



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5700

Introduced 2/16/2012, by Rep. La Shawn K. Ford

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Artificial Trans Fat Restriction Act. Sets forth definitions and the legislative purpose of the Act. Provides that beginning on January 1, 2013, no food containing artificial trans fat may be served by a food facility or used in the preparation of food within a food facility. Excludes from the prohibition food containing only naturally occurring trans fat; food sold or served in a manufacturer's original sealed package; free food samples made available or served to customers in food facilities, but that are only available for sale in the manufacturer's original sealed package; and food repackaged from the manufacturer's original sealed package. Provides that beginning on January 1, 2013, no food containing artificial trans fat may be made available in a vending machine operated by or within a private school or public school district. Provides that the Department of Public Health shall adopt rules to administer and enforce the Act.

LRB097 15997 RPM 61148 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Artificial Trans Fat Restriction Act.

6 Section 5. Definitions. For the purposes of this Act:

7 "Department" means the Department of Public Health.

8 "Food containing artificial trans fat" means a food that is  
9 labeled as, lists an ingredient as, or has vegetable  
10 shortening, margarine, or any kind of partially hydrogenated  
11 vegetable oil. "Food containing artificial trans fat" does not  
12 include a food that the nutrition facts label or other  
13 documentation from the manufacturer of which lists the trans  
14 fat content of the food as less than 0.5 grams per serving.

15 "Food facility" means an entity that prepares, packages,  
16 serves, vends, or otherwise provides food for human consumption  
17 at the retail level. "Food facility" does not include any  
18 entity operated by local or State government that prepares,  
19 packages, serves, vends, or otherwise provides food for human  
20 consumption. "Food facility" does not include any entity  
21 operated by a private school or public school district that  
22 prepares, packages, serves, vends, or otherwise provides food  
23 for human consumption. "Food facility" does not include any

1 small business.

2 "Small business" has the same meaning as ascribed to that  
3 term in Section 1-75 of the Illinois Administrative Procedure  
4 Act.

5 Section 10. Legislative purpose. It is the goal of the  
6 General Assembly that any entity operated by local or State  
7 government that prepares, packages, serves, vends, or  
8 otherwise provides food for human consumption, eliminate the  
9 purchase, distribution, preparation, service, sale, or use of  
10 foods containing artificial trans fat by January 1, 2016.

11 It is the goal of the General Assembly that any entity  
12 operated by a private school or public school district that  
13 prepares, packages, serves, vends, or otherwise provides food  
14 for human consumption, eliminate the purchase, distribution,  
15 preparation, service, sale, or use of foods containing  
16 artificial trans fat by January 1, 2016.

17 Section 15. Artificial trans fat restriction; food  
18 facility. Beginning on January 1, 2013, no food containing  
19 artificial trans fat may be served by a food facility or used  
20 in the preparation of food within a food facility. This  
21 prohibition shall not apply to food containing only naturally  
22 occurring trans fat; food sold or served in a manufacturer's  
23 original sealed package; free food samples made available or  
24 served to customers in food facilities, but that are only

1 available for sale in the manufacturer's original sealed  
2 package; or food repackaged from the manufacturer's original  
3 sealed package.

4 Section 20. Artificial trans fat restriction; school  
5 vending machines. Beginning on January 1, 2013, no food  
6 containing artificial trans fat may be made available in a  
7 vending machine operated by or within a private school or  
8 public school district.

9 Section 25. Administration; enforcement. The Department of  
10 Public Health shall adopt rules to administer and enforce this  
11 Act.