

111TH CONGRESS  
1ST SESSION

# H. R. 2322

To amend section 18 of the Richard B. Russell National School Lunch Act to establish a pilot program that requires schools to post nutritional content information regarding foods served at schools and to teach students how to make healthy food selections, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2009

Mr. BRALEY of Iowa (for himself, Mr. COURTNEY, Mr. LOEBSACK, and Mr. HARE) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend section 18 of the Richard B. Russell National School Lunch Act to establish a pilot program that requires schools to post nutritional content information regarding foods served at schools and to teach students how to make healthy food selections, and for other purposes.

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.**

4       This Act may be cited as the “Healthy Food Choices  
5       for Kids Act”.

1 **SEC. 2. SCHOOL LUNCH LABELING AND NUTRITIONAL**  
2 **AWARENESS PILOT PROGRAM.**

3 Section 18 of the Richard B. Russell National School  
4 Lunch Act (42 U.S.C. 1769) is amended by adding at the  
5 end the following—

6 “(j) SCHOOL LUNCH LABELING AND NUTRITIONAL  
7 AWARENESS PILOT PROGRAM.—

8 “(1) IN GENERAL.—Subject to the availability  
9 of funds under paragraph (7), the Secretary shall  
10 award grants to not more than 10 States to assist  
11 not more than 10 schools in each of such States in  
12 carrying out a pilot program in accordance with  
13 paragraph (5) that requires schools—

14 “(A) to post nutritional content informa-  
15 tion in school cafeterias regarding the food  
16 items served in the cafeterias; and

17 “(B) to teach students about how to make  
18 healthy food selections.

19 “(2) GRANT AMOUNTS.—The Secretary shall  
20 ensure that each grant awarded is of sufficient size  
21 and scope to carry out the pilot program described  
22 in this subsection.

23 “(3) DURATION OF GRANTS.—The Secretary  
24 may award grants for multiple years to States that  
25 meet the grant requirements described in paragraph  
26 (4).

1           “(4) GRANT REQUIREMENTS.—To qualify to re-  
2       ceive a grant under this subsection, a State shall  
3       submit an application to the Secretary at such time,  
4       in such manner, and containing such information  
5       and assurances as the Secretary may require, includ-  
6       ing—

7           “(A) an assurance that the State will en-  
8       sure that each school awarded a subgrant under  
9       this subsection meets the pilot program require-  
10      ments described in paragraph (5) within 1 year  
11      of such subgrant award;

12          “(B) a plan to inform all the schools with-  
13      in the State about the pilot program and the  
14      school application requirements described in  
15      paragraph (5);

16          “(C) an assurance that the State will use  
17      not less than 95 percent of the grant funds to  
18      award subgrants to schools in accordance with  
19      this subsection;

20          “(D) an assurance that the State will  
21      award such subgrants to at least 3, but not  
22      more than 5, schools in such State that have in  
23      effect at the date of the enactment of this sub-  
24      section a program to provide nutritional content  
25      information regarding food items served in the

1 cafeterias of such schools to students attending  
2 such schools; and

3 “(E) an assurance that the State will  
4 award such subgrants to at least 3, but not  
5 more than 5, schools that are located in the  
6 rural areas of such State.

7 “(5) SUBGRANT REQUIREMENTS.—To qualify  
8 to receive a subgrant under this subsection, a school  
9 shall submit an application to a State receiving a  
10 grant under this subsection at such time, in such  
11 manner, and containing such information and assur-  
12 ances as the Secretary may require, including—

13 “(A) a plan for implementing the pilot pro-  
14 gram, including—

15 “(i) efforts to ensure that nutritional  
16 content information, including caloric in-  
17 formation, regarding the food items served  
18 in the school’s cafeteria is posted in a visi-  
19 ble location at the point of decision in the  
20 cafeteria and that such information is  
21 readable and appropriate for the students  
22 who attend the school and the parents or  
23 legal guardians of such students;

24 “(ii) efforts to develop and implement,  
25 or expand a school wellness program or

1 other nutritional awareness program in ef-  
2 fect at the date of enactment of this sub-  
3 section to include an educational program  
4 to teach students at the school about mak-  
5 ing healthy food selections; and

6 “(iii) efforts to consult with a licensed  
7 nutritionist, registered dietitian, school nu-  
8 trition specialist, or professional with simi-  
9 lar qualifications at least once a year re-  
10 garding the pilot program requirements de-  
11 scribed in clauses (i) and (ii) and any re-  
12 lated nutritional matters;

13 “(B) a certification of support for partici-  
14 pation in the pilot program signed by the school  
15 food manager, school nurse, school principal,  
16 and district superintendent (or equivalent posi-  
17 tions, as determined by the school); and

18 “(C) whether the school plans to post the  
19 nutritional content information described in  
20 subparagraph (A)(i) on the school’s website.

21 “(6) GUIDANCE; ENCOURAGEMENT.—

22 “(A) GUIDANCE.—The Secretary shall pro-  
23 vide guidance to the States and schools receiv-  
24 ing grants or subgrants under this subsection

1 to assist such States and schools in meeting the  
2 requirements of this subsection.

3 “(B) ENCOURAGEMENT.—The Secretary  
4 shall encourage schools receiving subgrants  
5 under this subsection to post the nutritional  
6 content information, including caloric informa-  
7 tion, regarding food items served at the school  
8 on the school’s website.

9 “(7) REPORTS.—

10 “(A) Each State receiving grant funds  
11 under this subsection shall submit a report at  
12 such time, in such manner, and containing such  
13 information as the Secretary may require.

14 “(B) Not later than 1 year after the effec-  
15 tive date of this subsection and every 2 years  
16 thereafter, the Secretary shall submit a report  
17 to the Committee on Education and Labor of  
18 the House of Representatives and the Com-  
19 mittee on Agriculture, Nutrition and Forestry  
20 of the Senate that contains—

21 “(i) the number of schools receiving  
22 subgrants under this subsection; and

23 “(ii) a detailed description of the sta-  
24 tus of the pilot program carried out by  
25 each school under this subsection, includ-

1           ing a list of program accomplishments and  
2           challenges, and an evaluation of the effec-  
3           tiveness of the program, in each school.

4           “(8) AUTHORIZATION OF APPROPRIATIONS.—  
5       There are authorized to be appropriated such funds  
6       as necessary to carry out this subsection.

7           “(9) DEFINITIONS.—In this subsection:

8               “(A) LICENSED NUTRITIONIST.—The term  
9       ‘licensed nutritionist’ means any person who  
10      meets the educational and training require-  
11      ments under applicable State law and the  
12      credentialing requirements of the applicable  
13      professional association, if any, to become a li-  
14      censed nutritionist.

15              “(B) REGISTERED DIETITIAN.—The term  
16      ‘registered dietitian’ means any person who  
17      meets the educational and training require-  
18      ments to become credentialed as a registered di-  
19      etitian by the Commission on Dietetic Registra-  
20      tion.

21              “(C) SCHOOL NUTRITION SPECIALIST.—  
22      The term ‘school nutrition specialist’ means any  
23      person who meets the educational and training  
24      requirements to become credentialed as a school

1            nutrition specialist by the School Nutrition As-  
2            sociation.”.

3 **SEC. 3. EFFECTIVE DATE.**

4            This Act and the amendments made by this Act shall  
5 take effect not later than 180 days after the date of the  
6 enactment of this Act.

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