



CHILDREN'S MEALS FAQs

WHAT IS THE NEW LAW REGARDING CHILDREN'S MEALS?

The new law was passed to help families choose healthier drinks and keep children healthy:

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

The law prohibits food service businesses from having sugary drinks, such as soda or sports drinks, as the **default** beverage for a children's meal.

A restaurant can sell another drink, like a soda, if a customer orders it. A customer can ask for a soda as part of the child's meal.

WHO ENFORCES THE PROVISIONS OF THE NEW LAW?

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

WHAT IS 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.

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WHAT DRINKS ARE ALLOWED WITH A CHILDREN'S MEAL?

A restaurant that sells a children's meal shall make the **default** beverage offered or automatically included 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 must 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 must 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.

WHERE CAN I FIND MORE INFORMATION?

Contact the MCDEH Consumer Protection Program at 209-381-1100 or FoodProgram@countyofmerced.com for additional information.