

HOUSE BILL No. 4097

February 1, 2005, Introduced by Reps. Accavitti, Sheltroun, Condino, Sak, Plakas and Vagnozzi and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1271. (1) NOT LATER THAN SEPTEMBER 1, 2005, THE
2 DEPARTMENT SHALL PROMULGATE RULES PROVIDING FOR HEALTHY EATING IN
3 SCHOOLS. THE RULES SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING
4 RESTRICTIONS ON SALES OF FOODS OR DRINKS, WHETHER AS PART OF THE
5 SCHOOL MEAL PROGRAM OR BY VENDING MACHINE OR OTHER FOOD SALES:

6 (A) A PROHIBITION ON THE SALE OF ANY OF THE FOLLOWING FOODS
7 AND DRINKS IN ANY PUBLIC SCHOOL:

8 (i) CHEWING GUM OR CANDY BARS.

9 (ii) A FOOD OR DRINK THAT CONSISTS OF 35% OR MORE SUGAR OR

1 OTHER SWEETENER.

2 (iii) JUICE THAT IS LESS THAN 100% REAL FRUIT OR VEGETABLE
3 JUICE.

4 (iv) A FOOD OR DRINK CONTAINING MORE THAN 8 GRAMS OF FAT PER
5 SERVING.

6 (B) A PROHIBITION ON THE SALE OF SOFT DRINKS IN ELEMENTARY OR
7 MIDDLE SCHOOLS.

8 (C) AN EXEMPTION FROM THE APPLICATION OF THE RULES FOR A
9 CONTRACT FOR THE SALE OF FOOD OR DRINKS THAT WAS IN EFFECT ON
10 JANUARY 1, 2005, AND FOR THE SALE OF FOOD OR DRINKS UNDER THAT
11 CONTRACT, UNTIL THE EXPIRATION OF THE ORIGINAL TERMS OF THE
12 CONTRACT.

13 (2) THE REQUIREMENTS CONTAINED IN THE RULES PROMULGATED UNDER
14 THIS SECTION ARE IN ADDITION TO THE REQUIREMENT UNDER SECTION 1272B
15 THAT SCHOOL MEAL PROGRAMS MUST MEET FEDERAL NUTRITIONAL STANDARDS.