

Union Calendar No. 103

118TH CONGRESS
1ST SESSION

H. R. 1147

[Report No. 118-131]

To amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 2023

Mr. THOMPSON of Pennsylvania (for himself, Ms. SCHRIER, Mr. FULCHER, Mr. BALDERSON, Mrs. MILLER-MEEKS, Mr. TRONE, Mr. AUSTIN SCOTT of Georgia, Mr. MEUSER, Mr. LAMALFA, Mr. SMUCKER, Mr. CARTWRIGHT, Mr. BANKS, Mr. BAIRD, Mr. TIFFANY, Mr. GOTTHEIMER, Mr. RESCENTIALER, Mr. PERRY, Mr. SIMPSON, Mr. MCCLINTOCK, Mr. MANN, Mr. CLOUD, Mr. KELLY of Mississippi, Mrs. MILLER of Illinois, Mr. KELLY of Pennsylvania, Ms. SLOTKIN, Mr. STEIL, Ms. STEFANIK, Mr. RYAN, Ms. TENNEY, Mr. FITZGERALD, Mr. BARR, Mr. JOHNSON of South Dakota, Mr. TONKO, Ms. SPANBERGER, Mr. MOORE of Alabama, Mr. GALLAGHER, Mr. FEENSTRA, Mr. JOYCE of Pennsylvania, and Mr. CLINE) introduced the following bill; which was referred to the Committee on Education and the Workforce

JUNE 30, 2023

Additional sponsors: Mr. JACKSON of Texas, Mr. VALADAO, Mr. CUELLAR, Mr. ALFORD, Mr. GROTHMAN, Mr. VAN ORDEN, Ms. DE LA CRUZ, Mr. VASQUEZ, Mr. HARDER of California, Mr. MOLINARO, Mr. COURTNEY, Mrs. HAYES, Ms. LETLOW, Mr. ROSE, Mr. GOOD of Virginia, Mr. COSTA, Ms. HAGEMAN, Mr. GOLDEN of Maine, Mrs. LESKO, Ms. TOKUDA, Mr. WALBERG, Mr. SESSIONS, Mr. WILLIAMS of New York, Mr. LANGWORTHY, Mr. CRAWFORD, Mr. STAUBER, Mrs. HINSON, Mr. SMITH of Missouri, Mr. COMER, Mr. BACON, Mr. FITZPATRICK, Ms. PINGREE, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. PFLUGER, Mr. CARTER of Texas, Mrs. MCCLAIN, Ms. GRANGER, Mr. MURPHY, Mrs. CAMMACK, Mr. ESTES, Mr. NEWHOUSE, Mr. LUCAS, Mr. VAN DREW, Mr. MILLER of Ohio, Mrs. CHAVEZ-DEREMER, Mr. BOST, Mr. ROUZER, Mr. NEHLS, Mr. NUNN of Iowa, Mr. FINSTAD, Mr. DUARTE, Mr. OWENS, Mr. DAVID

SCOTT of Georgia, Mrs. FISCHBACH, Mr. CARL, Mr. MOOLENAAR, Mr. WILSON of South Carolina, Mr. LAWLER, Mr. MORAN, Mr. STEUBE, Mr. DAVIS of North Carolina, Mr. ALLEN, Mrs. HOUCHIN, Ms. WILD, Mr. C. SCOTT FRANKLIN of Florida, Mr. POCAN, Mr. SCHWEIKERT, Mr. JACKSON of Illinois, Ms. CRAIG, Mr. ARMSTRONG, Ms. MACE, Mr. AMODEI, Mr. SELF, Mr. WALTZ, Mrs. MILLER of West Virginia, Mr. MCHENRY, Mr. CARTER of Georgia, Mr. PENCE, Mr. POSEY, Mr. FERGUSON, Mr. WILLIAMS of Texas, Mr. DUNN of Florida, Mr. PANETTA, Ms. DELBENE, Mr. HERN, Mr. BILIRAKIS, Mr. BENTZ, Mr. LAMBORN, Ms. MALLIOTAKIS, Ms. KUSTER, Ms. SALAZAR, Mr. DELUZIO, Mr. MILLS, Mr. LATURNER, and Ms. CARAVEO

JUNE 30, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 21, 2023]

A BILL

To amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

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 “Whole Milk for Healthy*
5 *Kids Act of 2023”.*

6 **SEC. 2. WHOLE MILK PERMISSIBLE.**

7 *Section 9(a)(2) of the Richard B. Russell National*
8 *School Lunch Act (42 U.S.C. 1758(a)(2)) is amended—*

9 *(1) by amending subparagraph (A) to read as*
10 *follows:*

11 *“(A) IN GENERAL.—Lunches served by*
12 *schools participating in the school lunch pro-*
13 *gram under this Act—*

14 *“(i) shall offer students a variety of*
15 *fluid milk;*

16 *“(ii) may offer students flavored and*
17 *unflavored whole, reduced-fat, low-fat and*
18 *fat-free fluid milk and lactose-free fluid*
19 *milk; and*

20 *“(iii) shall provide a substitute for*
21 *fluid milk for students whose disability re-*
22 *stricts their diet, on receipt of a written*
23 *statement from a licensed physician that*
24 *identifies the disability that restricts the*

1 *student’s diet and that specifies the sub-*
2 *stitute for fluid milk.”; and*

3 *(2) by adding at the end the following:*

4 *“(D) SATURATED FAT.—Milk fat included*
5 *in any fluid milk provided under subparagraph*
6 *(A) shall not be considered saturated fat for pur-*
7 *poses of measuring compliance with the allow-*
8 *able average saturated fat content of a meal*
9 *under section 210.10 of title 7, Code of Federal*
10 *Regulations (or successor regulations).”.*

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