

By: Bonnen

H.B. No. 3153

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain restaurants to give notice of nutritional information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 13, Occupation Code, is amended by adding Chapter 2158 to read as follows:

CHAPTER 2158. NUTRITIONAL VALUE INFORMATION PUBLICATION.

SUBCHAPTER A. NOTIFICATION OF NUTRITIONAL VALUE INFORMATION

SEC. 2158.001 DEFINITIONS. In this subchapter:

(1) "Chain restaurant" means an establishment that operates 3 or more locations within the state of Texas which have the same name and a common ownership and that derives 75 percent or more of its gross revenue from the sale of food and beverages, not including alcoholic beverages, for on-premises consumption. The term does not include a hotel or motel, except that a restaurant operated at a hotel or motel is included in the term.

Sec. 2158.002. NOTICE OF NUTRITIONAL VALUE. (a) Chain restaurants shall list the nutritional value of each food item listed for order on a menu in use at that restaurant.

(b) The listing shall:

(1) contain for each food item a listing of the total calories, including the amount of calories from fat, the amount of total fat grams, cholesterol milligrams, sodium milligrams, total carbohydrate grams, total dietary fiber grams, total sugar grams,

1 and total protein grams for that food item.

2 (2) be printed in each copy of each menu inside each
3 restaurant location; and

4 (3) be of a font size not less than 1 font size smaller
5 than the smallest font used to list food items available from that
6 restaurant.

7 (c) If a menu is not provided the nutritional value listing
8 shall be placed in a location not less than 3 feet from any media
9 used to list food items available at that restaurant.

10 (d) If any one menu item contains enough grams of fat to
11 constitute over one-third of the total caloric count of that item,
12 the words "Eating Fatty Foods May Lead to Obesity" must be printed
13 in a conspicuous place on the nutritional value listing in a font
14 size that is at least one font size greater than the largest font
15 used to list the nutritional value information.

16 SEC. 2158.003. CRIMINAL PENALTIES. (a) A chain restaurant
17 owner commits an offense if the person does not post nutritional
18 value information as required by Sec. 2158.002.

19 (b) A chain restaurant owner or employee commits an offense
20 if they knowingly serve a food item for which nutritional value
21 information is not posted.

22 (c) An offense under this Section is a misdemeanor
23 punishable by:

24 (1) a fine of not less than \$25 or more than \$100;

25 (2) confinement in jail for a term not to exceed 30
26 days; or

27 (3) both fine and commitment.

1 SECTION 2. This Act takes effect September 1, 2003.