



Community and Economic Development Environmental Health Division

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Children's Meals FAQ's

WHAT IS THE NEW LAW REGARDING CHILDREN'S MEALS?

The following regulation was passed to help reduce the percentage of children who are found to be overweight or obese and to help them and their parents / guardians choose healthier drink options:

- Senate Bill (SB 1192)
 - ✓ This regulation is applicable throughout the State of California.

WHAT ARE THE PROVISIONS OF THE NEW LAW?

The provision prohibits food service businesses from having sugary beverages, such as soda or juice, as a default beverage for a children's meal.

This provision does not prohibit a restaurant's ability to sell, or a customer's ability to purchase, an alternative beverage instead of the default beverage offered with the children's meal, if requested by the purchaser of the children's meal.

WHO ENFORCES THE PROVISIONS OF THE NEW REGULATION?

The provision is enforced by the Madera County Environmental Health Division (MCEHD) as part of the routine inspection and complaint investigation of food service businesses.

WHAT IS CONSIDERED A CHILDREN'S MEAL?

Children's meal means a combination of food items and a beverage, or a single food item and a beverage, sold together at a single price, primarily intended for consumption by a child.

Default beverage means the beverage automatically included or offered as part of a children's meal, absent a specific request by the purchaser of the children's meal for an alternative beverage.

Restaurant means a retail food establishment that prepares, serves, and vends food directly to the consumer.

WHAT BEVERAGES ARE ALLOWED TO BE OFFERED AS PART OF A CHILDREN'S MEAL?

A restaurant that sells a children's meal shall make the default beverage offered with the children's meal one of the following:

- 1) Water, sparkling water, or flavored water, with no added natural or artificial sweeteners.
- 2) Unflavored milk.
- 3) A nondairy milk alternative that contains no more than 130 calories per container or serving. For purposes of this paragraph, "nondairy milk alternative" means a non-dairy fluid milk substitute that meets the standards for the National School Lunch Program as set forth in Section 210.10 of Title 7 of the Code of Federal Regulations.

NOTE: The beverages listed or displayed on a restaurant menu or advertisement for a children's meal shall be one of the default beverages listed above.

WHEN ARE FOOD OPERATORS REQUIRED TO COMPLY WITH THE NEW REGULATION?

Effective January 1, 2019, food service business operators are required to comply with the provisions of SB 1192.

Effective January 1, 2019 through December 31, 2019, the MCDEH will provide education and training on the requirements of the new regulations to food service business operators during inspection.

Effective January 1, 2020, non-compliance may result in a notice of violation for the first violation.

- ✓ If a second violation occurs within five (5) year period from the first violation a fine or no more than \$250 will be charged.
 - ✓ If a third or subsequent violation occurs within another five (5) year period, a fine of no more than \$500 will be charged.
 - ✓ A restaurant shall not be found to have committed a violation under this chapter more than once during an inspection visit.
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