

111TH CONGRESS  
1ST SESSION

# S. 1693

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 SENATE OF THE UNITED STATES

SEPTEMBER 22, 2009

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

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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 “Safe Food for Schools  
5 Act of 2009”.

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 Safe Food  
8 for Schools Act of 2009, the Secretary, acting through the  
9 Administrator of the Food and Nutrition Service, shall—

10 “(1) in consultation with the Administrator of  
11 the Agricultural Marketing Service and the Adminis-  
12 trator of the Farm Service Agency, develop guide-  
13 lines to determine the circumstances in which it is  
14 appropriate for the Secretary to institute an admin-  
15 istrative hold on suspect commodities and products  
16 being used in school meal programs under this Act  
17 and the Child Nutrition Act of 1966 (42 U.S.C.  
18 1771 et seq.);

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

22 “(3) improve the timeliness and completeness of  
23 direct communication between the Food and Nutri-  
24 tion Service and schools about holds and recalls,  
25 such as through the commodity alert system of the  
26 Food and Nutrition Service;

1           “(4) establish a timeframe in which the Food  
2           and Nutrition Service shall improve the commodity  
3           hold and recall procedures of the Department of Ag-  
4           riculture to address the role of processors and deter-  
5           mine the involvement of distributors with processed  
6           products, which may contain recalled ingredients, to  
7           facilitate the provision of more timely and complete  
8           information to schools;

9           “(5) revise the procedures of the Food and Nu-  
10          trition Service to provide States with more specific  
11          instructions for schools and school food authorities  
12          about how to dispose of recalled commodities and  
13          products and obtain timely reimbursement; and

14          “(6) institute a systematic quality check proce-  
15          dure to ensure that holds by the Food and Nutrition  
16          Service on commodities and products used by schools  
17          are carried out effectively.

18          “(b) FOOD SAFETY AND INSPECTION SERVICE.—Not  
19          later than 1 year after the date of enactment of the Safe  
20          Food for Schools Act of 2009, the Secretary, acting  
21          through the Administrator of the Food Safety and Inspec-  
22          tion Service, shall revise the procedures of the Food Safety  
23          and Inspection Service to ensure that schools are included  
24          in effectiveness checks.”.

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