

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2797

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DATE
04/04/2019

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Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to commerce; requiring restaurants to serve specified drinks as the default
1.3 beverage for children's meals; proposing coding for new law in Minnesota Statutes,
1.4 chapter 325F.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 325F.9901 CHILDREN'S MEALS.

1.7 Subdivision 1. Definitions. For purposes of this section, the following terms have the
1.8 meanings given:

1.9 (1) "children's meal" means a combination of food items and a beverage, or a single
1.10 food item and a beverage, sold together at a single price and primarily intended for
1.11 consumption by a child;

1.12 (2) "default beverage" means the beverage automatically included or offered as part of
1.13 a children's meal, absent a specific request by the children's meal purchaser for an alternative
1.14 beverage; and

1.15 (3) "restaurant" means a retail food establishment that prepares, serves, and vends food
1.16 directly to the consumer.

1.17 Subd. 2. Default beverage. (a) A restaurant that sells a children's meal must make the
1.18 default beverage offered with the children's meal one of the following:

1.19 (1) water, sparkling water, or flavored water, with no added natural or artificial
1.20 sweeteners;

1.21 (2) unflavored milk; or

2.1 (3) a nondairy milk alternative that contains no more than 130 calories per container or
2.2 serving. For purposes of this clause, "nondairy milk alternative" means a nondairy fluid
2.3 milk substitute that meets the standards for the National School Lunch Program under Code
2.4 of Federal Regulations, title 7, section 210.10.

2.5 (b) The beverage listed or displayed on a restaurant menu or advertisement for a children's
2.6 meal must be one of the default beverages listed in paragraph (a).

2.7 Subd. 3. **No prohibition.** This section does not prohibit a restaurant's ability to sell or
2.8 a customer's ability to purchase an alternative beverage instead of the default beverage
2.9 offered with the children's meal upon request by the children's meal purchaser.

2.10 Subd. 4. **Enforcement.** The attorney general must enforce this section under section
2.11 8.31.

2.12 **EFFECTIVE DATE.** This section is effective August 1, 2019.