

S. __, Childhood Diabetes Reduction Act

Section 1. Short Title; Table of Contents

This section provides that the Act may be cited as the “Childhood Diabetes Reduction Act” and includes the table of contents.

Subtitle A – Department of Health and Human Services

Section 101. Health Warning Labeling of Foods; Restriction on Certain Advertisements Directed at Children.

This section amends section 403 of the Federal Food, Drug, and Cosmetic Act to determine that a food or beverage product is considered misbranded if it is a sugar-sweetened beverage, a product with any high-intensity sweetener, an ultra-processed food, or high-in added sugar, saturated fat, or sodium if the product does not include front-of-package labeling specified in the text. This section directs the Secretary to promulgate regulations to apply the labeling requirements to online retailers. This section defines the terms high-intensity sweetener, sugar-sweetened beverage, and ultra-processed food. This section also gives FDA authority to regulate food and beverage marketing or advertising for products required to include front-of-package labeling that is directed at children.

Section 102. National Institutes of Health Research on Nutrition Science.

This section directs the Director of the National Institutes of Health (NIH) to expand, intensify, and coordinate programs to support nutrition science research and research on the health effects of ultra-processed food. It also directs the NIH Director to convene a meeting of stakeholders to discuss research efforts aimed at improving nutrition and reducing the incidence of diet-related chronic disease. This section also includes a report to Congress that is publicly available regarding the meeting with stakeholders.

Section 103. Nutrition and Physical Activity Public Education Campaign.

This section directs the Director of the Centers for Disease Control and Prevention (CDC) to collaborate with national, State, Tribal, local partners, and nutrition and physical activity organizations to develop a public campaign to educate the public on how to read and understand the new labeling described in Section 2, the health risks associated with obesity, inactivity, and poor nutrition, ways to incorporate physical activity into daily living, ways to reduce risk of chronic illness, benefits of good nutrition, and strategies improve eating and drinking habits.

Subtitle B – Federal Trade Commission

Section 201. Definitions

This section defines the terms child, child-directed advertising, commission, and junk food.

Section 202. Restriction on Advertisements for Junk Food Directed at Children; Required Disclosure of Any Health and Nutrient Warning Label in Advertisements.

This section makes it unlawful for any person to market, advertise, produce, or distribute advertisement or marketing material for junk food that is child-directed advertising. It also requires the disclosure of any required front-of-package labeling described in Section 101 of this Act. It specifies that this requirement would go into effect one year after the date of enactment of this Act.

Section 203. Restoring the Federal Trade Commission's Ability to Promulgate Rules on Children's Advertising.

This section removes the provision in the Federal Trade Commission Act that prevents the Federal Trade Commission from promulgating rules related to children's advertising.