



# HEALTH CARE AGENCY/PUBLIC HEALTH ENVIRONMENTAL HEALTH INFORMATIONAL BULLETIN

**To:** Orange County Retail Food Facility Owners/Operators

**Subject:** Nutritional Information at Chain Restaurants Senate Bill (SB) 20

The purpose of this Bulletin is to provide compliance assistance information to retail food facilities regarding SB 20 that the governor signed into law on October 2, 2011. SB 20 amends SB 1420 that was signed in 2009 and brings California into compliance with Federal Regulations with Section 4205 of the Patient Protection and Affordable Care Act of 2010. This law requires that all “chain” restaurants provide consumers with nutritional information of calorie content for all standard menu items prepared and sold at their establishment.

## Menu Boards

“Chain” restaurants are required to provide the calorie content information for all standard menu items on all menus, menu boards, and on display tags used by the food facility. The caloric information must be clearly associated with the standard menu item. If no menu board is used, the facility must provide the information in a clear and concise manner on either a brochure available on the table, on the menu next to standard menu items, in a separate index within the menu, in a menu insert, or on a table tent on the table.



## Drive-Through Menu Boards

If a food facility that has a drive-through and uses a menu board to display standard menu items, it must disclose the caloric information next to the standard menu item.



## Buffet Lines & Salad Bars

The number of calories per item or per serving must be on a sign adjacent to self-service food and food on display. These items include food sold at salad bars, buffet lines, cafeteria lines or similar self-service facilities, and self-service beverages and food on display that is visible to consumer.



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## **Frequently Asked Questions:**

### **Is my establishment considered a “chain” restaurant?**

The term “chain” refers to a restaurant or similar retail food establishment that is part of a chain with 20 or more locations doing business under the same name (regardless of ownership) and substantially the same menu items. This also includes Temporary Food Facilities (TFF) and Mobile Food Facilities (MFF).

### **What is considered a standard menu item?**

Standard menu item means a food or beverage offered for sale by a food facility for at least 180 days per calendar year.

### **What is considered a non-standard menu item?**

Non-standard menu items include: unsolicited customized food orders or items that are not on the menu board (such as condiments or other items placed on the table). Daily specials, temporary menu items appearing on the menu for less than 60 days per calendar year or items in a test market that appears on the menu for less than 90 days.

### **What is meant by nutritional information?**

Nutritional information refers to the dietary calorie content of the standard menu item.

### **Do theme parks and sports stadiums fall under the California menu labeling law?**

While food facilities in theme parks and sports stadiums are all under the same ownership, many of the food facilities in these venues do not share the same name or have substantially the same menu. As such, they would not fall under the California menu labeling law.

### **Do movie theaters fall under the California menu labeling law?**

Movie theaters and bowling alleys, whose primary purpose is not to sell food, may elect to "opt in" to the federal requirements by registering with the FDA every other year.

### **Are there any establishments that are exempt from menu labeling?**

The following food facilities are not required to comply:

- Certified Farmer’s Markets
- Commissaries
- Grocery Stores, Retail Markets, Convenience Stores
- Licensed Health Care Facilities
- Mobile Support Units
- School Cafeterias
- Restricted Food Service Facilities (Bed & Breakfast Inns)
- Retail stores in which a majority of sales are from a pharmacy

For additional information and assistance, contact the Environmental Health Food Protection Program at (714) 433-6000 between 8:00 a.m. – 5:00 p.m., Monday – Friday, by E-mail [ehhealth@ochca.com](mailto:ehhealth@ochca.com), or visit the Food Protection Program web site at [www.ocfoodinfo.com](http://www.ocfoodinfo.com).