

Food Facilities: Trans Fats

This Act requires food facilities to maintain on the premises the label required for any food or food additive that is, or includes, any fat, oil, or shortening, for as long as this food or food additive is stored, distributed, or served by, or used in the preparation of food within, the food facility.

Commencing January 1, 2010, this Act prohibits oil, shortening, or margarine containing specified trans fats for specified purposes, from being stored, distributed, or served by, or used in the preparation of any food within, a food facility. Commencing January 1, 2011, it also prohibits any food containing artificial trans fat, from being stored, distributed, or served by, or used in the preparation of any food within, a food facility.

The bill exempts certain public school cafeterias and food sold or served in a manufacturer's original, sealed package.

Submitted as:

California

Chapter 207 of 2008

Status: Enacted into law in 2008.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “The Trans Fat Labeling and Use Act.”

2

3 Section 2. [*Trans Fat Labeling.*]

4 (a) Every food facility shall maintain on the premises the label for any food or food
5 additive that is, or includes, any fat, oil, or shortening, for as long as this food or food additive is
6 stored, distributed, or served by, or used in the preparation of food within, the food facility. The
7 label described in this subdivision refers to the label that is required by applicable federal and
8 state law to be on the food or food additive at the time of purchase by the food facility.

9 (b) (1) Commencing [January 1, 2010], no oil, shortening, or margarine containing
10 artificial trans fat for use in spreads or frying, except for the deep frying of yeast dough or cake
11 batter, may be stored, distributed, or served by, or used in the preparation of any food within, a
12 food facility.

13 (2) Commencing [January 1, 2011], no food containing artificial trans fat,
14 including oil and shortening that contains artificial trans fat for use in the deep frying of yeast
15 dough or cake batter, may be stored, distributed, or served by, or used in the preparation of any
16 food within, a food facility.

17 (c) Subdivision (b) shall not apply to food sold or served in a manufacturer's original,
18 sealed package.

19 (d) For purposes of this section, a food contains artificial trans fat if the food contains
20 vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the
21 label required on the food, pursuant to applicable federal and state law, lists the trans fat content
22 as less than 0.5 grams per serving.

23 (e) This section shall not apply to public elementary, middle, junior high, or high school
24 cafeterias.

25 (f) Notwithstanding [insert citation], a violation of this section shall be punishable by a
26 fine of not less than [twenty-five dollars] or more than [one thousand dollars].

27

28 Section 3. [*Severability*.] [Insert severability clause.]

29

30 Section 4. [*Repealer*.] [Insert repealer clause.]

31

32 Section 5. [*Effective Date*.] [Insert effective date.]