



## RETAIL MENU LABELING AND NUTRITIONAL INFORMATION REQUIREMENTS



California Health and Safety Code Section 114094, establishes provisions for menu labeling requirements in California that conform with the existing federal law and U.S. Food and Drug Administration (FDA) menu labeling regulations that were promulgated under the Patient Protection and Affordable Care Act. The federal menu labeling requirements in Title 21, United States Code (USC) Section 343(q)(5)(H), requires chain restaurants with 20 or more locations operating under the same business name with substantially the same menu, and “other similar” eating establishments, to provide nutrition information related to standard menu items.

Under the Food and Drug Administration (FDA) menu labeling requirements, chain restaurants and similar retail food establishments were required to comply with the menu labeling requirements beginning May 7, 2018. This rule applies to restaurants and similar retail food establishments if they are part of a chain of 20 or more locations, doing business under the same name, offering for sale substantially the same menu items and offering for sale restaurant-type foods. The total number of establishments is based on number located within the United States. Chains with less than 20 locations in California but 20 or more throughout the United States are subject to the rule and enforceable in California.

For the first year of implementation, CDPH is recommending that local enforcement agencies provide an education and outreach approach to chain restaurants and similar retail food establishments of the new menu labeling regulations and their compliance responsibilities.

The FDA has published several guidance documents that provides information the nutrition labeling requirements under the FDA Menu Labeling Rule.

[A Labeling Guide for Restaurants and Retail Establishments Selling Away-From-Home Foods – Part II -Guidance for Industry](#)

[Fact Sheet on Menu Labeling Implementation](#)

[FDA's Implementation of Menu Labeling Moving Forward](#)

Additional information can be found on the FDA Menu Labeling website at:  
<https://www.fda.gov/food/food-labeling-nutrition/menu-labeling-requirements>