

State and Local Restaurant Kids' Meal Policies

Jurisdiction	Legislation, Date Enacted, Vote	Date Effective	Type of Policy	Policy Summary	Enforcement Mechanism
Philadelphia, PA	Ordinance 190505 9/26/2019 City Council: 16-0	4/1/2020	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, nonfat or low-fat milk or non-dairy milk alternative up to 130 calories., 100% fruit or vegetable juice or fruit or vegetable juice combined with water or sparkling water, with no added sweetener up to 8 oz.	Administered by the Department of Health. Violation punishable by a fine of \$250.
Delaware	HB 79 7/17/2019 House: 28-11 Senate: 15-6	7/17/2020 (or upon promulgation of regulations, whichever is the later date)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternative up to 8 oz., 100% fruit or vegetable juice or fruit or vegetable juice combined with water or sparkling water, with no added sweetener up to 8 oz.	Administered by Department of Health. No fines, fees or other monetary penalties for violations aside from cost for reassessment to ensure compliance.
Hawaii	SB 549 6/28/2019 House: 47-0 (2 absent) Senate: 24-1	1/1/2020	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, unflavored nonfat or 1% dairy milk or non-dairy milk alternative up to 8 oz., 100% juice, may be combined with water or sparkling water with no added sweetener up to 8 oz.	The State Department of Health will draft administrative rules governing enforcement of the law.
New York, NY	Ordinance 1064-B 3/28/2019 City Council: 43-4 (3 absent)	5/1/2020 (lapsed into effect after 30 days of City Council vote)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, flavored or unflavored nonfat or 1% dairy milk or non-dairy milk alternative up to 8 oz., 100% juice with no added sweeteners up to 8 oz.	Administered by Department of Health and Mental Hygiene. Any food service establishment that violates any of the provisions of this shall be liable for a civil penalty not to exceed \$200.
Wilmington, DE	Ordinance 18-046 10/4/2018 City Council: 10-0 (3 absent)	1/8/2019 (90 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternative, up to 8 oz. of 100% fruit juice or fruit juice combined with water or sparkling water, with no added sweetener	Administered by Department of Licenses & Inspections (not the same agency that conducts restaurant inspections). Any food service establishment that violates any of the provisions of this shall be liable for a civil penalty not to exceed \$200.

California	SB 1192 8/21/2018 Assembly: 46-26 Senate: 29-9	1/1/2019 (all California statutes go into effect January 1 unless another effective date is specified in the legislation)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, unflavored milk or non-dairy milk alternatives up to 130 calories per serving	Administered by local enforcement agency through restaurant inspections. Infraction with notice for first violation, fine up to \$250 for second violation within a 5-year period, and fine up to \$500 for each additional violation within a 5-year period.
	Ordinance O-064-18 5/24/2018 Metro Council: 13-11 (1 absent, 1 abstention)	10/5/2018 (120 days after signature by the mayor. Civil fines not assessed until 6/7/2019)	Default Beverages + Positive Food Component	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, fruit juice combined with water or carbonated water, beverages with less than 25 calories per 8 oz and no artificial sweeteners. Also requires children's meal to include a fruit, vegetable, whole grain, or lean protein.	Administered by Louisville Metro Dept. of Public Health and Wellness through restaurant inspections. Civil penalty of \$25-\$100 per violation. Each day a violation occurs constitutes a separate offense.
Baltimore, MD	Council Bill 17-0152 3/12/2018 City Council: 15-0	7/18/2018 (90 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, up to 8 oz of 100% fruit juice or fruit juice combined with water or sparkling water, with no added sweetener	Administered by Baltimore City Health Dept. through restaurant inspections. Environmental citation with fine of \$100.
	Ordinance 1415 1/8/2018 City Council: 5-0	6/1/2018	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or milk substitute with no added sweetener	Initial self-certification. Violations subject to civil fine of \$250 to \$1,000 at the discretion of the City Attorney.
Long Beach, CA	Ordinance ORD-17-0027 11/14/2017 City Council: 7-0 (2 absent)	12/17/2017 (31 days after signature by mayor)	Default Beverages	Water (can be sparkling or flavored) with no artificial sweeteners or additives, nonfat or 1% milk or non-dairy milk alternative under 130 calories per serving, 100% juice under 40 calories per serving	Administrative citation with fine of \$100 for first violation, \$200 for second violation, \$500 for each additional violation. Each day a violation exists constitutes a separate offense.
	Ordinance 803 11/8/2017 City Council: 3-2	12/8/2017 (30 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives	Annual self-certification. Charged as an infraction with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for third violation. Fourth and subsequent violations deemed a misdemeanor.
Cathedral City, CA	Ordinance 803 11/8/2017 City Council: 3-2	12/8/2017 (30 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives	Annual self-certification. Charged as an infraction with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for third violation. Fourth and subsequent violations deemed a misdemeanor.

Lafayette, CO	Ordinance 2017-40 10/17/2017 City Council: 6-1	10/27/2017 (10 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives with no added sweetener	Annual self-certification. In practice, administered by Boulder County Public Health through restaurant inspections.
	Ordinance NS-300.908 5/9/2017 Board of Supervisors: 4-0 (1 recusal)	8/7/2017 (90 days)	Default Beverages (See below for Santa Clara County's toy bill)	Water (can be carbonated or flavored) with no added sweeteners, dairy milk (can be flavored) with no added sweetener. No substitutions.	Administrative fine of \$250 for first violation, \$500 for second violation. Fines for additional violations not to exceed \$1,000. Regulatory fees for recovery of costs.
Berkeley, CA	Ordinance 7560 6/27/2017 City Council: 9-0	7/1/2017	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or milk substitute with no added sweetener. Substitutions allowed for an additional cost.	Charged as an infraction with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation.
	Ordinance 1340 3/14/2017 City Council: 5-0	4/14/2017 (30 days. Certification due 10/1/17)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives, up to 8 oz of 100% juice	Initial self-certification. Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation. Live Well Perris Team available to assist restaurants.
Stockton, CA	Ordinance 2016-06-07-1502 6/7/2016 City Council: 7-0	7/7/2016 (30 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives	Annual self-certification. Administrative citation with fine of \$200 for first violation, \$500 for second or subsequent violations. City Manager has discretion to allow attendance at a certified community awareness and responsibility education class in lieu of fine.
Davis, CA	Ordinance 2451 6/2/2015 City Council: 5-0	7/2/2015 (30 days)	Default Beverages	Water (can be sparkling or flavored) with no added sweetener, milk or non-dairy milk alternatives	Annual self-certification. Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation, plus recovery of costs.
San Francisco, CA	Ordinance 290-10 11/9/2010 Veto overridden 11/23/2010 Board of Supervisors: 8-3	12/1/2011	Toy Bill	Sets nutrition standards for single food items and meals sold with a toy/incentive item. These meals may not include a beverage with more than 35% of total calories from fat or more than 10% of calories from added sweetener. No substitutions.	Administrative citation with fine up to \$100 for first violation, up to \$200 for second violation, and up to \$500 for each additional violation.

<p>Santa Clara County, CA</p>	<p><u>Ordinance NS-300.820</u></p> <p>5/11/2010</p> <p>Board of Supervisors: 3-2</p>	<p>8/11/2010 (90 days)</p>	<p>Toy Bill</p>	<p>Sets nutrition standards for single food items and meals sold with a toy/incentive item. These meals may not include a beverage with more than 120 calories, more than 35% of total calories from fat, more than 10% of calories from added sweetener, added non-nutritive sweetener, or caffeine. No substitutions.</p>	<p>Administrative fine of \$250 for first violation, \$500 for second violation. Fines for additional violations not to exceed \$1,000. Regulatory fees for recovery of costs.</p>
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