

JAN 19 2007

S.B. NO. 1178

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## A BILL FOR AN ACT

RELATING TO PUBLIC 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 sixty-five per  
6 cent) and almost one-third (approximately thirty-one per cent)  
7 obese. Based upon the body mass index, the Centers for Disease  
8 Control and Prevention estimates that more than forty-four  
9 million Americans were considered obese in 2001, an increase of  
10 seventy-four per cent in ten years. Moreover, the legislature  
11 notes that these same trends are occurring worldwide. The World  
12 Health Organization and the International Obesity Task Force  
13 have confirmed a worldwide epidemic, even as some developing  
14 countries struggle with undernourishment or famine.

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



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

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

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



1 and poor eating habits. This is due in large part to our "junk  
2 food" and "super-sized" American culture that promotes over-  
3 eating and the consumption of large amounts of sugar and fat.

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

12 The legislature further finds that schools are a logical  
13 place to address the issue of overweight and obesity in children  
14 and adolescents. The purpose of this Act is to address this  
15 obesity problem by:

- 16 (1) Establishing nutrition standards for food and  
17 beverages sold in public elementary, intermediate, and  
18 middle schools;
- 19 (2) Establishing nutrition education training requirements  
20 for food service managers; and



1 (3) Providing farm-to-table nutrition education and other  
2 culturally appropriate standards-based nutrition  
3 education.

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

7 "§302A-A Nutrition standards; department of education

8 policy. (a) This section applies to all cafeteria meals and  
9 beverages sold on elementary, middle, or intermediate school  
10 grounds.

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

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

21 (2) Not more than ten per cent of the total calories shall  
22 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, middle, and  
5        intermediate school students on school grounds shall be limited  
6        to 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) For purposes of this section, "added sweetener" means  
11       any additive that enhances the sweetness of a beverage,  
12       including but not limited to added sugar, but does not include  
13       the natural sugar that is contained within the fruit juice that  
14       is a component of the beverage.

15       (e) The department and appropriate county agencies that  
16       operate after-school and weekend programs, as established in  
17       section 302A-408, shall also adhere to nutrition policies  
18       established in this section.

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 service, including school snacks  
2 as well as full meal service.

3 (b) By January 1, 2009, all existing food service managers  
4 shall complete the nutrition education training requirements  
5 pursuant to subsection (a). Any new food service managers shall  
6 complete the nutrition education training requirements within  
7 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, middle, and intermediate  
13 schools to provide students with culturally appropriate and  
14 standards-based nutrition education and, whenever possible,  
15 integrate that material into the existing curriculum. The  
16 department shall encourage elementary, middle, and intermediate  
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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**Report Title:**

Public School Nutrition

**Description:**

Establishes public school nutrition standards and food service manager nutrition training requirements. Requires the department of education to encourage schools to provide culturally appropriate nutrition education and farm-to-table education programs.

