

**ONTARIO COURT OF JUSTICE**

***PROVINCIAL OFFENCES ACT***

**IT IS ORDERED**, pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite the offence in the attached Items of Schedule 42.1 under the Provincial Statutes and Regulations thereunder is the Set Fine.

This Order comes into effect on the 1<sup>st</sup> day of January 2017.

**DATED AT TORONTO** this 13<sup>th</sup> day of December 2016.

  
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**Lise Maisonneuve, Chief Justice**  
**Ontario Court of Justice**

**SCHEDULE 42.1**  
**Ontario Regulation 50/16 under the *Healthy Menu Choices Act, 2015***

| <b>Item</b> | <b>Offence</b>  | <b>Section</b>                 | <b>Set Fine</b> |
|-------------|---|--------------------------------|-----------------|
| 1.          | Fail to display calorie information adjacent to name or price of standard food item   | section 6 para. 1              | \$200.00        |
| 2.          | Fail to display calorie information in same font as standard food item  | section 6 para. 2              | \$200.00        |
| 3.          | Fail to display calorie information in same format as standard food item  | section 6 para. 2              | \$200.00        |
| 4.          | Fail to display calorie information in same size as standard food item  | section 6 para. 2              | \$200.00        |
| 5.          | Fail to display calorie information in same prominence as standard food item  | section 6 para. 2              | \$200.00        |
| 6.          | Calorie information obstructed  | section 6 para. 3              | \$200.00        |
| 7.          | Calorie information not readily legible   | section 6 para. 3              | \$200.00        |
| 8.          | Fail to round calorie number as required  | section 6 para. 4              | \$200.00        |
| 9.          | Term "Calories" or "Cals" does not appear as heading above column listing number of calories in accordance with requirements under regulation | section 6 para. 5 subpara. i   | \$200.00        |
| 10.         | Term "Calories" or "Cals" does not appear adjacent to number of calories in accordance with requirements under regulation                     | section 6 para. 5 subpara. ii  | \$200.00        |
| 11.         | Shared standard food items - fail to display the number of calories and the number of servings as required                                    | section 6 para. 6              | \$200.00        |
| 12.         | Fail to display calorie range as required where general description of standard food item available   | section 6 para. 7 subpara. i   | \$200.00        |
| 13.         | Fail to display number of calories for each flavour of standard food item listed  | section 6 para. 7 subpara. ii  | \$200.00        |
| 14.         | Fail to display number of calories for each variety of standard food item listed  | section 6 para. 7 subpara. ii  | \$200.00        |
| 15.         | Fail to display number of calories for each size of standard food item listed   | section 6 para. 7 subpara. ii  | \$200.00        |
| 16.         | Fail to post a sign with the required information for a serving of each flavour of standard food item on display in accordance with section 8 | section 6 para. 7 subpara. iii | \$200.00        |
| 17.         | Fail to post a sign with the required information for a serving of each variety of standard food item on display in accordance with section 8 | section 6 para. 7 subpara. iii | \$200.00        |

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| 18. | Fail to display number of calories for basic preparation of standard food item   | section 6 para. 8 subpara. i   | \$200.00 |
| 19. | Fail to display number of calories separately for supplementary items  | section 6 para. 8 subpara. ii  | \$200.00 |
| 20. | Fail to display statement that calories are additional to calories for basic preparation   | section 6 para. 8 subpara. ii  | \$200.00 |
| 21. | Fail to display calories for each supplementary item for each size of standard food item in accordance with regulations            | section 6 para. 8 subpara. iii | \$200.00 |
| 22. | Combination meals - variable items - fail to display calories as range   | section 6 para. 9              | \$200.00 |
| 23. | Combination meals - variable items listed separately - fail to display calories for each option                                    | section 6 para. 9              | \$200.00 |
| 24. | Combination meals - variable items displayed without serving size - fail to post calories per serving in accordance with section 8 | section 6 para. 9              | \$200.00 |
| 25. | Combination meals - variable items - fail to declare impact of increasing meal size on number of calories                          | section 6 para. 9              | \$200.00 |
| 26. | Combination meals - variable items - fail to declare impact of decreasing meal size on number of calories                          | section 6 para. 9              | \$200.00 |
| 27. | Fail to display calorie range in prescribed format   | section 6 para. 10             | \$200.00 |
| 28. | Fail to display required information with at least same prominence as listing for alcoholic beverage                               | subsection 7 (2)               | \$200.00 |
| 29. | Fail to display required information with at least same text size as listing for alcoholic beverage                                | subsection 7 (2)               | \$200.00 |
| 30. | Self-serve - fail to post sign setting out calories per serving as required  | clause 8 (1) (a)               | \$200.00 |
| 31. | Self-serve - fail to post sign setting out serving size as required  | clause 8 (1) (a)               | \$200.00 |
| 32. | Self-serve - fail to post sign that allows individual to associate the calorie declaration with the food or drink item as required | clause 8 (1) (b)               | \$200.00 |
| 33. | Self-serve - fail to post sign including the name of the food or drink item as required  | clause 8 (1) (c)               | \$200.00 |
| 34. | Self-serve - term "Calories" or "Cals" does not appear as heading above col-   | clause 8 (2) (a)               | \$200.00 |

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|     | umn listing number of calories in accordance with requirements under regulation  |                          |          |
| 35. | Self-serve - term "Calories" or "Cals" does not appear adjacent to number of calories in accordance with requirements under regulation | clause 8 (2) (b)         | \$200.00 |
| 36. | Self-serve - fail to post visible sign   | subsection 8 (3)         | \$200.00 |
| 37. | Self-serve - fail to post legible sign   | subsection 8 (3)         | \$200.00 |
| 38. | Self-serve - serving size not determined by volume of dispensing instrument as required  | subsection 8 (4) para. 1 | \$200.00 |
| 39. | Self-serve - serving size not determined by millilitre volume as required  | subsection 8 (4) para. 2 | \$200.00 |
| 40. | Self-serve - serving size not determined by description of cup size as required  | subsection 8 (4) para. 2 | \$200.00 |
| 41. | Self-serve - fail to determine reasonable serving size for other food or drink items as required                                       | subsection 8 (4) para. 3 | \$200.00 |
| 42. | Self-serve - fail to determine calories by laboratory testing as required  | clause 8 (5) (a)         | \$200.00 |
| 43. | Self-serve - fail to determine calories by nutrient analysis method as required  | clause 8 (5) (b)         | \$200.00 |
| 44. | Contextual statement - fail to include required information  | subsection 9 (2) para. 1 | \$300.00 |
| 45. | Contextual statement - multiple page menu - required information not visible on page listing standard food item                        | subsection 9 (2) para. 2 | \$200.00 |
| 46. | Contextual statement - required information does not appear in required place  | subsection 9 (2) para. 3 | \$200.00 |
| 47. | Contextual statement - required information not in same font as the name or price of the standard food item as required                | subsection 9 (2) para. 4 | \$200.00 |
| 48. | Contextual statement - required information not in same format as the name or price of the standard food item as required              | subsection 9 (2) para. 4 | \$200.00 |
| 49. | Contextual statement - required information not in same size as the name or price of the standard food item as required                | subsection 9 (2) para. 4 | \$200.00 |
| 50. | Contextual statement - required information not in same prominence as the name or price of the standard food item                      | subsection 9 (2) para. 4 | \$200.00 |

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|     | as required   |                          |          |
| 51. | Fail to post sign that meets the requirements where individual can order food or drink items not listed in menu | subsection 9 (3) para. 1 | \$200.00 |
| 52. | Fail to post sign that meets the requirements where individual can self-serve food or drink items               | subsection 9 (3) para. 1 | \$200.00 |
| 53. | Sign fails to include required information  | subsection 9 (3) para. 2 | \$200.00 |
| 54. | Standard food item - fail to determine calories by laboratory testing as required                               | clause 10 (a)            | \$200.00 |
| 55. | Standard food item - fail to determine calories by nutrient analysis method as required                         | clause 10 (b)            | \$200.00 |