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# Empire State Restaurant & Tavern Association

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*Report From The Executive Director...Scott Wexler*

## September 2024

New York City Requires Chain Restaurants to Post Sugar Warnings - A new rule from the Department of Health & Mental Hygiene set to take effect in October requires chain restaurants to warn customers of any menu item that contain at least 50 grams of added sugar. A restaurant is considered part of a chain if it:

- Is part of a national or local chain with 15 or more locations
- Offers mostly the same menu items at each location
- Offers food with similar portion sizes and ingredients at each location

The rule implements the Sweet Truth Act, which Mayor Adams signed into law last year. Under the new rule a warning statement along with an icon of a spoon must be posted on the menu and menu board (where applicable), including any online menus. The rule subjects chain restaurants to hundreds of dollars in fines if they fail to add the warnings as required. The Department was careful to clarify that the requirements apply to “combination meals” as well.

The New York City Health Department has guidance for chain restaurants on how to comply with this requirement. Although the rule takes effect next month, the Department will not issue summons or impose fines until October 4, 2025. While this new law and rule only apply to chain restaurants in New York City, we’re keeping our eyes out for it to spread. Lots of bad ideas get their start in New York City government before gaining traction in other local governments or in state government.

Retail Worker Safety Act Signed - On Sept. 5, 2024, Gov. Kathy Hochul signed the Retail Worker Safety Act (A.8947/S.8358). The law will require certain New York retailers to adopt safety measures to address and prevent workplace violence in retail settings. Covered employers include “any person, entity, business, corporation, partnership, limited liability company, or an association employing at least ten retail employees.” The “retail employees” must work in a retail store that “sells consumer commodities.” Retailers who primarily “sell food for consumption on the premises” are excluded so it does not cover restaurants, taverns, and bars, but it addresses concerns that are at times also expressed about licensed premises, so we’ve been monitoring it. The State Department of Labor will be developing model policies and training. We’ll keep you up to date on their activity implementing this new law.