SENATE, No. 521

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Requires restaurants to provide healthy beverages with meals designated for children.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/16/2020)

1 AN ACT concerning children's nutrition and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

- 1. The Legislature finds and declares that:
- a. The obesity rate in the United States has sharply climbed, with about a third of children nationwide deemed overweight or obese. In New Jersey, 22.7 percent of adolescents are overweight or obese, while 32.5 percent of children aged two to four in the Special Supplemental Nutrition Program for Women, Infants, and Children are overweight or obese. It is noteworthy that obese children are at least twice as likely as non-obese children to become obese adults.
- b. Sugary drinks play a critical role in the obesity epidemic. Sugary drinks, including soda, energy and sports drinks, sweetened water, and fruit drinks, provide the largest source of daily calories in the diets of American children ages two to 18. Each extra serving of a sugar-sweetened beverage consumed by a child in one day increases the child's chance of becoming obese by 60 percent.
- c. Obese children are at greater risk for numerous adverse health consequences, including Type 2 diabetes, heart disease, stroke, high blood pressure, high cholesterol, certain cancers, asthma, low self-esteem, depression, and other debilitating diseases. Sugary drinks are also linked to other health problems, including a greater risk of cardiovascular disease in adolescents, higher blood pressure in adolescents, dental cavities, and insufficient intake of essential nutrients, including calcium, folate, iron, magnesium, and vitamin A.
- d. Families in New Jersey have limited time to obtain and prepare healthy food, making dining out an appealing and often necessary option. Nationwide, American children eat 19 percent of their calories at fast-food and other restaurants, and children and adolescents who eat at both fast-food and full-service restaurants drink more sugary drinks and less milk.
- e. Requiring restaurants to provide a healthy beverage as the beverage automatically included in meals designated for children is an effective way to improve the nutritional quality of these meals; as an example, the Disney Corporation moved to this practice and, in 2008, reported that 68 percent of beverage orders at its American resorts included the healthier option.
- f. Therefore, it is in the public's interest to support parents' efforts to nourish children with healthy options while dining in restaurants..

2. As used in this act:

"Children's meal" means a combination of food and a beverage,

"Default beverage" means the beverage automatically included

"Restaurant" means the same as defined in section 1 of

sold together at a single price, primarily intended for consumption

or paired with a children's meal, absent a specific request by the

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purchaser for an alternative beverage.

P.L.1983, c.488 (C.26:3E-1).

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10	3. a. A restaurant shall not sell a children's meal unless the
11	default beverage is:
12	(1) water, sparkling water, or flavored water, with no added
13	natural or artificial sweeteners;
14	(2) nonfat or one percent milk or non-dairy milk alternative
15	containing no more than 130 calories per container or serving as
16	offered for sale; or
17	(3) one hundred percent fruit juice or fruit juice combined with
18	water or carbonated water, with no added sweeteners, in a serving
19	size of no more than eight ounces.
20	b. Nothing in this section shall prohibit a restaurant from
21	selling, or offering for sale, a beverage other than the default
22	beverage included with a children's meal.
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24	4. The Commissioner of Health shall adopt rules and
25	regulations, pursuant to the "Administrative Procedure Act,"
26	P.L.1968, c.410 (C.52:14B-1 et seq.), to enforce the provisions of
27	this act.
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29	5. This act shall take effect on the first day of the sixth month
30	next following the date of enactment.
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32	STATEMENT
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34	This bill requires restaurants to provide a healthy beverage with
35	any meals designated for children.
36	Under the bill, a restaurant's default beverage for a children's
37	meal could be:
38	(1) water, sparkling water, or flavored water, with no added
39	natural or artificial sweeteners;
40	(2) nonfat or one percent milk or non-dairy milk alternative
41	containing no more than 130 calories per container or serving as
42 43	offered for sale; or (2) one hundred research fruit injury or fruit injury combined with
43 44	(3) one hundred percent fruit juice or fruit juice combined with
45	water or carbonated water, with no added sweeteners, in a serving
45 46	size of no more than eight ounces. The bill does not prohibit or preclude a restaurant from selling or
40 47	offering another beverage as a replacement to the default beverage
48	included with the children's meal.
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