

ASSEMBLY BILL

No. 2384

Introduced by Assembly Member Leno

February 23, 2006

An act to add Article 1.5 (commencing with Section 104601) to Chapter 2 of Part 3 of Division 103 of the Health and Safety Code, relating to nutrition.

LEGISLATIVE COUNSEL'S DIGEST

AB 2384, as introduced, Leno. Nutrition: Healthy Food Purchase Pilot Program.

Existing law requires the State Department of Health Services to establish and implement, to the extent funds are available that are other than state general funds, a "5 A Day—For Better Health" program for the purpose of promoting public awareness of the need to increase the consumption of fruits and vegetables as part of a low-fat, high-fiber diet in order to improve health and prevent major chronic diseases, including diet-related cancers.

This bill would require the department to develop a "Healthy Food Purchase" pilot program to increase the sale and purchase of fresh fruits and vegetables in low-income communities, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The new federal dietary guidelines encourage all
- 4 Americans to eat more fruits and vegetables, and for most

1 people, the new recommended amount was double the previous
2 guidelines.

3 (b) Clear and overwhelming evidence indicates that eating
4 more fruits and vegetables can help reduce the risk of diet-related
5 chronic diseases, such as heart disease, stroke, and many cancers,
6 as well as help to maintain a healthy body weight.

7 (c) Recent research in California confirms that, healthier
8 foods, including fresh fruits and vegetables, are less available and
9 more costly in low-income communities, and that the higher cost
10 and lower availability inhibit their purchase by food stamp
11 recipients and other low-income individuals.

12 (d) The State Department of Health Services is currently
13 required by state law to establish and implement the California 5
14 a Day—for Better Health (5 a Day) program to increase
15 consumption of fruits and vegetables in order to improve health
16 and prevent major chronic diseases, including diet-related
17 cancers.

18 (e) Current funding restrictions prohibit the 5 a Day program
19 from implementing important marketing and promotion activities
20 in retail and grocery stores where consumers make their food
21 choices.

22 (f) The pilot program established pursuant to this act is aimed
23 at improving the health and nutrition of low-income Californians
24 by responding to the problem of limited local and affordable
25 access to fresh fruits and vegetables. The primary strategies
26 tested in the pilot program will be aimed at increasing the
27 availability of fresh fruits and vegetables at small neighborhood
28 grocery stores, and making fresh produce purchases a smart
29 economic choice for those with very limited food budgets.

30 SEC. 2. Article 1.5 (commencing with Section 104601) is
31 added to Chapter 2 of Part 3 of Division 103 of the Health and
32 Safety Code, to read:

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34 Article 1.5. Healthy Food Purchase Pilot Program

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36 104601. (a) The department shall develop a “Healthy Food
37 Purchase” pilot program to increase the sale and purchase of
38 fresh fruits and vegetables in low-income communities.

39 (b) The department shall design the program to include the
40 following two components:

1 (1) Strategies aimed at small grocers in targeted low-income
2 neighborhoods to increase the offerings of fresh fruits and
3 vegetables in those communities. In selected pilot program
4 communities, the department shall provide targeted food retailers
5 with support to obtain refrigerated produce display cases through
6 the assessment of the feasibility of a variety of financing methods
7 including, but not limited to, leasing, lending, small business and
8 economic development support, and others. The department shall
9 also provide technical assistance to targeted retailers on the
10 purchase, storage, marketing, and display of fresh produce.

11 (2) Strategies aimed at food stamp recipients to increase their
12 purchase of fresh fruits and vegetables by making those products
13 more affordable, including the development and implementation
14 of financial incentives. The department shall seek any necessary
15 federal government approvals to allow use of the Food Stamp
16 Electronic Benefits Card, as provided in Chapter 3 (commencing
17 with Section 10065) of Part 1 of Division 9 of the Welfare and
18 Institutions Code, to provide those incentives.

19 (c) The department shall seek all necessary approvals to
20 establish the pilot program, and shall apply for available federal
21 matching funds to fund the pilot program.

22 (d) The department shall develop a process for evaluating the
23 effectiveness of the program, and shall make recommendations to
24 the Legislature regarding the possible expansion of the pilot
25 program.