

# HOUSE BILL 109

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By: **Delegates Fennell, Chang, C. Howard, Patterson, Platt, S. Robinson,  
Rosenberg, Smith, Tarlau, Valderrama, and Walker**

Introduced and read first time: January 18, 2016

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Health and Safety – Food Transparency**

3 FOR the purpose of requiring certain local school systems to include certain information  
4 relating to items sold a la carte on certain monthly menus; requiring a certain  
5 monthly menu to include certain information under certain circumstances; requiring  
6 certain local school systems to create a certain a la carte menu or include a certain  
7 disclaimer on certain monthly menus under certain circumstances; providing for the  
8 application of this Act; and generally relating to food transparency in public schools  
9 in the State.

10 BY adding to  
11 Article – Education  
12 Section 7–438  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2015 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 **7–438.**

19 **(A) THIS SECTION DOES NOT APPLY TO FOOD PROVIDED TO A STUDENT AS**  
20 **PART OF A FEDERALLY ASSISTED MEAL PROGRAM.**

21 **(B) (1) EACH LOCAL SCHOOL SYSTEM SHALL INCLUDE ON MONTHLY**  
22 **DINING MENUS FOOD AND DRINK ITEMS THAT ARE SOLD A LA CARTE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(2) IF AN A LA CARTE ITEM IS SOLD IN THE ITEM'S ORIGINAL**  
2 **PACKAGING, THE MENU SHALL INCLUDE THE FOLLOWING INFORMATION ABOUT THE**  
3 **ITEM:**

4                   **(I) THE MOST PROMINENTLY DISPLAYED BRAND AND**  
5 **PRODUCT NAME; AND**

6                   **(II) THE FLAVOR OF THE ITEM, IF APPLICABLE.**

7                   **(C) IF A LA CARTE ITEMS DIFFER FROM SCHOOL TO SCHOOL WITHIN A**  
8 **LOCAL SCHOOL SYSTEM, THE LOCAL SCHOOL SYSTEM SHALL:**

9                   **(1) CREATE AN INDIVIDUAL MONTHLY A LA CARTE MENU FOR EACH**  
10 **SCHOOL; OR**

11                   **(2) INCLUDE A DISCLAIMER ON THE MONTHLY DINING MENU THAT A**  
12 **LA CARTE ITEMS VARY BY SCHOOL.**

13                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2016.