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HOUSE BILL 1203

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Irvin Harrison

AN ACT

RELATING TO HEALTH; REQUIRING RESTAURANTS TO POST INFORMATION
ON TRANS FAT CONTENT; ESTABLISHING A LIMIT ON USE OF TRANS FAT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 25 NMSA 1978 is
enacted to read:

"~~[NEW MATERIAL]~~ SHORT TITLE.--This act may be cited as the
"Trans Fat Act"."

Section 2. A new section of Chapter 25 NMSA 1978 is
enacted to read:

"~~[NEW MATERIAL]~~ DEFINITIONS.--As used in the Trans Fat
Act:

A. "restaurant" means an establishment that is held
out to the public as a place where meals are prepared and
served primarily for on-premises consumption to the general

underscored material = new
[bracketed material] = delete

1 public in consideration of payment and that has a dining room,
2 a kitchen and the employees necessary for preparing, cooking
3 and serving meals, including an establishment that serves
4 hamburgers, sandwiches, salads and other fast foods if it also
5 has a dining room and having:

6 (1) a New Mexico resident as a proprietor or
7 manager; or

8 (2) three or more locations in New Mexico; and

9 B. "trans fat" means a trans fatty acid, an
10 artificially occurring fat, a hydrogenated fat created when
11 hydrogen is added to liquid oil or an unsaturated,
12 monounsaturated or polyunsaturated fat that is unhealthy for
13 human consumption."

14 Section 3. A new section of Chapter 25 NMSA 1978 is
15 enacted to read:

16 "[NEW MATERIAL] REQUIREMENT TO POST NUTRITION
17 INFORMATION.--A restaurant shall post calorie information,
18 including the proportion of trans fat per serving for every
19 standard menu item at the point of purchase on a menu or menu
20 board, so that a diner can see it while or prior to ordering."

21 Section 4. A new section of Chapter 25 NMSA 1978 is
22 enacted to read:

23 "[NEW MATERIAL] LIMIT ON TRANS FAT PER SERVING PORTION.--A
24 restaurant shall limit the use of a trans fat, including that
25 in margarine and shortening, to one-half gram of trans fat per
.166340.1

underscoring = new
~~[bracketed material]~~ = delete

1 serving."

2 Section 5. A new section of Chapter 25 NMSA 1978 is
3 enacted to read:

4 "[NEW MATERIAL] GRADING--RULEMAKING.--The environmental
5 improvement board shall promulgate rules for the regulation of
6 trans fat in restaurants and may, as authorized by Section
7 25-1-5 NMSA 1978, establish a system for grading a restaurant
8 for its compliance with the Trans Fat Act."

9 Section 6. EFFECTIVE DATE.--The effective date of the
10 provisions of Sections 1 through 3 and 5 of this act is July 1,
11 2007. The effective date of the provisions of Section 4 of
12 this act is July 1, 2008.

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