

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 1289\*

Short Title: Update Statewide Nutrition Standards. (Public)

Sponsors: Senators Purcell, Dannelly, Davis, Preston, Tillman, Walters; Atwater, Bingham, Dorsett, Foriest, Graham, Jones, Kinnaird, and Snow.

Referred to: Health Care.

May 20, 2010

1 A BILL TO BE ENTITLED  
2 AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO UPDATE STATEWIDE  
3 NUTRITION STANDARDS FOR FOOD AND BEVERAGES AVAILABLE IN PUBLIC  
4 ELEMENTARY, MIDDLE AND HIGH SCHOOLS, AS RECOMMENDED BY THE  
5 LEGISLATIVE TASK FORCE ON CHILDHOOD OBESITY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115C-264.3 reads as rewritten:

8 "**§ 115C-264.3. Child Nutrition Program standards.**

9 (a) The State Board of Education, in direct consultation with a cross section of local  
10 directors of child nutrition services, shall establish statewide nutrition standards that meet  
11 recognized national standards adopted by the Alliance for a Healthier Generation or the  
12 National Academy of Sciences, Institute of Medicine by December 2010. The statewide  
13 nutrition standards apply to all of the following:

14 (1) School meals.

15 (2) A la carte foods and beverages.

16 (3) Items served in the After School Snack Program administered by the  
17 Department of Public Instruction and child nutrition programs of local  
18 school administrative units.

19 (4) All other candy, snack, food, and beverage items sold or offered to students  
20 on school property during the instructional day, except for items offered to  
21 students as part of a school or birthday celebration.

22 The statewide nutrition standards shall be implemented in elementary schools by the end of  
23 the 2011-2012 school year, in middle schools by the end of the 2012-2013 school year, and in  
24 high schools by the end of the 2013-2014 school year.~~for school meals, a la carte foods and~~  
25 ~~beverages, and items served in the After School Snack Program administered by the~~  
26 ~~Department of Public Instruction and child nutrition programs of local school administrative~~  
27 ~~units. The nutrition standards will promote gradual changes to increase fruits and vegetables,~~  
28 ~~increase whole grain products, and decrease foods high in total fat, trans fat, saturated fat, and~~  
29 ~~sugar. The nutrition standards adopted by the State Board of Education shall be implemented~~  
30 ~~initially in elementary schools. All elementary schools shall achieve a basic level by the end of~~  
31 ~~the 2009-2010 school year, followed by middle schools and then high schools.~~

32 (b) Beginning with the 2013-2014 school year, and every three years thereafter, the  
33 State Board of Education shall review and, as necessary, update statewide nutrition standards to  
34 align with nationally recognized nutrition standards. The State Board of Education shall also  
35 update nutrition standards as frequently as necessary to align with changes to federal law or the



1 Dietary Guidelines for Americans published by the United States Departments of Health and  
2 Human Services and Agriculture.  
3 (c) The State Board of Education shall make available free of charge to the general  
4 public on its Internet Web site educational information about statewide nutrition standards and  
5 a system for reporting possible inconsistencies in the implementation of statewide nutrition  
6 standards."  
7 **SECTION 2.** This act is effective when it becomes law.