

The Tasting MENU

APPETIZERS

Hold the Ketchup and Skip the Stuff

Over the last 5 years, we have seen a wave of “Skip the Stuff” laws gaining momentum across the country. These laws prohibit restaurants and delivery services from automatically including single-use items—like utensils, napkins, and condiment packets—unless a customer specifically requests them. Violations can lead to fines, which escalate with repeated offenses. States like California, Washington, Colorado, and cities in Massachusetts have already implemented these rules. Now, we are seeing the trend expand to more business-friendly states, like Delaware. Delaware’s proposed HB 111, currently moving through the legislature, would ban unsolicited single-use items starting January 1, 2026, and applies to both restaurants and third-party delivery apps, with fines beginning at \$100 after multiple violations. Contact [Ava Habibian](#) for more information.

When Hackers Snack: Cyber Attacks Are Eating into the Food Supply

It’s a recipe for trouble when members of the food supply chain get hacked—but these attacks are on the rise. In May, two major supermarkets found themselves in hot water after cyber-attacks resulted in empty shelves, interruptions in online payments, and stolen customer data. In June, a major wholesale food distributor for over 30,000 grocery stores found itself in a similar pickle after a breach of their systems by hackers. The breach forced the company to put a lid on some systems which disrupted operations, including ordering and distribution. The ripple effects of the forced shutdown have resulted in the food pipeline feeling the crunch. These incidents are a reminder that cyber threats can stir the pot in even the most seasoned organizations. Companies can minimize the risk of having their data fried or their systems toasted by beefing up their cyber defenses, incident response plans and business continuity plans. Contact [Wynter Deagle](#) or [Anne-Marie Dao](#) for more details.

Restaurant Work | Task Force

The Sheppard Mullin Restaurant Task Force is a vertically integrated team of attorneys who coordinate their institutional knowledge of the restaurant industry and legal expertise to provide seamless representation. The team delivers a full menu of resources on matters that particularly affect the restaurant industry, including counseling clients through acquisitions, joint ventures and fund formation, franchise, supplier, and distribution agreements, data privacy, labor and employment, financing, bankruptcy and restructurings, ADA, and lease issues. The Tasting Menu is a collection of emerging issues we see impacting this industry.

MAINS

The Fine Print on Fine Dining

As readers may recall, last summer restaurants received a last-minute reprieve from the California legislature’s ban on junk fees, reflected in an amendment of the California Civil Code at § 1770(a)(29). However, the reprieve was not absolute: The Legislature clarified that with respect to restaurants, all mandatory fees or charges for food and beverage items “shall be clearly and conspicuously displayed, with an explanation of its purpose, on any advertisement, menu, or other display that contains the price of the food or beverage item.” The Legislature deferred imposing a definition of what constitutes a “clear and conspicuous” disclosure until this July 1, 2025. Accordingly, restaurants should now be advised that as of July 1, disclosure of any mandatory food or beverage fees or charges must satisfy the following parameters:

The disclosures should be in or of a “larger type than the surrounding text, or in a contrasting type, font, or color to the surrounding text of the same size, or set off from the surrounding text of the same size by symbols or other marks, in a manner that clearly calls attention to the language.” If the restaurant is making an audio disclosure, then the disclosure should be “in a volume and cadence sufficient to be readily audible and understandable.” Contact [Abby Meyer](#) for more information.

Check, Please — Is Your Safety Plan Up to Date?

July 1 marked the one-year anniversary of the effective date for California’s workplace violence prevention law (Labor Code section 6401.9). In addition to requiring California employers to maintain a written workplace violence prevention plan (“WVPP”), the law requires compliance with the following obligations on an annual basis: (1) conduct workplace violence prevention training for employees, and (2) review the effectiveness of the WVPP and revise as needed. Employers who completed an initial workplace violence prevention training last year, but have not done a subsequent training for current employees, should do so as soon as possible. Likewise, employers who have not reviewed their WVPP since rolling it out last year should ensure they review it again to determine if any changes are necessary. Contact [Bobby Foster](#) for any compliance assistance.

DESSERTS

On June 3, 2025, our New York Labor & Employment Team presented their Spring [2025 Mid-Year Labor and Employment Update](#). The live presentation covered a variety of topics, including key federal, New York, New Jersey, and Connecticut updates relevant to employers, including: an overview of the impact of policy changes and enforcement initiatives under the Trump Administration, tri-state legislation and litigation developments, a roadmap of wage and hour pitfalls and strategies for compliance, and a discussion of workplace speech issues in the current political and social climate. For further information on any of the issues discussed in the program, contact [Brian Murphy](#).

Restaurant Task Force



Kristi Thomas,
Restaurant Task Force Leader
Labor and Employment
Orange County
kthomas@sheppardmullin.com



Joy Siu, Tasting Menu Editor
Antitrust and Competition
San Francisco
jsiu@sheppardmullin.com



Megan Bilbao
Labor and Employment
Orange County
mbilbao@sheppardmullin.com



Khirin Bunker
Business Trial
Los Angeles
kbunker@sheppardmullin.com



Stacy Dominguez
Business Trial
Orange County
sdominguez@sheppardmullin.com



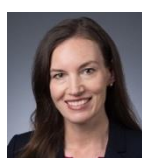
James Gatto
Intellectual Property
Washington, D.C.
jgatto@sheppardmullin.com



Robert Gorzelany
Real Estate, Energy, Land Use &
Environmental
New York
rgorzelany@sheppardmullin.com



Derek Havel
Labor and Employment
Los Angeles
dhavel@sheppardmullin.com



Sascha Henry
Business Trial
Los Angeles
shenry@sheppardmullin.com



Kelly Hensley
Labor and Employment
Los Angeles
khensley@sheppardmullin.com



Abby Meyer,
Food & Beverage Industry Team Leader
Business Trial
Orange County
ameyer@sheppardmullin.com



Ava Habibian, Tasting Menu Editor
Business Trial
Orange County
ahabibian@sheppardmullin.com



Greg Labate
Labor and Employment
Orange County
glabate@sheppardmullin.com



Steve Peterson
Corporate
Houston
speterson@sheppardmullin.com



David Poell
Business Trial
Chicago
dpoell@sheppardmullin.com



Brooke Purcell
Labor and Employment
San Francisco
bpurcell@sheppardmullin.com



Patrick Quine
Corporate
Washington, D.C.
pquine@sheppardmullin.com



Stacey Rosenberg
Finance and Bankruptcy
Los Angeles
srosenberg@sheppardmullin.com



Olivier Theard
Real Estate, Energy, Land Use &
Environmental
Los Angeles
otheard@sheppardmullin.com



Chante Westmoreland
Intellectual Property
Houston
cwestmoreland@sheppardmullin.com