



KAREN L. SMITH, MD, MPH
Director and State Public Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

SB 1192 FACT SHEET - HEALTHY BY DEFAULT CHILDRENS MEALS BEVERAGE LAW

BACKGROUND:

Effective January 1, 2019, Senate Bill (SB) 1192 - California's Healthy-By-Default Children's Meal Beverage Law, now requires restaurants that serve a children's meal which includes a beverage, to make the default beverage offered with the child's meal to be one or more of the following:

- Water, sparkling water, or flavored water with no added natural or artificial sweeteners
- Unflavored milk (plain dairy milk)
- Nondairy milk alternative such as almond, coconut, or soy milk., nondairy milk alternatives must contain no more than 130 calories/serving.

SB 1192 was passed as an effort to protect children in California and reduce health risks associated with sugar consumption. Under the California Retail Food Code (Cal Code), Chapter 12.8 Children's Meals, sugar-sweetened beverages are prohibited from being the default beverage in a children's meal. These statutes are applicable to any restaurant that sells a children's meal which includes a beverage. The provision does not prohibit a restaurant's ability to sell, or a customer's ability to purchase an alternative beverage instead of the default beverage offered with the children's meals if requested by the purchaser of the children's meal.

ENFORCEMENT:

Cal Code Section 114379.50 provides non-compliance penalties that include a notice of violation for the first violation, a fine not to exceed \$250 for second violation within five years, not to exceed \$300 annually.

APPLICABLE DEFINITIONS:

"Children's meal" means a combination of food items and a beverage, or a single food item and a beverage, sold together at a single price, primarily intended for consumption by a child.

"Default beverage" means the beverage automatically included or offered as part of a children's meal, absent a specific request by the purchaser of the children's meal for an alternative beverage.

"Restaurant" means a retail food establishment that prepares, serves, and vends food directly to the consumer

