



# The New York City Sodium Warning

**CASA**

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# The Sodium Warning Rule

New York City Health Code 81.49 requires chain food service establishments to:

- Show which food items have more than the recommended limit (2300 mg) of sodium (salt) per day by placing a **warning icon** next to those items on menus, menu boards and item tags.
- Post the sodium **warning statement** at point of purchase. The statement explains that items with the icon have more than the recommended limit of sodium per day and that having too much sodium is a health risk.

Why?

# Heart Disease is a Leading Killer in NYC

## In NYC:

- 1 in 3 deaths are due to **heart disease**<sup>1</sup>
- 36% of Black adults have been told by a health professional that they have **high blood pressure**, nearly 50% more than Whites (36.1% vs. 24.8%)<sup>2</sup>

*these figures were current when the rule was introduced to the Board of Health in 2015*



# As well as Nationally

## ◀ HIGH BLOOD PRESSURE BASICS ▶



High blood pressure  
contributes to

**~1,000**

**DEATHS/DAY**

A red silhouette of a coffin, used as a visual metaphor for death.

# Heart Disease & Stroke Risk Factors: High Dietary Sodium

- Excess sodium intake is dangerous
  - Leads to high BP<sup>3</sup>
  - Interferes with proper BP control<sup>4</sup>
  - Increases risk of heart disease and stroke<sup>4</sup>

# Warnings about Sources of Excess Sodium Can Help New Yorkers

- Poor awareness of sodium recommendations and major sources of dietary sodium
  - > 80% of adults in NYC consume more sodium daily than the recommended limit<sup>5</sup>
  - Black New Yorkers consume more sodium daily than White New Yorkers<sup>5</sup>
- Too few consumers understand that high sodium intake is a serious health hazard<sup>6</sup>
  - Limited awareness of link between sodium and heart disease/stroke<sup>7</sup>



# Information for informed decisions

- Consumers lack important information about risks
  - Some menu items contain more sodium than a person should consume in an entire day
  - Variability of sodium content<sup>8</sup>
  - Difficult for consumers to make reliably healthy choices

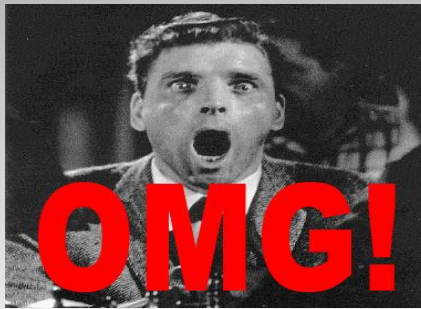
<u>Chain</u>	<u>Product</u>	<u>Sodium Content</u>
Company A	Smokehouse Turkey Sandwich	2590 mg
Company B	Roasted Turkey & Avocado BLT Sandwich	960 mg

# Guess the sodium ?

Burger King Large Fries

- a. 250 mg /Na
- b. 500 mg/Na
- c. 700 mg/Na
- d. 900 mg Na
- e. 1200 mg/Na

**700 Mg/Na**



- **Olive Garden** Grilled Chicken Flatbread Appetizer
  - a. 500 mg/Na
  - b. 750 mg/Na
  - c. 1100 mg/Na
  - d. 1500 mg/na
  - e. 2200 mg/Na

**1100 mg/Na**

# Guess the sodium ?



## Applebee Boneless Wing Appetizer

1. 1000 mg/Na
2. 560 mg/Na
3. 2700 mg/Na
4. 4800 mg/Na
5. 6900 mg/Na

4800 mg/Na

# One last guess

## Buffalo Wild Wings

Buffalo salad crispy chicken mg/Na



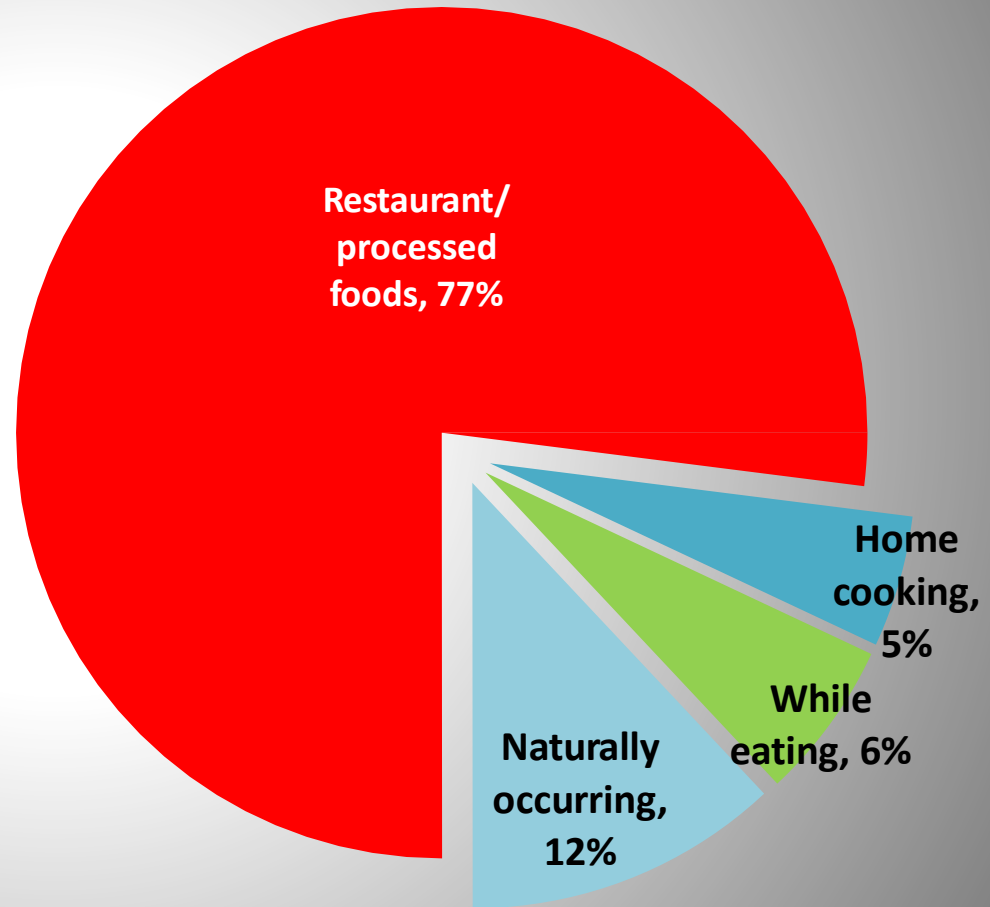
- a. 500 mg/Na
- b. 1000 mg/Na
- c. 1550 mg/Na
- d. 2070 mg/Na
- e. 2680 mg/Na

**2070 mg/Na**

**Grilled 1550 mg/dl**

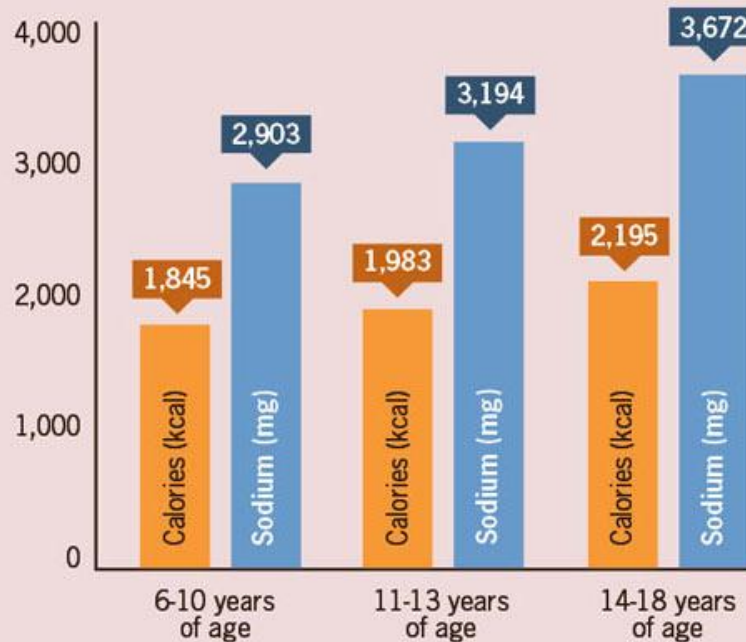
# Sources of Sodium

- Restaurant/processed food makes up majority of dietary sodium intake<sup>9</sup>
- Restaurant food is more **sodium dense** than food prepared at home<sup>10</sup>



## How much sodium do children eat?

Most children are eating too much sodium daily, and teens are consuming foods higher in sodium than younger children.



SOURCE: National Health and Nutrition Examination Survey, United States, 2009–2010.

## 10 sources of sodium in children's diets

About 43% of sodium eaten by children comes from just 10 common food types:

- Pizza
- Bread/rolls
- Cold cuts/cured meats
- Savory snacks
- Sandwiches
- Cheese
- Chicken patties/nuggets, etc.
- Pasta mixed dishes
- Mexican mixed dishes
- Soups

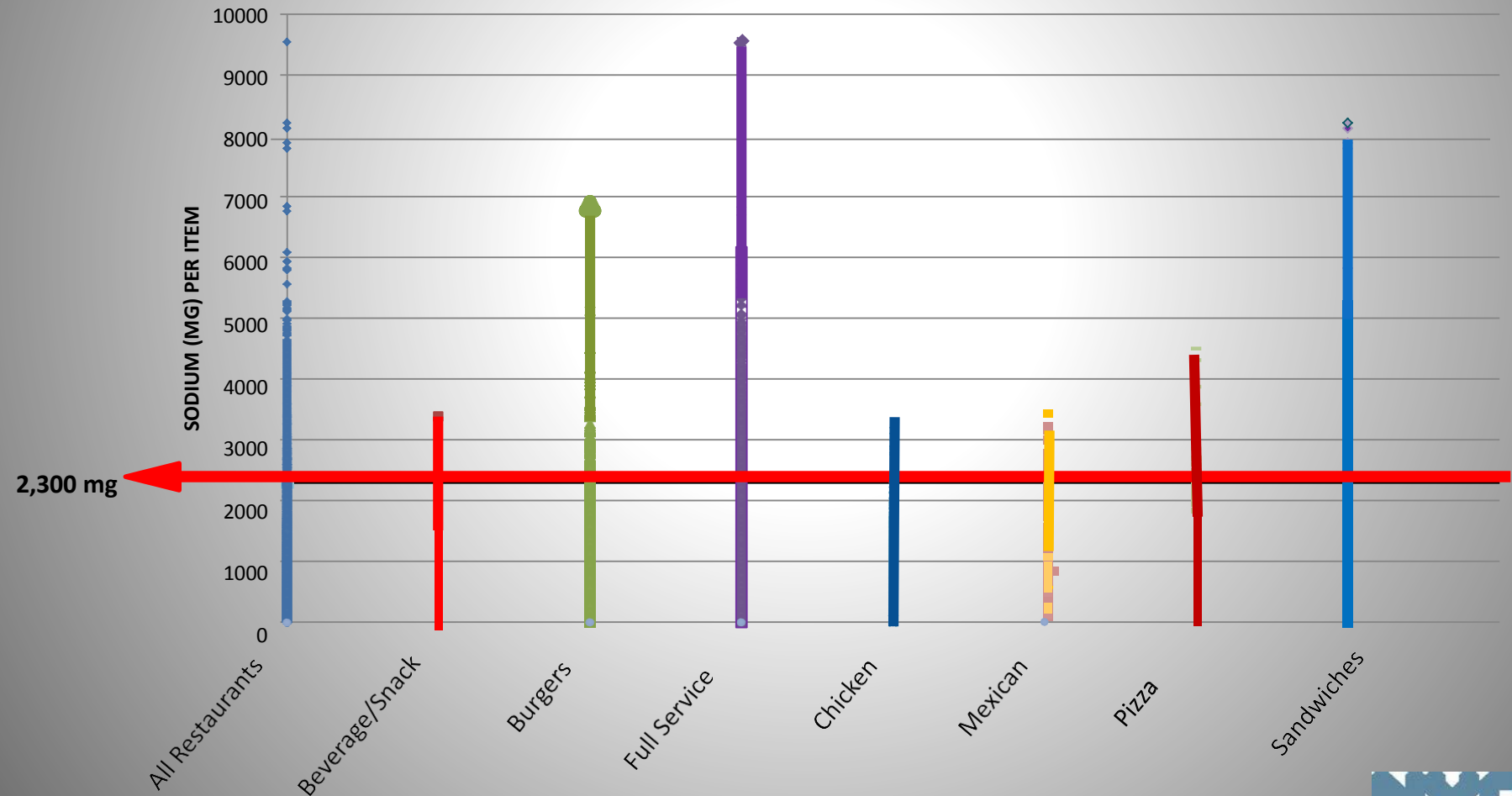


SOURCE: What we eat in America, National Health and Nutrition Examination Survey, United States, 2009–2010.

- Too many children are consuming way too much sodium, and the result will be risks of high blood pressure and heart disease in the future,” said former CDC Director Tom Frieden, M.D., M.P.H. “Most sodium is from processed and restaurant food, not the salt shaker. Reducing sodium intake will help our children avoid tragic and expensive health problems.” Children 4-8 years of age: no more than 1200 mg Children 9-18: no more than 1500 mg per day

# High Sodium Items in NYC Chain Restaurants<sup>11</sup>

SODIUM PER ITEM IN 2014, BY RESTAURANT TYPE IN NYC





# Why warning labels ?

- ❑ Evidence suggests that health warnings **INCREASE** knowledge and can **DECREASE** purchase and consumption of certain products<sup>12</sup>
  
- ❑ Labels facilitate education
  - Can inform customers of the risks of consuming certain products
  - More than 1 million New Yorkers see calorie labels daily in restaurants<sup>13</sup>
  
- ❑ Consumers find labels helpful
  - Nearly 80% of New Yorkers find calorie labels “useful”<sup>14</sup>

# What is the recommended limit of sodium per day?

It is 2,300 mg—about 1 teaspoon of salt.

- The average American adult consumes almost 50% more sodium than the recommended limit per day. Restaurant food tends to have more sodium than food prepared at home.

# Why 2,300 mg?

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- ❑ Leading scientific bodies recommend that no one's daily sodium intake exceed 2,300 mg
  - Institute of Medicine, US Department of Health and Human Services, USDA<sup>3,4</sup>
  
- ❑ Warnings on items that contain more sodium than a person should consume in an entire day
  
- ❑ Icon is simple and warns of risks



# Authority of NYC Board of Health

- Federal labeling laws allow localities to require warnings about dangerous foods
  - Section 6(c) of Public Law 101-535

# The Health Code

§81.49 Sodium warning.

(b) *Required warning.* A covered establishment that offers for sale any food item with a high sodium content must provide the following warning:

(1) An icon must appear on a menu or menu board next to a food item with a high sodium content, or on a tag next to any food on display that is a food item with a high sodium content:



The icon must be a black and white equilateral triangle as wide as it is tall and equal in height to the largest letter in the food item's name, as displayed on the menu, menu board, or tag next to any food on display; and

# Who does the rule apply to?

This rule applies to **all food service establishments** that require a Health Department permit and are part of a **chain**. “Chain” refers to any establishment with 15 or more locations doing business in the U.S. under the same name and offering the same, or almost the same menu items.

# Who does the Rule Apply to?

An FSE will also be identified as a covered establishment even if it currently has no items on its menu that contains 2300 mg or more of sodium. Its simply identified because it is a chain restaurant.

**Important note:** Being identified as a chain FSE does not mean the FSE is required to have the warning posted. Only if there is one or more item(s) on its menu that contains 2300 mg or more of sodium, then it must post the icon and the warning statement.



# Implementation and Enforcement

- ❑ Minimal compliance burden
  - Information already exists
  - Menu items in chain restaurants are standardized
  
- ❑ Inspection for guidance and compliance incorporated into the regular restaurant inspections
  
- ❑ Violations would incur \$200 fine; would not impact letter grade or inspection frequency


# Sodium Warning Labels

Identify high sodium items

- Icon on menu/menu boards identifies items containing  $\geq 2,300$  mg of sodium



# Sodium Warning Labels

Warning :  indicates that the sodium (salt) content in this item is higher than the total daily recommended limit (2,300 mg). High sodium intake can increase blood pressure and risk of heart disease and stroke.

Affects chain restaurants ( $\geq 15$  locations nationwide)

**1/3 of all restaurant traffic in NYC<sup>15</sup>**

# Enforcement

**This rule went into effect December 1, 2015**

- Between December 1, 2015 and February 29, 2016, there was a grace period. Violators only received a warning which went on the inspection report form

# Enforcement

As of June , 2016, the Department began issuing Notices of Violation's (NOV's).

## Initial enforcement

- Targeted areas
- 5 Inspectors + 5 Supervisors
- Specific period of time
- Conduct ONLY Sodium inspections

# Enforcement Observations

## Day 1

- Significant number of FSEs that we inspected were compliant with the regulation.

# How would BFSCS staff know that an FSE is subject to the new rule?

Establishments that are covered under this requirement are identified in FACTS II and in the inspectors Handheld on the Entity details screen.

There are 68 chains that are required to post sodium warnings

# ***Menu or menu board means...***

- A printed list of the names or images of a food item or items, and the primary writing of a covered establishment from which a customer makes an order selection.

Menus include:

- breakfast, lunch, and dinner menus;
- dessert menus;
- beverage menus;
- children's menus;
- other specialty menus;
- electronic menus; and menus on the internet

Menu boards include menu boards inside the establishment as well as drive-through menu boards outside the establishment.



# ***Point of purchase means...***

- ***Point of purchase*** means any place where a customer may order food within an establishment.



# What about combination meals (meals with multiple food items)?

- If the entire combination meal contains 2,300 mg of sodium or more, the FSE must place the sodium warning icon next to the combination meal on the menu.

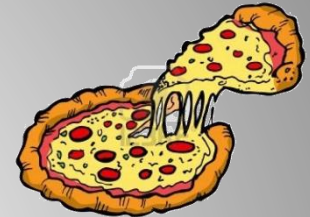


# What about menu items that can be customized or have different toppings?

- If **any** possible version of the item contains 2,300 mg of sodium or more, the FSE must place the sodium warning icon next to the item on the menu.



# What about menu items with multiple servings?



Some menu items contain more than one serving and are intended to be shared by more than one person – for example, if the menu says “family-size” bucket of chicken or a sharable pizza pie divided into eight slices. If the menu does not indicate that it is sharable or family size or for a group then the entire item is considered to be one serving .



Complete Inspection

### Complete Inspection

Was FSE found in compliance with "Transfat" rule?  Yes  No

Was FSE found in compliance with "Calorie Posting" rule?  Yes  No

Was FSE found in compliance with "Smoking" rule?  Yes  No

Was FSE found in compliance with "Sodium Warning" rule?  Yes  No - Cite Violation  No - Issue Warning

[Open Menu](#)



File Home Insert Page Layout Formulas Data Review View Ink Tools Pens

Clipboard: Cut, Copy, Paste, Format Painter

Font: Calibri, 11, Bold, Italic, Underline, Text Color, Background Color, Merge & Center

Alignment: Wrap Text, Merge & Center

Number: General, Percentage, Currency, Date, Time, Text, Fraction, Scientific

Conditional Formatting: Cell Styles (Normal, Bad, Good, Neutral, Calculation, Check Cell)

Cells: Insert, Delete, Format

Editing: AutoSum, Fill, Clear, Sort & Filter, Find & Select

A2 APPLEBEE'S

Restaurant_F	RestaurantID	MenuitemName	SodiumConte	SodiumDesc	NumberOfServ	ServingDesc	IsCombined	IsSharable
1	APPLEBEE'S	VERDE BEEF NACHOS_APPETIZERS	6090		1			0 No
		ESS WINGS (1760) W/ HOT BUFFALO SAUCE (2720), HIGH SODIUM_APPETIZERS	4480		1			1 No
		LE CRUNCH BONE-IN-WINGS (1220) W/ HOT BUFFALO SAUCE (2720), HIGH SODIUM_APPETIZERS	3940		1			1 No
		DU & ARTICHOKE DIP_APPETIZERS	3980		1			0 No
		BACON CHICKEN PIADINI (3640) W/ HOUSE CHIPS (960)_HANDHELDS	4600		1			1 No
		E-GLAZED BABY BACK RIBS FULL RACK(1500)W/ SWEET ASIAN CHILE SAUCE (2620) AND CLASSIC FRIES (770)_RIBS	4890		1			1 No
		EN FAJITA ROLLUP (3600) W/ HOUSE CHIPS (960)_HANDHELDS	4560		1			1 No
		D BRISKET ENCHILADAS_PASTA, SEAFOOD & MORE	3680		1			0 No
		LE CRUNCH SHRIMP_PASTA, SEAFOOD & MORE	3270		1			0 No
		PUB PRETZELS & BEER CHEESE DIP_APPETIZERS	3070		1			0 No
		D SHRIMP 'N SPINACH SALAD_SALADS	2990		1			0 No
		BEE'S RIBLETS PLATTER (810) W/ SWEET ASIAN CHILE SAUCE (2620) AND CLASSIC FRIES (770)_HIGH SODIUM_RIBS	4200		1			1 No
		& SALSA_BAR SNACKS	2900		1			0 No
		EN QUESADILLA_APPETIZERS	2800		1			0 No
		ESS WINGS (1760) W/ HONEY BBQ SAUCE (1010), LOW SODIUM_APPETIZERS	2770		1			1 No
		HOG DARE YA (2640) W/ HOUSE CHIPS (960)_HANDHELDS	3600		1			1 No
		E-GLAZED BABY BACK RIBS FULL RACK(1410) W/ SMOKY CHIPOTLE SAUCE (410) AND CLASSIC FRIES (770), LOW SO	2590		1			1 No
		OUSE GRILLE (2520) W/ HOUSE CHIPS (960)_HANDHELDS	3480		1			0 No
		POTATO FRIES & DIPS_APPETIZERS	2450		1			0 No
		P 'N PARMESAN SIRLOIN (2220) W/ SEASONAL VEGETABLES (210) & GARLIC MASHED POTATOES (640)	3070		1			1 No
		OUR STEAK W/ SHRIMP 'N PARMESAN_12 OZ SIRLOIN (1150) W/ SHRIMP 'N PARMESAN TOPPER (1190)	2340		1			1 No
23	APPLEBEE'S	1 CEDAR GRILLED LEMON CHICKEN_PUB DIET & CHICKEN	2480		1			0 No
24	APPLEBEE'S	1 CHICKEN TENDERS PLATTER_CHICKEN	3220		1			0 No
25	APPLEBEE'S	1 FIESTA LIME CHICKEN_CHICKEN	3470		1			0 No
26	APPLEBEE'S	1 CRISPY BREWHOUSE CHICKEN_CHICKEN	2750		1			0 No
27	APPLEBEE'S	1 AMERICAN STANDARD (2010) W/ HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	2970		1			1 No
28	APPLEBEE'S	1 TRIPLE BACON (2050) W/ HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	3010		1			1 No
29	APPLEBEE'S	1 THE BLAZIN TEXAN (1920) W/ HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	2880		1			1 No
30	APPLEBEE'S	1 QUESADILLA BURGER (3230) W/ HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	4190		1			1 No
31	APPLEBEE'S	1 CLASSIC (1180) W/ CHEESE (480) & HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	2620		1			1 No
32	APPLEBEE'S	1 CLASSIC (1180) W/ BACON (320) & HOUSE CHIPS (960)_HIGH SODIUM_BURGERS	2460		1			1 No
33	APPLEBEE'S	1 CLASSIC & CLASSIC LUNCH COMBO W/ TOMATO BASIL SOUP (1090) & CHICKEN FAJITA ROLLUP (2440)_HIGH SODIUM_LL	3530		1			1 No
34	APPLEBEE'S	1 CLASSIC & SIGNATURE LUNCH COMBO W/ CHICKEN FAJITA ROLLUP (2440) & FIESTA CHICKEN CHOPPED SALAD (870)_HIG	3310		1			1 No
35	APPLEBEE'S	1 SIGNATURE & SIGNATURE LUNCH COMBO W/ FRENCH ONION SOUP (1470) & FIESTA CHICKEN CHOPPED SALAD (870)_HI	2340		1			1 No

Sort A to Z  
Sort Z to A  
Sort by Color  
Clear Filter From "Restaurant\_FACTSII"  
Filter by Color  
Text Filters  
Search

- (Select All)
- APPLEBEE'S
- ARBY'S
- AU BON PAIN
- BARE BURGER
- BLIMPIE
- BOSTON MARKET
- BURGER KING
- CAFE BENE
- CALIFORNIA PIZZA KITCHEN
- CHARLEY'S GRILLED SUBS
- CHARLIE BROWN'S STEAKHOUSE
- CHEF'S CHEESE BURGER

OK Cancel



# Conducting Field Inspections

- PHS selects up to 5 high sodium menu items or 20%, rounded up (whichever is greater) of menu items that are subject to the sodium warning and that are on the spreadsheet.
- Check these items for compliance
- Check the establishments menu or menu board to see if those items are on the menu.
- Check that the salt icon is placed directly on the menu, menu board or item tag next to any food item that has 2,300 mg of sodium or more.
- Check that the icon is as wide as it is tall. (An FSE must not stretch or shrink the icon's shape).

# Conducting Field Inspections

- Check that the icon is equal in height to the largest letter in the food item's name as displayed.
- Check that the icon is clearly visible
- Check that the sodium warning statement is clearly visible and at the point where customers place their order.
- Cite the item that is not in compliance.
- Again, only look for food items from the provided list.
- If none of the items from the spreadsheet appear on the menu or menu board, PHS's should select "yes" – premise is in compliance with the Sodium Warning.



# Acceptable Icon placements

Sample of Items in Question	Sodium (mg) Content Per Serving
FIESTA BURGER_BURGERS	3598
HICKORY BARBECUE BACON CHEESEBURGER_BURGERS	3334
ORIGINAL LEGENDARY BURGER_BURGERS	2859
THE BIG CHEESEBURGER_BURGERS	2383

1. Next to "Burgers" heading
2. Next to specific combo item



# Violations

FSE's that are observed to be non-compliant with the sodium warning regulations are subjected to one or more of the following citations:

- I. 16J - NYCHC 81.49(b)(1) Sodium Warning - Icon not posted
- II. 16K - NYCHC 81.49(b)(1) Sodium Warning - Icon Not Compliant
- III. 16L - NYCHC 81.49(b)(2) Sodium Warning - Statement

# Menu Changes

One very positive result of this regulation is that FSE's changed the formulation of their recipes and changed their menus to comply with the regulation

- California Pizza Kitchen
- Domino
- White Castle
- Olive Garden
- Moe's Southwestern Grill
- Subway

- Our inspections are now part of the Annual inspections , so the probability of inspecting one of these chains has decreased significantly . They have also come into compliance with the regulation with the exception of a few outliers .

# What if an FSE claims that it no longer has a food item on its menu?

- ❑ If there are items that an FSE believes should be removed, they must send an email to:  
[salt@health.nyc.gov](mailto:salt@health.nyc.gov)
- ❑ DOHMH will review

*Questions ?*



*The End*

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