
A BILL FOR AN ACT

RELATING TO HEALTHY BEVERAGES FOR CHILDREN.

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. In 2013, Hawaii spent an estimated \$470,000,000
7 on obesity-related medical costs.

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

14 The purpose of this Act is to promote healthy meal options
15 for children and support parents' efforts to feed their children
16 nutritious food by ensuring that healthy 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 Part I, to be appropriately
5 designated 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 sugar, corn syrup, or other natural or
12 artificial sweeteners;

13 (2) Flavored or unflavored nonfat or low-fat (one per
14 cent) dairy milk or non-dairy beverage that is
15 nutritionally equivalent to fluid milk in a serving
16 size of eight ounces or less; or

17 (3) One hundred per cent fruit juice or vegetable juice.

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



1 (c) The department of health shall adopt rules pursuant to
2 chapter 91 to effectuate the purposes of this section.

3 (d) If the department determines that any restaurant has
4 violated or is violating any provision of this section or any
5 rule adopted pursuant to this section, the department may impose
6 finances as provided in section 321-20.

7 (e) 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 "One hundred per cent fruit juice or vegetable juice" means
17 any liquid consisting of one hundred per cent natural fruit
18 juice or natural vegetable juice with no added sugar, corn
19 syrup, or caloric sweetener. Natural fruit juice or natural
20 vegetable juice is the original liquid, with or without water
21 added, resulting from the pressing of fruits or vegetables.



1 "Restaurant" means a food establishment that serves food to
2 customers for consumption on or off the premises, including
3 fast-food and full-service dining establishments. "Restaurant"
4 includes but is not limited to drive-through or walk-up
5 counters, coffee shops, cafes, pizza parlors, food stands, movie
6 theater concession stands, and dine-in establishments. For
7 purposes of this definition, a restaurant may provide alcoholic
8 beverage sales for drinking on premises; provided that such
9 sales are ancillary to food service."

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on January 1, 2020.

12



Report Title:

Department of Health; Children's Meals; Default Beverage

Description:

Requires restaurants that sell children's meals that include a beverage to make the default beverage a healthy beverage.

Effective 1/1/2020. (SD1)

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