

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.