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**HOUSE BILL NO. 1067**

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education  
on February 10, 2010)

(Patron Prior to Substitute—Delegate Athey)

*A BILL to amend the Code of Virginia by adding a section numbered 22.1-207.4, relating to nutritional guidelines for competitive foods in public schools.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 22.1-207.4 as follows:**

*§ 22.1-207.4. Nutritional guidelines for competitive foods.*

*A. The Board, in cooperation with the Department of Health, shall promulgate regulations setting nutritional guidelines for all competitive foods sold to students during regular school hours.*

*B. The Board, with assistance from the Department of Health, shall periodically review the nutritional guidelines for competitive foods to ensure that they remain current and science-based and shall also review the nutritional guidelines upon changes to federal law or regulations for competitive foods.*

*C. The regulations promulgated pursuant to this section shall include but not be limited to: calorie, fat, sugar, and sodium content.*

*For purposes of this section, "competitive food" means any food, excluding beverages, sold to students on school grounds during regular school hours that is not part of the school breakfast or school lunch program.*

**2. That in promulgating its regulations pursuant to this act, the Board of Education shall adopt either the Alliance for a Healthier Generation's Competitive Foods Guidelines or the Institute of Medicine's Recommended Standards for Competitive Foods in Schools as the initial statewide standard for competitive foods.**

**3. That the Board of Education shall report to the General Assembly on the status of the final regulations by December 1, 2011. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports.**

**4. That each local school board shall develop and implement a plan to ensure compliance with the provisions of subsection A of § 22.1-207.4 of the Code of Virginia and submit the plan to the Department of Education no later than 30 days prior to the beginning of the 2012-2013 school year.**