

SENATE No. 363

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:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/9/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>7/13/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>10/29/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>11/9/2021</i>

SENATE No. 363

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 363) of Jason M. Lewis for legislation relative to healthy school lunches. 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 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) “entrée” is defined as the meat or meat alternate category within the USDA’s Federal
14 Nutrition Standards

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

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

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

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

33 (d) No food service provider may sell or serve in Massachusetts public schools, school
34 districts, or other entities more than 20% of entrée items that are ultra-processed or have a

35 nutritional composition that includes more than 30 milligrams of cholesterol or more than 5% of
36 the entrées' total calories from saturated fat as part of a reimbursable meal offering within the
37 federal National School Lunch

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