

HOUSE No. 564

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to healthy school lunches.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/18/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/23/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>2/26/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/18/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>4/13/2021</i>

HOUSE No. 564

By Mr. Day of Stoneham, a petition (accompanied by bill, House, No. 564) of Michael S. Day and others relative to nutrition in public schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to healthy school lunches.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section
2 15IIIII,

3 inserted by chapter 86 of the acts of 2001, the following section:-

4 Section 15JJJJJ.The governor shall annually issue a proclamation setting apart March 21
5 as

6 Massachusetts Child Nutrition Day and recommending that the day be observed in an
7 appropriate manner by the people.

8 SECTION 2. Chapter 71 is hereby amended by inserting, after section x, the following
9 new

10 section:-

11 Section 98. (a) The purpose of this section is to ensure that the students of the
12 Commonwealth
13 are appropriately nourished in order to support a healthier, livable and more equitable
14 future
15 for all.

16 (b) For the purposes of this section, the following words shall have the following
17 meanings:-

18 (i) “entrée” is defined as the meat or meat alternate category within the USDA’s Federal
19 Nutrition Standards

20 (ii) “Fiber-rich” is defined as a meal item that contains at least 20% of the
21 minimum daily grams of fiber for youth ages 2-18 as determined by the
22 National Institute of Health’s Daily Reference Intakes (DRI).

23 (iii) “Reimbursable meal” is any meal that meets the United States Department
24 of Agriculture (USDA) National School Lunch Program nutritional
25 requirements for federal reimbursement at the annual allotted rate of any of
26 the following: (a) free lunch; (b) reduced-price lunch; or (c) paid lunch

27 (iv) “ultra-processed food” is defined as industrial formulations of food
28 substances never or rarely used in kitchens (such as high-fructose corn syrup,

29 hydrogenated or interesterified oils, and hydrolysed proteins), or classes of
30 additives designed to make the final product palatable, appealing, or
31 preservable (such as flavours, flavour enhancers, colours, emulsifiers,
32 emulsifying salts, sweeteners, thickeners, nitrates, nitrites, preservatives, and
33 anti-foaming, bulking, carbonating, foaming, gelling and glazing agents)

34 (c) Any food service provider selling food to Massachusetts public schools for our
35 children
36 to consume shall ensure that at least 50% of the entrées sold and served for lunch
37 within school hours in schools, school districts, or other entities over the course of each
38 week are healthy foods containing whole grains, vegetables, fruits, legumes, and other
39 fiber-rich proteins as part of a reimbursable meal offering within the federal National
40 School Lunch Program.

41 (d) No food service provider may sell or serve in Massachusetts public schools, school
42 districts, or other entities more than 20% of entrée items that are ultra-processed or
43 have a nutritional composition that includes more than 30 milligrams of cholesterol or
44 more than 5% of the entrées' total calories from saturated fat as part of a reimbursable
45 meal offering within the federal National School Lunch

46 (e) Each food service provider selling food to Massachusetts public schools for school

47 children to consume, shall keep itemized nutrition data that is made publicly available
48 on a monthly basis to demonstrate compliance with this statute.