

**Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session**  
**STAFF MEASURE SUMMARY**  
**House Committee On Education**

**MEASURE: HB 2404 A**  
**CARRIER: Rep. McLain**

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 02/23/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 02/11, 02/23

**Vote:**

Yeas: 9 - Barreto, Doherty, Frederick, Hack, McLain, Piluso, Reardon, Sprenger, Wilson

**Prepared By:** Richard Donovan, Committee Administrator

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**WHAT THE MEASURE DOES:**

Adjusts school food and beverage nutritional standards to comply with federal food and beverage nutritional standards.  
Declares emergency, effective July 1, 2015.

**ISSUES DISCUSSED:**

- Measure as method of aligning Oregon standards with federal standards
- Concerns with limitations around items in the teachers' lounge
- Concern with ability of school to sell a la carte items rather than whole meals
- Benefits of serving items a la carte, including reduction in waste and increased participation by students

**EFFECT OF COMMITTEE AMENDMENT:**

Adds "seed butters" to list of items exempted from fat prohibition.

**BACKGROUND:**

The Department of Education (ODE) is responsible for managing the state and federal nutrition programs, including the federal Child Nutrition Program, that operate in Oregon schools. State standards for school nutrition can be found in ORS 336.423-441. ORS 336.423, created as a result of House Bill 2650 (2007), specifically defines nutrient standards, including calories and portion sizes, for foods sold at all K-12 public schools in Oregon.

House Bill 2404-A aligns Oregon food snack standards to new federal snack standards. The changes include, but are not limited to changes that: allow juices to be diluted with water; allow calorie-free flavored water up to 20 ounces; allow seeds, nuts, seed butters, and nut butters to be exempted from saturated fat prohibitions; and prohibit foods and beverages containing caffeine from being sold in elementary and middle schools.