

HOUSE BILL REPORT

SSB 6455

As Reported by House Committee On:
Local Government

Title: An act relating to default beverages for children's meals.

Brief Description: Requiring default beverages for children's meals.

Sponsors: Senate Committee on Health & Long Term Care (originally sponsored by Senators Lias, King, Billig, Nguyen, Cleveland, Hunt, Saldaña, Van De Wege and Wilson, C.).

Brief History:

Committee Activity:

Local Government: 2/25/20, 2/28/20 [DP].

Brief Summary of Substitute Bill

- Requires that restaurants that sell children's meals offer water, unflavored milk, or a nondairy milk alternative as the default beverage option with the meal.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 4 members: Representatives Pollet, Chair; Duerr, Vice Chair; Appleton and Senn.

Minority Report: Do not pass. Signed by 3 members: Representatives Kraft, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Goehner.

Staff: Kellen Wright (786-7134).

Background:

The State Board of Health (Board) is a forum for the development of public health policy in Washington. The Board is required to adopt rules regulating public health related to, among other things, environmental conditions, including standards for food service establishments. State employees, including all local health boards and officials, are required to enforce the rules adopted by the Department of Health.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Local government boards of health enforce both the regulations adopted by the Board, as well as rules adopted locally.

Summary of Bill:

A children's meal is defined as a meal served by a restaurant in which a combination of food and a beverage are sold together at a single price, and intended for consumption by a child. In such meals, the default beverage offered on the menu may only be water (including sparkling water or flavored water with no added sweeteners), unflavored milk, or a nondairy milk alternative that contains 130 or fewer calories per serving. Beverages listed or displayed on a restaurant's menu, in advertisements, or offered by an employee must be one of the default beverages. Restaurants may serve an alternative beverage instead of a default beverage with a children's meal at the request of the person purchasing the meal.

The State Board of Health (Board) may adopt rules necessary to implement the default beverage requirement. Local health departments must implement and enforce the default beverage requirement, as well as any rules adopted by the Board. Violations of the default beverage requirements are subject to penalties: a first or second violation is subject to a written warning; a third or subsequent violation within two years is subject to a monetary penalty of up to \$200 per violation. No more than \$400 in penalties may be imposed on a restaurant each year.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect January 1, 2021.

Staff Summary of Public Testimony:

(In support) The majority of families eat out five times a week or more, and restaurants often have very sugary drinks. Children should not have more than a couple of teaspoons of sugar a day, but can have up to 30 just from the beverages they drink each day. Sugar is among the top contributors of extra calories to children, and can lead to hypertension, depression, tooth decay, and other issues. This bill is a simple way to help to ensure that healthy options are the default for children at restaurants. Children are influenced by what is on the menu, and this bill makes the healthy choice easy. Chocolate milk and fruit juice are not healthy alternative choices, despite what some people think. Parents support this bill, as it reinforces children's health. Parents can still make the final decision on what their children get, but the default choice should be healthy.

(Opposed) This bill lacks a scientific basis and lacks balance as currently drafted. By simply focusing on sugar, the bill ignores other nutritional attributes of beverages, and it would still

allow drinks that have significant added sugar. Nondairy milk alternative is a misnomer, as there is no nutritional equivalencies between milk and nondairy milk alternatives. No plant-based juice can compete with milk's nutritional profile. Low fat flavored milks are approved for children by health organizations and by school regulations. This bill can be fixed by adding the option of low fat flavored milks.

(Other) The intent and direction of this legislation is good, but we would like to see flavored milk and 100 percent fruit or vegetable juice added as options.

Persons Testifying: (In support) Senator Liias, prime sponsor; Sawyer Alston; Carrie Glover, Childhood Obesity Prevention Coalition; and Irene Hunter.

(Opposed) Dan Coyne, Northwest Dairy Association.

(Other) Brooke Davies, Washington Beverage Association.

Persons Signed In To Testify But Not Testifying: None.