

Amendment by Pub. L. 97-98 effective upon such date as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 1338 of Pub. L. 97-98, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Pub. L. 96-249, title I, §132(b), May 26, 1980, 94 Stat. 368, provided that: “The provisions of section 17(b)(2) of the Food Stamp Act of 1977 [now the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b)(2)] for the sharing of administrative costs, as added by subsection (a) of this section, shall be effective on the date of enactment of this Act [May 26, 1980].”

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-113, title XIII, §1301, Sept. 29, 1977, 91 Stat. 958, provided that the amendment made by section 1301 is effective Oct. 1, 1977.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to annual reports on the progress of pilot programs, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 48 of House Document No. 103-7.

STUDY OF USE OF FOOD STAMPS TO PURCHASE VITAMINS AND MINERALS

Pub. L. 104-193, title VIII, §855, Aug. 22, 1996, 110 Stat. 2342, directed the Secretary of Agriculture, in consultation with the National Academy of Sciences and the Center for Disease Control and Prevention, to conduct a study on the use of food stamps to purchase vitamins and minerals and to report the results of the study to Committees of Congress not later than Dec. 15, 1998.

DEMONSTRATION PROJECTS FOR VEHICLE EXCLUSION LIMIT

Pub. L. 102-237, title IX, §912, Dec. 13, 1991, 105 Stat. 1887, as amended by Pub. L. 110-234, title IV, §4002(b)(1)(B), (2)(NN), May 22, 2008, 122 Stat. 1096, 1098; Pub. L. 110-246, §4(a), title IV, §4002(b)(1)(B), (2)(NN), June 18, 2008, 122 Stat. 1664, 1857, 1859, provided that: “The Secretary of Agriculture shall solicit requests to participate in the demonstration projects required by section 17(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(h)) by May 1, 1992. The projects shall commence operations no later than January 1, 1993.”

§ 2026a. Healthy fluid milk incentives projects

(a) Definition of fluid milk

In this section the term “fluid milk” means all varieties of pasteurized cow’s milk that—

- (1) is without flavoring or sweeteners,
- (2) is consistent with the most recent dietary recommendations,
- (3) is packaged in liquid form, and
- (4) contains vitamins A and D at levels consistent with the Food and Drug Administration, State, and local standards for fluid milk.

(b) Projects

The Secretary of Agriculture shall carry out, under such terms and conditions as the Secretary considers to be appropriate, healthy fluid milk incentive projects to develop and test methods to increase the purchase and consumption of fluid milk by members of households that receive supplemental nutrition assistance program benefits by providing an incentive for the purchase of fluid milk at the point of purchase to members of households purchasing food with supplemental nutrition assistance program benefits.

(c) Grants or cooperative agreements

(1) In general

To carry out this section, the Secretary, on a competitive basis, shall enter into cooperative agreements with, or provide grants to, governmental entities or nonprofit organizations for projects that meet the purpose and selection criteria specified in this subsection.

(2) Application

To be eligible to enter into a cooperative agreement or receive a grant under this subsection, a government entity or nonprofit organization shall submit to the Secretary an application containing such information as the Secretary may require.

(3) Selection criteria

Projects proposed in applications shall be evaluated against publicly disseminated criteria that shall incorporate a scientifically based strategy that is designed to improve diet quality and nutritional outcomes through the increased purchase of fluid milk by members of households that participate in the supplemental nutrition assistance program.

(4) Use of funds

Funds made available to carry out this section shall not be used for any project that limits the use of benefits provided under the Food and Nutrition Act of 2008 [7 U.S.C. 2011 et seq.].

(d) Evaluation and reporting

(1) Evaluation

(A) Independent evaluation

(i) In general

The Secretary shall provide for an independent evaluation of projects selected under this section that measures, to the maximum extent practicable, the impact on health and nutrition.

(ii) Requirement

The independent evaluation under this subparagraph shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding which activities are effective.

(B) Costs

The Secretary may use funds not to exceed 7 percent of the funding provided to carry out this section to pay costs associated with evaluating the outcomes of the healthy fluid milk incentive projects.

(2) Reporting

Not later than December 31 of 2020, and biennially thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of—

(A) the status of each healthy fluid milk incentives project, and

(B) the results of any completed evaluation that—

(i) include, to the maximum extent practicable, the impact of the healthy fluid milk incentive projects on health and nu-

trition outcomes among households participating in such projects, and
 (ii) have not been submitted in a previous report under this paragraph.

(3) Public dissemination

In addition to the reporting requirements under paragraph (2), evaluation results shall be shared publicly to promote wide use of successful strategies.

(e) Funding

(1) Authorization of appropriations

There is authorized to be appropriated \$20,000,000 to carry out and evaluate the outcomes of projects under this section, to remain available until expended.

(2) Appropriations in advance

Only funds appropriated under paragraph (1) in advance specifically to carry out this section shall be available to carry out this section.

(Pub. L. 115-334, title IV, §4208, Dec. 20, 2018, 132 Stat. 4667.)

Editorial Notes

REFERENCES IN TEXT

The Food and Nutrition Act of 2008, referred to in subsec. (c)(4), is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

CODIFICATION

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of the Food and Nutrition Act of 2008 which comprises this chapter.

§ 2027. Appropriations and allotments

(a) Authorization of allotments; monthly reports of expenditures to Congressional committees; restriction on use of funds; nutrition education improvements

(1) To carry out this chapter, there are authorized to be appropriated such sums as are necessary for each of fiscal years 2008 through 2023. Not to exceed one-fourth of 1 per centum of the previous year's appropriation is authorized in each such fiscal year to carry out the provisions of section 2026 of this title, subject to paragraph (3).

(2) No funds authorized to be appropriated under this chapter or any other Act of Congress shall be used by any person, firm, corporation, group, or organization at any time, directly or indirectly, to interfere with or impede the implementation of any provision of this chapter or any rule, regulation, or project thereunder, except that this limitation shall not apply to the provision of legal and related assistance in connection with any proceeding or action before any State or Federal agency or court. The President shall ensure that this paragraph is complied with by such order or other means as the President deems appropriate.

(3)(A) Of the amounts made available under the second sentence of paragraph (1), not more than \$2,000,000 in any fiscal year may be used by the Secretary to make 2-year competitive grants that will—

(i) enhance interagency cooperation in nutrition education activities; and
 (ii) develop cost effective ways to inform people eligible for supplemental nutrition assistance program benefits about nutrition, resource management, and community nutrition education programs, such as the expanded food and nutrition education program.

(B) The Secretary shall make awards under this paragraph to one or more State cooperative extension services (as defined in section 3103 of this title) who shall administer the grants in coordination with other State or local agencies serving low-income people.

(C) Each project shall include an evaluation component and shall develop an implementation plan for replication in other States.

(D) The Secretary shall report to the appropriate committees of Congress on the results of the projects and shall disseminate the results through the cooperative extension service system and to State human services and health department offices, local supplemental nutrition assistance program offices, and other entities serving low-income households.

(b) Limitation of value of allotments; reduction of allotments

In any fiscal year, the Secretary shall limit the value of those allotments issued to an amount not in excess of the appropriation for such fiscal year. Notwithstanding any other provision of this chapter, if in any fiscal year the Secretary finds that the requirements of participating States will exceed the appropriation, the Secretary shall direct State agencies to reduce the value of such allotments to be issued to households certified as eligible to participate in the supplemental nutrition assistance program to the extent necessary to comply with the provisions of this subsection.

(c) Manner of reducing allotments

In prescribing the manner in which allotments will be reduced under subsection (b) of this section, the Secretary shall ensure that such reductions reflect, to the maximum extent practicable, the ratio of household income, determined under sections 2014(d) and 2014(e) of this title, to the income standards of eligibility, for households of equal size, determined under section 2014(c) of this title. The Secretary may, in prescribing the manner in which allotments will be reduced, establish (1) special provisions applicable to persons sixty years of age or over and persons who are physically or mentally handicapped or otherwise disabled, and (2) minimum allotments after any reductions are otherwise determined under this section.

(d) Requisite action by Secretary to reduce allotments; statement to Congressional committees

Not later than sixty days after the issuance of a report under subsection (a) of this section in which the Secretary expresses the belief that reductions in the value of allotments to be issued to households certified to participate in the supplemental nutrition assistance program will be necessary, the Secretary shall take the requisite action to reduce allotments in accordance with the requirements of this section. Not later than