



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2021-5726  
**Type:** Ordinance **Status:** Passed  
**File created:** 12/15/2021 **In control:** City Council  
**Final action:** 1/26/2022  
**Title:** Amendment of Municipal Code Chapter 7-38 by adding new Section 7-38-060 regulating which "default beverage" types restaurants may include with children's meals, unless otherwise requested  
**Sponsors:** Lightfoot, Lori E.  
**Indexes:** Ch. 38 Food Establishments-Sanitary Operating Requirements  
**Attachments:** 1. O2021-5726.pdf

Date	Ver.	Action By	Action	Result
1/26/2022	1	City Council	Passed	Pass
1/20/2022	1	Committee on Health and Human Relations	Recommended to Pass	
12/15/2021	1	City Council	Referred	

OFFICE OF THE MAYOR  
CU V OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

December 15, 2021

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY  
OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Public Health, I transmit herewith an ordinance amending the Municipal Code to regulate default beverages presented with children's meals by restaurants.

Your favorable consideration of this ordinance will be appreciated.

## ORDINANCE

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 7-38 of the Municipal Code of Chicago is hereby amended by adding a new Section 7-38-060, as follows:

#### **7-38-060 Default beverage for children's meals.**

a) In this Section:

"Children's meal" means a combination of food items, sold for a single price, intended for consumption by children.

"Default beverage" means a beverage included by default or presented as an option as part of a children's meal absent a specific request by the purchaser of the children's meal for an alternative beverage.

"Restaurant" means a retail food establishment that prepares and serves or vends food directly to consumers.

b) Notwithstanding any other provision of law, a restaurant shall include one of the following beverages with a children's meal sold by the restaurant:

- 1) water with no added natural or artificial sweeteners;
- 2) sparkling water with no added natural or artificial sweeteners;
- 3) flavored water with no added natural or artificial sweeteners;
- 4) nonfat or 1% dairy milk containing no more than 130 calories per container or serving offered for sale;
- 5) nondairy milk alternatives:
  - A) with no added natural or artificial sweeteners;
  - B) containing no more than 130 calories per container or serving as offered for sale; and
  - C) meeting the standards for the National School Lunch Program as set forth in 7CFR210.10;  
or
- 6) 100% fruit or vegetable juice or juice combined with water or carbonated water, with no added sweeteners, in a serving size of no more than 8 ounces.

c) A restaurant may include a beverage with a children's meal that is not listed under subsection (b) upon the meal purchaser's request.

d) Every beverage listed or displayed on a restaurant menu or in-store advertisement for a children's meal shall be one of the default beverages listed in subsection (b).

(e) During any inspection of a restaurant by Department of Health, the Department of Health shall inspect the restaurant to determine whether it complies with this Section.

SECTION 2. This ordinance shall be in full force and effect following due passage and approval.