

1 SB166  
2 126129-2  
3 By Senators Allen and Reed  
4 RFD: Health  
5 First Read: 08-MAR-11

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8 SYNOPSIS: Under existing law, the federal government  
9 has enacted and is in the process of implementing  
10 the regulation of nutrition labeling of food that  
11 is a menu item in restaurants and vending machines.

12 This bill would specify that the regulation  
13 of nutrition labeling in restaurants and vending  
14 machines would be reserved to the Legislature, but  
15 this provision would not affect federal regulation.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 To reserve to the Legislature any regulation of the  
22 nutrition labeling of food that is a menu item in restaurants,  
23 food establishments, and vending machines; and to specify that  
24 the provision would not affect the federal regulation of  
25 nutrition labeling under existing federal law.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) The subject matter of the regulation  
2 of nutrition labeling of food that is a menu item in  
3 restaurants, retail food establishments, and vending machines  
4 is reserved to the Legislature and may be regulated only by an  
5 act of the Legislature of statewide application enacted after  
6 the effective date of this act.

7           (b) This section shall not be interpreted as  
8 affecting in any manner the regulation of the nutrition  
9 labeling of food that is a menu item in restaurants, retail  
10 food establishments, and vending machines pursuant to the  
11 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 343(q) (5) (H).

12           Section 2. All laws or parts of laws which conflict  
13 with this act are repealed.

14           Section 3. This act shall become effective  
15 immediately following its passage and approval by the  
16 Governor, or its otherwise becoming law.