SENATE DOCKET, NO. 2174 FILED ON: 1/17/2025

SENATE . . . . . No. 401

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:	
Jason M. Lewis	*Fifth Middlesex*	
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*4/8/2025*

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SENATE . . . . . No. 401

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 401) of Jason M. Lewis for legislation relative to healthy school lunches. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *308* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

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:

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 15ZZZZZZ, the following section:-

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

SECTION 2. Chapter 71 is hereby amended by inserting, after section 99, the following new section:-

Section 100. (a) The purpose of this section is to ensure that the students of the Commonwealth are appropriately nourished in order to support a healthier, livable and more equitable future for all.

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

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

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

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

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

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

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

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

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

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