

New York City Passes the Sweet Truth Act

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- Earlier this month, The City of New York Council passed [INT-1326B](#), *The Sweet Truth Act*, a local law to amend the New York City(NYC) administrative code. This bill provides the NYC Department of Health and Mental Hygiene with the authority to issue a rule that requires added sugar notifications on certain prepackaged food items at NYC covered establishments. A prepackaged food item is defined as a prepackaged food item that is visible to the customer before the customer makes a selection. A covered establishment includes any food service establishment inspected pursuant to the NYC health code restaurant grading that is part of a chain with 15 or more locations that are doing business under the same name and offering for sale substantially the same food items.
- To implement the law, the department must issue a regulation that designates an icon to be displayed in a clear and conspicuous manner on menus and menu boards adjacent to listed prepackaged food items that contain in excess of a specified level of added sugar, as well as on any displayed prepackaged items themselves. The law did not define the level of added sugar triggering the notice requirement, but noted that it could include, but not be limited to 100% of the daily recommended amount for added sugars.
- No later than three months after the department issues the regulation, the department will conduct public outreach to educate covered establishments about the requirements of *The Sweet Truth Act*. Covered establishments selling prepackaged food items must comply no later than one year after the department issues the regulation. Any covered establishment that violates any provision of this section will be liable for a civil penalty of not less than \$200 but not more than \$500. The local law is schedule to take effect, “no later than one year after the expiration of the declaration of the local state of emergency for COVID-19 declared in emergency executive order number 98 of Mayor Bill de Blasio, dated March 12, 2020, including any subsequent extensions.”

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