

ARTICLE XIV - NASSAU COUNTY PUBLIC HEALTH ORDINANCE
FOODS CONTAINING ARTIFICIAL TRANS FATS

Article 14: Foods Containing Artificial Trans Fat.

(14.1) Artificial trans fat restricted. No foods containing artificial trans fat, as defined in this section, shall be stored, distributed, held for service, used in preparation of any menu item or served in any food service establishment or by any mobile food unit commissary, as defined in Articles 3 and 3A of the Nassau County Public Health Ordinance or Part 14 of the New York State Sanitary Code or successor provisions thereof, except food that is being served directly to patrons in a manufacturer's original sealed package.

(14.2) Definition. For the purpose of this section, a food shall be deemed to contain artificial trans fat if the food is labeled as, lists as an ingredient, or has vegetable shortening, margarine or any kind of partially hydrogenated vegetable oil. However, a food whose nutrition facts label or other documentation from the manufacturer lists content of the food as less than 0.5 grams per serving, shall not be deemed to contain artificial trans fat.

(14.3) Labels required.

(14.3.1) Original labels. Food service establishments and mobile food unit commissaries shall maintain on site original labels for all food products:

- (i) that are, or that contain, fats, oils, margarines or shortenings, and
- (ii) that are, when purchased by such food service establishments or mobile food unit commissaries, required by applicable federal and state law to have labels, and
- (iii) that are currently being stored, distributed, held for service, used in preparation of any menu items, or served by the food service establishment, or by the mobile food unit commissary.

(14.3.2) Documentation instead of labels. Documentation acceptable to the Health Department, from the manufacturers of such food products, indicating whether the food products contain vegetable shortening, margarine or any kind of partially hydrogenated vegetable oil, or indicating trans fat content, may be maintained instead of original labels.

(14.3.3) Documentation required when food products are not labeled. If baked goods, or other food products restricted pursuant to section 14.1 of this section, that are or that contain fats, oils or shortenings, are not required to be labeled when purchased, food service establishments and mobile food commissaries shall obtain and maintain documentation acceptable to the Health Department, from the manufacturers of the food products, indicating whether the food products contain vegetable shortening, margarine or any kind of partially hydrogenated vegetable oil, or indicating trans fat content.

(14.4) Effective date. This section shall take effect on April 1, 2008 with respect to oils, shortenings and margarines, containing artificial trans fat that are used for frying or in spreads; except that the effective date of this section with regard to oils or shortenings used for deep frying of yeast dough or cake batter, and all other foods containing artificial trans fat, shall be April 1, 2009.