

[First Reprint]

**SENATE, No. 531**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Co-Sponsored by:**

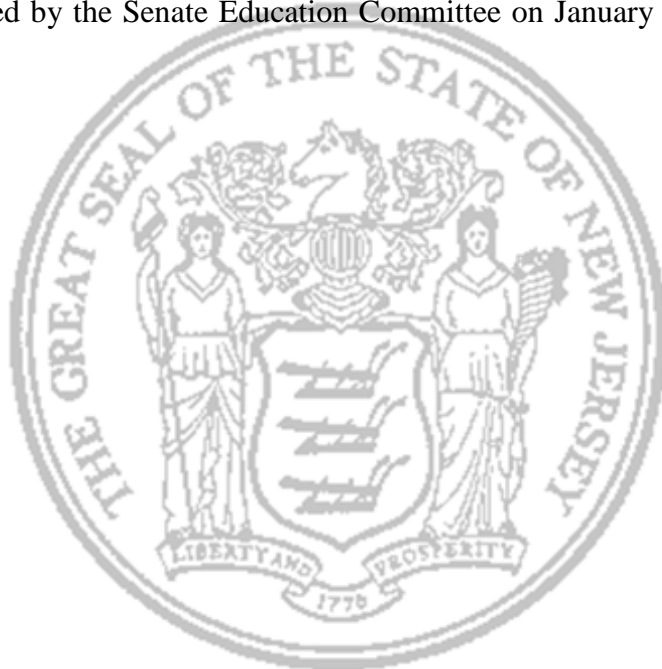
**Senators Turner and Pou**

**SYNOPSIS**

Requires public schools to comply with more stringent school lunch and breakfast nutrition standards adopted by USDA in 2012.

**CURRENT VERSION OF TEXT**

As reported by the Senate Education Committee on January 12, 2023, with amendments.



**(Sponsorship Updated As Of: 2/10/2022)**

1 AN ACT concerning school lunch and breakfast nutrition standards  
2 and supplementing Title 18A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. The Legislature finds and declares that:

8 a. Child and adolescent obesity has reached epidemic levels in  
9 the United States and poor diet combined with the lack of physical  
10 activity negatively impacts students' health and their ability and  
11 motivation to learn.

12 b. In New Jersey, the current obesity rate for children and  
13 adolescents between the ages of 10 and 17 is 14.8 percent, which is  
14 the 28th highest child and adolescent obesity rate in the nation.

15 c. Over the past 15 years, policymakers have taken significant  
16 steps to implement new approaches through the National School  
17 Lunch Program and federal School Breakfast Program in order to  
18 address child and adolescent obesity.

19 d. Federally subsidized meal programs, which include the  
20 National School Lunch and federal School Breakfast Program, are  
21 required to have nutrition standards that meet specific dietary  
22 guidelines. These guidelines can help prevent chronic diseases like  
23 obesity, heart disease, high blood pressure, and Type 2 diabetes.

24 e. Under the nutrition regulations adopted in July 2012 under  
25 the federal "Healthy, Hunger-Free Kids Act of 2010," public  
26 schools were required to reduce the amount of calories, fat, and  
27 sodium in school cafeterias and increase offerings of whole grains,  
28 fruits and vegetables, and nonfat milk to the roughly 32 million  
29 students who receive federally subsidized meals.

30 f. Public schools have worked diligently to overcome  
31 operational challenges in the National School Lunch and federal  
32 School Breakfast Programs created by meeting sodium, whole  
33 grain-rich, and milk requirements and, by 2016, at least 90 percent  
34 of schools were compliant in every state.

35 g. These more stringent nutrition standards have helped to  
36 reduce the obesity rate for children and adolescents between the  
37 ages of 10 and 17.

38 h. However, the United States Department of Agriculture has  
39 recently announced its plans to lower nutrition standards for grains,  
40 flavored milks, and sodium in school cafeterias that were part of the  
41 regulations adopted in 2012 under the "Healthy, Hunger-Free Kids  
42 Act of 2010."

43 i. Beginning next school year, schools can request an  
44 exemption from the whole grain requirements and delay the sodium

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SED committee amendments adopted January 12, 2023.

1 mandate and schools will also be able to serve one percent flavored  
2 milk instead of nonfat.

3 j. It is important for public schools in the State to abide by the  
4 more stringent nutrition regulations that were adopted in 2012 under  
5 the “Healthy, Hunger-Free Kids Act of 2010” in order for the State  
6 to continue to reduce the obesity rate for children and adolescents.

7  
8 2. a. A public school shall comply with the nutrition standards  
9 for the National School Lunch Program and federal School  
10 Breakfast Program adopted by the United States Department of  
11 Agriculture, as published in Volume 77, Number 17 of the Federal  
12 Register dated January 26, 2012, or any more stringent nutrition  
13 standards.

14 b. All reimbursable meals under the National School Lunch  
15 Program and the federal School Breakfast Program shall comply  
16 with the nutrition standards for the National School Lunch Program  
17 and federal School Breakfast Program adopted by the United States  
18 Department of Agriculture, as published in Volume 77, Number 17  
19 of the Federal Register dated January 26, 2012, or any more  
20 stringent nutrition standards.

21  
22 3. This act shall take effect immediately <sup>1</sup>and shall first apply  
23 to the 2024-2025 school year<sup>1</sup>.