

1 AN ACT relating to school nutrition.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 158.850 is amended to read as follows:

4 (1) As used in this section:

5 (a) "CAS number" means the unique identification number assigned to a
6 chemical by the Chemical Abstracts Service;

7 (b) "Chemical Abstracts Service" means the division of the American Chemical
8 Society that is the globally recognized authority for information on
9 chemical substances;

10 (c) "School day" has the same meaning as in KRS 158.854; and

11 (d) "Ultra-processed food" means a food product for human consumption that
12 contains any of the following substances:

13 1. Brominated vegetable oil, number 8016-94-2;

14 2. Potassium bromate, CAS number 7758-01-2;

15 3. Propylparaben, CAS number 94-13-3;

16 4. Titanium dioxide, CAS number 13463-67-7;

17 5. Red dye 3, CAS number 16423-68-0;

18 6. Red dye 40, CAS number 25956-17-6;

19 7. Yellow dye 5, CAS number 1934-21-0;

20 8. Yellow dye 6, CAS number 2783-94-0;

21 9. Blue dye 1, CAS number 3844-45-9;

22 10. Blue dye 2, CAS number 860-22-0; and

23 11. Green dye 3, CAS number 2353-45-9.

24 (2) [Beginning with the 2006-2007 school year,]Each school shall limit access to no
25 more than one (1) day each week to retail fast foods in the cafeteria, whether sold
26 by contract, commercial vendor, or otherwise.

27 (3) Beginning with the 2027-2028 school year, a school shall not sell or provide

1 *ultra-processed foods to students during the school day. This subsection applies*
2 *to the availability of food in cafeterias, vending machines, school stores,*
3 *canteens, food sold through fundraisers hosted by students, teachers, or groups,*
4 *or any other mechanism for providing food to students during the school day.*
5 *(4) This section shall not be construed to limit the sale of any food or beverages at*
6 *fundraisers off school property or outside of the school day.*