
A BILL FOR AN ACT

RELATING TO SCHOOL NUTRITION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that obesity is
2 considered to be the major health issue of the twenty-first
3 century. Obesity rates have soared throughout the United
4 States, with an estimated two-thirds of the adult population
5 self-reporting being overweight (approximately 65 per cent) and
6 almost one-third (approximately 31 per cent) being obese. The
7 Centers for Disease Control and Prevention estimates that in
8 2001, more than 44 million Americans were considered obese based
9 on the body mass index, an increase of 74 per cent in ten years.
10 Moreover, the legislature notes that these same trends are
11 occurring worldwide. The World Health Organization and
12 International Obesity Task Force have confirmed a worldwide
13 epidemic, even as some developing countries struggle with
14 undernourishment or famine.

15 The number of overweight children in the United States has
16 doubled in the past 30 years, with similar patterns occurring in
17 Hawaii. The legislature finds that, while not enough research
18 has been done on childhood obesity in Hawaii, data from the



1 youth risk behavior survey reports that approximately one-third
2 of Hawaii's students consider themselves to be overweight, with
3 another 16 per cent at risk for becoming overweight. Research
4 demonstrates that overweight children tend to lead sedentary
5 lifestyles, develop low self-esteem and psychological stress,
6 and often lack the necessary drive and motivation required for
7 excelling in the classroom.

8 The health and well-being of children is a predictor of
9 their health and well-being as adults. Similarly, obesity in
10 childhood, particularly adolescence, is a predictor for obesity
11 in adulthood. Unhealthy children often become unhealthy adults,
12 with the concomitant health care costs to treat hypertension,
13 obesity, diabetes, and heart disease. The toll upon the state's
14 economy in terms of lost work hours resulting from these
15 illnesses is considerable.

16 The legislature finds that food and beverages sold on
17 school grounds can be a significant source of fat, calories,
18 salt, sugar, and cholesterol. These unhealthy dietary elements
19 are major contributors to poor health and, accordingly, an
20 unhealthy lifestyle. The legislature notes that the two leading
21 causes of obesity in children are a lack of physical activity
22 and poor eating habits. This is due in large part to our "junk



1 food" and "super-sized" American culture that promotes over-
2 eating and the consumption of large amounts of sugar and fat.

3 The legislature notes that carbonated drinks are the single
4 largest source of refined sugars in the American diet and that
5 70 per cent of elementary school-aged children exceed the
6 current dietary recommendations for total calories and saturated
7 fat intake. Furthermore, the legislature finds that the
8 frequent drinking of sweet liquids throughout the day increases
9 a child's risk for dental decay, the most common chronic
10 childhood disease.

11 The legislature further finds that schools are a logical
12 place to promote the prevention of overweight and obesity in
13 children and adolescents. Therefore, the purpose of this Act is
14 to:

- 15 (1) Establish nutrition standards for food and beverages
16 sold in public elementary, intermediate, and middle
17 schools;
- 18 (2) Require the department of education to develop
19 nutrition education training requirements for food
20 service managers in public schools; and
- 21 (3) Require the department of education to encourage
22 schools to provide culturally-appropriate and



1 standards-based nutrition education and farm-to-table
2 nutrition education.

3 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
4 amended by adding four new sections to be appropriately
5 designated and to read as follows:

6 "§302A-A Nutrition standards; department of education
7 policy. (a) This section applies to all cafeteria meals and
8 beverages sold on elementary, intermediate, and middle school
9 grounds.

10 (b) The sale of all cafeteria meals to elementary,
11 intermediate, and middle grade students shall be limited to full
12 meals sold at breakfast and lunch; provided that fruit, nonfried
13 vegetables, legumes, beverages, dairy products, or grain
14 products sold as individual food items may be sold during times
15 of a break in the school schedule if they meet the following
16 standards:

17 (1) Not more than thirty per cent of the total calories
18 shall be from fat, with the exception of nuts or
19 seeds;

20 (2) Not more than ten per cent of the total calories shall
21 be from saturated fat; and



1 (3) Not more than twenty-five per cent of the total weight
2 shall be composed of sugar, with the exception of
3 fruits or vegetables.

4 (c) The sale of beverages to elementary, intermediate, and
5 middle school students on school grounds shall be limited to
6 drinking water, milk (including chocolate milk) or approved
7 nondairy beverages, beverages that contain one hundred per cent
8 fruit juices, or fruit-based drinks composed of not less than
9 fifty per cent fruit juice that have no added sweeteners.

10 (d) The department and appropriate county agencies that
11 operate after-school and weekend programs, as established in
12 section 302A-408, shall also adhere to nutrition policies
13 established in this section.

14 (e) For purposes of this section, "added sweetener" means
15 any additive that enhances the sweetness of a beverage,
16 including but not limited to added sugar, but does not include
17 the natural sugar that is contained within the fruit juice that
18 is a component of the beverage.

19 **§302A-B Nutrition training requirements; food service**
20 **managers.** (a) The department shall develop nutrition education
21 training requirements for food service managers in public
22 schools. The nutrition education training requirements shall



1 address all public school food services, including school snacks
2 and full meal service.

3 (b) By January 1, 2009, all existing food service managers
4 shall have completed the nutrition education training
5 requirements pursuant to subsection (a). Any new food service
6 manager shall complete the nutrition education training
7 requirements within six months of the manager's date of hiring.

8 (c) The department of education may adopt rules in
9 accordance with chapter 91 to implement the purposes of this
10 section.

11 §302A-C Nutrition education; department of education. The
12 department shall encourage elementary, intermediate, and middle
13 schools to provide students with culturally-appropriate and
14 standards-based nutrition education and, whenever possible, to
15 integrate that material into the existing curriculum. The
16 department shall encourage elementary, intermediate, and middle
17 schools to provide farm-to-table nutrition education in schools
18 where resources permit access to school, community, county, or
19 other gardens.

20 §302A-D Fundraisers. Nothing in sections 302A-A, 302A-B,
21 or 302A-C shall be construed to prohibit or limit the sale or
22 distribution of any food or beverage item through fundraisers by



1 students, teachers, or groups when the items are intended for
2 sale off the school campus."

3 SECTION 3. In codifying the new sections added by section
4 2 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

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JAN 22 2008



Report Title:

School Nutrition

Description:

Establishes nutrition standards for food and beverages sold in public schools. Requires DOE to develop nutrition education training requirements for food service managers in the public schools. Requires DOE to encourage schools to provide culturally-appropriate and standards-based nutrition education and farm-to-table nutrition education.

