



House Bill 1048

Public Health - Chain Restaurants - Sodium and Added Sugars Warning Icons

March 23, 2026

Position: **OPPOSE**

Dear Delegate:

The Restaurant Association of Maryland strongly opposes House Bill 1048. This bill requires chain restaurants to display warning icons on menus and menu boards next to each standard menu item that has high sodium content or high added sugars content. Although HB 1048 was amended in Committee, we remain opposed because the bill still requires menu warning icons. We prefer the approach of the amended Senate cross-file bill (SB 866), which strikes the language requiring menu warning icons and instead requires chain restaurants to provide full nutritional information (including sodium and sugar content) via QR code, online, or in printed format upon customer request.

No other state has enacted such a menu warning icons requirement. Only New York City (NYC) and Philadelphia require similar high sodium warning icons for chain restaurant menus. And NYC also requires high added sugar warning icons for chain restaurant prepackaged food items and equivalent non-packaged items.

Since 2018, federal menu labeling regulations require chain restaurants with 20 or more locations doing business under the same name (and offering substantially the same menu items) to disclose calories on the menu and provide additional nutrition information to customers upon request (total calories, total fat, saturated fat, trans fat, cholesterol, **sodium**, total carbohydrate, dietary fiber, **sugars** [total], and protein).

State-specific high sodium and high added sugar menu warning icons would undermine national uniformity, create a patchwork of inconsistent thresholds (the arbitrary thresholds in HB 1048 do not align with FDA's dietary guidelines), and potentially confuse customers when nutrition messages differ by state/jurisdiction. Part of the intent of the federal menu labeling rules for chain restaurants was to establish nationwide uniformity for brands that operate in multiple states.

Although House Bill 1048 is well intended, the reality is that data from NYC show no significant changes in customer ordering habits since 2015 when the high sodium menu warning icons requirement for chain restaurants became effective there. According to our registered dietitian consultant, there are two PLOS One studies ([Prasad et al., 2023](#); and [Sisti et al., 2023](#)) that confirm this, and are generally the best peer-reviewed evaluations of purchasing behavior during early implementation of the NYC sodium warning regulation. Interestingly, these are the same studies cited by the Maryland Department of Health in their *Letter of Information* that was submitted on this legislation.

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In fact, the NYC City Council is currently considering changes to their warning icons (proposing to make them bolder and in red text) to try to make them more noticeable to customers.

Without data showing a quantifiable public health benefit or change in customer ordering habits as a direct result of such menu warning icons, it would be imprudent for Maryland to be the first state to enact such a mandate.

Implementing such a requirement also imposes significant costs on chain restaurants to redesign/update menus and menu boards for compliance, which also includes drive-thru signage, kiosks, mobile apps, websites, and third-party delivery platforms. This can be a challenge because menu space is limited. And for franchise locations, these costs would be borne by small business owners.

There is no FDA high sodium/high sugar warning icon requirement for packaged foods. Only nutrition labels are required. It would be unreasonable for Maryland to require warning icons for chain restaurant menus.

And lastly, given that a substantial number of customers modify their orders, substitute ingredients, add or remove toppings/condiments/sauces to suit their taste, and often share appetizers, sides, and desserts, warning icons can be misleading because they do not account for these frequent variations and changes in serving sizes.

For these reasons, we remain opposed to House Bill 1048 as currently amended.

Respectfully,

A handwritten signature in black ink, appearing to read "Melvin R. Thompson", followed by a long, sweeping horizontal line that extends to the right.

Melvin R. Thompson
Senior Vice President
Government Affairs and Public Policy