


1   
2 Councilmember David Grosso

  
Councilmember Brianne K. Nadeau

3  
4  
5  
6 A BILL

7  
8 \_\_\_\_\_  
9  
10 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
11  
12 \_\_\_\_\_  
13  
14

15 To require food establishments that sell children’s meals that include a beverage to offer either  
16 water, sparkling water, or flavored water, with no added natural or artificial sweeteners;  
17 nonfat or one percent milk or non-dairy milk alternatives, in a serving size containing no  
18 more than 8 ounces; or 100% juice, or fruit juice combined with water or carbonated  
19 water, with no added sweeteners, in a serving size of no more than 8 ounces.

20  
21 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
22 act may be cited as the “Healthy Beverages for Kids Meals Act of 2019”.

23 Sec. 2. Definitions.

24 For the purposes of this act, the term:

25 (1) “Children’s meal” means a combination of food items, or food items and a beverage,  
26 sold together at a single price, and primarily intended for consumption by children.

27 (2) “Default beverage” means the beverage that is automatically included or offered as  
28 part of a children’s meal, absent a specific request by the purchaser of the children’s meal for an  
29 alternative beverage.

30 (3) “Food establishment” shall have the same meaning as provided in section 25-9901A  
31 of the District of Columbia Municipal Regulations (25A DCMR § 9001).

32 Sec. 3. Default beverages.

33 (a) A food establishment that sells a children's meal that includes a beverage shall make  
34 the default beverage offered with the children's meal either:

35 (1) Water, sparkling water, or flavored water, with no added natural or artificial  
36 sweeteners;

37 (2) Nonfat or one percent milk or non-dairy milk alternatives, in a serving size of  
38 no more than 8 ounces; or

39 (3) 100% juice, or fruit juice combined with water or carbonated water, with no  
40 added sweeteners, in a serving size of no more than 8 ounces.

41 (b) Nothing in this act shall be construed as to prohibit a food establishment's ability to  
42 sell, or a customer's ability to purchase, a substitute or alternative beverage instead of the default  
43 beverage offered with a children's meal, if requested by the purchaser of the children's meal.

44 Sec. 4. Rules.

45 Within 90 days after the effective date of the Healthy Beverages for Kids Meals Act of  
46 2018, as introduced on September 18, 2018 (Bill 22-XXX), the Mayor, pursuant to Title I of the  
47 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;  
48 D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement this act, including but not  
49 limited to an amendment to Sub Title 25-A of the DCMR that requires Department of Health  
50 inspectors to determine whether food establishments are in compliance the requirements of this  
51 act.

52 Sec. 5. Fiscal impact statement.

53 The Council adopts the fiscal impact statement in the committee report as the fiscal  
54 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
55 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

56           Sec. 6. Effective date.

57           This act shall take effect after approval by the Mayor (or in the event of veto by the  
58 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
59 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
60 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
61 Columbia Register.