

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.

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

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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