



Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

February 25, 2026

The Honorable Pamela Beidle
Chair, Senate Finance Committee
2 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: Senate Bill 866 – Public Health – Chain Restaurants – Sodium and Added Sugars Warning Icons – Letter of Information

Dear Chair Beidle and Committee members:

The Maryland Department of Health (the Department) respectfully submits this letter of information for Senate Bill (SB) 866 – Public Health – Chain Restaurants – Sodium and Added Sugars Warning Icons. SB 866 requires the Department to adopt regulations requiring certain chain restaurants to display standardized warning icons and accompanying text on menus for items high in sodium or added sugars beginning in 2028. The bill directs the Department to conduct an education campaign in 2027 to explain the purpose and how chain restaurants may comply, and submit a report to the General Assembly on the policy’s impact by 2032.

SB 866 aims to improve consumer awareness at the point of purchase at chain restaurants through clear visual cues that help individuals make informed food choices. By enabling patrons to quickly and easily identify foods that are high in sugar and sodium, the bill supports healthier decision-making, particularly for individuals living with chronic conditions such as diabetes and hypertension who must carefully monitor their dietary intake.

The Department notes that data from the New York City sodium warning icon rule suggests that while point-of-purchase labeling can increase consumer awareness and may modestly influence purchasing patterns, the overall impact on consistent behavior change and product reformulation has been limited and mixed. Evaluations found small reductions in average sodium purchased, but no significant decline in the proportion of consumers selecting high-sodium items, and little evidence of widespread industry reformulation^{1,2}, suggesting that awareness-based strategies

¹ Sisti, J. S., Prasad, D., Niederman, S., Mezzacca, T. A., Anekwe, A. V., Clapp, J., & Farley, S. M. (2023). Sodium content of menu items in New York City chain restaurants following enforcement of the sodium warning icon rule, 2015–2017. *PLoS ONE*, 18(5), Article e0274648. <https://doi.org/10.1371/journal.pone.0274648>

² Prasad, D., Jasek, J. P., Anekwe, A. V., Dominianni, C., Mezzacca, T. A., Sisti, J. S., Farley, S. M., & Kessler, K. (2023). Changes in consumer purchasing patterns at New York City chain restaurants following adoption of the sodium warning icon rule, 2015–2017. *PLoS ONE*, 18(4), Article e0274044. <https://doi.org/10.1371/journal.pone.0274044>

alone may not reliably produce sustained behavioral or structural change, particularly without complementary policy mechanisms or broader public health interventions.

The Department notes that the report required by SB 866, due by July 1, 2032, may be of limited utility in assessing the law's impact, because the absence of baseline data will make it difficult to measure any change over time. Furthermore, the Department would not be notified if or when restaurants reformulate menu items, nor would the Department have information about the reasons for any changes. As a result, the Department would be unable to accurately determine the extent or cause of any observed changes in consumer behavior under the requirements outlined in the bill.

If SB 866 is adopted, the Department's Office of Food Protection (OFP) would review menus for newly constructed and proposed prototypical food service facilities that meet the bill's criteria. Retail food service facilities (FSF) are licensed by the local health departments, therefore, currently licensed retail food service facilities that are already constructed and operating would need to comply by submitting menus to local health departments for review. This would require training of local health department food protection staff, as well as outreach to the FSFs that are affected by the new law. Conducting the required educational campaign in 2027 to explain the purpose of and how chain restaurants may comply with the new law would require development of new outreach materials.

SB 866 will impose both an operational and fiscal impact on the Department, requiring the development of regulations, published website guidance, execution of an educational campaign to restaurants, and submit a one-time formal impact report to the General Assembly.

If you would like to discuss this further, please do not hesitate to contact Meghan Lynch, Director of Governmental Affairs at meghan.lynch@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Meena Seshamani', is written over a light blue horizontal line.

Meena Seshamani, M.D., Ph.D.
Secretary of Health