

THIRD READING

Bill No: SB 977
Author: Weber Pierson (D)
Amended: 4/6/26
Vote: 21

SENATE HEALTH COMMITTEE: 11-0, 3/25/26

AYES: Weber Pierson, Valladares, Caballero, Durazo, Gonzalez, Grove,
Menjivar, Padilla, Pérez, Rubio, Smallwood-Cuevas

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Chain restaurants: children's meals

SOURCE: American Diabetes Association (co-source)
American Heart Association (co-source)

DIGEST: This bill requires a chain restaurant that sells a children's meal to offer at least one that meets specified nutritional requirements.

ANALYSIS:

Existing law:

- 1) Establishes the California Retail Food Code (CalCode) to provide for the regulation of retail food facilities. Health and sanitation standards are established at the state level through the CalCode, while enforcement is charged to local agencies, carried out by the 58 county environmental health departments, and four city environmental health departments (Berkeley, Long Beach, Pasadena, and Vernon). [Health and Safety Code (HSC) §113700, et seq.]
- 2) Defines a "food facility" as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level.

Excludes various entities from the definition of a “food facility,” including a cottage food operation, and a church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs no more than three days in any 90-day period. [HSC §113789]

- 3) Requires a restaurant that sells children’s meals to make the default beverage offered with the children’s meal one of the following:
 - a) Water, sparkling, or flavored water, with no added natural or artificial sweeteners;
 - b) Unflavored milk; or,
 - c) A nondairy milk alternative that contains no more than 130 calories per container or serving that meets the standards for the National School Lunch Program. [HSC §114379.20]
- 4) Defines “children’s meal,” for purposes of the requirement in 3) above, as a combination of food items and a beverage, or a single food item and a beverage sold together at a single price intended primarily for consumption by a child. [HSC §114379.10]
- 5) Specifies that the requirement in 3) above does not prohibit a restaurant’s ability to sell an alternative beverage instead of the default beverage offered with the meal, if requested by the purchaser. [HSC §114379.30]
- 6) Specifies that a violation of the requirements described in 3) above is an infraction, with a first violation resulting in a notice of violation, a second violation within a five-year period from the initial notice of violation subject to a \$250 fine, and a third or subsequent violation within a five-year period subject to a fine of up to \$500. [HSC §114379.50]
- 7) Requires a food facility, defined in federal law as a chain restaurant with 20 or more locations, to comply with federal menu labeling requirements that provide calorie and other nutritional information. Provides for local enforcement of the menu labeling requirement, and provides for a fine of between \$50 and \$500 for a first violation, between \$100 and \$1,000 for a second violation in a five-year period, and a fine of between \$250 and \$2,500 for subsequent violations. [HSC §114094]

This bill:

- 1) Requires a chain restaurant that sells children's meals to offer at least one that meets the following minimum nutrition standard:
 - a) Does not contain more than: 550 calories; 700 milligrams of sodium; 10% of calories from saturated fat; 15 grams of added sugar; or, 0 grams of trans fat; or,
 - b) Contains at least two of the following servings:
 - i) One-half of a cup or more of fruit. Requires 100% fruit juice to be considered a serving of fruit for the purposes of this bill;
 - ii) One-half of a cup or more of vegetables;
 - iii) One-half of a cup or more nonfat or low-fat dairy;
 - iv) Meat or a meat alternative equal to at least one of the following: one ounce of meat, poultry, or seafood; one egg; one-fourth of a cup of soy products or pulses, including beans, peas, or lentils; two tablespoons of nut butter; or, one ounce of nuts and seeds; or,
 - v) Eight or more grams of whole grains that meets at least one of the following conditions:
 - (1) The serving contains 50% or more of whole grain ingredients; or,
 - (2) The first ingredient in the serving's ingredient list, in descending order of predominance, is whole grains.
- 2) Requires a chain restaurant to include an icon or symbol on the menu to identify the children's meal that meets the requirements of this bill. Requires the icon or symbol and accompanying text to be displayed prominently, clearly, and conspicuously next to or directly under the name of the healthy children's meal, and at a height no smaller than the largest letter in the name of the item.
- 3) Requires a chain restaurant, by July 1, 2027, to include information on how to comply with the requirements of this bill during an employee's ongoing training program and a new employee's training process.
- 4) Defines "chain restaurant" as a restaurant or similar retail food establishment that is part of a chain with 20 or more locations doing business under the same name and offering for sale substantially the same menu items, regardless of the type of ownership of the locations.

Comments

According to the author of this bill:

“I am deeply committed to ensuring that all children in California have access to healthy meals that support their growth and development. As a physician, I’ve seen the alarming impact of poor nutrition on children’s health, and as a mother, I know how challenging it can be to find healthy options when dining out. Currently, our state faces a childhood obesity crisis, and we must take action now to reverse these trends. This bill is an important step forward by requiring chain restaurants to offer healthier meal options for children, helping families make better food choices. By setting clear nutritional standards and providing training for restaurant employees, we are making it easier for parents to provide healthy meals for their kids, no matter where they eat. I know how important it is to set our children up for a healthy future. This bill will help ensure that children’s meals not only meet basic nutritional standards but also support children’s long-term health. It’s time to prioritize our children’s well-being and take steps toward a healthier California for all.”

Background

Information provided by the author’s office states that restaurants are a key source of food for families in California. Families with children consume food away from home four to five times a week on average. Between 2015 and 2018, children ages two to 11 years old consumed an average of 11.4% of their daily calories from fast food alone. While some chain restaurants such as McDonald’s have made their kids’ meals healthier, much of the food offered on restaurant children’s menus does not meet minimum nutrition standards for healthy meals. A 2018 analysis of kids’ meal combinations at the top 50 U.S. restaurant chains (as ranked by revenue) found that, among the chains with kids’ menus, 71.9% of kids’ meals did not meet expert nutrition standards for calories, total fat, saturated fat and trans fat combined, and sodium.

Childhood obesity. The Harvard T.H. Chan School of Public Health notes that a recent federal Centers for Disease Control and Prevention (CDC) report found that childhood obesity in the U.S. has reached its highest rate ever recorded. Between 2021 and 2023, 21.1% of American youth ages two to 19 were obese, whereas the same report in the 1970s found that between 1971 and 1974, just 5.2% of children and teens were obese. In the 2010s, obesity rates among youth ages two to five were on the decline, dropping from 12.1% between 2009 and 2010 to 9.4%

between 2013 and 2014. In 2017, 40% of 5th graders, 38% of 7th graders, and 36% of 9th graders were overweight or obese for their age. Native Hawaiian, Pacific Islander, Latino and Black children had disproportionately higher rates of obesity than other racial and ethnic groups. Today, the rate for those aged two to five has jumped to 14.9%. According to the CDC, about one in five American children have obesity. Compared to children with healthy weight, children with obesity are at a higher risk for asthma, sleep apnea, bone and joint problems, type 2 diabetes, high blood pressure, and mental health concerns like depression and anxiety. Children with obesity are more likely to have obesity as adults. Adults with obesity have higher risks for stroke, many types of cancer, heart disease, type 2 diabetes, premature death and mental health issues. Factors that influence obesity include genes, eating patterns, physical activity levels, access to health care, and sleep routines. Also, conditions where we live, learn, work, and play affect access to healthy food and safe places to be physically active. The CDC states that though there is no one solution to addressing obesity, there are many ways parents and caregivers can help children have a healthy weight and set up lifelong healthy habits at home, such as: modeling a healthy eating pattern; being more physically active as a family; setting simple routines for better sleep; replacing screen time with family time; looking for childcare that supports healthy habits; and, finding a family healthy weight program.

Examples of restaurant kids' meals policies. The Center for Science in the Public Interest notes that since 2010, various local governments and states have enacted policies regarding kids' meals. In May 2010, Santa Clara County was the first to enact a policy restricting the type of beverage a kids' meal could include if the meal comes with a toy or other incentive. The City and County of San Francisco enacted the same policy in November 2010. The City of Davis passed a default beverage policy (water, milk, or milk alternative) in June 2015, with the following local governments passing the same policy in 2016 and 2017: Stockton, Perris, Berkeley, Santa Clara County, Cathedral City, Long Beach, and Daly City. In 2018, California was the first state to implement a statewide default beverage bill via SB 1195 (Monning, Chapter 608, Statutes of 2018).

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

Senate Rule 28.8

SUPPORT: (Verified 4/13/26)

American Diabetes Association (co-source)

American Heart Association (co-source)

California Medical Association
California State Alliance of YMCAs

OPPOSITION: (Verified 4/13/26)

None received

ARGUMENTS IN SUPPORT: The cosponsors of this bill, American Diabetes Association and the American Heart Association, state that this bill takes an important step toward improving the dietary environment for California's children and protecting them from the associated early health risk factors. Both associations argue that not only will this bill help address those concerns by ensuring parents and guardians have at least one clearly identifiable, healthier children's meal option, but it also addresses the issue of equity. National and local studies across the U.S. suggest that residents of low-income, minority, and rural neighborhoods are most often affected by poor access to supermarkets and healthy food. In contrast, the availability of fast-food restaurants and energy-dense foods has been found to be greater in lower-income and minority neighborhoods. These structural inequities shape children's diets. They further argue that parents understand their kids' needs and how to determine appropriate meals, but even the most informed parents cannot choose a healthier option if one doesn't exist where they are dining. This bill preserves complete parental choice while expanding the range of options available to families in communities where nutritious choices are often limited. The California State Alliance of YMCAs states that Tufts University researchers assessed the children's meal combinations available in the 10 largest quick-service and 10 largest full-service chain restaurants by sales in 2014, and found that less than one-third of these meal combinations at quick-service and one-quarter at full-service restaurants met expert recommendations for calories, fat, saturated fat, and sodium. Despite this limited availability, some chains do offer healthy children's meals, demonstrating that it is feasible.

Prepared by: Reyes Diaz / HEALTH / (916) 651-4111
4/20/26 11:48:39

**** END ****