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SENATE BILL 5653

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State of Washington                      62nd Legislature                      2011 Regular Session

By Senators Kohl-Welles, Tom, Chase, Keiser, White, and Conway

Read first time 02/03/11. Referred to Committee on Health & Long-Term Care.

1            AN ACT Relating to Washington state food purchasing policy; adding  
2 a new section to chapter 43.19 RCW; and adding a new chapter to Title  
3 70 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** (1) Washington state recognizes that it has  
6 a role in protecting and improving the nutritional health of its  
7 citizens and has made multiple efforts to promote healthy eating and  
8 active living, especially among the state's most vulnerable  
9 populations. In this role, the state government is often the employer,  
10 food purchaser, and caregiver. The legislature finds that as an  
11 employer, food purchaser, and caregiver, the state government should  
12 model its behavior in these capacities after contemporary practices for  
13 the purchase and service of food.

14            (2) By setting standards for state food procurement, the  
15 legislature seeks to:

16            (a) Make state government the model for efficient and healthy food  
17 purchasing;

18            (b) Protect and support local and small business producers and  
19 distributors of healthier foods in Washington state;

1 (c) Improve the nutritional quality of foods served to thousands of  
2 Washington residents each day, especially to our most vulnerable  
3 populations;

4 (d) Decrease the impact of diseases related to poor nutrition in  
5 turn to cultivate national and global competitiveness for Washington  
6 residents and governmental employees; and

7 (e) Generate a more capable, productive, and valuable workforce  
8 that pays dividends to Washington's economy.

9 (3) The legislature further finds that obesity is a growing  
10 epidemic and that action must be taken to curb future health care costs  
11 and improve the health and well-being of our citizens. Healthy eating  
12 is a critical component to this effort and establishing stronger  
13 standards to all state government food purchasing should be examined in  
14 the future.

15 NEW SECTION. **Sec. 2.** (1) By July 1, 2012, the department of  
16 general administration, in consultation with the department of health,  
17 must adopt a model food purchasing policy for all agencies to establish  
18 standards for all food:

19 (a) Purchased by state agencies for their employees and guests at  
20 meetings; and

21 (b) Made available to employees of state agencies in vending  
22 machines or through on-site vendors.

23 (2)(a) By July 1, 2012, the department of social and health  
24 services and the department of corrections must each develop a food  
25 purchasing policy for all food served to persons: (i) In the direct  
26 custody of their respective department; and (ii) who reside at a  
27 department of social and health services' or department of corrections'  
28 institution.

29 (b)(i) Policies developed under this subsection (2) must meet the  
30 requirements in section 3 of this act.

31 (ii) To the extent possible, state agencies that are subject to  
32 this subsection are strongly encouraged to include the procurement of  
33 Washington grown food, as defined in RCW 15.64.060, in the policies  
34 developed under this section.

35 NEW SECTION. **Sec. 3.** (1) Food purchasing policies adopted under

1 section 2 of this act must at a minimum meet the requirements provided  
2 in subsections (2) through (10) of this section.

3 (2) Meal standards must incorporate the following guidance:

4 (a) Fruits and vegetables must:

5 (i) Be fresh, frozen, or canned in their own juice or water;

6 (ii) Have no added sugar; and

7 (iii) Be very low in sodium;

8 (b) Protein must come primarily from seafood, fish, and lean meats  
9 with no more than ten percent fat by body weight. Washington fish  
10 products must be offered whenever possible and highlighted on the menu.  
11 If offered, processed meats must be limited and contain no more than  
12 four hundred eighty milligrams of sodium per two ounces. Poultry may  
13 only be served without skin;

14 (c) Dairy products must be either fat-free or low-fat with one  
15 percent dairy products or less;

16 (d) Whole grain and high fiber options must be offered with respect  
17 to pasta, rice, breads, cereals, and snack foods. When available,  
18 whole grain must be the first or second ingredient and the product must  
19 contain at least two grams or more of fiber per serving;

20 (e) Fried foods must be limited and healthy oils, such as canola,  
21 olive, sunflower, soybean, and safflower, must be prioritized;

22 (f) Priority must be given to roasted, baked, microwaved, steamed,  
23 poached, or grilled food preparation.

24 (3) Foods must limit added sugars.

25 (4) Portion sizes must be reduced as a way to reduce calorie  
26 intake.

27 (5) The lowest serving size must be chosen when possible or halved-  
28 serving sizes must be offered.

29 (6) Meals must offer at least one vegetable choice and one fruit  
30 choice at each eating occasion.

31 (7) Snacks served must contain:

32 (a) No more than two hundred calories per serving;

33 (b) No more than two hundred thirty milligrams of sodium per  
34 serving;

35 (c) No more than ten percent saturated fat per serving; and

36 (d) No trans fats.

37 (8) By January 1, 2012, at least fifty percent, and by January 1,

1 2015, at least eighty percent, of the beverages sold in all vending  
2 machines or through on-site vendors must be:

- 3 (a) Water;
- 4 (b) Coffee;
- 5 (c) Tea;
- 6 (d) Reduced fat milk; and
- 7 (e) One hundred percent fruit or vegetable juice.

8 (9) By January 1, 2012, at least fifty percent of the snacks sold  
9 in all vending machines or through on-site vendors must contain no more  
10 than:

- 11 (a) Thirty-five percent calories from fat;
- 12 (b) Ten percent calories from saturated fat;
- 13 (c) Thirty-five percent sugar by weight; and
- 14 (d) Two hundred fifty calories or less.

15 (10) By January 1, 2013, all vending machines must contain at least  
16 eighty percent healthy food choices.

17 NEW SECTION. **Sec. 4.** (1) The department of general administration  
18 by November 15, 2013, must submit a report to the legislature  
19 summarizing the implementation of the model food purchasing policy  
20 developed under section 2 of this act, changes needed to the food  
21 purchasing practices of the department of general administration, any  
22 costs or savings realized through the policy, efforts made to create  
23 pricing incentives and disincentives, and recommendations for  
24 modifications to the policy requirements or food standards.

25 (2) The department of corrections and the department of social and  
26 health services must each respectively submit to the legislature:

27 (a) By January 1, 2013, a food policy as required to be developed  
28 under this chapter;

29 (b) By September 1, 2013, a report of any revisions to the  
30 department's food policy developed under this chapter since the  
31 policy's initial implementation, efforts made to create pricing  
32 incentives and disincentives, and any costs or savings realized through  
33 the policy.

34 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute  
35 a new chapter in Title 70 RCW.

1        NEW SECTION.   **Sec. 6.**   A new section is added to chapter 43.19 RCW  
2   to read as follows:

3        The department of general administration, in conjunction with the  
4   department of health, must assist agencies attempting to implement food  
5   purchasing policies and food standards for people in the agency's  
6   custody by coordinating the purchase and delivery of food pursuant to  
7   the provisions of chapter 70.-- RCW (the new chapter created in section  
8   5 of this act).

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