

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. ARTIFICIAL DYES

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

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

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

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

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

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

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

21 (7) azodicarbonamide;

1           (8) butylated hydroxytoluene;

2           (9) potassium bromate;

3           (10) propylparaben;

4           (11) titanium dioxide; and

5           (12) tert-butylhydroquinone.

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

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

13           (d) As used in this section:

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

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

19           Sec. 2. EFFECTIVE DATE

20           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  
2           relating to prohibiting certain substances in foods and beverages served or sold  
3           at school”

4

5

6

7

8

9           (Committee vote: \_\_\_\_\_)

10

\_\_\_\_\_

11

Senator \_\_\_\_\_

12

FOR THE COMMITTEE