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

7270--A

2011-2012 Regular Sessions

I N A S S E M B L Y

April 27, 2011

Introduced by M. of A. N. RIVERA, LINARES, CRESPO, ROBINSON, ARROYO, RODRIGUEZ, CAMARA, BARRON -- Multi-Sponsored by -- M. of A. BOYLAND, CASTRO, COOK, GIBSON, JEFFRIES, MENG, MOYA, ORTIZ, PERRY, PRETLOW, RAMOS, J. RIVERA, P. RIVERA, ROBERTS, SCHROEDER, SIMOTAS, STEVENSON, WEISENBERG -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to prohibiting the sale or distribution of foods or beverages containing artificial coloring in 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 OR DISTRIBUTION OF FOODS OR BEVERAGES CONTAINING ARTIFICIAL COLORING. 1. NO LATER THAN JANUARY FIRST, TWO THOUSAND THIRTEEN, NO SCHOOL SHALL, FROM THE BEGINNING OF THE SCHOOL DAY UNTIL THE END OF THE LAST SCHEDULED MEAL PERIOD, SELL OR DISTRIBUTE ANY FOOD OR BEVERAGE CONTAINING ARTIFICIAL COLORING, INCLUDING SALE THROUGH THE USE OF A VENDING MACHINE, IN ANY PUBLIC SCHOOL IN THIS STATE. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO FOODS OR BEVERAGES SOLD OR DISTRIBUTED DURING SCHOOL FUNCTIONS WHICH ARE NOT PART OF A SCHOOL BREAKFAST OR LUNCH PROGRAM.

2. FOR PURPOSES OF THIS SECTION, THE TERM "ARTIFICIAL COLORING" SHALL MEAN AND INCLUDE ANY OF THE FOLLOWING:

A. FD&C BLUE #1;

B. FD&C BLUE #1 ALUMINUM LAKE;

C. FD&C BLUE #2;

D. FD&C BLUE #2 ALUMINUM LAKE ON ALUMINA;

E. FD&C GREEN #3;

F. FD&C RED #3;

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

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G. FD&C RED #40 AND ITS ALUMINUM LAKE;
H. FD&C YELLOW #5; AND
I. FD&C YELLOW #6.

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