

# Westchester County Chapter 708

## Calorie Labeling by Chain Foodservice

On November 18, 2008 the Westchester County Board of Legislators passed a law that will require chain food service establishments to label the calorie content of their menu items. Please refer to this document for information/details.

### When?

This ordinance is set to take effect 180 days after signage, May of 2009.

### Who is Affected?

All food facilities with one location in Westchester County and 15 or more locations in the country that operate under a common ownership with the same name, or food facilities that operate as a franchised unit of a parent company of 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 on a menu or menu board.

	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.	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>Place Cards</b>	A food tag or similar signage that displayed along with a menu item, or variety of menu items offered for sale.	Calorie information on the place card, along with the menu item name.

### Flavors and Varieties

For menu items listed as a single menu item, but that are offered in different flavors, sizes, and varieties, 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.