

CHAPTER 104

AN ACT concerning school lunch and breakfast nutrition standards and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:33-14b Findings, declarations.

1. The Legislature finds and declares that:
 - a. Child and adolescent obesity has reached epidemic levels in the United States and poor diet combined with the lack of physical activity negatively impacts students' health and their ability and motivation to learn.
 - b. In New Jersey, the current obesity rate for children and adolescents between the ages of 10 and 17 is 14.8 percent, which is the 28th highest child and adolescent obesity rate in the nation.
 - c. Over the past 15 years, policymakers have taken significant steps to implement new approaches through the National School Lunch Program and federal School Breakfast Program in order to address child and adolescent obesity.
 - d. Federally subsidized meal programs, which include the National School Lunch and federal School Breakfast Program, are required to have nutrition standards that meet specific dietary guidelines. These guidelines can help prevent chronic diseases like obesity, heart disease, high blood pressure, and Type 2 diabetes.
 - e. Under the nutrition regulations adopted in July 2012 under the federal "Healthy, Hunger-Free Kids Act of 2010," public schools were required to reduce the amount of calories, fat, and sodium in school cafeterias and increase offerings of whole grains, fruits and vegetables, and nonfat milk to the roughly 32 million students who receive federally subsidized meals.
 - f. Public schools have worked diligently to overcome operational challenges in the National School Lunch and federal School Breakfast Programs created by meeting sodium, whole grain-rich, and milk requirements and, by 2016, at least 90 percent of schools were compliant in every state.
 - g. These stringent nutrition standards have helped to reduce the obesity rate for children and adolescents between the ages of 10 and 17.
 - h. In April 2024, the United States Department of Agriculture adopted a final rule titled "Child Nutrition Programs: Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans" in 7 C.F.R. Part 210, Part 215, Part 220, Part 225, and Part 226, setting forth changes in child nutrition programs concerning nutrition requirements, menu flexibility, and program operations, to be effective for the 2025-2026 school year unless otherwise phased in. The changes were based on a comprehensive review of the Dietary Guidelines for Americans, stakeholder input on the meal patterns, and lessons from prior rulemaking.
 - i. Pursuant to these federal regulations, 80 percent of weekly grains served must be whole grain-rich.
 - j. The federal regulations also phase in new sodium content mandates and, beginning July 1, 2027, require schools to reduce the lunch meal sodium content by 15 percent and the breakfast meal sodium content by 10 percent.
 - k. The federal regulations also impose new, lower product-based added sugar limits for breakfast cereals, yogurt, and flavored milk, beginning in the 2025-2026 school year. Flavored milk must not contain more than 10 grams of added sugars per eight fluid ounces. Beginning in the 2027-2028 school year, in addition to product based limits, added sugars must be less than 10 percent of calories per week in the school lunch and breakfast programs.

l. It is important for public schools in the State to abide by the updated nutrition guidelines in the federal regulations at 7 C.F.R. Part 210, Part 215, Part 220, Part 225, and Part 226, in order for the State to continue to reduce the obesity rate for children and adolescents.

m. These federal regulations provide flexibilities in meeting the standards and are also stricter in various areas.

C.18A:33-14c National School Lunch Program, School Breakfast Program nutrition standards, compliance for participants.

2. a. A public school and a nonpublic school participating in the National School Lunch Program and the federal School Breakfast Program shall comply with the nutrition standards for the National School Lunch Program and federal School Breakfast Program and competitive foods sold in schools established in 7 C.F.R. Part 210, Part 215, Part 220, Part 225, and Part 226, as required to be implemented by July 1, 2027, as in effect on July 1, 2024, or any other more stringent nutrition standards adopted at the federal level in the future.

b. All reimbursable meals under the National School Lunch Program and the federal School Breakfast Program shall comply with the current nutrition standards for the National School Lunch Program and federal School Breakfast Program established in 7 C.F.R. Part 210, Part 215, Part 220, Part 225, and Part 226, as required to be implemented by July 1, 2027, as in effect on July 1, 2024, or any other more stringent nutrition standards adopted at the federal level in the future.

c. As used in this section, “competitive foods” means all food and beverage items sold at school other than meals served through the United States Department of Agriculture’s school meal programs on the school campus at any time during the school day.

3. This act shall take effect immediately and shall first apply to the 2025-2026 school year.

Approved July 22, 2025.