

SENATE No. 308

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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:

Jason M. Lewis

DISTRICT/ADDRESS:

Fifth Middlesex

SENATE No. 308

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 308) of Jason M. Lewis for legislation relative to healthy school lunches. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 363 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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 15IIIIII, the following section:-

3 Section 15JJJJJ.The governor shall annually issue a proclamation setting apart March 21
4 as Massachusetts Child Nutrition Day and recommending that the day be observed in an
5 appropriate manner by the people.

6 SECTION 2. Chapter 71 is hereby amended by inserting, after section 97, the following
7 new section:-

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

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

13 (i) food service management company is defined as a commercial enterprise or a
14 nonprofit organization which is or may be contracted with by the school food authority to
15 manage any aspect of the school food service

16 (ii) entrée is defined as the meat/meat alternate category within the USDA’s Federal
17 Nutrition Standards

18 (iii) Fiber-rich” is defined as an entrée item that contains at least 14 g of fiber per
19 1000kcal from whole food sources such as whole grains, legumes, beans, pulses, fruits, and
20 vegetables

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

25 (v) “ultra-processed food” is defined as industrial formulations of food substances never
26 or rarely used in kitchens (such as high-fructose corn syrup, hydrogenated or interesterified oils,
27 and hydrolysed proteins), or classes of additives designed to make the final product palatable,
28 appealing, or preservable (such as flavours, flavour enhancers, colours, emulsifiers, emulsifying
29 salts, sweeteners, thickeners, nitrates, nitrites, preservatives, and anti-foaming, bulking,
30 carbonating, foaming, gelling and glazing agents)

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

36 (d) No food service provider may sell or serve in Massachusetts public schools, school
37 districts, or other entities more than 20% of entrée items that meet one or more of the following:
38 qualify as ultra-processed; have a nutritional composition that includes more than 30 milligrams
39 of cholesterol more than 5% of the entrées' total calories come from saturated fat as part of a
40 weekly reimbursable meal offering within the federal National School Lunch

41 (e) Each food service provider selling food to Massachusetts public schools for school
42 children to consume, shall keep itemized nutrition data that is made publicly available on a
43 monthly basis to demonstrate compliance with this statute.

44 (f) Each food service management company will have a phase in period of three years
45 following the initial date of their most recent contract with their respective school food authority
46 or by the first day of the school calendar year 2033-2034, whichever comes first.