



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Iris Y. Martinez

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/10-20.39 new  
105 ILCS 5/34-18.30 new

Amends the School Code. Sets requirements for competitive foods served as part of the school food program. Competitive foods are those that compete with the basic nutritional meals that are a part of the school lunch program prepared in the school cafeteria. Requires the State Board to prepare and distribute a list of products that meet the guidelines. Effective September 1, 2004.

LRB093 18574 NHT 47000 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Sections  
5 10-20.39 and 34-18.30 as follows:

6 (105 ILCS 5/10-20.39 new)

7 Sec. 10-20.39. Competitive foods.

8 (a) A school board shall require that all competitive foods  
9 that are served as part of the school food program meet the  
10 following guidelines:

11 (1) Beverages must be (i) fruit-based drinks that  
12 contain at least 50% fruit juice and no added sweeteners,  
13 (ii) water or seltzer water, or (iii) low-fat or fat-free  
14 milk, including without limitation chocolate milk, soy  
15 milk, rice milk, and other similar dairy or non-dairy  
16 calcium-fortified milk.

17 (2) A snack must have (i) 30% or less of its total  
18 calories from fat, (iii) 10% or less of total calories from  
19 saturated and trans fat, and (iii) 35% or less of its  
20 weight from sugars, excluding sugars occurring naturally  
21 in fruits, vegetables, and dairy products.

22 (b) "Competitive food" means food offered at school, other  
23 than meals served through the United States Department of  
24 Agriculture's school lunch, school breakfast, and after-school  
25 snack programs.

26 (c) To assist in the implementation of this program, the  
27 State Board of Education, before the beginning of each school  
28 year, shall prepare and make available to school districts a  
29 list of products that meet these standards.

30 (105 ILCS 5/34-18.30 new)

31 Sec. 34-18.30. Competitive foods.

1       (a) The board shall require that all competitive foods that  
2 are served as part of the school food program meet the  
3 following guidelines:

4           (1) Beverages must be (i) fruit-based drinks that  
5 contain at least 50% fruit juice and no added sweeteners,  
6 (ii) water or seltzer water, or (iii) low-fat or fat-free  
7 milk, including without limitation chocolate milk, soy  
8 milk, rice milk, and other similar dairy or non-dairy  
9 calcium-fortified milk.

10          (2) A snack must have (i) 30% or less of its total  
11 calories from fat, (iii) 10% or less of total calories from  
12 saturated and trans fat, and (iii) 35% or less of its  
13 weight from sugars, excluding sugars occurring naturally  
14 in fruits, vegetables, and dairy products.

15       (b) "Competitive food" means food offered at school, other  
16 than meals served through the United States Department of  
17 Agriculture's school lunch, school breakfast, and after-school  
18 snack programs.

19       (c) To assist in the implementation of this program, the  
20 State Board of Education, before the beginning of each school  
21 year, shall prepare and make available to school districts a  
22 list of products that meet these standards.

23       Section 99. Effective date. This Act takes effect September  
24 1, 2004.