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Part III: Case Studies

Examples of Communities and States Improving School Foods and Beverages can be found online at:  www.cspinet.org/schoolfoods
Examples of Communities and States Improving School Foods and Beverages

The first part of this section includes examples of schools and school districts from around the country that are using innovative strategies for improving the nutritional quality of school foods and beverages. The second part of this section is a partial listing of state and local legislation introduced in the past year or two that aim to improve the nutritional quality of foods and beverages in schools. This is not an exhaustive list. We intend to update and keep adding to this list online, so if you know of a school or school district or state and local legislation that has improved or is working to improve the nutritional quality of school foods and beverages, please let us know by sending an email to: nutritionpolicy@cspinet.org.

Schools and School Districts Working to Improve School Foods and Beverages

Arizona

Flagstaff Unified School District - improving school meals, adding fruits, vegetables, and salad bars
Contact: Judith Wilson, FUSD Governing Board President
Email: JudithWilsonFUSD@aol.com

For the last eight years, Judith Wilson has been a member of the Flagstaff Unified School District’s food service advisory committee. The committee promotes healthier and better quality school foods and is made up of principals, a school nurse, parents, and food service staff. They recently implemented some changes to their meal program by adding more fruits and vegetables. They have added salad bars in secondary schools and fruit and veggie bars in all elementary schools. The elementary schools now have two fresh fruits, two canned fruits, and two vegetables every day. The salad bars in the secondary schools are self serve and are stocked with lettuce, raw vegetables, nuts, croutons, shredded cheeses, and regular and low-fat dressing. Even though there was an increase in meal prices to make up for the higher quality of the food offered, there were few complaints and the positive responses outweighed the negative. They have also implemented some specialty stations at the secondary schools such as fresh, made-to-order burritos, tacos, and tostada salads. Soon, they will be piloting whole grain tortillas and breads in one or two schools to gradually get students use to the idea. Judith says making these changes has been an uphill fight mainly because of scarce funding and resistance by students to eating healthier foods.
California

Aptos Middle School PTSA - improving school meals by adding healthier options and replacing soda with water in vending
San Francisco
Contact: Principal Linal Ishibashi
Phone: 415-469-4520

Aptos Middle School, known as the city’s most diverse middle school, recently made the decision to provide healthier school foods and beverages. Parents and staff proposed a pilot project to San Francisco’s superintendent, Arlene Ackerman, who readily agreed. The move was under-taken after noticing that a number of children were making lunch entirely out of soda and chips. Some of the new healthier options offered at lunch include: fresh deli sandwiches, sushi, pasta, salads, homemade soups, and fajitas. Along with soda and chips, gone are Slim Jims, nachos, pre-packaged burritos, taco pockets, mega-cheeseburgers, French fries, hot links, hot wings and oversized pizza. The Physical Education Department reports that replacing soda with healthier choices in the locker room vending machines has resulted in an increase in revenue.

Capistrano Unified School District - replacing unhealthy drinks and snacks with choices that meet California’s SB19 nutritional standards
Orange County
Contact: Dawn Davey, Co-Coordinator of Food and Nutrition Services
Phone: 949-489-7375
Email: Ddavey@capousd.org

Capistrano Unified School District is the third largest in Orange County and has 46,000 students. It was during the bidding process with Pepsi on the district’s soon-to-expire beverage contract that the school food services director started talking with school representatives about offering kids healthier foods and beverages. After gaining support for making the change from the principals that rely on the revenue of vending machines, a resolution was unanimously passed by the school board to ban all soda vending machines in all secondary schools in the district (elementary schools do not have vending machines). District schools now offer only water, juices, fruit drinks, and sports drinks that meet the beverages standards set by SB19. Except for chips, all snack vending machines now meet the food standards set by SB19. They plan to offer only baked chips in the future. Next year, the school district will be comparing financial records to determine what effect the change has had on vending revenue.
Folsom Cordova Unified School District - improving nutritional quality of foods, increasing participation in USDA meal programs, and operating in the black
Sacramento County
Contact: Al Schieder, Food Service Director
Phone: 916-355-1180
Email: aschied@fcusd.k12.ca.us

Before Al Schieder stepped in as the new food service director, district schools relied on high-fat and sugar-laden fast foods, frozen snacks items and vending machines to feed kids, the food services department was operating in the red, and few kids who were eligible for the free and reduced cost lunch participated. Now, the district no longer offers junk food, soda, and a la carte sales in the cafeteria. They not only improved the nutritional quality of foods, they are operating in the black, and have increased participation by students in the USDA school meal programs. They did all this by adopting a new philosophy that not only focuses on children’s health and improved food service, but also tries to be more inclusive. Gone are the days when low-income students felt embarrassed and stigmatized by having to line up for their free and reduced cost meals while other students could choose burgers, French fries, and pizza. Now, a variety of meals are served that meet the USDA nutrition standards, including: salads, lower fat pizza, sandwiches, pasta, wraps, rice and noodle bowls, and sushi. And students pay by punching in their student ID numbers, so no one has to know if or how much a student is paying for his or her lunch.

Los Angeles Unified School District - banning the sale of soft drinks from vending machines and school stores during school hours
Contact: Amanda Purcell, M.P.H.
Public Health Institute
Sacramento
Phone: 916-445-3513 / Fax: 916-445-7571
Email: apurcell@dhs.ca.gov

In August 2002, the Los Angeles Unified School District - the second largest school district in the U.S. with 750,000 students and 677 schools - banned the sale of soft drinks in vending machines and school stores during school hours. The more than 200 middle and high schools in Los Angeles with individual contracts with Coca-Cola and Pepsi have until 2004 to make the change. L.A. schools will allow water, milk, drinks that are at least 50 percent fruit juice, and sports drinks with less than 42 grams of sugar per 20-ounce bottle. The School Board passed a resolution instituting the ban. Jacqueline Domac, a health teacher at Venice High School, played a key role in organizing the effort. At the heart of the policy is a growing movement to reduce childhood obesity. Recently, a UCLA survey found that 40 percent of students in LA’s schools are obese.
**Oakland Unified School District** - improving school meals and banning soft drinks and candy

Contact: Amy Lins, Food Service Director  
Phone: 510-879-8340  
Email: alins@ousd.k12.ca.us

The Oakland Unified School District school board adopted a district-wide comprehensive nutrition policy that included banning the sale of soft drinks and candy and “similar products” in cafeterias, vending machines, at athletic events, and on-site fundraisers. The board voted to improve the nutritional quality of foods and beverages at all public schools after there was public outcry over a potential $3.2 million contract with Pepsi. Improvements in the school food include: soy-based burgers, salads, grilled chicken, and fruit juice.

**The Hemet Unified School District** - banning the sale of soda and improving vending choices

In July 2002, the Hemet Unified School District banned the sale of sodas on campus during school hours to promote better health. The district agreed to a three-year contract, which included a $150,000 bonus, with Coca-Cola to sell its juices, sports drinks, and water. Soda sales have generated an annual average profit of $40,000. SOURCE: “Soda debate: Inland school officials weigh profits from sales, health issue,” The Press-Enterprise (Riverside, CA), October 10, 2002.

**San Francisco Unified School District** - creating school nutrition task force to look for ways to eliminate unhealthy foods and beverages

In January 2003, the San Francisco school board unanimously approved a resolution to eliminate the sale of sodas and low-nutrition snacks in cafeterias throughout the district’s 114 schools beginning in 2004. However, there is concern that the ban could cost the district’s nutrition programs $500,000 in lost revenue. The resolution creates a school nutrition task force whose objective will be finding ways to eliminate unhealthy levels of fat, sugar, and salt from school breakfasts and lunches. The ban doesn’t include sodas and unhealthy snacks sold outside the cafeteria from vending machines and student stores, a problem that will be taken up by the task force. The resolution was sponsored by board president Jill Wynns and pediatrician and SF Board of Education Commissioner Dan Kelly. SOURCE: The San Francisco Chronicle, January 15, 2003.

**Vista High School** - purchased its own vending machines & offering healthier options

San Diego County  
Contact: Enid Hohn  
Website: http://www.vusd.k12.ca.us/cns/healthyvending.htm  
Email: ehohn@vusd.k12.ca.us

In the past, Vista High School depended on the sale of low-nutrition snacks sold in privately owned vending machines to support many of its programs. Now the school sells healthier foods and makes double the money from their own vending machines. The change
was spearheaded by Enid Hohn, the director of child nutrition services for Vista Schools. Faced with the need to raise additional money, at the same time knowing she would have to do it by selling more junk food to the kids, Hohn proposed that the district buy its own machines and stock them with healthier items. Despite reservations on the part of the superintendent, Hohn was told to go ahead. Student taste tests were conducted to determine what would sell. The result: items such as granola bars, Oriental snack mix, Caesar salads, and tuna are sold in the vending machines. Soda is still available, but costs more than juice, milk, or water. The machines gross $25,000 a month and average $6,000 a month in profit.

**District of Columbia**

**Browne Junior High School** - *no junk food in school* policy  
Contact: Cynthia Clarke, Principal  
Phone: 202-724-4547

In order to provide a healthy school environment, Browne Junior High does not sell candy or soda to children and it has a policy that students are not allowed to bring candy or soda into school. If students are caught with candy or soda in their possession, it is thrown out.

**Kentucky**

**Fayette County Public Schools** - negotiated a healthier vending contract  
Contact: Roger Kirk, PTA vice president  
Phone: 859-227-9112  
Email: rkirk@levelfield4.com

The school district renegotiated its vending contracts to shift the proportion of healthy options from 21% to 72% of the beverage vending options. Beverages designated as "healthy" include water, 100% juice, and sports drinks. Healthy drinks will be priced less than sodas. The facades of all vending machines will display pictures of young people being physically active. Nutritional criteria were set for snacks to be designated as healthy, and the percentage of snacks meeting these criteria was increased from 1% to 40% in the new contract. Healthier snacks will be priced lower than other snacks. These changes were the result of two years’ worth of advocacy in support of healthier school vending. Elementary schools in the district have been and will continue to be free of vending machines.
Maine

Maine School Administrative District #22: Hampden, Newbury, Winterport – improving vending options by including students in decision making

Rick Lyons             Chris Greenier
Superintendent, SAD #22 Food Service Director, SAD#22
Phone: 207-862-3255    Phone: 207-862-3543
Email: rlyons@sad22.us  Email: cgreenier@sad22.us

The School Health Coordinator and the Director of Food Services worked together to implement a change in vending machine content. From the very beginning, they knew they wanted students to be actively involved in the decision-making process. They asked the high school Student Council to participate, and the Council responded with a great deal of enthusiasm. The process began in the spring with a visit from the vendor that supplies the schools’ machines, who was more than willing to bring healthy snacks and drinks for the students to “taste test.” The Council also surveyed the student body asking for input on what they might want included. There was no formal change in policy, just in practice, and the soda, candy, and pastries were replaced with water, juice, and healthier snack foods including Chex Mix, Nature Valley granola bars, and Fig Newtons. Students responded positively, and in a second survey, requested fruit and yogurt options. A refrigerated snack machine was added, including those selections. There was some concern about the drop in revenue, which did occur due to a smaller profit margin from the more expensive nutritional products. The addition of a refrigerated vending machine with yogurt, fresh fruit, vegetable juices, etc. helped to offset the loss in revenue.

School Union 106: Robbinston, Calais, Alexander, Baring Plantation, Crawford – improving vending options by involving students in decision making

Heather Erickson
School Health Coordinator
Phone: 207-454-7787
Email: erickson@nbnet.nb.ca

Profits from the vending machines at Union 106 schools pay for Student Council programs. Because of this, the Student Council played a major role in changing the vending practices. The change began when the Assistant Project Director for St. Croix Valley Healthy Communities and the School Health Coordinator made a presentation to the Council at a meeting. They offered the Council healthy snacks and drinks and gave the students examples of schools across the country that have been successful at changing vending. The Student Council was very resistant to the change; at one point the faculty director of the Council approached the School Board asking to keep the machines on all day, filled with junk food. The Wellness Team and the School Health Advisory Council met with the Student Council again, armed with healthy snacks and 100% juice, to plead their case once more, agreeing to organize and conduct fundraisers for the council should there be a decline in revenues. The principal offered to add a request in the next budget for the Student Council and offered to leave the vending machines on all day if they were filled...
School Foods Tool Kit

with healthy drinks and snacks. The School Health Coordinator had the press attend the next Student Council meeting, where the Council agreed to remove soda from the vending machines. The story was front page news the next day. All schools in Union 106 have removed soda and unhealthy snacks from their machines, and the high school student council has reported an increase in revenue from some machines, and some machines have had no change in revenue.

Minnesota

North Community High School - increasing vending sales by increasing the number of machines with healthier beverages
Minneapolis
Contact: Bryan Bass, Assistant Principal
Phone: 612-668-1726
Email: bebass98@yahoo.com

Faced with alarming statistics about childhood overweight and obesity rates, Assistant Principal Bryan Bass of North Community High School re-evaluated the school’s beverage vending practices. With the support of the administrative team, he contacted the district’s Coca-Cola representative, who was willing to work with the school to provide healthier choices. As a result, the school increased the number of vending machines from four to 16, stocked 13 machines with water or 100% juice, two with sports drinks, and one with soda (which has limited hours of sale). They also instituted competitive pricing, selling water for $0.75, sports drinks and 100% juices for $1.00, and soda and fruit drinks for $1.25. The water machines were strategically placed in high traffic-areas and students were allowed to drink water in the classroom. Today, soda sales are down, but vending profits have increased by almost $4,000 a year and the total number of cases of beverages sold has more than doubled from the previous school year, with water being the best seller.

Montana

Whitefish Middle School, Whitefish - improving the nutritional quality of foods and beverages, credited with improving student behavior and did not reduce revenue
Contact: Kim Anderson, Principal
Email: andersonk@wfps.k12.mt.us
Phone: 406-862-8650, ext. 302

Whitefish Middle School switched from pop and candy to 100% fruit juice, water, and healthy snacks. It happened through the collaboration of the Montana Behavioral Initiative (MBI) (a program to develop better more positive interaction between schools and communities) students, and Team Nutrition (a USDA program to encourage students to make healthier food choices). According to Anderson, before the switch, student behavior immediately after lunch would result in disciplinary action of six to eight kids a day. Since the switch, there are only one to two disciplinary actions per week. They give a lot of
credit for the change in behavior to the kids not having access to the sugar and caffeine. As for revenue, Principal Anderson said that there has been a decline in the gross but not in the net. The school has recently purchased its own cold vending machine to sell bagels, low-fat milk, and yogurt.

**New Hampshire**

**Portsmouth Schools** - a letter from a local pediatrician to the school board sparked the banning of soda pop, caffeine, and low-nutrition snacks

Contact: Cheri White, Educator Consultant, NH Department of Education  
Phone: 603-271-3865

The Portsmouth School Board voted to eliminate drinks that are full of sugar and caffeine including: soda, sweetened lemonade, iced tea, and fruit drinks. The middle and high school will replace them with plain and flavored waters and 100% fruit juice. They have also eliminated all candy bars and snacks that have little nutritional value like Skittles and Starburst and replaced them with crackers, Chex mix, raisins, and fruit snacks. While the school system had been talking about this issue for some time, the catalyst for the change was a letter written to the School Board by a local pediatrician, Dr. Dixon Turner. In the letter, he criticized the presence of soda and unhealthy snacks in vending machines at the schools and warned about the growing obesity rates in kids.

**New York**

**The New York City School system** - large school district improving meals and competitive foods

The largest school district in the nation, serving 800,000 meals daily, plans to meet USDA Guidelines for all foods sold at school everyday at breakfast and lunch and out of vending machines and school stores within three to five years. To do this, they will limit beverages to water, milk, and 100% juice, gradually increase the use of whole wheat, serve fresh and frozen vegetables and fresh fruit five days a week instead of the current three, serve greater amounts of fish and plant-based products, apply standard serving sizes to snack items, and reduce the amount of highly processed foods. To improve their vending and school store policies, they will implement the following sweeping changes: all vending machines and school store snacks will have to use a central contract, all schools will be responsible for closing or phasing out all vending machines not ordered from the central contract, only approved foods that meet snack nutrition standards will be sold in school vending machines and stores, and schools will not be permitted to sell any food outside of the School Meal Program during breakfast and lunch (all machines will be on timers to prevent their usage during these hours). The school system also recognizes that schools depend on vending and school store sales for revenue by allowing schools to continue to retain revenue from the machines.

Pennsylvania

Philadelphia School District - negotiating an exclusive beverage contract with Coke or Pepsi for healthier beverages
Contact: Karima Rose and John Weidman
The Food Trust
Website: www.theFoodTrust.org

In the summer of 2003, the Philadelphia School District was considering entering into an exclusive soft drink contract with either Coca-Cola or Pepsi. This came at a time when the school district was suffering budget problems. It resulted in a firestorm of community action that ended with the school district’s chief executive announcing that he would push to ban the sale of soda in the school district. Action included a poll by the Philadelphia Coalition for Healthy Children which showed that nine out of ten parents of Philadelphia School children want only water and fruit juice in school vending machines. The City Council also passed a resolution calling on the School Reform Commission (SRC) to hold public hearings and advising them to allow only healthy beverages in vending machines. The SRC responded to the City Council by saying that they would not hold hearings, but that the public was invited to attend the SRC’s meetings and express their views. The Food Trust recommended the school district contract with Coke or Pepsi to sell only water and fruit drinks with at least 25 percent juice in the vending machines. The next step for the School District will be to work to improve the nutritional quality of all the foods sold and served in the district.

Sayre Middle School and South Philadelphia High School - improved the nutritional quality of beverages in vending machines without a decrease in revenue

Sayre Middle School and South Philadelphia High School in Philadelphia changed their vending machines’ beverage contents to remove sports drinks (sodas were already banned) and include only 100% juice, 25% juice, and water. Average monthly revenue from the machines did not decrease (see table).

<table>
<thead>
<tr>
<th>Vending Machine Revenues in Philadelphia Schools (average sales per month)</th>
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<tr>
<td>Prior to change in beverages</td>
</tr>
<tr>
<td>Sayre Middle School</td>
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<tr>
<td>South Philadelphia High School</td>
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**South Carolina**

*Charleston County Schools - currently fighting to end a five-year contract with Pepsi*
Contact: Doug Bostick  
Parents for Public Schools  
dbostick@knology.net

Charleston County's Parents for Public Schools (PPS) is fighting to rescind a five-year, $8.1 million exclusive contract with Pepsi. PPS is calling for the school district to do away with the new contract and to avoid future contracts that would bring advertisers into schools, including a similar contract with snack machine vendors. It also wants the school district to offer only healthy beverage options, including water, milk, and fruit drinks with at least 50% juice.

**Texas**

*El Paso Independent School District - working with vending company to offer shorter term contract and offer only healthy beverages in elementary and middle schools*

El Paso Independent School District trustees voted to ban soft drinks from all campuses except high schools. They turned down a $20 million contract that would have granted a soft drink company exclusive rights to supply the school system for 10 years. Instead, the school district and the beverage company agreed on a 2-year contract to provide water, 100% fruit juice, and nonfat milk in all elementary and middle schools.  

**Washington State**

*Seattle Public Schools - reevaluating renewal of soda contract*
Citizens' Campaign for Commercial-Free Schools  
Contact: Brita Butler-Wall  
Email: cccs@scn.org  
Phone: 206-523-4922

Seattle Public Schools signed an exclusive contract with Coca-Cola in 1998 for $6.1 million. The contract yielded $330,000 for school year 2001, which is $11 per middle school student and $19 per high school student. The Coke contract is up for renewal in July 2003 and Washington-state-based Citizens' Campaign for Commercial-Free Schools is working with the school board to reevaluate school policy regarding the contract.
Wisconsin

Appleton School District - prohibits soda and candy vending in schools
Tom Scullen, Superintendent

Citing concerns about rising child obesity rates, the Board of Education voted unanimously that schools in the district not be allowed to sell soda and candy to students in vending machines starting in the Fall 2003. The decision was informed by the experience of Appleton Central Alternative High School, which had transitioned previously to only selling healthy meals and snacks and had recorded reductions in student suicides, drop-out rates, expulsions, and drug use in the following years.

Wyoming

Uinta County School District #1, Evanston High School - improving the nutritional quality of beverages and snacks sold from vending machines, adding another lunch period, and closing campus during lunch
Contact: Judy Rossmeisl
Email: jrossmeisl@uinta1.k12.wy.us
Phone: 307-789-7571, ext. 1010

Armed with information from the USDA about foods of minimal nutritional value and reimbursable school lunches, Judy Rossmeisl, the school food service director, met with the superintendent and the high school principal to discuss withdrawing from the National School Lunch Program. A few years before, in an effort to increase lunch participation, Rossmeisl offered free soft drinks on the lunch line. Faced with a memorandum from USDA stating that no food of minimal nutritional value can be served in school serving or eating areas, Rossmeisl reevaluated the foods offered in school. A new district policy took soft drinks out of the school and replaced it with milk, 100% juice, sports drinks, and fruit drinks (e.g. lemonade). School revenue from vending dropped from $6,000 to $2,000 a year, which in part has been absorbed by Food Services. The school also increased the number of lunch periods from two to three. This has resulted in more students buying lunch, thus, increasing revenue. Previously there were so many students trying to eat lunch at the same time that many students could not get through the line in enough time to eat their lunch - either they went without, ate from the vending machines, or went off campus. The principal instituted closed campus for freshman and sophomores, which has also helped to increase revenue. In addition, the school replaced some of the candy in snack machines with more nutritious snacks like nuts and granola bars.
State Legislation to Improve School Foods and Beverages

Arkansas

*Act 1220* - creates an advisory committee to establish regulations to improve school foods and physical activity
Status: Passed and signed into law.
Contact: Representative Bradford
Phone: 870-541-0020
Email: spearcy@fai-pb.com

The bill creates a committee that will make recommendations to the State Board of Education and the State Board of Health on competitive foods, vending, food service training, physical education, and how revenue derived from vending and other contracts should be used. The bill instructs the State Board of Education to create regulations to implement the committee’s recommendations and creates three health promotion positions within the Department of Health for schools, communities and the state. Beginning with the 2003-2004 school year, each school will prohibit vending machines in elementary schools, publish revenues and expenditures related to competitive food and beverage contracts, and report each student’s body mass index percentile to parents. In addition, by 2004, each district will convene a school nutrition and physical activity advisory committee to improve and develop programs related to student health.

California

*SB19* - set comprehensive nutrition standards for elementary schools and prohibit soft drink sales in middle schools until after the end of the last lunch period
Status: Introduced in 2001, the bill passed and takes effect in 2004, pending funding for the bill.
Contact: Daniel Hackman, California Center for Public Health Advocacy
Phone: 530-297-6200
Email: dh@publichealthadvocacy.org

The legislation sets comprehensive nutrition standards for foods sold in elementary schools. Under the legislation, any snacks sold outside the federal meal programs must meet the following standards: have no more than 35% of calories from fat, have no more than 10% of calories from saturated fat, be no more than 35% sugar by weight, and the only beverages that may be sold to students are milk, water or juice that is at least 50% fruit juice with no added sweeteners. In middle schools, carbonated beverages may be sold only after the end of the last lunch period (but sports drinks can be sold throughout the day). There are no new nutritional guidelines for high schools. Other provisions of the law include an increase in meal reimbursement rates, pilot projects in middle and high schools that implement the nutrition standards for all foods and beverages sold outside the federal meal programs, and planning grants to develop other policies relating to nutrition and physical activity.
**SB65** - gives communities a greater role in making decisions about soda vending contracts  
Status: The bill is inactive, sponsors are refining bill language.  
Contact: Senator Torlakson  
Phone: 916-445-6083  
Fax: 916-445-2527  

The four points of the bill include: 1) a school board may not enter into a contract with a company for the sale of carbonated beverages without first creating controls that will ensure the funds are used for public education purposes, 2) the school board must inform parents of the contract’s details and allow them to voice their opinion, 3) no contract may be made that prohibits students or faculty from disparaging the contract, and 4) such contracts cannot involve advertising for the product except in circumstances of true financial need and where all parents are informed of the advertising materials.

**SB677** - bans all soda from middle schools by 2005  
Status: Passed on the Senate floor, passed out of the Assembly Health Committee and the full Assembly is expected to vote on the bill in mid August 2003.  
Contact: Senator Ortiz  
Phone: 916-445-7807  

Existing CA rules ban soda from elementary schools and ban soda from middle schools until after the last lunch period. This bill maintains the elementary ban, and would require that middle schools stop serving soda completely by 2005. The original bill included a ban on soda in high schools, but that language was taken out.

**Connecticut**

**SB584** - required elementary schools serve only food and beverages that meet certain nutrition standards, middle schools must turn off vending machines that do not meet the nutrition standards until after the last lunch period.  
Status: Introduced February 2002 by the Public Health Committee, amended and passed by the Senate and tabled in the House.  
Contact: Sen. Edith G. Prague and Sen. Thomas A. Bozek  
Phone: 860-240-0500, The Senate Clerk’s Office  

The bill would require that during the school day elementary schools only serve full meals, but may serve other items separately as long as they have less than 35% calories from fat, less than 10% calories from saturated fat, and contain less than 30% sugar by weight. Fruits and nuts would be excluded from these requirements. Elementary schools may not serve any beverages except water, milk, 100% juice, and unsweetened juices with at least 50% real juice. In middle schools, vending machines that contain drinks that do not meet the above requirements must remain locked or turned off until after the end of the last lunch period. The bill stipulates that the Commissioner of Health, in consultation with the Commissioner of Education, would adopt a nutrition policy that ensures the following (as well as some other item): school nutrition standards are improved, more fruits and vegetables are served, students engage in physical activity, students have at least 30
minutes to eat lunch, and students receive nutrition education. It also would establish a
pilot program in a New Haven school to reduce unhealthy beverage offerings, limit portion
size, and increase the availability of fruit and vegetables.

SB571 - establishes a task force to adopt a nutrition policy and a pilot program to offer
students only healthy beverages, and creates competitive pricing for fruits and vegetables
Status: Died.
Contact: Senator Harp’s Legislative Aide Phyllis Silverman
Phone: 860-240-0393/800-842-1420
Email: Harp@senatedems.state.ct.us

The bill would establish a task force to adopt a nutrition policy that assists in the
reduction and prevention of obesity and diabetes in children. In addition, a school pilot
program would be conducted to restrict beverages sold in schools to milk, water, and fruit
juices, as well as create a discount pricing system for fruits and non-fried vegetables.

HB6328 - sets USDA standards for vending machines
Status: Died.
Contact: Representative Mushinsky
Phone: 860-240-8585/800-842-8267
Email: Mary.Mushinsky@po.state.ct.us

This legislation would require that foods sold in school vending machines meet "USDA
nutrition standards."

HB6182 - requires public involvement before vending contracts are signed
Status: Died.
Contact: Representative Tonucci
Phone: 860-240-0454/800-842-8267
Email: Vincent.Tonucci@po.state.ct.us

The bill would call for public hearings prior to a school district entering into a contract
with a food vendor. In addition, such a contract would be distributed to the community
for review before finalization, and alternate nutritional programs would be specified.

Kentucky

HB553 - required physical education and established penalties for selling competitive
foods that did not meet USDA Standards
Status: Introduced January 2002, passed both houses with amendments and died waiting
concurrence.
Contact: Representative Burch
Phone: 502-574-8099

This bill would have directed the State Board of Education to require 30 minutes a day of
structured physical activity for primary grades and establish penalties for schools that do
not comply with USDA regulations on the sale of competitive foods.
HB77 - place restrictions on competitive foods and beverages and require physical activity
Status: Introduced January 7, 2003, passed the House and was referred to the Senate Veteran’s Affairs Committee (to kill it). A discharge petition was filed on March 3, 2003.
Contact: Representative Burch
Phone: 502-574-8099

The bill would set nutrition standards for vending machine items, prohibit the sale of competitive foods until thirty minutes after lunch, allow only milk and 25% juice to be sold in elementary and middle schools - but not during lunch, and limit a la carte foods to USDA-approved items. Schools would be required to provide 30 minutes of physical activity daily or 135 minutes per week.

Maine

LD 104 - bans the sale of foods and beverages of low nutritional value in schools
Status: Introduced in February 2003 and held over until 2004.
Contact: Representative Sean Faircloth
Phone: 207-941-8339
Email: RepSean.Faircloth@legislature.maine.gov

This bill would ban the sale in schools of chewing gum, candy bars, food or drinks containing 35% or more sugar or other sweeteners, juices that are less than 100% real fruit juice and foods with greater than 8 grams of fat per serving. It would ban the sale of all soft drinks in elementary and middle schools, and the sales of all soft drinks containing sugar or caffeine in high schools.

Massachusetts

House Bill 3519 - bans the sale of foods and beverages of low nutritional value during school hours in elementary, middle, and high schools
Status: Referred to the Joint Committee on Health Care in January 2003, a hearing was held in mid July.
Lead Sponsor: Rep. Peter J. Koutoujian, House Chair, Joint Committee on Health Care
Contact: Roberta Freidman, Massachusetts Public Heath Association
Phone: 617-524-6696
Email: rfriedman@mphaweb.org

The bill would ensure that all foods and beverages sold on school property outside of the School Breakfast and Lunch Programs meet good nutrition standards. It allows only water, milk, and 50% fruit juices to be sold during the school day and requires fruits and non-fried vegetables be made available at all school meals. All foods sold on school grounds must meet the following standards: not more than 35% of total calories from fat, not more than 10% of calories from saturated fat; and not more than 35% of total weight from sugar, except for those naturally occurring, and entrée and side dish serving sizes shall be no larger than the portions of those foods served as part of the federal school meal program.
**Senate No. 303** - establishes a five-year pilot project to implement stronger nutrition standards

Status: Referred to the committee on Education, Arts and Humanities

Contact: State Senator Richard Moore
Phone: 617-722-1420
Email: rmoore@senate.state.ma.us

The bill would establish a five-year demonstration project to implement stronger nutrition standards in 20 schools. It allows only water, milk, and 50% fruit juices to be sold during the school day and requires fruits and non-fried vegetables be made available at all school meals. All foods sold on school grounds must meet the following standards: not more than 35% of total calories from fat, not more than 10% of calories from saturated fat; and not more than 35% of total weight from sugar, except for those naturally occurring, and entrée and side dish serving sizes shall be no larger than the portions of those foods served as part of the federal school meal program.

**Missouri**

**SB73** - directs state officials to assist schools in developing healthier nutrition environments


Contact: Senator Bland
Phone: 573-751-2770
Fax: 573-526-7849

This bill would instruct the Department of Health and Senior Services to assist schools in developing “healthy school nutrition environments.” This would include: quality meals and other healthy food items based solely on nutritional goals and not to make a profit, nutrition education, marketing to motivate parents to lobby for a healthier school nutrition environment, and a general school spirit where “nutrition and physical activity are taught and supported in the classroom, the dining room and throughout the school.” Also, the bill would create the Missouri Commission on Prevention and Management of Obesity, which would analyze data on child obesity and the economic impact of obesity, and recommend actions to the state to reduce obesity and provide services for prevention.

**Montana**

**SJR2** - encourages school districts to improve nutritional quality of foods and beverages

Status: Passed and signed into law.

Contact: Senator Ryan
Phone: 406-761-3261
Email: SenatorDonRyan@msn.com

This joint resolution stresses the crisis of child obesity and nutrition, the food choices children are given in school, and the rising health care costs of treating obesity-related illness. It resolves that the legislature urge school districts to “offer nutritious food and
beverage choices” and “encourage children to eat well and be physically active throughout the day.”

**New Mexico**

**SB468** - bans the sale of foods of minimal nutritional value with exceptions  
Status:  Died.  
Contact:  Senator Pete Campos  
Phone:  505-986-4311

This bill would ban the sale of foods of minimal nutritional value, defined as food that provides less than 5% of the federal reference daily intake of eight specified nutrients of vitamins and minerals, during lunch hours in all public schools. It would make an exception, however, if 100% of the profit from such sales benefits the school. In elementary schools, the bill would permit only the sale of water and 100% fruit juices during the school day. It also would require vending machines to display graphics of 100% fruit/vegetable juice, water or educational graphics. Finally, the bill would not affect or prohibit existing contracts between schools and vendors, until the expiration of the contract or July 2004, whichever is sooner.

**New York**

**S4418** - strengthens nutrition standards for all foods and beverages sold and served at elementary, middle, and high schools  
Status: Referred to the Education Committee in April 2003.  
Contact:  Sandy Stewart, Communications Coordinator for Senator Velmanette Montgomery  
Phone:  518-455-3451  
Fax:  518-426-6854  
Email:  sstewart@senate.state.ny.gov

This bill would improve the nutritional quality of all foods and beverages sold and served at elementary, middle, and high schools by requiring that they meet nutrition standards that foods and beverages have:  no more than 35% of calories from fat, no more than 10% of calories from saturated and trans fats, and no more than 35% of weight from sugars except those naturally occurring. It allows only water, seltzer, and milk to be offered, except in high schools where soda and other soft drinks can be sold 30 minutes after the end of the school day. Other provisions include: encouraging fundraisers that promote good health habits, requiring that students have at least 30 minutes to eat lunch, and increasing the promotion, availability, and appeal of fruits and vegetables, by means such as promoting school gardens and collaborating with farmers markets.
**A2800** - creates a campaign targeted at preventing obesity in children  
Status: Introduced January 29, 2003, passed Assembly, passed Senate, waiting for the Governor's signature.  
Contact: Assemblmember Ortiz  
Phone: 518-455-3821

The bill creates the "Childhood Obesity Prevention Program" which includes the following provisions: develop media health promotion campaigns targeted to children and their parents, establish nutrition education and physical activity programs in schools, and coordinate with various other agencies to create strategies to reduce the incidence of obesity in children.

**New York City**  
**LS1215** - bans the sale of foods and beverages of minimal nutritional value during the school day at all NYC schools  
Status: Hearing was held in July 2003.  
Contact: Councilmember Quinn  
Phone: 212-768-4344  
Email: quinn@council.nyc.ny.us

This bill bans the sale of foods or beverages of minimal nutritional value during the school day at all NYC public schools. Foods sold during fundraisers would be exempt as long as the event does not take place during school hours and no school vending machines, cafeterias, and stores are used for such sales. Schools that do not comply must forfeit any revenue to the general fund of NYC.

**Oklahoma**  
**SB214** - bans the sale of low-nutrition foods in vending machines to elementary students  
Status: Referred to Senate Education Committee.  
Contact: Senator Cain  
Phone: 405-521-5610  
Email: cain@lsb.state.ok.us

This legislation would ban the sale from vending machines of foods and beverages of minimal nutritional value (using the USDA definition) to students in public elementary schools. The State Board of Education would then determine if the guidelines would apply to all other students.

**South Carolina**  
**S416** - bans the sale of foods of minimal nutritional value in schools  
Status: Referred to Senate Committee on Education.  
Contact: Senator Hutto  
Phone: 803-212-6140
This bill would ban foods and beverages in public schools that exceed or do not comply with the USDA guidelines. In addition, schools may only serve food that is part of a meal, except for: whole grains, fruit, vegetables, low-fat milk, beans, lean meat and other protein-rich foods, and 100% fruit juices and water.

**Texas**

**Texas Education Agency - regulations restate and reinforce USDA guidelines for foods of minimal nutritional value**

In April 2002, the Texas Education Agency (TEA) restated its policy regarding FMNV in response to reports issued by the CDC and Surgeon General on obesity and overweight rates in children. The policy states that FMNV may not be available in food service areas where schools lunches and breakfasts are either served and or eaten. The policy does not address vending machines, snack bars or a la carte in other locations on school campuses. There are four categories of restricted foods covered by the policy: sodas, water ice, chewing gum, and certain candies like jelly beans or lollipops. This policy does not cover chips, candy bars, French fries, sports drinks, iced tea, or other low-nutrition foods or beverages.


**SB343 - bans the sale of competitive foods at elementary schools and allows only foods that meet nutrition guidelines be offered at secondary schools**

Status: Died in Education Committee.

Contact: Senator Shapleigh

Phone: 512-463-0129

The bill would ban the sale of competitive foods at elementary schools and require that secondary schools offer only water, low-fat milk, and 50% or more fruit juices; and any snack foods sold must not derive more than 10% of calories from saturated fat and must contain less than 35% sugar by weight. This bill would require that elementary school children participate in at least 30 minutes of daily physical activity and secondary students participate in physical education as part of their curriculum. It also would provide for a fitness report card that assesses physical fitness of students based on aerobic capacity, body composition, and muscle fitness and requires that each student receive an objective, personalized evaluation and positive reinforcement. An Obesity Prevention Coordinating Council would be created to implement a coordinated health program in elementary schools.

**SB474 - bans competitive foods in elementary schools and limits them in middle and high schools**

Status: Passed as a joint interim study committee - members to be appointed.

Contact: Senator Lucio

Phone: 512-463-0127
This bill would apply to schools that participate in the National School Meal Programs. It would prohibit whole milk and excessively fatty foods (as determined by the Commissioner of Health), as well as encourage an increase in fresh produce and whole grains on the school menu. Elementary schools could not provide access to competitive foods; middle schools only could provide them after the end of the school day, and high schools could provide them after the lunch period is over. Vending machines would have to be made inaccessible to students during these times. Also, each school district would have to adopt written policies governing the advertising or marketing of food products and regarding the nutritional content and quality of meals served in schools.

The bill also would create a Schoolchildren’s Nutrition and Health Advisory Council, which would seek to reduce the morbidity and burden of childhood obesity, diabetes and cardiovascular disease, promote participation in the National School Lunch Program, and recommend possible changes to current nutrition standards for school menus. Finally, a Schoolchildren’s Nutrition and Health Account would be created within the general revenue fund to help support programs that improve school children’s nutrition and health.

**Utah**

**HB186 - sets standards for beverages at elementary schools**
Status: The bill was defeated and returned to House Rules Committee.
Contact: Representative Patricia Jones, Minority Caucus Leader
Phone: 801-538-1029/801-322-5722
This bill would require that all Utah elementary schools sell only water, milk, 100% fruit juice, or fresh fruit in vending machines.

**Virginia**

**HB2403 - requires the State Board of Education to set guidelines for healthful options in vending machines at schools**
Status: Tabled.
Contact: Delegate Van Yahres
Phone: 804-698-1057
Email: del_VanYahres@House.state.va.us
This bill would require the State Board of Education to develop guidelines for vending machines in schools. The Board would need to promote the selection of nutritious products, suggesting guidelines for fat, sugar, sodium, and caffeine for vended food.

**Washington State**

**SB5436 - sets nutrition standards for a la carte foods at elementary and middle schools**
Status: The bill had a hearing in the Senate Education Committee and died there.
Contact: Brita Butler-Wall, Citizens’ Campaign for Commercial-Free Schools
Email: cccs@scn.org
This bill restricted the sale of certain foods in elementary and middle schools. During lunch periods, the bill mandated that only meals be served, with the exception of a la carte items that meet the following requirements: less than 35% calories from fat, less than 10% calories from saturated fat, and less than 35% sugar by weight (excluding fruits and nuts). During school hours, meal times or otherwise, only water, milk, and 100% fruit juice could be sold to students. These rules would not apply to fundraisers outside of school hours or special events within the school.

The bill established an unpaid task force under the superintendent of public instruction to find alternative financing for revenues lost from the sale of competitive foods, as well as explore ways to incorporate organic and locally-grown produce, stop commercial marketing in schools, and provide incentives for high schools to participate in this healthy-foods program.

**West Virginia**

*West Virginia - comprehensive state policy to serve healthier foods and beverages*

State regulations prohibit the following at school at any time: soft drinks in elementary and middle schools, chewing gum, flavored ice pops, candy, foods and beverages with 40% or more sugars by weight, foods with 8 grams or more of fat per 1 oz. serving, and drinks with less than 20% real juice.