
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that over the past thirty
2 years, Hawaii has experienced an unprecedented increase in
3 obesity and chronic conditions like type 2 diabetes, heart
4 disease, liver disease, and tooth decay. The legislature also
5 finds that obesity-related health conditions have serious
6 economic costs. According to the most recent data available,
7 Hawaii spent an estimated \$470,000,000 on obesity-related
8 medical costs in 2013.

9 The legislature further finds that soda and other sugary
10 drinks are the single largest source of excess sugar in the
11 American diet, accounting for nearly half of the added sugars
12 consumed. A top source of calories in children's diets, sugary
13 beverages contribute to the obesity epidemic and typically do
14 not provide any nutritional benefit.

15 The purpose of this Act is to promote healthy meal options
16 for children and support parents' efforts to feed their children
17 nutritious food by ensuring that health beverages are the



1 default option in children's meals purchased at restaurants in
2 the State.

3 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§321- Default beverages offered with children's meals.

7 (a) A restaurant that offers for sale a children's meal that
8 includes a beverage shall offer with the children's meal as a
9 default beverage one or more of the following:

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

12 (2) Regular, low fat, or fat-free unflavored milk;

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

15 or

16 (4) A serving of eight fluid ounces or less of one hundred
17 per cent fruit or vegetable juices, fruit or vegetable
18 juice blends, or one hundred per cent fruit or
19 vegetable juice diluted with water, with no added
20 sugars.



1 (b) Nothing in this section shall prohibit a restaurant
2 from selling, or a customer from purchasing, an alternative to
3 the default beverage if requested by the purchaser of the
4 children's meal.

5 (c) The department shall adopt rules pursuant to chapter
6 91 to effectuate the purposes of this section.

7 (d) As used in this section, unless the context clearly
8 indicates otherwise:

9 "Children's meal" means a combination of food and a
10 beverage, sold together at a single price by a restaurant,
11 primarily intended for consumption by children.

12 "Default beverage" means a beverage automatically included
13 or offered as part of a children's meal, absent a specific
14 request for a substitute or alternate beverage by the purchaser
15 of the children's meal.

16 "Nondairy milk alternative" means a nondairy fluid milk
17 substitute that meets the national standards for school lunches
18 as set forth in title 7 Code of Federal Regulations section
19 210.10

20 "Restaurant" shall mean a food establishment that serves
21 food to customers for consumption on or off the premises,



1 including fast-food and full-service dining establishments. It
2 includes, but is not limited to, drive through or walk-up
3 counters, coffee shops, cafes, pizza parlors, food stands, movie
4 theater concession stands, and dine-in establishments. A
5 restaurant, for purposes of this part, may provide alcoholic
6 beverage sales for drinking on premises provided that such sales
7 are ancillary to food service."

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Children's Meal; Beverages; Obesity; Soda

Description:

Requires any restaurant that offers a children's meal to offer water, non-flavored milk, a nondairy milk substitute that has no more than 130 calories per container or serving, or no more than eight fluid ounces of fruit or vegetable juice as the default beverage choice accompanying the meal. (HB142 HD2)

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