

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 26 entitled “An act relating to prohibiting certain artificial dyes in foods
4 and beverages served or sold at school” respectfully reports that it has
5 considered the same and recommends that the bill be amended by striking out
6 all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 16 V.S.A. § 1264b is added to read:

8 § 1264b. PROHIBITING CERTAIN SUBSTANCES IN FOODS AND
9 BEVERAGES SERVED OR SOLD AT SCHOOL

10 (a) In operating its school lunch and breakfast program, pursuant to the
11 National School Lunch Act, 42 U.S.C. §§ 1751–1769j, as amended, and the
12 Child Nutrition Act, 42 U.S.C. §§ 1771–1793, as amended, respectively, or
13 selling competitive food, a school district and an approved independent school
14 shall not serve a food or beverage during the school day containing one or
15 more of the following substances:

16 (1) Blue 1 (CAS 3844-45-9);

17 (2) Blue 2 (CAS 860-22-0);

18 (3) Green 3 (CAS 2353-45-9);

19 (4) Red 40 (CAS 25956-17-6);

20 (5) Yellow 5 (CAS 1934-21-0);

21 (6) Yellow 6 (CAS 2783-94-0);

1 (7) azodicarbonamide;

2 (8) potassium bromate;

3 (9) propylparaben; and

4 (10) titanium dioxide.

5 (b) Subsection (a) of this section shall not apply to those foods or
6 beverages sold or served away from a school campus or from at least one half-
7 hour after the school day until 12:00 midnight.

8 (c) The Agency shall ensure compliance with this section by reviewing
9 school menus and product labels for school meals and competitive foods that
10 are submitted by schools to the Agency as part of existing federal
11 administrative review requirements.

12 (d) As used in this section:

13 (1) “Competitive food” has the same meaning as in 7 C.F.R. § 210.11.

14 (2) “School day,” as pertains to public schools, shall be defined by the
15 school district pursuant to subsection 1071(b) of this title, and as pertains to
16 approved independent schools, means the hours fixed by a school for
17 instruction each day.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on July 1, 2027.

1 and that after passage the title of the bill be amended to read: “An act relating
2 to prohibiting certain substances in foods and beverages served or sold at
3 school”

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9 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE