

**§ 115C-264.2. Vending machine sales.**

(a) Each school may, with the approval of the local board of education, sell to students beverages in vending machines during the school day if the following requirements are met:

- (1) Soft drinks are not sold (i) during the breakfast and lunch periods, (ii) at elementary schools, or (iii) contrary to the requirements of the National School Lunch Program.
- (2) Sugared carbonated soft drinks, including mid-calorie carbonated soft drinks, are not offered for sale until 30 minutes after the end of the school day.
- (3) Repealed by Session Laws 2022-71, s. 2.4(d), effective July 8, 2022.
- (4) Diet carbonated soft drinks are not considered in the same category as sugared carbonated soft drinks.
- (5) Bottled water products are available in every school that has beverage vending.

(b) Nothing in subsection (a) of this section prohibits a school from adopting stricter policies with respect to beverage vending.

(c) Snack vending in all schools shall meet the standards for competitive foods and beverages established by the Food and Nutrition Service of the United States Department of Agriculture. In elementary schools, snack vending shall not be available to students, and in middle and high schools, snack vending products shall not have more than 200 calories per portion or snack vending package. (2005-253, s. 2; 2022-71, s. 2.4(d).)