
SENATE BILL 6505

State of Washington

60th Legislature

2008 Regular Session

By Senator Tom

Read first time 01/17/08. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to nutrition labeling of food; and adding a new
2 chapter to Title 70 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Chain food establishment" means any one of at least ten food
7 establishments within the United States doing business under the same
8 name and collectively having at least one million dollars in gross
9 annual sales and offering for sale substantially the same menu items,
10 regardless of whether the food establishments are subject to the same
11 ownership or type of ownership.

12 (2) "Condiment" means a sauce or seasoning including but not
13 limited to ketchup, mustard, hot sauce, tartar sauce, and similar items
14 offered for general use with or without charge.

15 (3) "Department" means the department of health.

16 (4) "Standard menu item" means food offered for sale for more than
17 sixty days per year, except for foods offered in a salad bar, buffet
18 line, cafeteria service or similar self-serve arrangement, and
19 condiments.

1 NEW SECTION. **Sec. 2.** (1) Each chain food establishment shall make
2 nutrition labeling of food available to consumers for all standard menu
3 items as required by this section. The nutrition labeling of food must
4 include, but not be limited to, the total number of calories and
5 nutrients as follows, per standard menu item, as usually prepared and
6 offered for sale:

- 7 (a) Total number of calories;
- 8 (b) Total number of grams of trans fat;
- 9 (c) Total number of grams of saturated fat;
- 10 (d) Total number of grams of carbohydrate; and
- 11 (e) Total number of milligrams of sodium.

12 (2) Each chain food establishment that provides a menu shall
13 provide the nutrition labeling of food required under subsection (1) of
14 this section next to each standard menu item on the menu in a size and
15 typeface similar to other information about each standard menu item.
16 The menu must include, in a clear and conspicuous manner, the following
17 statement: "Recommended limits for a two thousand calorie daily diet
18 are twenty grams of saturated fat and two thousand three hundred
19 milligrams of sodium." Each chain food establishment offering standard
20 menu items containing artificial trans fat shall amend the statement to
21 include the following language: "Eating artificial trans fat increases
22 risk of heart disease."

23 (3) Each chain food establishment that uses a menu board shall post
24 on the menu board the total number of calories per standard menu item
25 in a size and typeface similar to other information on the menu board
26 about the item. This type of chain food establishment shall make the
27 other nutrition labeling of food required under subsection (1) of this
28 section and the statement under subsection (2) of this section
29 available on printed menus, pamphlets, brochures, posters, or similar
30 documents that are plainly visible to consumers at the point of
31 ordering.

32 (4) Nothing in this section precludes chain food establishments
33 from providing additional nutrition labeling of food voluntarily.

34 (5) The department may allow chain food establishments to provide
35 nutrition labeling of food in a format that, in the discretion of the
36 department, provides substantially equivalent notice to consumers, at
37 the point of ordering, of nutrition information as is required by
38 subsection (2) or (3) of this section.

1 (6) Chain food establishments shall perform or obtain the required
2 calorie and nutrient analysis using reasonable bases, including
3 nutrient databases, cookbooks, or other analyses that ensure the
4 accuracy of the nutrition labeling. Chain food establishment owners or
5 operators shall provide to the department, if requested, information
6 documenting the accuracy of the nutrition labeling provided to
7 consumers. A nutrition label is not in compliance with this section if
8 it bears, for calories or any nutrient for which labeling is required
9 under subsection (1) of this section, a total number value that is more
10 than twenty percent lower or higher than nutrient analysis shows as the
11 content of the menu item.

12 (7) The nutrition labeling of food required under subsection (1) of
13 this section may be presented with a disclaimer stating that there may
14 be variations in nutrition content across servings, based on slight
15 variations in overall serving size or quantity of ingredients, or based
16 on special ordering.

17 NEW SECTION. **Sec. 3.** The department is authorized to adopt rules
18 as necessary to implement and provide for enforcement of this chapter.

19 NEW SECTION. **Sec. 4.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
24 a new chapter in Title 70 RCW.

--- END ---