

110TH CONGRESS  
2D SESSION

# S. 3588

To direct the Secretary of Agriculture to provide grants to hospitals and other nonprofit inpatient health care institutions, Department of Veterans Affairs medical centers, and other social service programs for the acquisition of local nutritious agricultural products.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON 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 direct the Secretary of Agriculture to provide grants to hospitals and other nonprofit inpatient health care institutions, Department of Veterans Affairs medical centers, and other social service programs for the acquisition of local nutritious agricultural 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 cited as the “Healthy Food for  
5       Healthy Lives Act of 2008”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
2 ty” means—

3 (A) an eligible hospital; or

4 (B) an eligible organization.

5 (2) ELIGIBLE HOSPITAL.—The term “eligible  
6 hospital” means—

7 (A) a medical center or nursing home oper-  
8 ated by the Department of Veterans Affairs; or

9 (B) any other nonprofit hospital or other  
10 nonprofit inpatient healthcare institution.

11 (3) ELIGIBLE ORGANIZATION.—The term “eligi-  
12 ble organization” means a social service organization  
13 providing nutrition services, including Meals on  
14 Wheels.

15 (4) ELIGIBLE PRODUCT.—The term “eligible  
16 product” means an agricultural product that—

17 (A) is offered by a participating vendor;

18 (B) is fresh, dried, frozen, or packaged in  
19 a manner that maximizes retention of nutrient  
20 density;

21 (C) is grown, stored, or transported in a  
22 manner that maximizes retention of nutrient  
23 density; and

24 (D) is a locally or regionally produced agri-  
25 cultural food product that is stored and proc-

1           essed locally, and, to the maximum extent prac-  
2           ticable, reflects local preferences.

3           (5) **LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCT.**—The term “locally or  
4           culturally food product.”—The term “locally or  
5           regionally produced agricultural food product”  
6           means any agricultural food product that is raised,  
7           produced, and distributed in—

8                   (A) the locality or region in which the final  
9                   product is marketed, so that the total distance  
10                  that the product is transported is less than 400  
11                  miles from the origin of the product; or

12                  (B) the State in which the product is pro-  
13                  duced.

14           (6) **PARTICIPATING VENDOR.**—

15                   (A) **IN GENERAL.**—The term “partici-  
16                   pating vendor” means a local or regional dis-  
17                   tributor of eligible products that is approved  
18                   under section 3(d)(1).

19                   (B) **INCLUSION.**—The term “participating  
20                   vendor” includes an agricultural producer.

21           (7) **SECRETARY.**—The term “Secretary” means  
22           the Secretary of Agriculture.

1 **SEC. 3. DEMONSTRATION GRANTS FOR HOSPITALS, DE-**  
2 **PARTMENT OF VETERANS AFFAIRS MEDICAL**  
3 **CENTERS, AND NUTRITION PROGRAMS.**

4 (a) IN GENERAL.—The Secretary shall establish a  
5 program under which the Secretary shall provide dem-  
6 onstration grants to eligible entities to purchase eligible  
7 products from participating vendors to improve the avail-  
8 ability of nutritious meals from local sources for—

9 (1) patients of, employees of, and visitors to eli-  
10 gible hospitals; and

11 (2) clients of eligible organizations.

12 (b) COORDINATION.—The Secretary shall coordinate  
13 the provision of demonstration grants under subsection (a)  
14 with—

15 (1) the Secretary of Veterans Affairs, for pur-  
16 poses of grants to an eligible entity described in sec-  
17 tion 2(2)(A); and

18 (2) the Secretary of Health and Human Serv-  
19 ices, for purposes of grants to any other eligible enti-  
20 ty.

21 (c) AGREEMENTS.—

22 (1) IN GENERAL.—The Secretary, acting  
23 through any regional procurement offices of the De-  
24 partment of Agriculture that the Secretary deter-  
25 mines to be appropriate, shall carry out a program  
26 under which the Secretary shall enter into agree-

1       ments with participating vendors to supply eligible  
2       products to eligible entities.

3               (2) FUNDS.—Eligible products supplied under  
4       an agreement entered into under paragraph (1) shall  
5       be purchased by eligible entities using funds that are  
6       provided through demonstration grants under this  
7       section.

8       (d) APPROVAL OF PARTICIPATING VENDORS.—

9               (1) IN GENERAL.—A local or regional dis-  
10      tributor of eligible products that seeks to supply eli-  
11      gible products to eligible entities under this section  
12      shall apply to the Secretary for approval as a par-  
13      ticipating vendor.

14              (2) CONDITIONS FOR APPROVAL.—The Sec-  
15      retary shall approve an application submitted under  
16      paragraph (1) if the local or regional distributor of  
17      eligible products—

18                      (A) demonstrates the ability to supply eli-  
19                      gible products;

20                      (B) complies with Federal food safety laws  
21                      (including regulations);

22                      (C) consistently provides products that  
23                      meet standards of grade, size, freshness, and  
24                      quality as required by the Secretary or local  
25                      procurement officer; and

1 (D) demonstrates the ability to supply and  
2 purchase eligible products at a fair price from  
3 local growers and processors.

4 (e) GRANT APPLICATIONS.—

5 (1) APPLICATION PROCESS.—

6 (A) IN GENERAL.—To be eligible to receive  
7 a grant to purchase eligible products from par-  
8 ticipating vendors under this section, an eligible  
9 entity shall submit to the Secretary an applica-  
10 tion at such time and containing such informa-  
11 tion as the Secretary may require.

12 (B) PRIORITY.—In providing grants under  
13 this section, the Secretary shall give priority to  
14 eligible entities with demonstrated commitment  
15 to developing organizational food and nutrition  
16 policies that incorporate locally or regionally  
17 produced agricultural food products.

18 (2) ADDITIONAL REQUIREMENTS FOR ELIGIBLE  
19 ORGANIZATIONS.—In addition to the information re-  
20 quired under paragraph (1), an eligible organization  
21 shall include in a grant application under that para-  
22 graph—

23 (A) certification of the nonprofit status of  
24 the eligible organization; and

1 (B) evidence of the demonstrated ability of  
2 the eligible organization to provide nutrition  
3 services.

4 (f) MONITORING.—

5 (1) IN GENERAL.—The Secretary shall develop  
6 and implement a system for monitoring—

7 (A) participating vendors; and

8 (B) grants provided under this section.

9 (2) CERTIFICATION.—A monitoring system de-  
10 veloped under this subsection may include a require-  
11 ment for a participating vendor to obtain certifi-  
12 cation in accordance with a program—

13 (A) that is designed by the Secretary; and

14 (B) under which the Secretary may require  
15 payments from participating vendors for the  
16 certification process.

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated for each of fiscal years  
19 2009 through 2013—

20 (1) \$10,000,000 to provide grants to eligible  
21 hospitals described in section 2(2)(A);

22 (2) \$10,000,000 to provide grants to eligible  
23 hospitals described in section 2(2)(B); and

24 (3) \$5,000,000 to provide grants to eligible or-  
25 ganizations.

1 **SEC. 4. REPORT ON FRESH FOODS IN FEDERALLY FUNDED**  
2 **HEALTH AND SOCIAL SERVICE PROGRAMS.**

3 Not later than 2 years after the date of enactment  
4 of this Act, the Secretary, in coordination with the Sec-  
5 retary of Health and Human Services and the heads of  
6 other applicable Federal agencies, shall submit to the ap-  
7 propriate committees of Congress a report that provides  
8 recommendations for ways in which—

9 (1) health care institutions and social service  
10 organizations could increase the use of nutritious,  
11 local agricultural products in nutrition and food  
12 service programs; and

13 (2) the Federal Government could provide tech-  
14 nical assistance for and support the activities rec-  
15 ommended under paragraph (1).

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