

SENATE BILL 866

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6lr2086
CF HB 1048

By: Senator A. Washington

Introduced and read first time: February 6, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

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

10 BY renumbering

11 Article – Health – General

12 Section 21–330.3 and 21–330.4

13 to be Section 21–330.4 and 21–330.5, respectively

14 Annotated Code of Maryland

15 (2023 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Education

18 Section 13–517(a)(1)

19 Annotated Code of Maryland

20 (2022 Replacement Volume and 2025 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Education

23 Section 13–517(a)(4)

24 Annotated Code of Maryland

25 (2022 Replacement Volume and 2025 Supplement)

26 BY repealing and reenacting, without amendments,

27 Article – Health – General

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 21–301(a) and (h)
Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

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

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 21–1214
12 Annotated Code of Maryland
13 (2023 Replacement Volume and 2025 Supplement)

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

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

Article – Education

20 13-517.

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

22 (4) (i) "Facility" means an agency, an association, a corporation, a firm,
23 a partnership, or any other entity.

24 (ii) "Facility" does not include a grocery store or restaurant that is
25 subject to ~~§ 21-330.3~~ **§ 21-330.4** of the Health – General Article.

Article – Health – General

27 21-301.

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

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

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

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

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

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

14 (iv) A cottage food business.

15 21-330.3.

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

(3) "HIGH ADDED SUGARS CONTENT" MEANS 25 MILLIGRAMS OR MORE OF ADDED SUGARS PER SERVING.

24 (4) "HIGH SODIUM CONTENT" MEANS 1,150 MILLIGRAMS OR MORE OF
25 SODIUM PER SERVING.

26 (5) "MENU" OR "MENU BOARD" MEANS THE PRIMARY WRITING
27 SOURCE FROM WHICH A CUSTOMER MAKES AN ORDER SELECTION

(6) "POINT OF SELECTION" MEANS A PLACE WHERE A CUSTOMER MAY
VIEW THE MENU AND MAKE A SELECTION TO PURCHASE A MENU ITEM.

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

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

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

14 (4) IMPLEMENT THIS SECTION.

15 (C) CONCURRENT WITH THE ADOPTION OF REGULATIONS UNDER
16 SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL PUBLISH GUIDANCE
17 ON ITS WEBSITE THAT DETAILS THE PURPOSE OF AND HOW A CHAIN RESTAURANT
18 MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

19 (D) DURING CALENDAR YEAR 2027, THE DEPARTMENT SHALL ADMINISTER
20 A CONTINUING EDUCATION CAMPAIGN THAT EXPLAINS THE PURPOSE OF AND HOW
21 A CHAIN RESTAURANT MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

22 (E) BEGINNING JANUARY 1, 2028, EACH CHAIN RESTAURANT IN THE STATE
23 SHALL DISPLAY ON EACH MENU OR MENU BOARD:

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

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

5 “THE HIGH SODIUM CONTENT WARNING ICON INDICATES A MENU ITEM WITH
6 A SODIUM (SALT) CONTENT THAT EXCEEDS HALF THE TOTAL DAILY RECOMMENDED
7 LIMIT. DIETS HIGHER IN SODIUM ARE ASSOCIATED WITH AN INCREASED RISK OF
8 DEVELOPING HIGH BLOOD PRESSURE, WHICH IS A MAJOR CAUSE OF HEART DISEASE
9 AND STROKE.”.

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

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

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

21 (1) REVIEWS ANY EVIDENCE OF THE IMPACT OF THE REQUIREMENTS
22 ESTABLISHED UNDER THIS SECTION, INCLUDING:

23 (I) WHETHER AND TO WHAT EXTENT ANY STANDARD MENU
24 ITEMS WERE REFORMULATED; AND

25 (II) WHETHER AND HOW CONSUMER BEHAVIOR CHANGED; AND

26 (2) RECOMMENDS ANY ADDITIONAL NUTRITION-RELATED MENU
27 WARNING ICONS THAT SHOULD BE CONSIDERED.

28 21-1214.

29 (a) (1) Except as provided in paragraph (2) of this subsection, any person who
30 violates any provision of Subtitle 3 of this title or any rule or regulation adopted under
31 Subtitle 3 of this title is guilty of a misdemeanor and on conviction is subject to:

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

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

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

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

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

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2026.