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Committee Amendment to LD 796, An Act to Implement the Recommendations of the Commission To Study Public Health That Concern Schools, Children and Nutrition

Amend the bill by striking out everything after the enacting clause and replacing it with the following:

**Sec. 1. 20-A MRSA c. 223, sub-cc. 9 and 10 are enacted to read:**

## **SUBCHAPTER 9** **NUTRITION EDUCATION**

### **§6661. Nutrition education**

The department shall work with public schools to encourage nutrition education for students and for teachers and staff as part of coordinated school health programs, total school food service programs and in accordance with chapter 222. The department shall work with public schools to encourage an outreach component for students' parents as part of a coordinated health program.. The department may adopt rules to implement the purposes of this section. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

### **§6662 Foods outside the school meal program**

**1. Nutritional information.** After August 31, 2008, food service programs must post caloric information for pre-packaged ala carte menu items at the point-of-decision.

**2. Food and beverages outside school lunch programs.** The department shall adopt rules to establish standards for food and beverages sold or distributed on school grounds but outside of school meal programs. Except for milk, these standards must include maximum portion sizes that are consistent with single-serving standards established by United States Food & Drug Administration. These rules are major substantive rules as defined in Title 5, Chapter 375, subchapter 2A.

Rules adopted pursuant to this subsection do not apply to food and beverages sold or offered at community events or fundraisers held outside the hours of the normal school day.

**Sec. 2. Dairy vending machines.** By January 31, 2006, the Department of Education, in collaboration with the Maine Dairy and Nutrition Council, shall implement a pilot program to install dairy vending machines selling flavored or unflavored milk with 1% or less fat in schools.

**Sec. 3. Implementation of National Farm to School Program.** By January 31, 2006, the Department of Education, in collaboration with the Department of Agriculture, Food and Rural Resources, shall implement the National Farm to School Program, funded by the United States Department of Agriculture, as fully as is practical to provide locally grown fruits and vegetables in public schools.

## SUMMARY

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Services. It replaces the bill and includes the following:

1. A directive to the Department of Education to encourage nutrition education in public schools.
2. A requirement that calorie information on pre-packaged items be posted.
3. A directive to the Department of Education to establish standards for food and beverages sold outside of the school meal programs. These standards are to be adopted through rulemaking. The rules are designated a major substantive rules.
4. A directive to the Department of Education to implement a pilot program to install milk vending machines.
5. A directive to the Department of Education to collaborate with the Department of Agriculture, Food and Rural Resources to implement the National Farm to School Program.