

HOUSE BILL 1048

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6lr2352
CF SB 866

By: Delegates Shetty, Charkoudian, ~~and Cullison~~ Cullison, Alston, Bagnall, Guzzone, Kaufman, Lopez, Martinez, Rosenberg, Ross, White Holland, and Woorman

Introduced and read first time: February 9, 2026
Assigned to: Health

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 10, 2026

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Chain Restaurants – Sodium and Added Sugars Warning Icons**
3 **and Disclosure and Notice**

4 FOR the purpose of requiring the Maryland Department of Health to adopt certain
5 regulations relating to the sale of food items with a high added sugars content or
6 high sodium content by a chain restaurant by a certain date and to ~~administer a~~
7 ~~certain continuing education campaign within a certain time~~ direct chain
8 restaurants to its website for a certain purpose; requiring certain chain restaurants
9 to display certain icons next to food items with a high added sugars content or high
10 sodium content and a certain disclosure and notice on each menu or menu board; and
11 generally relating to chain restaurants and ~~high sodium and added sugars menu~~
12 ~~icons~~ menu items with high sodium and added sugars.

13 BY renumbering

14 Article – Health – General
15 Section 21–330.3 and 21–330.4
16 to be Section 21–330.4 and 21–330.5, respectively
17 Annotated Code of Maryland
18 (2023 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – Education
21 Section 13–517(a)(1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2022 Replacement Volume and 2025 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – Education
5 Section 13–517(a)(4)
6 Annotated Code of Maryland
7 (2022 Replacement Volume and 2025 Supplement)

8 BY repealing and reenacting, without amendments,
9 Article – Health – General
10 Section 21–301(a) and (h)
11 Annotated Code of Maryland
12 (2023 Replacement Volume and 2025 Supplement)

13 BY adding to
14 Article – Health – General
15 Section 21–330.3
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Health – General
20 Section 21–1214
21 Annotated Code of Maryland
22 (2023 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That Section(s) 21–330.3 and 21–330.4 of Article – Health – General of the Annotated Code
25 of Maryland be renumbered to be Section(s) 21–330.4 and 21–330.5, respectively.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
27 as follows:

28 **Article – Education**

29 13–517.

30 (a) (1) In this section the following words have the meanings indicated.

31 (4) (i) “Facility” means an agency, an association, a corporation, a firm,
32 a partnership, or any other entity.

33 (ii) “Facility” does not include a grocery store or restaurant that is
34 subject to [§ 21–330.3] § 21–330.4 of the Health – General Article.

35 **Article – Health – General**

1 21-301.

2 (a) In this subtitle the following words have the meanings indicated.

3 (h) (1) "Food service facility" means:

4 (i) A place where food or drink is prepared for sale or service on the
5 premises or elsewhere; or

6 (ii) Any operation where food is served to or provided for the public,
7 with or without charge.

8 (2) "Food service facility" includes a micro market licensed under Title 17,
9 Subtitle 17 of the Business Regulation Article.

10 (3) "Food service facility" does not include:

11 (i) A kitchen in a private home where food is prepared at no charge
12 for guests in the home, for guests at a social gathering, or for service to unemployed,
13 homeless, or other disadvantaged populations;

14 (ii) A food preparation or serving area where food is prepared or
15 served only by an excluded organization;

16 (iii) A location in a farmer's market or at a public festival or event
17 where raw agricultural products, as defined in § 21-304(d)(1)(iii) of this subtitle, are sold;
18 or

19 (iv) A cottage food business.

20 **21-330.3.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) "CHAIN RESTAURANT" MEANS A FOOD SERVICE FACILITY THAT ~~IS~~:**

24 **(I) IS PART OF A CHAIN WITH 20 OR MORE LOCATIONS DOING**
25 **BUSINESS UNDER THE SAME NAME, REGARDLESS OF OWNERSHIP STRUCTURE, AND**
26 **OFFERING FOR SALE SUBSTANTIALLY SIMILAR MENU ITEMS; AND**

27 **(II) IS SUBJECT TO FEDERAL LABELING REQUIREMENTS UNDER**
28 **21 U.S.C. § 343(Q)(5)(H).**

1 **(3) “HIGH ADDED SUGARS CONTENT” MEANS 25 ~~MILLIGRAMS~~ GRAMS**
2 **OR MORE OF ADDED SUGARS PER SERVING.**

3 **(4) “HIGH SODIUM CONTENT” MEANS 1,150 MILLIGRAMS OR MORE OF**
4 **SODIUM PER SERVING.**

5 **(5) “MENU” OR “MENU BOARD” MEANS THE PRIMARY WRITING**
6 **SOURCE FROM WHICH A CUSTOMER MAKES AN ORDER SELECTION.**

7 **(6) “POINT OF SELECTION” MEANS A PLACE WHERE A CUSTOMER MAY**
8 **VIEW THE MENU AND MAKE A SELECTION TO PURCHASE A MENU ITEM.**

9 **(7) (I) “STANDARD MENU ITEM” MEANS A FOOD OR BEVERAGE**
10 **ITEM THAT IS LISTED ON A MENU OR MENU BOARD.**

11 **(II) “STANDARD MENU ITEM” DOES NOT INCLUDE A FOOD OR**
12 **BEVERAGE ITEM THAT APPEARS ON A MENU OR MENU BOARD FOR LESS THAN 60**
13 **CALENDAR DAYS PER YEAR.**

14 **(B) ON OR BEFORE JANUARY 1, 2027, THE DEPARTMENT SHALL ADOPT**
15 **REGULATIONS TO:**

16 **(1) ESTABLISH A HIGH SODIUM CONTENT WARNING ICON AND**
17 **ACCOMPANYING TEXT;**

18 **(2) ESTABLISH A HIGH ADDED SUGARS CONTENT WARNING ICON AND**
19 **ACCOMPANYING TEXT;**

20 **(3) ESTABLISH A MINIMUM SIZE FOR EACH WARNING ICON THAT IS AT**
21 **LEAST AS LARGE AS THE LARGEST TEXT CHARACTER USED IN THE NAME OF THE**
22 **MENU ITEM THAT THE ICON WILL BE DISPLAYED NEXT TO ON THE MENU OR MENU**
23 **BOARD; AND**

24 **(4) IMPLEMENT THIS SECTION.**

25 **(C) CONCURRENT WITH THE ADOPTION OF REGULATIONS UNDER**
26 **SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL PUBLISH GUIDANCE**
27 **ON ITS WEBSITE THAT DETAILS THE PURPOSE OF AND HOW A CHAIN RESTAURANT**
28 **MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION.**

29 **(D) DURING CALENDAR YEAR 2027, THE DEPARTMENT SHALL ADMINISTER**
30 **~~A CONTINUING EDUCATION CAMPAIGN THAT EXPLAINS~~ DIRECT CHAIN**
31 **RESTAURANTS TO ITS WEBSITE FOR THE PURPOSE OF EXPLAINING THE PURPOSE OF**

1 AND HOW A CHAIN RESTAURANT MAY COMPLY WITH THE REQUIREMENTS OF THIS
2 SECTION.

3 (E) BEGINNING JANUARY 1, ~~2028~~ 2027, EACH CHAIN RESTAURANT IN THE
4 STATE SHALL DISPLAY ON EACH MENU OR MENU BOARD:

5 (1) NEXT TO EACH STANDARD MENU ITEM WITH A HIGH SODIUM
6 CONTENT, THE HIGH SODIUM CONTENT WARNING ICON AND ACCOMPANYING TEXT
7 ESTABLISHED IN REGULATIONS ADOPTED UNDER SUBSECTION (B) OF THIS
8 SECTION; ~~AND~~

9 (2) NEXT TO EACH STANDARD MENU ITEM WITH A HIGH ADDED
10 SUGARS CONTENT, THE HIGH ADDED SUGARS CONTENT WARNING ICON AND
11 ACCOMPANYING TEXT ESTABLISHED IN REGULATIONS ADOPTED UNDER
12 SUBSECTION (B) OF THIS SECTION; AND

13 (3) A WRITTEN DISCLOSURE AND NOTICE TO CUSTOMERS THAT:

14 (I) STANDARD MENU ITEMS MAY CONTAIN HIGH SODIUM OR
15 HIGH SUGAR; AND

16 (II) FULL NUTRITIONAL INFORMATION IS AVAILABLE THROUGH
17 A QUICK RESPONSE (QR) CODE, ONLINE, OR BY REQUEST.

18 (F) A CHAIN RESTAURANT MAY COMPLY WITH SUBSECTION (E)(3) OF THIS
19 SECTION BY MAKING THE FULL NUTRITIONAL INFORMATION OF THE FOOD OR
20 BEVERAGE ITEM AVAILABLE:

21 (1) THROUGH USE OF A QUICK RESPONSE (QR) CODE THAT LINKS TO
22 THE CHAIN RESTAURANT'S ONLINE NUTRITIONAL INFORMATION; AND

23 (2) ON REQUEST OF A CUSTOMER, IN ANY PRINTED FORMAT.

24 ~~(F)~~ (G) (1) IF THE CHAIN RESTAURANT IS REQUIRED TO DISPLAY A
25 WARNING ICON AND ACCOMPANYING TEXT UNDER SUBSECTION (E)(1) OF THIS
26 SECTION, THE FOLLOWING TEXT SHALL BE PROMINENTLY, CLEARLY, AND
27 CONSPICUOUSLY DISPLAYED AT THE POINT OF SELECTION:

28 "THE HIGH SODIUM CONTENT WARNING ICON INDICATES A MENU ITEM WITH
29 A SODIUM (SALT) CONTENT THAT EXCEEDS HALF THE TOTAL DAILY RECOMMENDED
30 LIMIT. DIETS HIGHER IN SODIUM ARE ASSOCIATED WITH AN INCREASED RISK OF
31 DEVELOPING HIGH BLOOD PRESSURE, WHICH IS A MAJOR CAUSE OF HEART DISEASE
32 AND STROKE."

1 **(2) IF THE CHAIN RESTAURANT IS REQUIRED TO DISPLAY A WARNING**
 2 **ICON AND ACCOMPANYING TEXT UNDER SUBSECTION (E)(2) OF THIS SECTION, THE**
 3 **FOLLOWING TEXT SHALL BE PROMINENTLY, CLEARLY, AND CONSPICUOUSLY**
 4 **DISPLAYED AT THE POINT OF SELECTION:**

5 **“THE HIGH ADDED SUGARS CONTENT WARNING ICON INDICATES A MENU ITEM**
 6 **WITH A SUGAR CONTENT THAT EXCEEDS HALF THE TOTAL DAILY RECOMMENDED**
 7 **LIMIT. DIETS WITH HIGHER AMOUNTS OF ADDED SUGARS OVER TIME MAY INCREASE**
 8 **THE RISK OF TYPE 2 DIABETES, WEIGHT GAIN, AND TOOTH DECAY.”.**

9 ~~**(G) ON OR BEFORE JULY 1, 2032, THE DEPARTMENT SHALL SUBMIT A**~~
 10 ~~**REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE**~~
 11 ~~**STATE GOVERNMENT ARTICLE, THAT:**~~

12 ~~**(1) REVIEWS ANY EVIDENCE OF THE IMPACT OF THE REQUIREMENTS**~~
 13 ~~**ESTABLISHED UNDER THIS SECTION, INCLUDING:**~~

14 ~~**(I) WHETHER AND TO WHAT EXTENT ANY STANDARD MENU**~~
 15 ~~**ITEMS WERE REFORMULATED; AND**~~

16 ~~**(II) WHETHER AND HOW CONSUMER BEHAVIOR CHANGED; AND**~~

17 ~~**(2) RECOMMENDS ANY ADDITIONAL NUTRITION RELATED MENU**~~
 18 ~~**WARNING ICONS THAT SHOULD BE CONSIDERED.**~~

19 21-1214.

20 (a) (1) Except as provided in ~~paragraph (2)~~ **PARAGRAPHS (2) AND (3)** of this
 21 subsection, any person who violates any provision of Subtitle 3 of this title or any rule or
 22 regulation adopted under Subtitle 3 of this title is guilty of a misdemeanor and on
 23 conviction is subject to:

24 (i) For a first offense, a fine not exceeding \$1,000 or imprisonment
 25 not exceeding 90 days, or both; and

26 (ii) For a second offense, a fine not exceeding \$2,500 or imprisonment
 27 not exceeding 1 year, or both.

28 (2) A person who violates § 21-330.1 ~~OR § 21-330.3~~ of this title is not
 29 subject to paragraph (1) of this subsection.

30 **(3) A PERSON WHO VIOLATES § 21-330.3 OF THIS TITLE IS GUILTY OF**
 31 **A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:**

32 **(I) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$500; AND**

1 **(II) FOR A SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING**
2 **\$1,000.**

3 (b) In addition to any criminal penalties imposed under this section, a person who
4 violates any provision of Subtitle 3 of this title or any rule or regulation adopted under
5 Subtitle 3 of this title or any term, condition, or limitation of any license or registration
6 issued under Subtitle 3 of this title:

7 (1) Is liable for a civil penalty not exceeding \$5,000, to be collected in a civil
8 action in the District Court for any county; and

9 (2) May be enjoined from continuing the violation.

10 (c) Each day on which a violation occurs is a separate violation under this section.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.