

1 A bill to be entitled
2 An act relating to child nutrition; providing a short
3 title; amending ss. 402.305 and 1006.06, F.S.; providing
4 definitions; providing requirements for foods served in
5 child care facilities and school food service programs;
6 providing for exceptions and substitutions in certain
7 circumstances; requiring a study by the Department of
8 Agriculture and Consumer Services and the Department of
9 Education of the fiscal impact of establishing a statewide
10 Farm-to-School Program; requiring a report and
11 recommendations; providing an effective date.

12
13 WHEREAS, good nutrition practices in child care facilities
14 and schools help in the promotion of healthy eating habits for
15 children, and

16 WHEREAS, processed trans fats raise low-density lipoprotein
17 (LDL) and lower high-density lipoprotein (HDL) cholesterol
18 levels and provide no known benefit to the health of children,
19 and

20 WHEREAS, the majority of meals served in schools exceed fat
21 content recommendations set by the United States Department of
22 Agriculture, and

23 WHEREAS, fat-free milk is recommended by the American
24 Academy of Pediatrics and the American Heart Association for
25 children 2 years of age and older, and

26 WHEREAS, whole grains reduce the risk of heart disease and
27 digestive disorders and are recommended by the American Academy
28 of Pediatrics, the American Heart Association, and other health

29 organizations, and

30 WHEREAS, unrestricted fruit juice consumption can lead to
 31 excessive caloric intake, and limitation of the consumption of
 32 fruit juice is recommended by the American Academy of
 33 Pediatrics, and

34 WHEREAS, researchers have found new evidence that drinks
 35 containing high-fructose corn syrup have high levels of reactive
 36 compounds with the potential to trigger cell and tissue damage
 37 that could cause diabetes, particularly in children, and

38 WHEREAS, the regulation of foods served in child care
 39 facilities and schools will promote the health and well-being of
 40 children and is appropriate and beneficial, NOW, THEREFORE,

41

42 Be It Enacted by the Legislature of the State of Florida:

43

44 Section 1. This act may be cited as the "Florida Child
 45 Care and School Nutrition Act."

46 Section 2. Subsection (8) of section 402.305, Florida
 47 Statutes, is amended to read:

48 402.305 Licensing standards; child care facilities.--

49 (8) NUTRITIONAL PRACTICES.--

50 (a) Minimum standards shall include requirements for the
 51 provision of meals or snacks of a quality and quantity to ensure
 52 ~~assure~~ that the nutritional needs of the child are met.

53 (b) As used in this subsection:

54 1. "High-fructose corn syrup" means a sweetener and
 55 preservative used in many processed foods which is made by
 56 changing the sugar in cornstarch to fructose.

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57 2. "Trans fats" means processed or artificially
58 hydrogenated or partially hydrogenated fats but does not include
59 the small amounts of these fats occurring naturally in milk and
60 meat.

61 3. "Whole grain" means grain that consists of the intact
62 grain seed or that consists of the ground, cracked, or flaked
63 grain seed the principal anatomical components of which are
64 present in the same relative proportions as exist in the intact
65 grain seed.

66 (c) Beginning August 1, 2009, in addition to state
67 requirements and requirements under the federal Child Care Food
68 Program, child care facilities:

69 1. Shall provide the following:

70 a. Only foods that do not contain trans fats. Foods that
71 do not contain trans fats are unprocessed natural foods and
72 processed or packaged foods labeled as containing zero trans fat
73 in accordance with United States Food and Drug Administration
74 standards. Foods without trans fat labeling are exempt from this
75 requirement until trans fat content information for such foods
76 is made available.

77 b. Whole wheat flour, white whole wheat flour, or whole
78 grain breads, baked goods, and pasta products in place of white
79 flour or processed grain breads, baked goods, and pastas.

80 c. Milk with a fat content of no more than 1 percent for
81 healthy children 2 years of age and older and whole milk for
82 healthy children under 2 years of age.

83 d. Fresh, frozen, unsweetened canned, or dried whole
84 fruits instead of fruit juice for at least half of all fruit

85 servings each week. No more than 6 ounces of fruit juice a day
 86 shall be served to children under 7 years of age, and no more
 87 than 8 ounces of fruit juice a day shall be served to children 7
 88 years of age and older.

89 2. Shall not provide cereals, sauces, jellies, or liquids,
 90 including any caloric beverage, containing high-fructose corn
 91 syrup.

92 3. Shall permit medically necessary exceptions for
 93 children with appropriate documentation from a health
 94 professional.

95 4. May make substitutions if specified foods cannot be
 96 reasonably obtained in instances of declared disaster or other
 97 community crisis.

98 Section 3. Subsection (6) is added to section 1006.06,
 99 Florida Statutes, to read:

100 1006.06 School food service programs.--

101 (6) (a) As used in this subsection:

102 1. "High-fructose corn syrup" means a sweetener and
 103 preservative used in many processed foods which is made by
 104 changing the sugar in cornstarch to fructose.

105 2. "Trans fats" means processed or artificially
 106 hydrogenated or partially hydrogenated fats but does not include
 107 the small amounts of these fats occurring naturally in milk and
 108 meat.

109 3. "Whole grain" means grain that consists of the intact
 110 grain seed or that consists of the ground, cracked, or flaked
 111 grain seed the principal anatomical components of which are
 112 present in the same relative proportions as exist in the intact

113 grain seed.

114 (b) Beginning with the 2009-2010 school year, in addition
115 to state and federal requirements, school food service programs:

116 1. Shall provide the following:

117 a. Only foods that do not contain trans fats. Foods that
118 do not contain trans fats are unprocessed natural foods and
119 processed or packaged foods labeled as containing zero trans fat
120 in accordance with United States Food and Drug Administration
121 standards. Foods without trans fat labeling are exempt from this
122 requirement until trans fat content information for such foods
123 is made available.

124 b. Whole wheat flour, white whole wheat flour, or whole
125 grain breads, baked goods, and pasta products in place of white
126 flour or processed grain breads, baked goods, and pastas.

127 c. Milk with a fat content of no more than 1 percent for
128 healthy students.

129 d. Fresh, frozen, unsweetened canned, or dried whole
130 fruits instead of fruit juice for at least half of all fruit
131 servings each week. No more than 6 ounces of fruit juice a day
132 shall be served to students under 7 years of age, and no more
133 than 8 ounces of fruit juice a day shall be served to students 7
134 years of age and older.

135 2. Shall not provide cereals, sauces, jellies, or liquids,
136 including any caloric beverage, containing high-fructose corn
137 syrup.

138 3. Shall permit medically necessary exceptions for
139 students with appropriate documentation from a health
140 professional.

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141 4. May make substitutions if specified foods cannot be
142 reasonably obtained in instances of declared disaster or other
143 community crisis.

144 Section 4. The Department of Agriculture and Consumer
145 Services, in conjunction with the Department of Education, is
146 directed to study the fiscal impact of establishing a statewide
147 "Farm-to-School Program" to connect schools with farms for the
148 purposes of serving healthy meals in schools, improving student
149 nutrition, providing health and nutrition learning
150 opportunities, and supporting local and state farmers. A report
151 and recommendations shall be submitted to the Governor, the
152 President of the Senate, and the Speaker of the House of
153 Representatives by January 1, 2009.

154 Section 5. This act shall take effect July 1, 2008.