S T A T E O F N E W Y O R K

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I N A S S E M B L Y

April 23, 2010

Introduced by M. of A. CAMARA, J. RIVERA, GALEF, CASTRO, BARRON -- Multi-Sponsored by -- M. of A. CLARK, JEFFRIES, MAYERSOHN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to prohibiting the sale of food items containing artificial trans fat in public schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 915-a to read as follows:

S 915-A. PROHIBITING THE SALE OF FOODS WITH ARTIFICIAL TRANS FAT. 1. FROM ONE-HALF HOUR PRIOR TO THE BEGINNING OF THE SCHOOL DAY UNTIL ONE-HALF HOUR AFTER THE CONCLUSION OF THE SCHOOL DAY, NO FOOD OR FOOD ITEM CONTAINING ARTIFICIAL TRANS FAT SHALL BE SOLD OR PROVIDED TO ANY PUPIL OF A PUBLIC SCHOOL IN THIS STATE WHILE UPON THE PREMISES OF SUCH SCHOOL.

2. FOR THE PURPOSES OF THIS SECTION, A FOOD OR FOOD ITEM SHALL BE DEEMED TO CONTAIN TRANS FAT IF IT (A) HAS A PARTIALLY HYDROGENATED SUBSTANCE AS AN INGREDIENT, OR (B) IS LABELED AS CONTAINING MORE THAN 0.5 GRAMS OF TRANS FAT PER SERVING.

3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO:

(A) ANY FOOD OR FOOD ITEM PROVIDED PURSUANT TO A UNITED STATES DEPARTMENT OF AGRICULTURE MEAL PROGRAM; OR

(B) ANY FOOD OR FOOD ITEMS SOLD BY A SCHOOL SPONSORED FUND-RAISING ACTIVITY AFTER THE CONCLUSION OF THE SCHOOL DAY.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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