

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 4 - 0

Yeas: Boone, Cowan, Dembrow, VanOrman, Tomei

Nays: Freeman, Huffman, Maurer, Olson

Exc.: 0

Prepared By: Keely West, Administrator

Meeting Dates: 3/13, 4/6, 4/27

WHAT THE MEASURE DOES: Defines chain restaurants as part of an affiliation of 15 or more restaurants in the United States selling standardized menu items and operating under a trade name or service mark. Exempts movie theaters, health care facilities and cafeterias. Requires chain restaurants to determine for standard menu items the typical caloric value, trans fats, saturated fats, carbohydrates and sodium, and make the information available on request in a written format. Requires disclosure of typical minimum and maximum values for combination meals. Excludes menu items and alcoholic beverages offered less than 90 days per year. Requires chain restaurants have a menu, menu tag or menu board at the point of sale for all standard non-self serve items and a conspicuous statement of recommended daily intake of calories, saturated fat and sodium. Requires that Department of Human Services (DHS) establish rules for administration and enforcement of the act including a policy regarding calorie disclosure for alcoholic beverages. Allows DHS to inspect restaurants for compliance and impose fines ranging from \$250 to \$1,000 after allowing 60 days to cure (or should this last word be "comply"). Preempts local ordinances. Declares an emergency.

ISSUES DISCUSSED:

- Effectiveness of posted information
- Burden on businesses
- Ease of currently finding information
- Consumer right to know
- No private right of action

EFFECT OF COMMITTEE AMENDMENT: Modifies the definition of chain restaurant and increases required affiliation to 15 restaurants. Requires chain restaurants to determine for standard menu items the typical caloric value, trans fats, saturated fats, carbohydrates and sodium and make the information available on request in a written format. Exempts movie theaters, health care facilities and cafeterias. Requires disclosure of typical minimum and maximum values for combination meals. Excludes menu items and alcoholic beverages offered less than 90 days per year. Requires chain restaurants have a menu, menu tag or menu board at the point of sale for all standard non-self serve items and a conspicuous statement of recommended daily intake of calories, saturated fat and sodium. Requires Department of Human Services establish rules for administration and enforcement of the act including a policy regarding calorie disclosure for alcoholic beverages. Allows DHS to inspect affected restaurants and enforce compliance including assessing civil penalties after allowing 60 days to cure. Preempts local ordinances. Declares an emergency.

BACKGROUND: Obesity means having too much body fat. It is different from being overweight, which means weighing too much. Both terms mean that an individual's weight is greater than what is considered healthy for their height. Obesity occurs over time when you eat more calories than you use. Being obese increases your risk of diabetes, heart disease, stroke, arthritis and some cancers. According to the Weight Control Information Network, approximately 134 million Americans are overweight and one-third of Americans are obese. National Institute for Health Statistics studies show that compared to the past two decades, childhood obesity has tripled. Fourteen percent of teens are at risk for heart disease, high cholesterol, and high blood pressure and Type 2 Diabetes has increased dramatically in the same time period. The American Heart Association asserts that 46 percent of the 2004 American food budget was spent on consumption outside the home.

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This summary has not been adopted or officially endorsed by action of the committee.