

Bill No. 1-22
Concerning: Eating and Drinking
Establishments - Healthy Meals for
Children
Revised: 3/1/2022 Draft No. 6
Introduced: January 11, 2022
Enacted: March 1, 2022
Executive: _____
Effective: See Sec. 2
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Rice
Co-Sponsors: Council President Albonoz and Councilmembers Jawando, Navarro, and Hucker

AN ACT to:

- (1) require children's meals offered by food service facilities to include certain healthy food and beverage options; and
- (2) generally amend the law regarding eating and drinking establishments.

By adding

Montgomery County Code
Chapter 15, Eating and Drinking Establishments
Section 15-15C

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec 1. Section 15-15C is added as follows:**

2 **Sec. 15-15C. Healthy Meals for Children.**

3 (a) Definitions. In this Section, the following terms have the meanings

4 indicated.

5 Children's meal means a combination of food items, or a combination of

6 food items and a beverage, that a food service facility:

7 (1) offers for sale as a unit; and

8 (2) includes on its children's menu, or otherwise offers for

9 consumption primarily by children.

10 Children's meal does not include a combination of food items, or a

11 combination of food items and a beverage, prepackaged and offered for

12 sale by an entity other than a food service facility.

13 Default beverage means a beverage that a food service facility provides

14 automatically with a children's meal, unless the customer requests a

15 different beverage.

16 Healthy children's meal means a children's meal that contains no more

17 than:

18 (1) 600 calories;

19 (2) 700 milligrams of sodium;

20 (3) 35% of calories from total sugars;

21 (4) 35% of calories from fat;

22 (5) 10% of calories from saturated fat; and

23 (6) 0.5 grams of trans fat.

24 Lean protein means a serving of protein that contains 10% or less in

25 saturated fat.

(b) Children's meals – healthy option required. A food service facility that offers for sale a children's meal must offer for sale at least one healthy children's meal.

(c) Healthy children's meals – options. The healthy children's meal required under subsection (b) must include two or more of the following options:

(1) [[1/2]] 1/4 cup or more of unfried fruit or unfried vegetables, excluding juice, condiments, or spreads;

(2) a whole grain product that:

(A) contains, by weight, 51% or more of whole grain ingredients; or

(B) lists whole grain as the first ingredient in its ingredient list required by the U.S. Food and Drug Administration; or

(3) A lean protein consisting of:

(A) one ounce or more of meat, seafood, nuts, seeds, beans, or peas;

(B) one egg;

(C) 1/2 cup of nonfat or 1% milk or low-fat yogurt, or 1 ounce of reduced fat cheese; or

(D) a plant-based, nondairy alternative that:

(i) contains the same amount of protein as, or more protein than, an item under this paragraph; and

(ii) is fortified with calcium and Vitamin D.

(d) Children's beverages – healthy default beverage required. A food service facility that offers for sale a children's meal with a beverage must include as the default beverage one or more of the following options:

(1) water or sparkling water, with no added natural or artificial sweeteners[[, flavors or carbonation]];

(2) 8 ounces or less of unflavored nonfat or 1% milk, or a non-dairy equivalent with no added natural or artificial sweeteners; or

(3) [[6]] 8 ounces or less of the following, with no added natural or artificial sweeteners:

(A) 100% fruit or vegetable juice[[, or]];

(B) a combination of 100% fruit and vegetable juice [[with no added natural or artificial sweeteners,]]; or

(C) a combination of 100% fruit or vegetable juice with water or sparkling water.

(e) *Preservation of consumer choice.* This Section must not be construed to prohibit a customer from purchasing, or a food service facility from selling, a children's meal that:

(1) is not a healthy children's meal; or

(2) does not contain the foods or beverages listed under subsections (c) and (d).

(f) *Educational outreach.* The Director must create and disseminate written informational resources and signage that summarizes, in multiple languages including Spanish, the requirements of this Section.

Sec. 2. Effective Date. [[This]] Subsections (a), (d), (e), and (f) of Section 15C-5, added under Section 1 of this Act, must take effect [[6 months]] 1 year after [[it]] the Act becomes law. Subsections (b) and (c) of Section 15C-5, added under Section 1 of this Act, must take effect 18 months after the Act becomes law.

Approved:

	3/2/2022
_____ Gabriel Albornoz, President, County Council	_____ Date

Approved:

_____ Marc Elrich, County Executive	_____ Date
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This is a correct copy of Council action.

_____ Selena Mendy Singleton, Esq. Clerk of the Council	_____ Date
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