

110TH CONGRESS
1ST SESSION

H. R. 3110

To provide for the Secretary of Education to study and report on the marketing of foods and beverages in middle and high schools.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2007

Mrs. MCCARTHY of New York (for herself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the Secretary of Education to study and report on the marketing of foods and beverages in middle and high schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Marketing in
5 Schools Assessment Act”.

6 **SEC. 2. STUDY AND REPORT ON FOOD MARKETING.**

7 (a) STUDY REQUIRED.—The Secretary of Education
8 shall conduct a study on the extent and types of marketing
9 of foods and beverages in middle and high schools. In car-
10 rying out the study, the Secretary shall collaborate with,

1 and include information from, the Division of Adolescent
2 and School Health of the Centers for Disease Control and
3 Prevention.

4 (b) ASSESSMENT OF NUTRITION.—The study re-
5 quired by subsection (a) shall assess the nutritional qual-
6 ity of the types of food and beverages marketed in schools.

7 (c) ASSESSMENT OF MEDIA.—The study required by
8 subsection (a) shall assess all media through which foods
9 and beverages are marketed to children in middle and high
10 schools, including—

11 (1) brand and product logos, names, or infor-
12 mation on educational materials, book covers, school
13 supplies, posters, vending machine exteriors, score-
14 boards, displays, signs, equipment, buses, buildings,
15 and other school property;

16 (2) educational incentive programs;

17 (3) label redemption programs;

18 (4) in-school television, radio, and print publica-
19 tions;

20 (5) free samples and coupons;

21 (6) branded fundraising activities;

22 (7) taste-testing and other market research ac-
23 tivities; and

24 (8) incidental exposure to food and beverage
25 marketing through computer use, including com-

1 puter banner and wallpaper ads, or podcasts in
2 schools.

3 (d) EXAMINATION OF REGULATORY MECHANISMS.—

4 The study required by subsection (a) shall also examine
5 mechanisms regulating marketing in middle and high
6 schools, including—

7 (1) Federal, State, and local policies;

8 (2) contracts; and

9 (3) sales incentives.

10 (e) REPORT.—Not later than July 1, 2009, the Sec-
11 retary shall submit to Congress a report on the results
12 of the study required by subsection (a).

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