

King County BOH08-01.1

Menu Labeling at Chain Restaurants

On July 19, 2007 the King County Board of Health passes legislation that will require chain food establishments to provide nutrition information on their menus and menu boards. Please refer to this document for information/details.

Who is Affected?

If both a and b:

- a.) Chain food establishments in King County with at least 10 units within the US, doing business under the same name, or offering substantially the same menu items (80% or more of the menu at 15 or more locations is prepared using a standardized recipe).
- b.) Is collectively doing at least \$1 million in annual sales.

What is required and where?

Every chain Restaurant must display nutrition information for each *standard menu item* available for sale. A *standard menu item* is food offered for sale for more than 90 days per year, and uniformly sold at 15 or more chain locations.

| | Definition | What it Information Must be Included | Details |
|-------------------|---|--|---|
| Menu | A printed list or periodical of foods for sale by a restaurant. | Calories Saturated/Trans Fat (g) Carbohydrates (g) Sodium (mg) The following statement: <i>For a typical adult who consumes 2,000 calories a day, the recommended limits are 20 grams of saturated fat, and 2,300 milligrams of sodium.</i> | Provide this information next to the menu item in an easy-to-read format that is in typeface similar to any other information about the menu item, and in a font no less than 9 point. |
| Menu Board | A display listing a restaurant's foods available for sale, posted in or outside a food establishment for ordering purposes. | Calories | <ul style="list-style-type: none"> a. Provide this information in an easy-to-read format that is in typeface at least as prominent as the price. b. Provide calorie, saturated fat, carbohydrates, and sodium information about the menu item on other printed documents like menus, brochures, or posters. |

* Establishments may include a menu disclaimer indicating that there may be minimal variations in nutritional content among servings due to slight variations in overall size and quantities of ingredient, and based on special ordering.

What does not need to be labeled?

- Food that are only labeled for sale by a food tag in a display case.
- Unopened, prepackaged foods.
- Condiments.
- Location-specific menu items, offered at fewer than 15 locations.
- Foods offered at a buffet, salad bar, or other self-serve service.
- Foods sold by weight or custom order quantity.
- Customized request orders.
- Garnishes

Combination Meals and Menu Choices

For menu items that are comprised of two or more food items establishments may list a range of calories/nutrients that displays the lowest and highest values for all possible combinations.

When listing a range restaurants must list the calorie, and other required nutrition information for each food component, or variety in printed materials available to guests.

Alternative Methods for Providing Nutrition Information

I. For Menus

When using one of these alternative methods of nutritional labeling a statement must appear on each page of the menu describing the location and method in which nutrition information is available. The information must also be available at each point of ordering.

- A. Menu Insert**— Must be placed inside each menu, or presented by the server with the menu.*
- B. Menu Appendix**— Must be attached to the back of a menu.*
- C. Supplemental Menu**— Will be similar in appearance to the menu, and will be available at each point of sale, or presented by the server with the menu.*
- D. Electronic Kiosk**— Must be available at each point of sale.*

*Must include all of the required information for a menu in a legible typeface no less than nine point font. All food categories and food items must appear in the same order as they are presented on the menu. This information must also be available to carry-out customers. Pictures of menu items are not required.

Other forms of providing nutrition information for menu items may be proposed for approval to a health officer.

II. For Menu Boards

- A. Sign Adjacent to the Menu Board**— Must appear on the same wall, in the same field of vision. Calorie information must be easy to read, and list foods in the same order and categories in which they appear on the menu board.
- B. Sign in Line at Eye Level**— Must be no less than two by three feet, and be in clear view to customers waiting in line either standing, or in a drive through. The information must be easy to read, and in a typeface that resembles the menu board, no less than 40 point.

Enforcement

The King County director of public health is responsible for enforcing the nutrition labeling requirements.

Directors may request documentation that nutrition analysis was obtained from a legitimate source.

If a health officer questions the accuracy of nutrition information at an establishment he/she may consult with a nutrition professional to determine if the information needs correcting.

Important Dates.

- August 1, 2008**— Chain establishments must begin the process of compiling nutrition information for menus.
- January 1, 2009**— Chain establishments must provide the appropriate nutrition information on menus and menu boards, with the exception of drive through menu boards.
- August 1, 2009**— Drive through menu boards must display calorie information.

Alcoholic Beverages

All chain food establishments serving alcoholic beverages may use the following average nutritional values on their beverage menus:

- A. Wine**— 5oz: 122 calories, 4g carbohydrate, 7mg sodium.
- B. Regular Beer**— 12oz: 153 calories, 13g carbohydrate, 7mg sodium.
- C. Light Beer**— 12oz: 103 calories, 6g carbohydrate, 14mg sodium
- D. Distilled Spirits (80 proof)**— 1.5oz: 96 calories.

Establishments may add the following statement: "Signature drinks or liqueurs with added ingredients may increase calorie content."