



# THE CITY OF NEW YORK

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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## INFORMATION FROM THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE ON POSTING ALCOHOL CALORIES

The following information clarifies how New York City Health Code §81.50 should be applied to calculating calories for certain alcoholic beverages.

Beverages, including alcoholic beverages, are 'food items' as defined in the New York City Health Code. A listing of wines and/or alcoholic beverages and their prices, would be considered a "menu." Please note that Health Code §81.50 requires that you have a reasonable basis for your posting, which may include the use of nutrient databases, laboratory testing or other reliable methods of analysis.

*Calculating calories.* Calorie content values (in kcal) required by this section shall be based upon a verifiable analysis of the menu item, which may include the use of nutrient databases, laboratory testing, or other reliable methods of analysis, and shall be rounded to the nearest ten (10) calories for calorie content values above 50 calories and to the nearest five (5) calories for calorie content values 50 calories and below.

Some types of alcoholic beverages (such as red or white wines) contain substantially the same calories. Calculating specific values for each type of wine might impose impractical difficulties and undue hardship. As such, individual food service establishments may request that the Commissioner grant a modification of the Health Code pursuant to §81.49 to allow posting estimated or approximate values that apply to various categories of wine. If the Department of Health and Mental Hygiene Commissioner grants a modification of the code for the aforementioned situation, calorie information would be required on each page of the wine list in a font and format that is at least as prominent, in size and appearance, as that used to post either the name or price of the menu item. Additionally, calorie values would need to reflect the serving size(s) (glass, bottle, carafe, etc.) offered for each serving size.

Please note, however, that this would not apply to categories of alcoholic beverages in which the calorie values of different selections differ more substantially. Dessert wines, sherry, sweet wines, beers and mixed drinks are categories in which the calorie values of individual selections may vary substantially in calories. These types of menu items must have calorie values posted separately. The DOHMH will consider requests for modifications of the regulation should you feel it is an undue hardship to assess the calorie content for each bottle of dessert wines on a menu.