

108TH CONGRESS
1ST SESSION

S. 1829

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to improve the nutrition and health of children in the United States.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2003

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to improve the nutrition and health of children in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Better Eating for Better Living Act of 2003”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

TITLE I—AMENDMENTS TO RICHARD B. RUSSELL NATIONAL
SCHOOL LUNCH ACT

Sec. 101. Reimbursement for school lunches.

Sec. 102. Nutritional quality of school meals.

TITLE II—AMENDMENTS TO CHILD NUTRITION ACT OF 1966

Sec. 201. Funding for nutrition education.

TITLE III—EFFECTIVE DATE

Sec. 301. Effective date.

1 SEC. 2. FINDINGS.

2 Congress finds that—

3 (1) heart disease, cancer, stroke, and diabetes
4 are responsible for $\frac{2}{3}$ of deaths in the United
5 States;

6 (2) the major risk factors for those diseases
7 and conditions are established in childhood through
8 unhealthy eating habits, physical inactivity, obesity,
9 and tobacco use;

10 (3) obesity rates have doubled in children and
11 tripled in adolescents over the last 2 decades;

12 (4) today, 1 in 7 young people are obese, and
13 1 in 3 are overweight;

14 (5) obese children are twice as likely as
15 nonobese children to become obese adults;

16 (6) overweightness and obesity can result in
17 physical, psychological, and social consequences, in-
18 cluding heart disease, diabetes, cancer, depression,
19 decreased self-esteem, and discrimination;

1 (7) only 2 percent of children consume a diet
 2 that meets the 5 main recommendations for a
 3 healthy diet from the Food Guide Pyramid published
 4 by the Secretary of Agriculture;

5 (8) 3 out of 4 high school students in the
 6 United States do not eat the recommended 5 or
 7 more servings of fruits and vegetables each day; and

8 (9) 3 out of 4 children in the United States
 9 consume more saturated fat than is recommended in
 10 the Dietary Guidelines for Americans published by
 11 the Secretary of Agriculture.

12 **TITLE I—AMENDMENTS TO**
 13 **RICHARD B. RUSSELL NA-**
 14 **TIONAL SCHOOL LUNCH ACT**

15 **SEC. 101. REIMBURSEMENT FOR SCHOOL LUNCHES.**

16 Section 4(b)(2) of the Richard B. Russell National
 17 School Lunch Act (42 U.S.C. 1753(b)(2)) is amended by
 18 striking “10.5” and inserting “31”.

19 **SEC. 102. NUTRITIONAL QUALITY OF SCHOOL MEALS.**

20 (a) REVISION OF MEAL GUIDELINES.—Section
 21 9(a)(1) of the Richard B. Russell National School Lunch
 22 Act (42 U.S.C. 1758(a)(1)) is amended by adding at the
 23 end the following:

24 “(C) REVISION OF NUTRITIONAL GUIDE-
 25 LINES.—

1 “(i) IN GENERAL.—The Secretary, in
2 collaboration with experts in nutrition,
3 school health, food service, and school ad-
4 ministration, shall, not later than July 31,
5 2004, and every 5 years thereafter—

6 “(I) review the nutritional guide-
7 lines applicable to meals served under
8 the school lunch program under this
9 Act, taking into consideration—

10 “(aa) advances in the field
11 of nutrition;

12 “(bb) identified public
13 health risks relating to inad-
14 equate nutrition and over-
15 consumption; and

16 “(cc) the needs of student
17 populations covered by programs
18 under this Act; and

19 “(II) issue revised nutritional
20 guidelines, as necessary, including
21 guidelines with respect to—

22 “(aa) the content of meals
23 served of calories, fat (including
24 types of fat), added sugars, fiber,
25 sodium, vitamins, and minerals;

1 “(bb) the variety of foods of-
2 ferred;

3 “(cc) the availability of
4 fruits and vegetables; and

5 “(dd) the cultural appro-
6 priateness of foods offered.

7 “(ii) APPLICABILITY.—Revised nutri-
8 tional guidelines issued by the Secretary
9 under clause (i) shall apply to meals served
10 under the school lunch program under this
11 Act on and after the date that is 2 years
12 after the date of issuance of the revised
13 nutritional guidelines.”.

14 (b) FLUID MILK.—Section 9(a)(2) of the Richard B.
15 Russell National School Lunch Act (42 U.S.C.
16 1758(a)(2)) is amended by striking subparagraph (B) and
17 inserting the following:

18 “(B)(i) at a minimum, shall offer students
19 a choice of lowfat or nonfat fluid milk; and

20 “(ii) in addition to the type of fluid milk
21 offered under clause (i), may offer such other
22 varieties of fluid milk as are—

23 “(I) consistent with expressed pref-
24 erences of the student population; and

1 “(II) reasonably equivalent in calcium,
 2 protein, vitamin A, and vitamin K content
 3 and cost.”.

4 **TITLE II—AMENDMENTS TO** 5 **CHILD NUTRITION ACT OF 1966**

6 **SEC. 201. FUNDING FOR NUTRITION EDUCATION.**

7 Section 19(i) of the Child Nutrition Act of 1966 (42
 8 U.S.C. 1788 (i)) is amended—

9 (1) by redesignating paragraphs (2) and (3) as
 10 paragraphs (3) and (4), respectively; and

11 (2) by striking “(i) AUTHORIZATION OF APPRO-
 12 PRIATIONS.—” and all that follows through para-
 13 graph (1) and inserting the following:

14 “(i) FUNDING.—

15 “(1) PAYMENTS.—Out of any funds in the
 16 Treasury not otherwise appropriated, the Secretary
 17 of the Treasury shall transfer to the Secretary of
 18 Agriculture to carry out this section, to remain
 19 available until expended—

20 “(A) on October 1, 2003, \$10,000,000;

21 “(B) on October 1, 2004, \$15,000,000;

22 and

23 “(C) on October 1, 2005, \$20,000,000.

24 “(2) RECEIPT AND ACCEPTANCE.—The Sec-
 25 retary shall be entitled to receive, shall accept, and

1 shall use to carry out this section the funds trans-
 2 ferred under paragraph (1), without further appro-
 3 priation.

4 “(3) GRANTS.—

5 “(A) IN GENERAL.—Subject to subpara-
 6 graph (B), grants to each State from the
 7 amounts made available under paragraph (1)
 8 shall be based on a rate of $\frac{1}{2}$ cent per average
 9 daily number of meals served, to be allocated
 10 among State, district, and school food service
 11 and health education authorities, as determined
 12 by the Secretary.

13 “(B) MINIMUM AMOUNT.—The minimum
 14 amount of a grant provided to a State for a fis-
 15 cal year under this section shall be \$200,000,
 16 as adjusted in accordance with section
 17 11(a)(3)(B) of the Richard B. Russell National
 18 School Lunch Act (42 U.S.C.
 19 1759a(a)(3)(B)).”.

20 **TITLE III—EFFECTIVE DATE**

21 **SEC. 301. EFFECTIVE DATE.**

22 This Act and the amendments made by this Act take
 23 effect on October 1, 2003.

