

Trans Fat - AB 97 (Mendoza) In California Food Facilities

AB 97 will phase out the use of artificial trans fat in California restaurants beginning January 1, 2010 and from baked goods on January 1, 2011. AB 97 imposes a fine that may range from \$25-\$1,000 for violations of these provisions. AB 97 was signed into law in 2008 and added Section 114377 to the Health and Safety Code. The prohibition of artificial trans fat impacts all food facilities **EXCEPT** public school cafeterias.

There is a direct proven relationship between diets high in trans fat content and LDL “bad” cholesterol levels and an increased risk of coronary heart disease. Leading health organizations recommend that individuals strictly limit or eliminate consumption of trans fat.

AB 97 requires restaurants to switch to oils, margarines and shortenings that have less than 0.5 grams of artificial trans fat per serving. Trans fat can be replaced with readily available heart healthy oils without changing the taste of foods. Good sources of heart-healthy alternatives to trans fat include monosaturated fats (like olive and canola oils) and polyunsaturated fats (such as soybean, corn and sunflower oils).

Definition:

According to the FDA, trans fat, also known as trans fatty acid, is made when manufactures add hydrogen to vegetable oil, a process called hydrogenation. Hydrogenation increases the shelf life and stability of oils and food containing these fats. A food contains artificial trans fat if it contains or is fried in either **vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oils**; unless the label states the trans fat content is less than 0.5 grams per serving.

EFFECTIVE JANUARY 1, 2011

ALL FOOD/FOOD PRODUCTS STORED, SERVED BY, OR USED IN THE PREPARATION OF ANY FOOD IN A FOOD FACILITY MUST BE FREE OF ARTIFICIAL TRANS FAT INCLUDING PRODUCTS USED FOR DEEP FRYING OF YEAST DOUGH OR CAKE BATTER. NATURAL TRANS FATS ARE EXCLUDED FROM THIS REQUIREMENT.

Labels must be maintained for all food or food products used in the facility and be available for review.

Questions and Answers:

Q: How do I know if a food/food product contains trans fat?

A: Any food with “partially hydrogenated oils” on the label contains trans fatty acids. Typically, a food contains artificial trans fat if it contains vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil; unless the label states the trans fat content is less than 0.5 grams per serving.

Q: Why are public schools exempt from Section 114377?

A: Public schools are already prohibited from serving foods containing trans fat.

Q: Are prepackaged goods that contain artificial trans fat in retail markets exempt?

A: Yes, food/food products sold to the public in the **original, sealed package** are exempt. If a facility is providing samples of a packaged food and has opened the package, then the food is no longer exempt.



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Q: Are prepackaged goods that contain artificial trans fat in restaurants exempt?

A: Yes, single servings of food/food products provided to the public in the **original, sealed package** are exempt.

Q: If a food product is made with multiple food ingredients that contain less than 0.5 grams per serving of artificial trans fat, is that food product considered to contain trans fat?

A: No, whether a product contains artificial trans fat is dependent on the single serving content of the individual ingredients.

Q: Do all margarines and shortenings have artificial trans fat?

A: No, there are margarines and shortenings that do not contain artificial trans fat. Make sure to read the label to see if the product contains trans fat. If the trans fat content is less than 0.5 grams per serving, it is not considered to contain trans fat.

Q: What constitutes deep frying?

A: Deep frying is defined as the food item being fully submerged in the hot oil or liquid fat. The exemption until **January 1, 2011** is for the oil used in deep frying cake batter or yeast dough only.

Q: What are some common trans fat products?

A: Common products are cakes, cookies, crackers, pies, bread, and fried foods.

