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H.264

Introduced by Representatives Donovan of Burlington, Brumsted of  
Shelburne, Connor of Fairfield, McCullough of Williston,  
Sullivan of Burlington, Till of Jericho, and Walz of Barre City

Referred to Committee on

Date:

Subject: Health; nutrition; food establishments; 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 the 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 REQUIRMENTS 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 no 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 no 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) nonfat or one percent milk or a nondairy milk alternative containing  
11           no more than 130 calories per container or serving as offered for sale; or

12           (3) 100 percent juice with no added sweeteners in a serving size of no  
13           more than eight ounces.

14           (d) As used in this section:

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

18           (2) "Lean protein" means a food containing less than 10 grams of fat,  
19           4.5 grams or less of saturated fat, and less than 95 milligrams of cholesterol per  
20           100 grams and per labeled serving.

1       Sec. 3. EFFECTIVE DATE

2       This act shall take effect on July 1, 2017.