

# HOUSE BILL REPORT

## HB 1321

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**As Reported by House Committee On:**  
Government Operations & Elections

**Title:** An act relating to the establishment of food and beverage provision and service policies.

**Brief Description:** Establishing food and beverage provision and service policies.

**Sponsors:** Representatives Jinkins, Cody, Green, McCoy, Moeller, Ryu, Fitzgibbon and Kagi.

**Brief History:**

**Committee Activity:**

Government Operations & Elections: 2/14/13, 2/21/13 [DPS].

**Brief Summary of Substitute Bill**

- Requires agencies to adopt and implement a food and beverage service policy.

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### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle, Fitzgibbon, Orwall and Van De Wege.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander, Kristiansen and Manweller.

**Staff:** Marsha Reilly (786-7135).

**Background:**

*Health and Sustainability Guidelines for Federal Concessions and Vending Operation.*

In 2010 the Department of Health and Human Services and the General Services Administration began a collaboration to create the Health and Sustainability Guidelines for Federal Concessions and Vending Operations (Guidelines). The goal of the Guidelines is to assist contractors in increasing healthy food and beverage choices and sustainable practices at federal worksites.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

In alignment with the "Dietary Guidelines for Americans," the Guidelines support healthier choices, such as:

- seasonal vegetables and fruits;
- whole grain options, including pasta;
- vegetarian entrees;
- lean meat entrees;
- low-fat milk, yogurt, and cottage cheese;
- high-fiber, low-sugar cereals;
- 100 percent fruit juice;
- freely available drinking water;
- foods with less sodium; and
- foods free of synthetic sources of trans-fats.

The Guidelines also support more sustainable food service practices, such as:

- offering incentives for using reusable beverage containers;
- using green cleaning and pest control practices;
- using compostable and bio-based trays, flatware, plates, and bowls;
- offering food that is organically, locally, or sustainably grown and labeled accordingly; and
- offering seafood identified as 'best choices' or 'good alternatives' on the Monterey Bay Aquarium's Seafood Watch List or certified by the Marine Stewardship Council (or equivalent program).

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### **Summary of Substitute Bill:**

By January 1, 2014, all agencies must adopt, and begin implementation of, a food and beverage service policy (policy). The minimum standard shall be based on the General Services Administration document, the Guidelines, and the "Dietary Guidelines for Americans" for custodian populations. Each agency's policy must be fully implemented no later than December 13, 2014.

The policy must apply to food and beverages: (1) provided by state agencies for their employees and guests at meetings; (2) made available to employees of state agencies and guests in vending machines or through on-site vendors in all buildings, facilities, and properties owned or leased by the state; (3) prepared on-site by private operators and state-operated cafeterias and cafes sold to state employees and the public; and (4) provided to custodial populations, including clients, inmates, and patients.

The Department of Health (DOH) shall provide guidance to all agencies and may provide technical support to assist in implementation of the policy. The departments of Social and Health Services and Corrections may identify special populations with particular health or religious dietary needs exempted from the policy.

The DOH must report to the Legislature summarizing the implementation of the policy, changes needed to food provision and service practices, any savings and other benefits realized through the policy, and recommendations for any policy modifications.

The policy does not apply to food provided in support of training programs conducted by the Washington State Patrol; food provided to other criminal justice training programs, such as training for park rangers; and food provided at the Criminal Justice Training Center.

**Substitute Bill Compared to Original Bill:**

The substitute bill clarifies that the "Dietary Guidelines for Americans" must be used as a minimum standard for food and beverages provided to custodial populations.

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**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Our country faces an obesity crisis that has a tremendous cost to health care. The bill instructs state agencies to adopt food and beverage policies. There is a lot of energy and money spent trying to help people move and to provide access to food. The bill represents a way to address obesity through prevention. It is a time of change for food and beverages. Sales for healthy snacks are increasing. The most growth in the fast food industry has been in sales of lower calorie options. Providing a healthy food standard is a trend and many local entities are establishing these policies. The government should offer healthy options for the populations it serves. The bill will promote better health, and evidence in providing healthy options indicates that it does not hurt the bottom line. In 2009 a decision was made at the Young Men's Christian Association (YMCA) to support its commitment to nutrition and its responsibility for providing food and beverages to members. The YMCA in 2011 passed the first healthy food policy that has impacted 100,000 members. The reaction has been positive. While there was a learning curve, the changes did not affect the budget. The health and wellness of children, staff, and faculty is taken seriously at Seattle Children's Hospital. Patient safety is maximized. A healthy workforce saves dollars. There has been a dramatic increase in obesity rates in children served at the hospital. A team looked at nutrition and found that the cafeterias did not reflect the policy to prevent, treat, and reduce childhood obesity. A survey found that 64 percent of visitors would be more likely to eat in the cafeteria if healthy options were provided. After the survey, the deep fat fryer and sugary drinks were removed. The feedback has been positive. As a large employer, Tacoma Public Health's policy should be to support healthy choices. There has been no hit to the bottom line in terms of money made through vending machines. Obesity rates in Washington are at an all time high. Two-thirds of the population are obese. Obesity causes high blood pressure, heart attacks, and death, and results in 74 percent of all health spending.

Business and government have a vested interest in preventing illness. Government employees, patients, and the public deserve better choices. One can of soda a day can lead to 10 pounds of weight gain in a year. Sustainable practices result in a better environment. This will improve health. People need to have options.

(Opposed) There is no problem with the state feeding healthy food to people under its supervision. This bill is a script for the Capital Steps. The state should not be mandating this policy. This is the type of government regulation that makes people hoard Twinkies. It creates disrespect for laws that are serious.

**Persons Testifying:** (In support) Representative Jenkins, prime sponsor; Erin MacDougall, Childhood Obesity Prevention Coalition; Darcy Celletti, Young Men's Christian Association of Gig Harbor; Hugh Ewart, Seattle Children's Hospital; and Dr. Anthony Chen, Tacoma Public Health.

(Opposed) SueLani Madsen.

**Persons Signed In To Testify But Not Testifying:** None.