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H. R. 2592

To promote improved nutrition for needy Americans, including women, infants, children, and students, by revising and enhancing Federal nutrition programs to incorporate a greater role for fruits, vegetables, and 100 percent juice products.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2003

Mr. PUTNAM (for himself, Mr. CARDOZA, Mr. BACA, Mr. NUNES, Mr. FILNER, Mr. FOLEY, Mr. RADANOVICH, Mr. BOYD, Ms. HARRIS, and Mr. POMBO) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote improved nutrition for needy Americans, including women, infants, children, and students, by revising and enhancing Federal nutrition programs to incorporate a greater role for fruits, vegetables, and 100 percent juice products.

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 referred to as the “Healthy America
5 Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The United States faces a continuing chal-
4 lenge in improving the quality of the Nation’s diet
5 as the economic costs of poor nutrition, which con-
6 tributes to coronary heart disease, cancer, stroke,
7 and diabetes, 4 of the 10 leading causes of death,
8 are significant.

9 (2) Consumption of a healthy diet including nu-
10 tritionally rich fruit and vegetables is essential for
11 normal growth and development, and critical to pro-
12 moting health and preventing an array of chronic
13 diseases, as an estimated $\frac{1}{3}$ of cancer deaths could
14 be prevented by healthy diets.

15 (3) Most children and adults do not meet the
16 recommended guidelines of 5 servings a day of fruit
17 and vegetables, with only 15 percent of elementary
18 students consuming the recommended requirement,
19 and $\frac{1}{4}$ of adults.

20 (4) Among needy students, school nutrition pro-
21 grams often provide the primary opportunity for
22 consumption of nutritionally valuable foods.

23 (5) Breakfast is a critical meal for children and
24 provides the nutrition necessary to optimize their
25 learning capacities.

1 (6) The Special Supplemental Nutrition Pro-
2 gram for Women, Infants, and Children (WIC), de-
3 signed to safeguard the health of needy women, in-
4 fants, and children has changed little in nearly 3
5 decades and does not reflect many current nutri-
6 tional practices. To enhance the nutritional benefits
7 for this at-risk population, fruits and vegetables
8 should be available under the WIC program.

9 (b) PURPOSES.—The purposes of this Act are:

10 (1) To promote improved nutrition for needy
11 Americans, including women, infants, children, and
12 students, by revising and enhancing Federal nutri-
13 tion programs to incorporate a greater role for
14 fruits, vegetables, and 100 percent juice products.

15 (2) To extend, expand, and enhance Federal
16 nutrition policies that recognize and directly encour-
17 age consumption of fruits, vegetables, and juices as
18 critical to promoting health and preventing an array
19 of chronic diseases.

20 (3) To develop nutrition policies that increase
21 awareness and understanding of the benefits pro-
22 vided by fruits and vegetables with respect to disease
23 prevention and health promotion, as fruit and vege-
24 table consumption is an important component of a
25 balanced diet.

1 (4) To elevate the Federal government’s invest-
2 ment in nutrition program priorities to better ad-
3 dress the significant role fruit and vegetables play in
4 health promotion and disease prevention for the
5 neediest Americans.

6 **SEC. 3. DEFINITIONS.**

7 As used in this Act—

8 (1) the term “fruit and vegetables” means
9 fruits and vegetables that meet the guidelines devel-
10 oped by the National Cancer Institute and Produce
11 for Better Health Foundation for the 5 A Day for
12 Better Health program; and nuts

13 (2) the term “juice” means 100 percent juice or
14 juice concentrate, without added fat or sugar.

15 **SEC. 4. SCHOOL BREAKFAST PROGRAM.**

16 (a) AVAILABILITY OF FRUITS AND JUICES.—Section
17 4(e) of the Child Nutrition Act of 1966 (42 U.S.C.
18 1773(e)) is amended by adding at the end of paragraph
19 (1)(A) the following: “The Secretary shall require that
20 schools participating in the school breakfast program
21 under this section shall make available fruits and 100 per-
22 cent juices, regardless of menu planning options.”.

23 (b) COMMODITIES PURCHASE PROGRAM FOR BREAK-
24 FASTS.—

1 (1) IN GENERAL.—Section 6(c) of the Richard
2 B. Russell National School Lunch Act (42 U.S.C.
3 1755(c)) is amended—

4 (A) by redesignating paragraph (2) as
5 paragraph (3); and

6 (B) by inserting after paragraph (1) the
7 following new paragraph:

8 “(2) The value of donated foods, or cash pay-
9 ments made in lieu thereof, shall be 5 cents for the
10 school breakfast program.”.

11 (2) CONFORMING AMENDMENT.—Section 6(b)
12 of the Richard B. Russell National School Lunch
13 Act (42 U.S.C. 1755(b)) is amended by “and school
14 breakfast program” after “school lunch program”.

15 **SEC. 5. EXPANSION OF FRUIT AND VEGETABLE PILOT PRO-**
16 **GRAM.**

17 Section 18(g) of the Richard B. Russell National
18 School Lunch Act (42 U.S.C. 1769(g)) is amended to read
19 as follows—

20 “(g) FRUIT AND VEGETABLE PILOT PROGRAM.—

21 “(1) IN GENERAL.—In the school year begin-
22 ning July 2004, and in each of the 5 school years
23 thereafter, the Secretary shall carry out a pilot pro-
24 gram in—

1 “(A) 25 elementary or secondary schools in
2 each of the 50 States, and in elementary or sec-
3 ondary schools on 10 Indian reservations, to
4 make available to students free fresh and dried
5 fruits and fresh vegetables during the school
6 day in 1 or more areas designated by the
7 school; and

8 “(B) 25 service institutions in each of the
9 50 States participating in the summer food
10 service program for children established under
11 section 13, to make available to children free
12 fresh and dried fruits and fresh vegetables dur-
13 ing the day of operation in 1 or more areas des-
14 ignated by the service institution.

15 “(2) PUBLICITY.—A school or service institu-
16 tion that participates in the pilot program shall
17 widely publicize within the school or service institu-
18 tion the availability of free fruits and vegetables
19 under the pilot program.

20 “(3) ADMINISTRATIVE COSTS.—A participating
21 school or service institution may use for administra-
22 tive expenses—

23 “(A) during the first year of participation
24 in the pilot program, not more than 20 percent

1 of the funds made available to the school or
2 service institution for the year; and

3 “(B) during each subsequent year of par-
4 ticipation in the pilot program, not more than
5 10 percent of the funds made available to the
6 school or service institution for the year.

7 “(4) REPORT.—Not later than May 1, 2007,
8 the Secretary, acting through the Administrator of
9 the Economic Research Service, shall report to the
10 Committee on Education and the Workforce of the
11 House of Representatives and the Committee on Ag-
12 riculture, Nutrition, and Forestry of the Senate on
13 the results of the pilot program.

14 “(5) FUNDING.—The Secretary shall use not
15 more than \$75,000,000 of funds made available
16 under section 32 of the Act of August 24, 1935 (7
17 18 U.S.C. 612c), to carry out this subsection (other
18 than paragraph (4)).”.

19 **SEC. 6. HEALTHY FOODS FOR HEALTHY KIDS INITIATIVE**
20 **GRANT PROGRAM.**

21 Section 18 of the Richard B. Russell National School
22 Lunch Act (42 U.S.C. 1769) is amended by adding at the
23 end the following new subsection:

24 “(h) HEALTHY FOODS FOR HEALTHY KIDS INITIA-
25 TIVE GRANT PROGRAM.—

1 “(1) IN GENERAL.—In the school year begin-
2 ning July 2004, each of the 5 school years there-
3 after, the Secretary, in conjunction with the Na-
4 tional 5 A Day for Better Health program, shall
5 carry out a Healthy Foods for Healthy Kids pro-
6 gram to provide grants to school districts for innova-
7 tive projects to increase the availability and con-
8 sumption of fruits and vegetables.

9 “(2) CRITERIA FOR GRANT PROJECTS.—In se-
10 lecting projects to receive grants under this sub-
11 section, the Secretary shall consider projects
12 which—

13 “(A) provide the necessary infrastructure,
14 such as procurement, delivery, and storage ef-
15 forts to enhance offerings of fruits and vegeta-
16 bles;

17 “(B) initiate or offer salad bars, pre-
18 packaged salads, and fruit cups, innovative
19 vending options, refrigerated vending, and other
20 creative preparation and presentation methods;

21 “(C) provide relevant training for school
22 food service personnel carrying out these ef-
23 forts; and

24 “(D) enhance education and promotion of
25 fruit and vegetable intake;

1 “(E) establish school garden projects to
2 provide an interactive, hands-on learning envi-
3 ronment to teach fundamental nutrition con-
4 cepts, foster a better understanding of where
5 food comes from, and create opportunities for
6 children to make healthier food choices.

7 “(3) EVALUATION AND REPORT.—The Sec-
8 retary shall conduct an evaluation of the results of
9 the program and shall transmit a report to the Com-
10 mittee on Education and the Workforce of the
11 House of Representatives and the Committee on Ag-
12 riculture, Nutrition, and Forestry of the Senate not
13 later than May 1, 2007.

14 “(4) AUTHORIZATION OF APPROPRIATIONS.—
15 There are authorized to be appropriated for carrying
16 out this subsection \$20,000,000 for each of fiscal
17 years 2004 through 2009.”.

18 **SEC. 7. FRUITS AND VEGETABLES IN SUMMER FOOD SERV-**
19 **ICE PROGRAM.**

20 Section 13(f)(4) of the Richard B. Russell National
21 School Lunch Act (42 U.S.C. 1761) is amended by adding
22 at the end the following: “States shall, with assistance
23 that the Secretary is authorized to provide, ensure that
24 meals include fruit, vegetables, and 100 percent juices.”

1 **SEC. 8. IMPROVEMENTS AND MODERNIZATION OF RE-**
2 **QUIREMENTS UNDER THE WOMEN, INFANTS,**
3 **AND CHILDREN PROGRAM.**

4 The Secretary shall revise the regulations relating to
5 the Special Supplemental Nutrition Program for Women,
6 Infants, and Children (established under section 17 of the
7 Child Nutrition Act of 1966 (42 U.S.C. 1786)) to—

8 (1) update and improve the nutritional stand-
9 ards of food under the program;

10 (2) require that the food package requirements,
11 target nutrients, and nutrient needs of participants
12 be re-evaluated and revised at least every 10 years
13 to reflect current nutrition science;

14 (3) permit program participants access to fresh
15 fruits and vegetables;

16 (4) permit the purchase of juices other than
17 from concentrate and revise packaging requirements
18 under the program to permit the purchase of prod-
19 ucts in modern packaging, including plastic and car-
20 ton containers;

21 (5) permit the purchase of generic branded
22 fruits and vegetable products under the program;
23 and

24 (6) include in nutrition education efforts a
25 greater focus on promoting the consumption of
26 fruits and vegetables.

1 **SEC. 9. DEPARTMENT OF DEFENSE PURCHASE AND DIS-**
2 **TRIBUTION OF FRESH FRUITS AND VEGETA-**
3 **BLES.**

4 Section 10603 of the Farm and Rural Investment Act
5 of 2002 (7 U.S.C. 612e-4) is amended by striking
6 “\$50,000,000” and inserting “\$100,000,000”.

7 **SEC. 10. FRUIT AND VEGETABLE RESEARCH AGENDA.**

8 (a) IN GENERAL.—The Secretary of Agriculture shall
9 develop a fruit and vegetable research agenda that coordi-
10 nates research between the Economic Research Service,
11 the Food and Nutrition Service, the Agricultural Research
12 Service and other agencies of the Department of Agri-
13 culture.

14 (b) COORDINATION AND GOALS.—The agenda should
15 include research on how best to promote fruit and vege-
16 table intake to children and should be developed in coordi-
17 nation with the produce industry, nutrition and health or-
18 ganizations, school food service professionals, and other
19 stakeholders. Research goals shall include—

20 (1) the impact of increased fruit and vegetable
21 consumption toward preventing chronic diseases, in-
22 cluding reducing obesity, diabetes, diverticulosis,
23 cataracts, cancer, heart disease, stroke, and hyper-
24 tension, and the overall benefits of whole food con-
25 sumption including documentation of certain

1 phytonutrients found in fresh produce that may help
2 prevent such chronic diseases;

3 (2) the development of more effective behavior-
4 based dietary interventions and health promotion
5 programs to increase consumption of fruits and
6 vegetables based on Federal dietary guidelines, in-
7 cluding environmental influences, strategies for over-
8 coming barriers to behavior change, and food pref-
9 erence development for children and adolescents; and
10 (3) identifying the influences on food choices
11 and options for providing an optimal environment
12 for making informed healthy food choices in a free-
13 market economy, including evaluation of different
14 methods for communicating health information.

15 **SEC. 11. NATIONAL 5 A DAY COORDINATOR.**

16 The Secretary shall appoint a national 5 A Day for
17 Better Health program coordinator and 7 regional 5 A
18 Day coordinators for each of the 7 Food and Nutrition
19 Service regional offices to coordinate and expand the Sec-
20 retary's efforts to promote the consumption of fruit and
21 vegetables.

22 **SEC. 12. REPORT ON COMMODITY PURCHASING PROGRAM.**

23 Not later than 6 months after the date of enactment
24 of this Act, the Secretary of Agriculture shall transmit a
25 report to the Committee on Education and the Workforce

1 of the House of Representatives and the Committee on
2 Agriculture, Nutrition, and Forestry of the Senate which
3 shall include—

4 (1) an assessment of current commodity pur-
5 chasing practices and how purchasing decisions are
6 made; and

7 (2) recommendations for a plan of action to
8 align such purchases with the Dietary Guidelines for
9 Americans issued by the Secretary and by the Sec-
10 retary of Health and Human Services.

11 **SEC. 13. STATE AND LOCAL PARTNERSHIPS.**

12 It is the sense of Congress that the Secretary of Agri-
13 culture should establish partnerships with State depart-
14 ments of agriculture, State health departments, State de-
15 partments of education, and other State and local organi-
16 zations to improve access to and efficient distribution of
17 fresh fruits and vegetables to schools and nutrition pro-
18 grams.

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