

SECOND REGULAR SESSION

HOUSE BILL NO. 1417

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LeVOTA (Sponsor), WILDBERGER, BOWMAN, OXFORD,
LAMPE AND BAKER (25) (Co-sponsors).

Read 1st time January 17, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3862L.01I

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the healthy drinks
for healthy children act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be
2 known as section 167.500, to read as follows:

**167.500. 1. This section shall be known and may be cited as the "Healthy Drinks
2 for Healthy Children Act of 2006".**

**3 2. (1) Regardless of the time of day, only the following beverages may be sold to a
4 pupil at a public elementary school in this state:**

**5 (a) Fruit-based drinks that are composed of no less than fifty percent fruit juice
6 and have no added sweetener;**

**7 (b) Vegetable-based drinks that are composed of no less than fifty percent vegetable
8 juice and have no added sweetener;**

9 (c) Drinking water with no added sweetener;

**10 (d) Two-percent-fat milk, one-percent-fat milk, skim milk, nonfat milk, soy milk,
11 rice milk, and other similar nondairy milk.**

**12 (2) A public elementary school may permit the sale of beverages that do not comply
13 with subdivision (1) of this subsection as part of a school fundraising event in any of the
14 following circumstances:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (a) The items are sold by pupils of the school and the sale of such items takes place
16 off and away from the premises of the school;

17 (b) The items are sold by pupils of the school and the sale of such items takes place
18 one-half hour or more after the end of the school day.

19 (3) From one-half hour before the start of the school day to one-half hour after the
20 end of the school day, only the following beverages may be sold to a pupil at a middle or
21 junior high school in this state:

22 (a) Fruit-based drinks that are composed of no less than fifty percent fruit juice
23 and have no added sweetener;

24 (b) Vegetable-based drinks that are composed of no less than fifty percent vegetable
25 juice and have no added sweetener;

26 (c) Drinking water with no added sweetener;

27 (d) Two-percent-fat milk, one-percent-fat milk, skim milk, nonfat milk, soy milk,
28 rice milk, and other similar nondairy milk;

29 (e) An electrolyte replacement beverage that contains no more than forty-two
30 grams of added sweetener per twenty-ounce serving.

31 (4) A middle or junior high school may permit the sale of beverages that do not
32 comply with subdivision (3) of this subsection as part of a school event if the sale of such
33 items meets all of the following criteria:

34 (a) The sale occurs during a school-sponsored event and takes place at the location
35 of such event at least one-half hour after the end of the school day;

36 (b) Vending machines, pupil stores, and cafeterias are used later than one-half hour
37 after the end of the school day.

38 (5) Nothing in this subsection shall prohibit an elementary, middle, or junior high
39 school from making available through a vending machine any beverage allowed under
40 subdivision (1) or (3) of this subsection at any time of the day, or in middle or junior high
41 schools, any beverage that does not comply with subdivision (3) of this subsection if the
42 beverage is only available not later than one-half hour before the start of the school day
43 and not sooner than one-half hour after the end of the school day.

44 2. (1) Beginning July 1, 2007, no less than fifty percent of all beverages sold to a
45 pupil from one-half hour before the start of the school day until one-half hour after the end
46 of the school day shall be the beverages listed in subdivision (3) of this subsection.

47 (2) Beginning July 1, 2009, all beverages sold to a pupil from one-half hour before
48 the start of the school day until one-half hour after the end of the school day shall be the
49 beverages listed in subdivision (3) of this subsection.

50 (3) Beverages allowed under this subsection are all of the following:

- 51 (a) **Fruit-based drinks that are composed of no less than fifty percent fruit juice**
52 **and have no added sweetener;**
- 53 (b) **Vegetable-based drinks that are composed of no less than fifty percent vegetable**
54 **juice and have no added sweetener;**
- 55 (c) **Drinking water with no added sweetener;**
- 56 (d) **Two-percent-fat milk, one-percent-fat milk, skim milk, nonfat milk, soy milk,**
57 **rice milk, and other similar nondairy milk;**
- 58 (e) **An electrolyte replacement beverage that contains no more than forty-two**
59 **grams of added sweetener per twenty-ounce serving.**
- 60 **4. For purposes of this section, the following terms mean:**
- 61 (1) **"Added sweetener", any additive that enhances the sweetness of the beverage,**
62 **including added sugar, but does not include the natural sugar or sugars that are contained**
63 **within the fruit juice which is a component of the beverage;**
- 64 (2) **"Sale of beverages", the exchange of a beverage for money, coupons, or**
65 **vouchers.**

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