

# **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.

## **Pending State Legislation – 2007**

### **California**

Website: [www.leginfo.ca.gov](http://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.

*Summary:* Requires every food facility 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.

### **Connecticut**

Website: [www.cga.ct.gov](http://www.cga.ct.gov)

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

*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).

### **District of Columbia**

Website: [www.dccouncil.washington.dc.us](http://www.dccouncil.washington.dc.us)

B17-0168 – Introduced on April 3, 2007 by Council Member Mary Cheh.

*Status:* Referred to the Committee on Health.

*Summary:* 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. Effective date – January 1, 2008.

### **Florida**

Website: [www.leg.state.fl.us](http://www.leg.state.fl.us)

HB 309 – Introduced on January 17, 2007 by Representatives Gibbons (D) and Porth (D)

*Status:* On January 29, 2007, referred to the Jobs and Entrepreneurship Council. On February 1, 2007, referred to the Committee on Business Regulation.

*Summary:* Requires any public food service that prepares, serves, or sells food that contains trans fat or has been prepared with substances that contain trans fat, must post the following disclosure in a conspicuous location: "Some foods served here contain trans fat. Eating foods with trans fat can increase your risk of stroke and heart attack."

SB 406 – Introduced on December 15, 2006 by Senator Dawson (D)

*Status:* On January 24, 2007 referred to Education Pre K – 12; Health Policy and Education Pre K – 12 Appropriation Committees.

*Summary:* Requires each elementary school, middle school and high school in the state to post in a conspicuous place in its cafeteria and on the school website the nutritional value of every meal served in the cafeteria. The posting should also be accessible to a parent of each student.

Each public middle school shall remove from its campus vending machines carbonated drinks and replace with vegetable juice, 100% fruit juice, and drinking water.

If a public elementary, middle or high school serves fried foods, such foods must be fried in oils that are low in trans fatty acids in order to reduce the development of health abnormalities in children.

Each school district shall provide noninvasive medical screening for type II diabetes for each student in grade 9 who is at risk for type II diabetes.

### **Hawaii**

Website: [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)

HB 1797/SB 1973 – 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.

*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.

### **Illinois**

Website: [www.ilga.gov](http://www.ilga.gov)

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

*Status:* Referred to the Consumer Protection Committee and Rules 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 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.

*Summary:* A restaurant must mark any food containing trans fat with a label on its menu stating that the food contains trans fat. This requirement only applies to food establishments with \$20 million or more in annual gross sales.

### **Maryland**

Website: [www.mlis.state.md.us](http://www.mlis.state.md.us)

HB 91 – Introduced January 23, 2007 by Delegate Hubbard (D).

*Status:* Referred to the Health and Government Operations Committee. Hearing held February 27. Vote likely in March.

*Summary:* Prohibits food service facilities from using food containing artificial trans fat. Food service facility is defined as a place where food or drink is prepared for sale or service on the premises or any operation where food is served or provided for the public, with or without charge.

SB 504 - Introduced February 2, 2007 by Senator Forehand (D).

*Status:* Referred to Finance Committee. Hearing held on March 8.

*Summary:* Prohibits food service facilities from using food containing artificial trans fat. Food service facility is defined as a place where food or drink is prepared for sale or service on the premises or any operation where food is served or provided for the public, with or without charge.

SB 633 – Introduced February 2, 2007 by Senator Raskin (D).

*Status:* Referred to Finance Committee and Education, Health and Environmental Affairs. Hearing held on March 8.

*Summary:* Prohibits food service facilities from using food containing artificial trans fat. Food service facility is defined as a place where food or drink is prepared for sale or service on the premises or any operation where food is served or provided for the public, with or without charge. Prohibits artificial trans fat in public schools and public institutions of higher education.

**Massachusetts**  
[www.mass.gov/legis](http://www.mass.gov/legis)

HB 2051 – Introduced on January 9, 2007 by Representative Cabral (D).

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

*Summary:* Requires a warning notice in all restaurants and hotels on menus or signs listing menu items if trans fat is used.

HB 2147 - 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](http://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, 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 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 provide foods of higher nutritional value and that do not provide foods containing trans fatty acids for consumption in public cafeterias.

### **Mississippi**

Website: [www.ls.state.ms.us](http://www.ls.state.ms.us)

HB 732 - Introduced January 2007 by Representative Reeves.

*Status:* Passed the House on January 22, 2007. Referred to the Senate Education and Appropriations Committees.

*Summary:* Included in this comprehensive physical and health education bill is a provision that requires the State School Board of Education to adopt regulations that would eliminate any nonnaturally occurring trans fatty acids in food items, for compliance by school districts, for the Child Nutrition Breakfast and Lunch programs.

### **New Hampshire**

Website: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)

HB 324 – Introduced on January 4, 2007 by Representative McEachern (D).

*Status:* Adopted, as amended, in the House on March 21, 2007.

*Summary:* Requires all school administrative unit superintendents to evaluate the use of artificial trans fats and saturated fats in foods prepared and served to pupils as part of the school food program and report findings, no later than September 1, 2007, to the state board of education. The state board of education shall, no later than January 1, 2008, adopt and implement a policy governing the use of artificial trans fat and saturated fats in foods prepared and served to pupils in the public schools.

### **New Jersey**

Website: [www.njleg.state.nj.us](http://www.njleg.state.nj.us)

S. 2265 – Introduced by Senator Karcher (D) on October 16, 2006.

*Status:* Referred to the Senate health, Human Services and Senior Citizens Committee.

*Summary:* Prohibits cooking oils, shortening and margarines containing artificial trans fat from being stored, distributed, held for services, used in preparation of any menu item, or served in any restaurant.

S. 1218 – Introduced on January 30, 2006 by Senator Turner (D) and introduced in the Assembly by Assemblyman Stanley (D) on January 10, 2006.

*Status:* Passed the Senate on February 27, 2006 and passed the Assembly on January 8, 2007. Sent to Governor's desk.

*Summary:* In addition to the broad changes this bill requires for school nutrition, this bill also requires that schools must reduce the purchase of any products containing trans fats.

### **New Mexico**

Website: [www.legis.state.nm.us](http://www.legis.state.nm.us)

HB 1203 – Introduced by Representative Harrison (D).

*Status:* Referred to the House Business and Industry Committee.

*Summary:* Would require restaurants in New Mexico, with 3 or more locations, owned or managed by a New Mexico resident, to post trans-fat content and calorie information of all standard menu items on their menus or menu boards by July 1, 2007. Restaurants would also be required to limit use of trans fat to 0.5 grams per serving by July 1, 2008. By July 1, 2007, the Environmental Improvement Board would develop rules to regulate trans fat in restaurants and establish a system for grading restaurant compliance.

### **Rhode Island**

Website: [www.rilin.state.ri.us](http://www.rilin.state.ri.us)

H 5072 – Introduced on January 16, 2007 by Representative McNamara.

*Status:* Referred to the Health, Education and Welfare Committee. On May 9<sup>th</sup>, 2007, the Committee passed an amendment that requests the Rhode Island Department of Health create an incentive program to encourage the voluntary elimination of trans fat in retail food establishments. On May 22, 2007 the House passed the amendment.

*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 food business or by any mobile food service unit, except food that is being served directly to patrons in a manufacturer's original sealed package.

### **South Carolina**

Website: [www.scstatehouse.net](http://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.

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.

### **Tennessee**

Website: [www.legislature.state.tn.us](http://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.

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 14<sup>th</sup>.

*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.

### **Vermont**

Website: [www.leg.state.vt.us](http://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.

### **Virginia**

Website: [www.legis.state.va.us](http://www.legis.state.va.us)

SB 1197 – Introduced on January 10, 2006 by Senator Edwards.

*Status:* Passed the Senate on February 6, 2007 (40-0). Referred to the House Committee on Education.

*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 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.

## **City and Local Initiatives**

Boca Raton, FL  
Boston, MA  
Cambridge, MA  
Chicago, IL  
Erie County, NY  
Louisville, KY  
Tamarac, FL