

CHAPTER 2

An Act to amend the Education Act

Assented to April 27, 2008

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 8 (1) of the *Education Act* is amended by adding the following paragraphs:

- 29.3 establish policies and guidelines with respect to nutritional standards for food and beverages and for any ingredient contained in food and beverages provided on school premises or in connection with a school-related activity;
- 29.4 require boards to comply with the policies and guidelines established under paragraph 29.3;

2. The Act is amended by adding the following Part:

PART XIII.1 NUTRITIONAL STANDARDS

Interpretation

317. In this Part,

“trans fat” has the same meaning as in the Food and Drug Regulations made under the *Food and Drugs Act* (Canada).

Trans fat prohibition

318. (1) A board shall ensure that a food or beverage offered for sale in a cafeteria of a school of the board does not contain more than the prescribed amount or percentage of trans fat.

Ingredients

(2) A board shall ensure that an ingredient used in the preparation, in a cafeteria of a school of the board, of a food or beverage offered for sale in the cafeteria does not contain more than the prescribed amount or percentage of trans fat.

Exemptions

- (3) Subsections (1) and (2) do not apply to the board,
 - (a) in respect of a food or beverage or an ingredient used in the preparation of a food or beverage specified in the regulations;
 - (b) on a special event day; or
 - (c) in the circumstances specified in the regulations.

Special event day

(4) For the purposes of clause (3) (b), a special event day is a day that meets the criteria set out in the regulations.

3. The Act is amended by adding the following section:

Vending machines

319. (1) A board shall ensure that a food or beverage offered for sale in a vending machine on school premises meets any nutritional standards set out in the regulations.

Exemption

(2) Subsection (1) does not apply to the board in the circumstances specified in the regulations.

4. The Act is amended by adding the following section:

Regulations

320. The Minister may make regulations,

- (a) defining “dairy product” and “ruminant meat” for the purposes of this Part and the regulations;
- (b) prescribing amounts and percentages for the purposes of subsections 318 (1) and (2), including prescribing different amounts and percentages for different classes of food, beverages, ingredients and types and sources of trans fat;
- (c) specifying a food, beverage or ingredient for the purposes of clause 318 (3) (a), including a food, beverage or ingredient in which the trans fat originates exclusively from ruminant meat or dairy products;
- (d) specifying circumstances for the purposes of clause 318 (3) (c) or subsection 319 (2);
- (e) setting out criteria for the purposes of subsection 318 (4);
- (f) governing nutritional standards for food and beverages and for any ingredient contained in food and beverages provided on school premises or in connection with a school-related activity;
- (g) requiring a board to ensure that the standards referred to in clause (f) are met, and prescribing rules for when the requirement first applies to the board;
- (h) prescribing rules for when a requirement set out in subsection 318 (1), (2) or 319 (1) first applies to a board.

Commencement

5. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

6. The short title of this Act is the *Healthy Food for Healthy Schools Act, 2008*.

Français

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