## SUBSTITUTE HOUSE BILL 2383

## State of Washington

66th Legislature
2020 Regular Session
By House Local Government (originally sponsored by Representatives Stonier, Gregerson, Robinson, Cody, Peterson, Hudgins, and Riccelli)

AN ACT Relating to default beverages for children's meals; adding a new section to chapter 43.20 RCW; prescribing penalties; and providing an effective date.

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

NEW SECTION. Sec. 1. A new section is added to chapter 43.20 RCW to read as follows:
(1) A restaurant that sells a children's meal shall make the default beverage offered with the children's meal one of the following:
(a) Water, sparkling water, or flavored water, with no added natural or artificial sweeteners; or
(b) Unflavored milk; or
(c) A nondairy milk alternative that contains no more than one hundred thirty calories per container or serving.
(2) The beverage listed or displayed on a restaurant menu or advertisement for a children's meal or offered by an employee must be one of the default beverages listed in subsection (1) of this section.
(3) This section 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.
(4) The state board may adopt rules as necessary to implement this section.
(5) The local health jurisdiction shall implement, administer, and enforce this section and any rules adopted by the state board pursuant to subsection (4) of this section.
(6) A restaurant found to violate this section shall receive a written warning for the first two violations. The third or subsequent violation in a two-year period from the written notification is punishable by a fine not to exceed two hundred dollars per violation. Total fines levied against a restaurant in a year may not exceed four hundred dollars.
(7) For purposes of this section:
(a) "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.
(b) "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.
(c) "Nondairy milk alternative" means a nondairy fluid milk substitute that meets the standards for the national school lunch program in 7 C.F.R. Sec. 210.10 as it existed on November 18, 2019.
(d) "Restaurant" means a retail food establishment that prepares, serves, and vends food directly to the consumer.

NEW SECTION. Sec. 2. This act takes effect January 1, 2021.

