
HOUSE BILL 2383

State of Washington

66th Legislature

2020 Regular Session

By Representatives Stonier, Gregerson, Robinson, Cody, Peterson, Hudgins, and Riccelli

Prefiled 01/10/20. Read first time 01/13/20. Referred to Committee on Local Government.

1 AN ACT Relating to default beverages for children's meals; and
2 adding a new section to chapter 43.20 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20
5 RCW to read as follows:

6 (1) A restaurant that sells a children's meal shall make the
7 default beverage offered with the children's meal one of the
8 following:

9 (a) Water, sparkling water, or flavored water, with no added
10 natural or artificial sweeteners;

11 (b) Unflavored milk; or

12 (c) A nondairy milk alternative that contains no more than one
13 hundred thirty calories per container or serving.

14 (2) The beverage listed or displayed on a restaurant menu or
15 advertisement for a children's meal must be one of the default
16 beverages listed in subsection (1) of this section.

17 (3) This section does not prohibit a restaurant's ability to
18 sell, or a customer's ability to purchase, an alternative beverage
19 instead of the default beverage offered with the children's meal, if
20 requested by the purchaser of the children's meal.

1 (4) The state board may adopt rules as necessary to implement
2 this section.

3 (5) The local health jurisdiction shall implement, administer,
4 and enforce this section and any rules adopted by the state board
5 pursuant to subsection (4) of this section.

6 (6) A restaurant found to violate this section shall receive a
7 written warning for the first violation. A second violation within a
8 five-year period from the written notification is punishable by a
9 fine of not more than two hundred fifty dollars. A third or any
10 subsequent violations within a five-year period is punishable by a
11 fine of not more than five hundred dollars. A restaurant may not be
12 found to have violated this section more than once during an
13 inspection visit.

14 (7) For purposes of this section:

15 (a) "Children's meal" means a combination of food items and a
16 beverage, or a single food item and a beverage, sold together at a
17 single price, primarily intended for consumption by a child.

18 (b) "Default beverage" means the beverage automatically included
19 or offered as part of a children's meal, absent a specific request by
20 the purchaser of the children's meal for an alternative beverage.

21 (c) "Nondairy milk alternative" means a nondairy fluid milk
22 substitute that meets the standards for the national school lunch
23 program in 7 C.F.R. Sec. 210.10 as it existed on November 18, 2019.

24 (d) "Restaurant" means a retail food establishment that prepares,
25 serves, and vends food directly to the consumer.

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