
SUBSTITUTE HOUSE BILL 1801

State of Washington

62nd Legislature

2012 Regular Session

By House State Government & Tribal Affairs (originally sponsored by Representatives Jinkins, Ladenburg, Cody, Billig, Clibborn, Moeller, and Hunt)

READ FIRST TIME 01/31/12.

1 AN ACT Relating to the establishment of food purchasing policies;
2 and adding a new chapter to Title 70 RCW.

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

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

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

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

17 (b) Support local and small business producers, distributors, and
18 processors 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 health and societal impacts of diseases related to
5 poor nutrition; and

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

8 (3) The legislature further finds that obesity rates are at
9 epidemic proportions and that action must be taken on many fronts to
10 curb future health care costs and improve the health and well-being of
11 our citizens. Healthy eating is a critical component to this effort
12 and establishing minimum standards for direct state government food
13 purchasing is both a symbolic and genuine initiative that can be
14 undertaken by any level of government.

15 NEW SECTION. **Sec. 2.** (1) By July 1, 2013, the department of
16 health, in consultation with the department of enterprise services and
17 other interested entities, must develop a recommended food purchasing
18 policy for all state agencies to establish standards for:

19 (a) Food directly purchased by state agencies for their employees
20 and guests at meetings; or

21 (b) Food made available to employees of state agencies and guests
22 in vending machines or through on-site vendors in all buildings,
23 facilities, and properties that are owned or leased by the state.

24 (2) The recommended food purchasing policy developed by the
25 department of health under subsection (1) of this section:

26 (a) Must, at a minimum, meet the 2011 federal health and
27 sustainability guidelines for federal concessions and vending
28 operations developed by the United States general services
29 administration and the United States secretary of health and human
30 services; and

31 (b) May consider nutritional standards developed by private
32 organizations, including the American heart association and the
33 institute of medicine.

34 (3) The department of health shall periodically update the
35 recommended food purchasing policy. When developing updates, the
36 department of health shall consider any substantive changes in the

1 federal health and sustainability guidelines for federal concessions
2 and vending operations and periodically update the recommended food
3 purchasing policy.

4 (4) To the extent possible, the work of the department of health
5 delineated in this chapter must be done with federal appropriations.

6 NEW SECTION. **Sec. 3.** (1) By January 1, 2014, each state agency
7 shall adopt and implement a food purchasing policy that establishes
8 standards for the situations identified in section 2(1) of this act.

9 (2) Individual state agency food purchasing policies must:

10 (a) For food directly purchased by state agencies for their
11 employees and guests at meetings, at a minimum, meet the recommended
12 food purchasing policy developed by the department of health, in
13 consultation with the department of enterprise services, under section
14 2 of this act. Individual state guidelines must establish standards
15 for caloric, saturated fat, trans fat, sodium, and added sugar content;

16 (b) For food made available to employees of state agencies and
17 guests in vending machines or through on-site vendors, at a minimum,
18 meet the following standards:

19 (i) By January 1, 2013, at least seventy-five percent of the snacks
20 sold in all vending machines or through on-site vendors must contain no
21 more than:

- 22 (A) Two hundred thirty milligrams sodium per serving;
- 23 (B) Ten percent calories from saturated fat per serving;
- 24 (C) Thirty-five percent sugar by weight; and
- 25 (D) Two hundred calories or less; and

26 (ii) By January 1, 2014, at least seventy-five percent of the
27 beverages sold in all vending machines or through on-site vendors must
28 be:

- 29 (A) Water;
- 30 (B) Coffee;
- 31 (C) Tea;
- 32 (D) Reduced fat milk;
- 33 (E) Sugar-free carbonated beverages;
- 34 (F) One hundred percent fruit or vegetable juice; or
- 35 (G) Other no or low calorie options.

1 NEW SECTION. **Sec. 4.** (1) In addition to the requirements under
2 section 3 of this act, by January 1, 2014, the department of social and
3 health services and the department of corrections, with technical
4 support from the department of health, must each develop and implement
5 a food purchasing policy for all food served to persons in the direct
6 custody of each respective department and persons who reside at a
7 department of social and health services' or department of corrections'
8 institution.

9 (2) Food purchasing policies developed under this section must meet
10 the standards established in section 3 of this act.

11 (3) To the extent practicable, the department of social and health
12 services and the department of corrections shall include the
13 procurement of Washington grown food, as defined in RCW 15.64.060, in
14 the policies developed under this section.

15 (4) The department of social and health services and the department
16 of corrections may identify special populations with particular health
17 or religious dietary needs that need to be exempt from the requirements
18 of this section.

19 NEW SECTION. **Sec. 5.** (1) By November 15, 2014, the department of
20 health must submit a report to the legislature summarizing the
21 implementation of the food purchasing policy developed under sections
22 3 and 4 of this act, changes needed to the food purchasing practices
23 including those related to vending machines of the department of
24 enterprise services, efforts made to create pricing incentives and
25 disincentives, and recommendations for modifications to the policy
26 requirements or food standards.

27 (2) The department of corrections and the department of social and
28 health services must each respectively provide to the department:

29 (a) By January 1, 2014, a food purchasing policy as required to be
30 developed under section 4 of this act;

31 (b) By September 1, 2014, a report of any revisions to each
32 agency's food purchasing policy developed under section 4 of this act
33 since the policy's initial implementation, efforts made to create
34 pricing incentives and disincentives, and any savings and other
35 benefits realized through the policy.

1 NEW SECTION. **Sec. 6.** The department of health may provide
2 technical support to assist agencies implementing food purchasing
3 policies pursuant to the provisions of this chapter.

4 NEW SECTION. **Sec. 7.** Nothing in this chapter applies to food
5 served:

6 (1) By the department of veterans affairs;

7 (2) In support of training programs conducted by the Washington
8 state patrol;

9 (3) In support of other criminal justice training programs, such as
10 training for park rangers; or

11 (4) At the criminal justice training center.

12 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act constitute
13 a new chapter in Title 70 RCW.

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