

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 22.1-207.4, relating to nutritional*  
3 *guidelines for competitive foods in public schools.*

[S 414]

Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 22.1-207.4 as follows:**8 *§ 22.1-207.4. Nutritional guidelines for competitive foods.*9 *A. The Board, in cooperation with the Department of Health, shall promulgate regulations setting*  
10 *nutritional guidelines for all competitive foods sold to students during regular school hours.*11 *B. The Board, with assistance from the Department of Health, shall periodically review the*  
12 *nutritional guidelines for competitive foods to ensure that they remain current and science-based and*  
13 *shall also review the nutritional guidelines upon changes to federal law or regulations for competitive*  
14 *foods.*15 *C. The regulations promulgated pursuant to this section shall include but not be limited to: calorie,*  
16 *fat, sugar, and sodium content.*17 *For purposes of this section, "competitive food" means any food, excluding beverages, sold to*  
18 *students on school grounds during regular school hours that is not part of the school breakfast or*  
19 *school lunch program.*20 **2. That in promulgating its regulations pursuant to this act, the Board of Education shall adopt**  
21 **either the Alliance for a Healthier Generation's Competitive Foods Guidelines or the Institute of**  
22 **Medicine's Recommended Standards for Competitive Foods in Schools as the initial statewide**  
23 **standard for competitive foods.**24 **3. That the Board of Education shall work with the Department of Health, the School Nutrition**  
25 **Association of Virginia, the American Heart Association, the American Cancer Society, the**  
26 **American Academy of Pediatrics, Virginia Chapter, the Virginia Wholesalers and Distributors**  
27 **Association, the Virginia Automatic Merchandising Association, and other stakeholders to conduct**  
28 **any research necessary for the development of the regulations and dissemination of the guidelines**  
29 **to each local school division.**30 **4. That the Board of Education shall report to the General Assembly on the status of the final**  
31 **regulations by December 1, 2011. The report shall be submitted as provided in the procedures of**  
32 **the Division of Legislative Automated Systems for the processing of legislative documents and**  
33 **reports.**34 **5. That each local school board shall adopt the state guidelines as part of their existing local**  
35 **wellness policy to ensure compliance with the provisions of subsection A of § 22.1-207.4 of the**  
36 **Code of Virginia.**

ENROLLED

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