



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3408

Introduced 2/7/2012, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.55 new
105 ILCS 5/34-18.47 new

Amends the School Code. Provides that each school board must not (1) make available to a student any food or beverage that contains any amount of industrially produced trans fat or (2) use a food that contains any industrially produced trans fat in the preparation of a food item or beverage that is intended for consumption by a student. Provides that the prohibition applies to all food and beverages made available to a student on school grounds during each school day and extended school day, including, but not limited to, a food or beverage item made available to a student in a school cafeteria, school store, vending machine, or other food service entity existing upon school grounds or through any fundraising effort conducted by one or more students, teachers, or parents. Provides that the prohibition does not apply to any food or beverage that is made available to a student as part of a meal program of the United States Department of Agriculture.

LRB097 19914 AMC 65204 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 10-20.55 and 34-18.47 as follows:

6 (105 ILCS 5/10-20.55 new)

7 Sec. 10-20.55. Prohibition on industrially produced trans
8 fats.

9 (a) The General Assembly finds and declares that:

10 (1) dietary intake of trans fats raises the risk of
11 cardiovascular disease by raising the levels of
12 low-density lipoprotein, also known as bad cholesterol,
13 and lowering the levels of high-density lipoprotein, also
14 known as good cholesterol, in one's body;

15 (2) there is an important need to reduce cardiovascular
16 disease risk in the United States;

17 (3) approximately 80% of the trans fats in a person's
18 diet come from industrially produced sources and can be
19 identified on an ingredients label as
20 "partially-hydrogenated fats" or "vegetable oils";

21 (4) industrial food providers have developed
22 trans-fat-free alternatives for use in the United States
23 food supply;

1 (5) the reduction of trans-fats in a person's diet
2 should be considered within the context of an overall
3 healthy lifestyle, including regular physical activity;
4 moderate food portion sizes; low intakes of saturated fat,
5 cholesterol, sodium, and added sugars; and higher intakes
6 of nutrient-rich foods, such as whole grains, fruits,
7 vegetables, and seafood; and

8 (6) the reduction of trans-fats in one's diet should
9 not lead to unintended consequences, such as replacing
10 trans-fats with greater intakes of saturated fats.

11 (b) As used in this Section, unless the context otherwise
12 requires:

13 "Extended school day" means the school day, plus any
14 additional time that a student spends on school grounds
15 before or after the school day for the purpose of
16 participating in a school-sanctioned extracurricular
17 activity or child care program.

18 "Industrially produced trans fat" means vegetable
19 shortening, margarine, or any type of partially
20 hydrogenated vegetable oil that contains more than zero
21 grams of trans fat per serving as labeled.

22 "School day" means that period of time that a pupil is
23 required to be in attendance for instructional purposes.

24 (c) Each school board must not:

25 (1) make available to a student any food or beverage
26 that contains any amount of industrially produced trans

1 fat; or

2 (2) use a food that contains any industrially produced
3 trans fat in the preparation of a food item or beverage
4 that is intended for consumption by a student.

5 (d) The prohibition described in this Section applies to
6 all food and beverages made available to a student on school
7 grounds during each school day and extended school day,
8 including, but not limited to, a food or beverage item made
9 available to a student in a school cafeteria, school store,
10 vending machine, or other food service entity existing upon
11 school grounds or through any fundraising effort conducted by
12 one or more students, teachers, or parents.

13 (e) The prohibition described in this Section does not
14 apply to any food or beverage that is made available to a
15 student as part of a meal program of the United States
16 Department of Agriculture.

17 (f) The State Board of Education may adopt any rules
18 necessary for the administration of this Section.

19 (105 ILCS 5/34-18.47 new)

20 Sec. 34-18.47. Prohibition on industrially produced trans
21 fats.

22 (a) The General Assembly finds and declares that:

23 (1) dietary intake of trans fats raises the risk of
24 cardiovascular disease by raising the levels of
25 low-density lipoprotein, also known as bad cholesterol,

1 and lowering the levels of high-density lipoprotein, also
2 known as good cholesterol, in one's body;

3 (2) there is an important need to reduce cardiovascular
4 disease risk in the United States;

5 (3) approximately 80% of the trans fats in a person's
6 diet come from industrially produced sources and can be
7 identified on an ingredients label as
8 "partially-hydrogenated fats" or "vegetable oils";

9 (4) industrial food providers have developed
10 trans-fat-free alternatives for use in the United States
11 food supply;

12 (5) the reduction of trans-fats in a person's diet
13 should be considered within the context of an overall
14 healthy lifestyle, including regular physical activity;
15 moderate food portion sizes; low intakes of saturated fat,
16 cholesterol, sodium, and added sugars; and higher intakes
17 of nutrient-rich foods, such as whole grains, fruits,
18 vegetables, and seafood; and

19 (6) the reduction of trans-fats in one's diet should
20 not lead to unintended consequences, such as replacing
21 trans-fats with greater intakes of saturated fats.

22 (b) As used in this Section, unless the context otherwise
23 requires:

24 "Extended school day" means the school day, plus any
25 additional time that a student spends on school grounds
26 before or after the school day for the purpose of

1 participating in a school-sanctioned extracurricular
2 activity or child care program.

3 "Industrially produced trans fat" means vegetable
4 shortening, margarine, or any type of partially
5 hydrogenated vegetable oil that contains more than zero
6 grams of trans fat per serving as labeled.

7 "School day" means that period of time that a pupil is
8 required to be in attendance for instructional purposes.

9 (c) The board must not:

10 (1) make available to a student any food or beverage
11 that contains any amount of industrially produced trans
12 fat; or

13 (2) use a food that contains any industrially produced
14 trans fat in the preparation of a food item or beverage
15 that is intended for consumption by a student.

16 (d) The prohibition described in this Section applies to
17 all food and beverages made available to a student on school
18 grounds during each school day and extended school day,
19 including, but not limited to, a food or beverage item made
20 available to a student in a school cafeteria, school store,
21 vending machine, or other food service entity existing upon
22 school grounds or through any fundraising effort conducted by
23 one or more students, teachers, or parents.

24 (e) The prohibition described in this Section does not
25 apply to any food or beverage that is made available to a
26 student as part of a meal program of the United States

1 Department of Agriculture.

2 (f) The State Board of Education may adopt any rules
3 necessary for the administration of this Section.