
SUBSTITUTE HOUSE BILL 2383

State of Washington

66th Legislature

2020 Regular Session

By House Local Government (originally sponsored by Representatives Stonier, Gregerson, Robinson, Cody, Peterson, Hudgins, and Riccelli)

READ FIRST TIME 02/04/20.

1 AN ACT Relating to default beverages for children's meals; adding
2 a new section to chapter 43.20 RCW; prescribing penalties; and
3 providing an effective date.

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

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

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

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

12 (b) Unflavored milk; or

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

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

19 (3) This section does not prohibit a restaurant's ability to
20 sell, or a customer's ability to purchase, an alternative beverage

1 instead of the default beverage offered with the children's meal, if
2 requested by the purchaser of the children's meal.

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

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

8 (6) A restaurant found to violate this section shall receive a
9 written warning for the first two violations. The third or subsequent
10 violation in a two-year period from the written notification is
11 punishable by a fine not to exceed two hundred dollars per violation.
12 Total fines levied against a restaurant in a year may not exceed four
13 hundred dollars.

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.

26 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2021.

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