

SB 965

Fact Sheet

Signed into Law September 15, 2005

Commences July 1, 2007 (50%)

Commences July 1, 2009 (100%)

Definitions:

“Added Sweetener” – Any additive that enhances the sweetness of the beverage, including added sugar, but does not include the natural sugar of sugars that are contained within the fruit juice which is a component of the beverage.

“Sale of Beverages” – the exchange of a beverage for money, coupons or vouchers.

Elementary Schools:

Regardless of the time of day, only the following beverages may be sold to a pupil at an elementary school:

- Fruit-based drinks that are composed of no less than 50% fruit juice and have no added sweetener.
- Vegetable-based drinks that are composed of no less than 50% vegetable juice and have no added sweetener.
- Drinking water with no added sweetener.
- Two-percent-fat milk, one-percent-fat milk, nonfat milk, soy milk, rice milk, and other similar nondairy milk.

An elementary school may permit the sale of beverages that do not comply with the above regulations as part of a school fundraising event in any of the following circumstances:

- The items are sold by pupils of the school and the sale of those items takes place off of and away from school premises.
- The items are sold by pupils of the school and the sale of those items takes place at least one-half hour after the end of the school day.

Middle or Junior or High Schools:

From one-half hour before the start of the school day to one-half hour after the end of the school day, only the following beverages may be sold to a pupil at a middle or junior high school:

- Fruit-based drinks that are composed of no less than 50% fruit juice and have no added sweetener.
- Vegetable-based drinks that are composed of no less than 50% vegetable juice and have no added sweetener.
- Drinking water with no added sweetener.
- Two-percent-fat milk, one-percent-fat milk, nonfat milk, soy milk, rice milk, and other similar nondairy milk.
- An electrolyte replacement beverage that contains no more than 42 grams of added sweetener per 20-ounce serving.

A middle or junior high school may permit the sale of beverages that do not comply with the above regulations as part of a school event if the sale of those items meets all of the following criteria:

- The sale occurs during a school-sponsored event and takes place at the location of that event at least one-half hour after the end of the school day.
- Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

Above items may be made available in Vending machines at any time during the school day. Beverages that do not comply, may be made available in middle and junior high schools if the beverage only is available not later than one-half hour before the start of the school day and not sooner than one-half hour after the end of the school day.

Commencing July 1, 2007, no less than 50 percent of all beverages sold to pupils from one-half hour before the start of the school day until one-half hour after the end of the school day shall be those meeting the above criteria.

Commencing July 1, 2009, all beverages sold to a pupil from one-half hour before the start of the school day until one-half hour after the end of the school day shall be those meeting the above criteria.