

111TH CONGRESS  
2D SESSION

# H. R. 4590

To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to ensure the safety of school meals by enhancing coordination with States and schools operating school meal programs in the case of a recall of contaminated food.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2010

Mr. SESTAK introduced the following bill; which was referred to the  
Committee on Education and Labor

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## A BILL

To amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to ensure the safety of school meals by enhancing coordination with States and schools operating school meal programs in the case of a recall of contaminated food.

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 “School Meal Safety  
5       and Standards Act”.

1 **SEC. 2. ENSURING SAFETY OF SCHOOL MEALS.**

2 The Richard B. Russell National School Lunch Act  
3 is amended by inserting after section 22 (42 U.S.C.  
4 1769c) the following:

5 **“SEC. 23. ENSURING SAFETY OF SCHOOL MEALS.**

6 “(a) FOOD AND NUTRITION SERVICE.—Not later  
7 than 1 year after the date of enactment of the School Meal  
8 Safety and Standards Act, the Secretary, acting through  
9 the Administrator of the Food and Nutrition Service, the  
10 Administrator of the Agricultural Marketing Service, or  
11 the Administrator of the Farm Service Agency, as appro-  
12 priate, shall—

13 “(1) develop guidelines to determine the cir-  
14 cumstances in which it is appropriate for the Sec-  
15 retary to institute an administrative hold on suspect  
16 food and commodities being used in school meal pro-  
17 grams under this Act and the Child Nutrition Act  
18 of 1966 (42 U.S.C. 1771 et seq.);

19 “(2) work with States to explore ways for the  
20 States to improve the timeliness and completeness of  
21 notification of food and commodity holds and recalls  
22 to schools and school food authorities;

23 “(3) improve the timeliness and completeness of  
24 notification of food and commodity holds and recalls  
25 by the Food and Nutrition Service to States,  
26 schools, and school food authorities, such as through

1 the commodity alert system of the Food and Nutri-  
2 tion Service;

3 “(4) establish a timeframe by when the Food  
4 and Nutrition Service shall improve the food and  
5 commodity hold and recall procedures of the Depart-  
6 ment of Agriculture to—

7 “(A) address the role of processors and de-  
8 termine the involvement of distributors with  
9 processed products that may contain recalled  
10 ingredients; and

11 “(B) facilitate the provision of more timely  
12 and accurate information to schools, States,  
13 and school food authorities;

14 “(5) revise the procedures of the Food and Nu-  
15 trition Service to provide States with more specific  
16 instructions for schools and school food authorities  
17 about how to dispose of recalled foods and commod-  
18 ities and obtain timely reimbursement;

19 “(6) institute a systematic quality check proce-  
20 dure to ensure that holds and recalls by the Food  
21 and Nutrition Service on foods and commodities  
22 used by schools are carried out effectively;

23 “(7) study existing commercial practices and  
24 standards regarding food quality, safety, and testing  
25 procedures and frequency; and

1           “(8) implement regulations that require the De-  
2       partment of Agriculture to meet or exceed, with re-  
3       spect to foods and commodities being used under the  
4       school meal programs, the commercial practices and  
5       standards studied pursuant to paragraph (7).

6       “(b) FOOD SAFETY AND INSPECTION SERVICE.—Not  
7       later than 1 year after the date of enactment of the School  
8       Meal Safety and Standards Act, the Secretary, acting  
9       through the Administrator of the Food Safety and Inspec-  
10      tion Service, shall revise the procedures of the Food Safety  
11      and Inspection Service to ensure that schools are included  
12      in effectiveness checks.”.

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