

# HOUSE . . . . . No. 2007

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*Kay Khan*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to foods containing artificial trans fat.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>1/28/2013</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/31/2013</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2013</i>

# HOUSE . . . . . No. 2007

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By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 2007) of Kay Khan and others relative to foods containing artificial trans fats. Public Health.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1494 OF 2011-2012.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
\_\_\_\_\_

An Act relative to foods containing artificial trans fat.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 94 of the General Laws is hereby amended by inserting after  
2 section 58 the following section:-

3           Section 58A. (a) No foods containing artificial trans fat, as defined in this section, shall  
4 be stored, distributed, held for service, used in preparation of any menu item or served by a  
5 common victualler licensed under section 6 of chapter 140, except food that shall be served  
6 directly to patrons in a manufacturer's original sealed package.

7           (b) A food shall be deemed to contain artificial trans fat if the food is labeled as, lists as  
8 an ingredient, or contains any kind of partially hydrogenated vegetable oil; provided, however,  
9 that a food with a nutrition facts label or other documentation from the manufacturer which lists  
10 the trans fat content of the food as less than 0.5 grams per serving shall not be deemed to contain  
11 artificial trans fat.

12           (c) The department of public health and the local boards of health within their respective  
13 jurisdictions shall enforce this section. The department of public health shall adopt rules and  
14 regulations to secure proper enforcement of this section. A person who violates any rule or  
15 regulation duly adopted by the department of public health pursuant to this section shall be  
16 punished by a fine of not less than \$25 and not more \$1,000.

17 (d) The department of public health, in consultation with representatives of the  
18 restaurant, food supplier and food producer industries shall, subject to appropriation, implement  
19 a comprehensive education and outreach program designed to ensure compliance with this act.  
20 The department shall include the following in the outreach and education program: materials for  
21 common victuallers licensed under section 6 of chapter 140, about appropriate methods to ensure  
22 compliance with this section; information for consumers and businesses about the health risks  
23 associated with the ingestion of trans fat; guidance for consumers and businesses the  
24 incorporation of healthy alternatives to trans fats in food preparation; and any other information  
25 the department deems necessary to promote awareness of this section.

26 SECTION 2. This act shall take effect 12 months after the passage of this act with  
27 respect to oils, shortenings and margarines containing artificial trans fat that are used for frying  
28 or in spreads, except with regard to oils or shortenings used for deep frying of yeast dough or  
29 cake batter. This act shall take effect 18 months after the passage of this act with respect to oils  
30 or shortenings used for deep frying of yeast dough or cake batter and all other foods containing  
31 artificial trans fat.