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S.141

Introduced by Senators Clarkson, Balint, Hooker and Ingram

Referred to Committee on Health and Welfare

Date: March 1, 2019

Subject: Health; food and lodging establishments; nutrition; children's meals

Statement of purpose of bill as introduced: This bill proposes to require
restaurants licensed by the Department of Health to serve only children's meals
that meet certain nutritional standards.

An act relating to nutritional requirements for children's meals

It is hereby enacted by the General Assembly of the State of Vermont:

~~Sec. 1. FINDINGS~~

~~The General Assembly finds that:~~

~~(1) Over the past 30 years, the obesity rate in the United States has more than doubled. According to the Centers for Disease Control and Prevention, in 2011, 69 percent of American adults were overweight or obese. In 2014, nearly 25 percent of adult Vermont residents were overweight or obese. With regard to children, approximately one-third were deemed overweight or obese nationwide in 2011, while in Vermont one-fourth of children were overweight~~

1 ~~or obese. Obese children are at least twice as likely as nonobese children to~~
2 ~~become obese adults.~~

3 ~~(2) Obese children and adults are at greater risk for numerous adverse~~
4 ~~health consequences, including type 2 diabetes, heart disease, stroke, high~~
5 ~~blood pressure, high cholesterol, certain cancers, asthma, low self-esteem,~~
6 ~~depression, and other debilitating diseases.~~

7 ~~(3) Obesity-related health conditions have serious economic costs. The~~
8 ~~medical burden of obesity in the United States is approximately \$147 billion~~
9 ~~annually, or almost 10 percent of all medical spending. Roughly one-half of~~
10 ~~these costs are paid through Medicare and Medicaid, which means that~~
11 ~~taxpayers are responsible for much of the bill. Medicare and Medicaid~~
12 ~~spending would be reduced by 8.5 percent and 11.8 percent, respectively, in~~
13 ~~the absence of obesity-related spending. Obesity-related annual medical~~
14 ~~expenditures in Vermont are estimated at \$291 million.~~

15 ~~(4) Families in Vermont have limited time to obtain and prepare healthy~~
16 ~~food, making dining out an appealing and often necessary option. Nationwide,~~
17 ~~American children eat 19 percent of their calories at fast food and other~~
18 ~~restaurants. Children eat almost twice as many calories when they eat a meal~~
19 ~~at a restaurant as they do when they eat at home. A 2013 study that examined~~
20 ~~the nutritional quality of children's meals sold at 18 of the most profitable fast~~
21 ~~food restaurant chains in the United States found that only three percent of the~~

1 ~~3,494 meal combinations assessed met the expert nutrition standards for~~
2 children's meals.

3 (5) The General Assembly supports parents' efforts to feed their
4 children healthfully by ensuring healthy meals are readily available to children
5 in restaurants.

6 Sec. 2. 18 V.S.A. § 4359 is added to read:

7 § 4359. NUTRITION REQUIREMENTS FOR CHILDREN'S MEALS

8 (a) A licensed restaurant shall only sell a children's meal that meets the
9 following nutritional requirements:

10 (1) It contains not more than:

11 (A) 600 calories;

12 (B) 770 milligrams of sodium;

13 (C) 35 percent of calories from total sugars;

14 (D) 35 percent of calories from fat;

15 (E) 10 percent of calories from saturated fat; and

16 (F) 0.5 grams of trans fat.

17 (2) It includes at least 0.5 cups of unfried fruit or unfried vegetables,
18 excluding white potatoes, and at least one of the following:

19 (A) a whole-grain product that contains not less than 51 percent by
20 weight in whole-grain ingredients or lists whole grains as the first ingredient,

1 ~~(B) a lean protein, consisting of at least two ounces of meat; one~~
2 ~~ounce of nuts, seeds, dry beans, or peas; or one egg; or~~

3 ~~(3) at least 0.5 cups of nonfat or one percent milk or low-fat yogurt, or~~
4 ~~one ounce of reduced-fat cheese.~~

5 ~~(b) For the purposes of this section, juices, condiments, and spreads shall~~
6 ~~not be considered fruits or vegetables.~~

7 ~~(c) If a children's meal includes a beverage, that beverage shall be:~~

8 ~~(1) water, sparkling water, or flavored water with no added natural or~~
9 ~~artificial sweeteners;~~

10 ~~(2) milk or dairy alternative; or~~

11 ~~(3) 100 percent juice with no added sweeteners in a serving size of not~~
12 ~~more than eight ounces.~~

13 ~~(d) As used in this section:~~

14 ~~(1) "Children's meal" means a combination of food items or food and~~
15 ~~beverage items that are sold together at a single price and primarily intended~~
16 ~~for consumption by children.~~

17 ~~(2) "Lean protein" means a food containing less than 10 grams of fat,~~
18 ~~4.5 grams or less of saturated fat, and less than 95 milligrams of cholesterol~~
19 ~~per 100 grams and per labeled serving.~~

20 Sec. 3. EFFECTIVE DATE

21 ~~This act shall take effect on July 1, 2019.~~

Sec. 1. 18 V.S.A. § 4310 is added to read:

§ 4310. BEVERAGES IN CHILDREN'S MEALS

(a) A food service establishment serving a children's meal shall offer as a default beverage:

(1) water, sparkling water, or flavored water that does not contain added natural or artificial sweeteners; or

(2) milk or a ~~condensed milk alternative~~ nut-based or plant-based beverage; or

(3) 100 percent fruit juice or fruit juice combined with water or carbonated water that does not contain added sweeteners, in a serving size of not more than eight ounces.

(b) Nothing in this section shall prohibit a food service establishment from selling or providing, or a customer from purchasing, a beverage other than the default beverage included with a children's meal if the customer requests a substitute beverage.

(c) As used in this section:

(1) "Children's meal" means a combination of food items and a beverage, primarily intended for consumption by children, sold together at a single price.

(2) "Default beverage" means the beverage automatically included as part of a children's meal.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2019.