fat in food service establishments, except when food is served directly to patron's in a manufacturer's original sealed package. Effective January 15, 2008 with respect to oils, shortenings and margarines used for frying or in spreads.

Boston, MA – Passed March 13, 2008

Summary: Bans artificial trans fat in food service establishments, vending machines, or mobile food vendor, except when food is served directly to patron's in a manufacturer's original sealed package. Effective September 13, 2008 with respect to oils, shortenings and margarines used for frying or in spreads and March 13, 2009 for oils or shortenings used in deep frying of yeast dough or cake batter and all other foods.

Baltimore, MD – Passed March 17, 2008

Summary: Bans artificial trans fat in food establishments, except when food is served directly to patron's in a manufacturer's original sealed package. Effective September 17, 2009.

Pending State Legislation – 2008

California

Website: www.leginfo.ca.gov

AB 97 – Introduced on December 21, 2006 by Assembly Member Mendoza (D).

Status: Referred to Committee on Health. On March 6, passed the Health Committee. Effective dates were changed to July 1, 2009 and July 1, 2010 respectively. Passed in Appropriations Committee on May 31 (vote 12-5). Effective date was changed to January 1, 2010 for oil, shortening or margarine and July 1, 2010 for all other foods. On June 7, the Assembly passed AB 97 (vote 42-27) with a January 1, 2010 effective date for oils, shortening or margarine and a January 1, 2011 effective date for all other uses of foods. On July 11, 2007, the Senate Health Committee passed by a 7-4 vote. The bill failed in the Senate on September 12, 2007 by a vote of 22-18. To inactive file on motion by Senator Romero.

Summary: Requires every food facility, with the exception of public school cafeterias, to maintain on the premises the manufacturer's documentation or label for any food or food additive that is or includes any fat, oil, shortening. The bill would require the manufacturer's documentation to be authorized by the department and to disclose specified information.

The bill will prohibit oil, shortening, margarine containing specified trans fat from being stored, distributed, served by, or used in a food facility as of 1/1/11. It will prohibit the sale of all food containing artificial trans fat with the exemption of food in public school cafeterias and food sold and served in a manufacture's original sealed package as of 1/1/13.

Connecticut

Website: www.cga.ct.gov

Proposed Bill 258 – Introduced on January 16, 2007 by Senator McKinney(R) & Senator Rorabuck.

Status: Referred to the Joint Committee on Public Health. Hearing held on February 26, 2007. Passed the Senate May 9, 2007 (26-10).

Summary: Would ban food service establishments from serving food prepared with frying oils containing trans fat (effective January 1, 2008) and containing any artificial trans fat (effective July 1, 2008).

Delaware

Website: <http://legis.delaware.gov>

HB 65- Introduced on February 27, 2007 by Representative Kowalko (D).

Status: Introduced and assigned to the Education Committee in House. On January 16, 2008 Amendment HA I was introduced and placed with bill.

Summary: This bill prohibits public schools, including charter schools and school districts from making available or serving food with more than 0.5 grams of artificial trans fats to K – 12 students.

District of Columbia

Website: www.dccouncil.washington.dc.us

B 168 – Introduced on April 3, 2007 by Council Member Mary Cheh.

Status: Referred to the Committee on Health.

Summary: This bill prohibits the use of artificial trans fats in restaurants and other food service establishments. It also requires food service establishments to have the original label for food containing certain fats, oils and shortenings on site.

No food containing trans fat shall be stored, distributed, held for service, used in preparation of any menu item or served in any restaurant or food service establishment, or by any food business with the exception of food sold directly to patrons in the original sealed packaging of the manufacturer. Effective date – January 1, 2008.

Georgia

Website: www.legis.state.ga.us

HR 826- Introduced on April 4, 2007 by Representative Dollar (R).

Status: Passed in the House and adopted on 4/20/07.

Summary: This bill serves as a resolution to create a House Study Committee on Trans Fat Alternatives for the Georgia Food Industry and for other purposes.

The study committee shall examine feasibility of state-wide restrictions on use of artificial trans fat and products that contain trans fats in public schools and restaurants.

Hawaii

Website: www.capitol.hawaii.gov

HB 1797 – Introduced by Representative Cabanilla and Senator Hanabusa on January 24, 2007

Status: Referred to the House Committees on Health, Economic Development and Business Concerns, Consumer Protection and Commerce, and Finance. On February 2, 2007, the House Committees recommended that the bill be deferred. Referred to the Senate Committees on Health and Judiciary & Labor. The Senate Health Committee held a hearing on February 7, 2007 and the Committee deferred the measure. Carried over to 2008 regular session on 8/27/07.

Summary: No foods containing artificial trans fat shall be stored, distributed, held for service, used in preparation of any menu item, or served in any food service establishment or mobile food establishment, except food that is being served directly to patrons in the manufacturer's original sealed package.

Food containing artificial trans fat shall be labeled so if documentation from the manufacturer lists as an ingredient any kind of partially hydrogenated oil.

Illinois

Website: www.ilga.gov

HR 11- Introduced January 17, 2008 by Representative Mizuno (D).

Status: House offered on 1/18/08

Summary: This bill requests the Department of Health to determine feasibility of reducing or eliminating the use of trans fats in food preparation and food service by Hawaii's restaurant industry. The Department of Health shall work with the Hawaii Restaurant Association and the Hawaii Food Industry Association by examining trends, costs and availability of trans fat free cooking oils and other concerns relating to trans fat free food.

HB 1264 – Introduced February 15, 2007 by Representative Eddie Washington (D).

Status: Referred to the Consumer Protection Committee and Rules Committee. Re-referred to the Rules Committee on 3/23/07.

Summary: This creates the Artificial Trans Fat Restriction Act. No foods containing artificial trans fat shall be stored, distributed, held for service, used in preparation of any menu item, or served in any food service establishment or mobile food establishment, except food that is being served directly to patrons in the manufacturer's original sealed package.

HB 1297 – Introduced February 20, 2007 by Representative LaShawn K. Ford (D).

Status: Referred to the Consumer Protection Committee and Rules Committee. Re-referred to the Rules Committee on 3/23/07.

Summary: Creates to the Trans Fat Disclosure Act. Restaurants and retail food establishments must label any food containing 0.5 grams or more of trans fat on the menu. This requirement only applies to food establishments with \$20 million or more in annual gross sales.

Requires the Department of Health to adopt rules to administer and enforce the Trans Fat Disclosure Act.

Maryland

Website: www.mlis.state.md.us

HB 81- Introduced January 10, 2008 by Delegate Hubbard (D).

Status: Hearing held 1/22/08. Passed the House on March 14, 2008 (120-13).

Summary: This bill calls for the creation of a task force to study the regulation of artificial trans fats. Establishing the task force, providing membership, electing a chair, and providing staff, are all components of this bill.

Massachusetts

www.mass.gov/legis

HB 2051 – Introduced on January 11, 2007 by Representative Cabral (D).

Status: Referred to the Public Health Committee. A hearing was held on July 11, 2007. The House accompanied a new draft on 11/7/07.

Summary: If trans fat is used in the preparation of food to be sold at any hotel or restaurant to a guest, there must be clear notification. Guests or patrons must be notified

by a printed notice immediately adjacent to the food item containing trans fat in no less than twelve point type. Any hotel or restaurant that does not follow these labeling restrictions for food items made with or containing trans fat will be subject to a fine of no less than \$100.00 for each unnoticed menu item in any calendar year.

HB 2147/HB 4346 - Introduced on December 19, 2006 by Representative Koutoujian (D).

Status: Referred to the Public Health Committee. A hearing was held on July 11, 2007.

Summary: No foods containing artificial trans fat shall be stored, distributed, held for service, used in preparation of any menu item or served by a common victualler.

Michigan

Website: www.legislature.mi.gov

HB 4194 – Introduced on February 1, 2007 by Representative Gonzales (D).

Status: Referred to the Health Policy Committee.

Summary: The Department shall develop text for a warning to consumers regarding foods containing artificial trans fats and shall make this warning available on its website by July 1, 2007.

Food service establishments that offer for sale food containing artificial trans fat shall indicate which foods contain artificial trans fat and include a warning (developed by the department) on menus and table tents.

HB 4195 - Introduced on February 1, 2007 by Representative Gonzales (D).

Status: Referred to the Health Policy Committee.

Summary: A food service establishment that is owned or franchised by a person having 20 or more locations in the state, shall not store, hold for service, use in the preparation of any menu item, or serve any food containing trans fat. This does not apply to food that is being served directly to consumers in a manufacturer's original sealed package.

HB 4196 - Introduced on February 1, 2007 by Representative Gonzales (D).

Status: Referred to the Health Policy Committee.

Summary: A food service establishment shall not store, distribute, hold for service, use in the preparation of any menu item, or serve any food containing trans fat. This is effective regarding oils, shortenings, and margarines with artificial trans fat used in frying or spreads on 7/1/07. This is effective regarding oils or shortenings used for deep frying on

7/1/08. This does not apply to food that is being served directly to consumers in a manufacturer's original sealed package.

HB 4197 - Introduced on February 1, 2007 by Representative Gonzales (D).

Status: Referred to the Health Policy Committee.

Summary: State agencies shall give preference to contractors that operate public cafeterias in state facilities which provide foods of higher nutritional value and that do not provide foods containing trans fatty acids for consumption in public cafeterias.

New York

Website: www.senate.state.ny.us

SB 4347 – Introduced on April 10, 2007 by Senator Rath (R)

Status: Referred to Health Committee on 1/9/08

Summary: Authorizes the Commissioner on Health to restrict or eliminate the use of trans fat in foods prepared by certain institutions under the Public Health Department's Jurisdiction. The Commissioner on Health will adopt such rules and regulations concerning trans fat within one year of the effective date of this act.

AB 8328 – Introduced on May 11, 2007 by Assemblyman Ortiz (D)

Status: Referred to Committee on Health on 1/9/08

Summary: This is an act to amend the Public Health Law relating to the authorization of the Commissioner of Health to adopt rules and regulations requiring the restriction or elimination of the used of trans fat in institutions under its jurisdiction.

AB 1192/SB 3831 – Introduced on January 3, 2007 by Assemblyman Ortiz (D)/Senator Hannon

Status: Referred to local government on 1/9/08

Summary: Prohibits any restaurant or food service establishment from using any trans fats in the preparation or cooking of any food item offered for sale.

AB 9031 – Introduced on June 8, 2007 by Assemblyman Ortiz (D).

Status: Referred to Health Committee on 1/9/08

Summary: The Commissioner of Health is directed to prohibit the use of artificial trans fat in distributing, storing or using in the preparation of any menu item with the exception of food served in its original sealed package, food containing less than 0.5 grams of trans fat, and food containing natural trans fat.

SB 4348 – Introduced on April 10, 2007 by Senator Rath (R)

Status: Referred to Committee on Health on 1/9/08

Summary: This bill calls on the Department of Health to develop methods and protocols for the voluntary reduction or elimination of trans fats in restaurants, schools, hospitals, adult homes and child day care centers.

SB 5942/AB 8642 – Introduced on May 24, 2007 by Senator Saland (R)

Status: Referred to the Committee on Health on 1/9/08

Summary: All school meals sold, offered or served on school grounds over a school week shall be trans fat free including all packaged snack foods offered on school grounds.

This bill requires the Department of Health to provide technical assistance for schools to comply with nutritional standards for food and beverages available in schools. And this bill directs the Department of Health to require school wellness policies.

Ohio

Website: www.senate.state.oh.us

HB 393 – Introduced on November 15, 2007 by Representative Yates (D)

Status: Referred to the Commerce and labor House Committee on 11/15/07

Summary: Prohibits the use of trans fat by food service operations and certain retail food establishments.

HB 456 – Introduced on January 29, 2008 by Representative Raussen (R)

Status: Referred to the HCA House Committee on 1/29/08

Summary: One year after the effective date of this amendment, no school shall sell a food item or beverage containing or prepared by using a food or substance containing artificial trans fat.

South Carolina

Website: www.scstatehouse.net

S 109 – Introduced on January 9, 2007 by Senator Thomas.

Status: Referred to the Committee on Medical Affairs.

Summary: Requires retail food establishments that serve food containing trans fats in food preparation to post a placard provided by the Department of Health and Environmental Control signifying that food served contains trans fats or that food served is prepared using trans fats.

S. 301 – Introduced on January 18, 2007 by Senator Ford (D).

Status: Referred to the Committee on Medical Affairs.

Summary: Prohibits food service establishments from preparing, serving or otherwise providing food containing trans fat. Violations will result in a civil fine from the Department of Health and Environmental Control.

S. 350 – Introduced on January 25, 2007 by Senator Ford (D).

Status: Referred to the Committee on Medical Affairs.

Summary: Any food that is cooked in or contains trans fat that is sold at a retail food establishment, shall have a conspicuous warning, regarding the trans fat content on the food's outer packaging.

Tennessee

Website: www.legislature.state.tn.us

HB 22/SB40 – Introduced by Representative Shepard on January 19, 2007 and by Senator Jackson on January 9, 2007.

Status: Referred to the House Government Operations Committee and the Senate General Welfare, Health & Human Resources Committee.

Summary: Any food service establishment, which requires a permit issued by the Commissioner, that offers for sale food containing trans fat shall indicate on its menu which foods contain artificial trans fat and include a warning statement regarding the health risks associated with trans fat (developed by the Department). This bill does not apply to child care center food establishments, congregate meal sites funded through the

commission on aging and disability that are food service establishments, or school food services establishments. This does not apply to foods containing less than 0.5 grams per serving.

HB 72/SB 154 – Introduced by Representative Turner on January 31, 2007 and by Senator Jackson on February 5, 2007.

Status: Referred to the Senate General Welfare, Health & Human Resources Committee. Hearing Scheduled for March 14th.

Summary: No foods containing artificial trans fat shall be stored, distributed, held for service, used in preparation of any menu item or served in any food service establishment or by any quick fast food establishment, except food that is being served directly to patrons in a manufacturer's original sealed package. This does not apply to foods containing less than 0.5 grams per serving.

Vermont

Website: www.leg.state.vt.us

SB 130 – Introduced on February 27, 2007

Status: Referred to the Senate Health and Welfare Committee

Summary: No foods containing artificial trans fat shall be stored, distributed, held for service, used in preparation of any menu item or served in any food service establishment, except food that is being served directly to patrons in a manufacturer's original sealed package.

Food service establishments must keep on site original labels for all food products that are or contain fats oils or shortenings.

Virginia

Website: www.legis.state.va.us

SB 124 – Introduced on January 3, 2008 by Senator Edwards (D).

Status: Passed the Senate on February 6, 2007 (40-0). Referred to the House Committee on Education. Read for the third time and passed in the Senate (40-Y, 0-N) on 1/29/08 and communicated to the House.

Summary: Requires the Superintendent of Public Instruction to develop guidelines with the goal of eliminating foods containing trans fatty acids from public schools. The gradual elimination shall begin with their elimination of fats from vegetable oils used in school cafeterias. The final goal shall be to eliminate trans fat in all (i) foods sold as part

of the official school breakfast and lunch programs (ii) foods sold in vending machines on school grounds, and (iii) competitive foods sold during school hours.