

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 502

(SENATE AUTHORS: BIGHAM)

DATE
02/01/2021

D-PG
212

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; providing penalties; proposing coding for new law

1.4 in Minnesota Statutes, 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.** (a) For purposes of this section, the following terms have

1.8 the meanings given.

1.9 (b) "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 (c) "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.

1.15 (d) "Nondairy milk alternative" means a nondairy fluid milk substitute that meets the

1.16 standards for the National School Lunch Program under Code of Federal Regulations, title

1.17 7, section 210.10.

1.18 (e) "Restaurant" means a retail food establishment that prepares, serves, and vends food

1.19 directly to the consumer.

1.20 Subd. 2. **Default beverage.** (a) A restaurant that sells a children's meal must make the

1.21 default beverage offered with the children's meal one of the following:

2.1 (1) water, sparkling water, or flavored water, with no added natural or artificial
2.2 sweeteners;

2.3 (2) unflavored milk; or

2.4 (3) a nondairy milk alternative that contains no more than 130 calories per container or
2.5 serving.

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

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

2.11 Subd. 4. **Enforcement.** The attorney general must enforce this section under section
2.12 8.31.

2.13 **EFFECTIVE DATE.** This section is effective August 1, 2021.