

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass the B-Engrossed Measure
Vote:	4 - 1 - 0
Yeas:	Bates, Morrisette, Morse, Monnes Anderson
Nays:	Kruse
Exc.:	0
Prepared By:	Robert Shook, Administrator
Meeting Dates:	5/26

WHAT THE MEASURE DOES: 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. 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. Establishes typical values for alcoholic beverages. 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 (DHS) to adopt rules establishing conditions under which a menu board serving drive-through area of chain restaurant may qualify for a full or partial exemption from sections 2a and 3 of the measure. Requires that DHS establish rules for administration and enforcement of the measure, 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 for a 60-day grace period. Prohibits local governments from adopting or enforcing requirements for the determination or disclosure of nutritional information. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Enforcement and resources to appropriate agencies
- Accuracy of reporting multi-serving caloric count
- Pre-emptive clauses to other public health measures
- Model and results of New York City consumer survey

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Obesity means having too much body fat; it is different from being overweight, which means weighing too much, though both terms mean that an individual's weight is greater than what is considered healthy for their height. Obesity occurs over time when more calories are consumed than used. Being obese increases the 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 childhood obesity has tripled during the past two decades. 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.