

MINA' TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

30-172(COR)
Bill No. _____()

Introduced by:

B.J.F. Cruz

2009 JUL -2 PM 4:06

**AN ACT TO AMEND § 3207 (c); AND TO ADD A NEW § 3207
(c) TO CHAPTER 3 OF TITLE 17, GUAM CODE
ANNOTATED; RELATIVE TO MANDATING SCHOOL
OFFERINGS OF FOODS CONTAINING TRANS FAT TO
STUDENTS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that trans fatty acids, also known as trans fats have a detrimental impact on a person's health by increasing blood insulin level in response to glucose affecting immune response, decreasing the response of the red blood cells to insulin, causing alterations in physiological properties of biological membranes, causing alterations in adipose cell size, cell number, lipid class, and fatty acid composition, lowering serum HDL cholesterol and impairing endothelial function. Recent research by Harvard Medical School shows that high trans fat intake represents a significant risk for developing premature diabetes. Trans fats increase the risk of heart disease and stroke by increasing levels of so-called bad cholesterol, known as LDL, and reducing levels of so-called good cholesterol, known as HDL. *I Liheslaturan*

1 *Guåhan* finds that providing foods with dangerous trans fats to students in
2 kindergarten through high school in food service establishments or vending
3 machines before and during school hours is highly inappropriate due to numerous
4 negative health effects they have on the physical wellbeing of our island's children.
5 Additionally, the current obesity epidemic ratifies the need to eradicate Trans fats
6 from the diets of students enrolled in the Guam Public School System.

7 **Section 2.** §3207 (c) of Chapter 3 of Title 17, Guam Code Annotated is
8 hereby *amended* to read:

9 “(e) (d) Evaluation of the Policy: GPSS and health officials shall utilize data
10 collected from the BMI to apply for grants; to implement accessory
11 nutritional, health or fitness programs; to assess the general health of
12 students; and to evaluate the implementation, objectives and performance of
13 the Policy. GPSS shall continually review the Policy and effect
14 improvements in accordance with current nutrition, nutrition education,
15 physical fitness, physical fitness education trends and practices. GPSS shall
16 also establish standards for the preparation of evaluative reports with such
17 statistical data and other information as the Board may require.”

18 **Section 3.** A new §3207 (c) is hereby *added* to Chapter 3 of Title 17, Guam
19 Code Annotated to read:

20 “§3207 (c). School Offerings of Foods Containing Trans Fats to Students.

21 (1) A food contains artificial Trans fat if a food contains vegetable
22 shortening, margarine, or any kind of partially hydrogenated vegetable oil,
23 unless the manufacturer's documentation or the label required on the food,
24 pursuant to applicable federal and state law, lists the trans fat content as less
25 than 0.5 grams of trans fat per serving.

26 (2) “School food service establishment,” means a place that regularly
27 sells or serves a food item or meal on a school campus.

1 (3) Commencing on [September 1, 2011] a school or school district,
2 through a vending machine or school food service establishment during
3 school hours and up to one-half of an hour before and after school hours,
4 shall not make available to pupils enrolled in kindergarten, or any of grades
5 1 to 12, food containing artificial trans fat, as defined in subdivision (a) of
6 this section or use food containing artificial Trans fat in the preparation of a
7 food item served to those pupils.”

8 **Section 5. Severability.** If any of the provisions of this Code, or the
9 application thereof to any person or circumstance, is held invalid, such invalidity
10 shall not affect any other provision of application of this Code which can be given
11 effect without the invalid provision or application, and to this end the provisions of
12 this code are severable.