

**Senator Patricia W. Jones** proposes the following substitute bill:

**VENDING MACHINES IN PUBLIC SCHOOLS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Patricia W. Jones**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill establishes standards for the contents of vending machines in public schools.

**Highlighted Provisions:**

This bill:

- ▶ provides a list of allowed beverages and non-beverage items that may be sold in vending machines at public schools; and
- ▶ establishes compliance dates.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-1a-110**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-1a-110** is enacted to read:

**53A-1a-110.** Vending machine contents.



(1) For an elementary school, the beverage contents of a vending machine accessible to elementary students shall be limited to the following beverages:

(a) bottled water; or

(b) no more than an eight ounce serving of:

(i) fat-free or low-fat regular or flavored milk, containing no more than 150 calories per eight ounces;

(ii) a nutritionally equivalent milk alternative, as defined by the United States Department of Agriculture in 7 C.F.R. Sec. 246.10, containing no more than 150 calories per eight ounces; or

(iii) 100% juice containing:

(A) no added sweeteners;

(B) no more than 120 calories per eight ounces; and

(C) at least 10% of the recommended daily value for three or more vitamins and minerals.

(2) For a secondary school, the beverage contents of a vending machine accessible to secondary students shall be limited to the following beverages:

(a) bottled water;

(b) a beverage containing no calories;

(c) a beverage containing no more than 10 calories per eight ounces; or

(d) no more than a 12 ounce serving of:

(i) fat-free or low-fat regular or flavored milk containing no more than 150 calories per eight ounces;

(ii) a nutritionally equivalent milk alternative, as defined by the United States Department of Agriculture in 7 C.F.R. Sec. 246.10, containing no more than 150 calories per eight ounces;

(iii) 100% juice containing:

(A) no added sweeteners;

(B) no more than 120 calories per eight ounces; and

(C) at least 10% of the recommended daily value for three or more vitamins and minerals; or

(iv) any other drink containing no more than 66 calories per eight ounces.

57           (3) For a vending machine accessible to secondary students, at least 50% of non-milk  
58 beverages shall be:

59           (a) water;

60           (b) no-calorie; or

61           (c) low-calorie containing no more than 66 calories per eight ounces.

62           (4) The non-beverage contents of a vending machine accessible to students in a public  
63 school shall include only a non-beverage item that contains:

64           (a) no more than:

65           (i) 150 total calories in the entire item for an item available in a vending machine  
66 accessible to an elementary school student;

67           (ii) 180 total calories in the entire item for an item available in a vending machine  
68 accessible to middle school student; and

69           (iii) 200 total calories in the entire item for an item available in a vending machine  
70 accessible to a high school student;

71           (b) no more than 35% of calories from total fat;

72           (c) no more than 10% of calories from saturated fat;

73           (d) zero grams of trans fat; and

74           (e) except for 100% dried fruit with no added sugar, no more than 35% sugar by  
75 weight.

76           (5) Subsections (4)(b) and (c) do not apply to the following non-beverage items;

77           (a) nuts;

78           (b) nut butters;

79           (c) seeds; or

80           (d) trail mix with no added sugar, containing only fruit, nuts, or seeds.

81           (6) A local school board, charter school governing board, or school shall comply with  
82 the vending machine requirements in this section on or before the later of the following:

83           (a) the natural expiration or earlier termination of a contract in force on May 11, 2010,  
84 between the local school board, charter school governing board, or school and a vending  
85 machine supplier; or

86           (b) May 11, 2010.