

# The Ulster County Menu Labeling Act of 2009

As of November 2009, covered chain food service establishments in Ulster County, NY will be required to post calorie content values on their menus and menu boards. Please refer to this document for information/details.

## Who is Affected?

All food facilities with one location in Ulster County and 15 or more locations that operate under a common ownership or as franchised outlets of a parent business that do business under the same name.

## What is Required and Where?

Affected restaurants must list the calorie content of each menu item on both printed menus and menu boards next to each menu item.

A **menu item** is any individual food item or combination of food items listed or displayed for sale in a foodservice.

	Description	Calorie Labeling Details
<b>Menus</b>	A printed list or periodical of foods for sale by a restaurant. Includes menus that are to be distributed or provided outside of the restaurant.	Calorie information must be legible and posted conspicuously in a size, color, and typeface that is as prominent or more prominent than that of the menu item name and/or price.
<b>Menu Boards</b>	Any list or periodical display of food items for sale and their prices that is posted and visible within or outside of a restaurant for ordering purposes (includes drive-throughs).	Calories may be listed in a column next to the menu items in a column labeled "calories" or "cals".
<b>Place Cards</b>	A food tag or similar signage that is displayed along with a menu item, or variety of menu items offered for sale.	

## Flavors, Varieties, and Combinations

For menu items listed as a single menu item, but that are offered in different flavors, sizes, varieties, and combinations a median calorie value may be listed as long as all values fall within 20% of the median. When varieties vary more than 20% of the median a range can be displayed from lowest to highest.

If a menu item is not on display or listed on the menu or menu board, calorie information for each individual variety must be made available upon customer request. Obvious signage must be present to alert customers that this information is available.

## Nutrition Analysis

Calorie information must be generated from a reliable source including use of a nutrient database or laboratory testing.

Establishments may be asked to provide the health department with information documenting the accuracy of their calorie information.

## Violations and Fines

Restaurants may be found to be in violation of this law by an Ulster County health inspector and may be fined up to \$200.