

Calendar No. 293

118TH CONGRESS
1ST SESSION**H. R. 1147**

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2023

Received; read the first time

DECEMBER 18, 2023

Read the second time and placed on the calendar

AN ACT

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
5 Healthy Kids Act of 2023”.

6 **SEC. 2. ORGANIC OR NON-ORGANIC WHOLE MILK PERMISSIBLE.**
7

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

1 (1) by amending subparagraph (A) to read as
2 follows:

3 “(A) IN GENERAL.—Lunches served by
4 schools participating in the school lunch pro-
5 gram under this Act—

6 “(i) shall offer students a variety of
7 fluid milk;

8 “(ii) may offer students flavored and
9 unflavored organic or non-organic whole,
10 reduced-fat, low-fat and fat-free fluid milk
11 and lactose-free fluid milk; and

12 “(iii) shall provide a substitute for
13 fluid milk for students whose disability re-
14 stricts their diet, on receipt of a written
15 statement from a licensed physician that
16 identifies the disability that restricts the
17 student’s diet and that specifies the sub-
18 stitute for fluid milk.”; and

19 (2) by adding at the end the following:

20 “(D) SATURATED FAT.—Milk fat included
21 in any fluid milk provided under subparagraph
22 (A) shall not be considered saturated fat for
23 purposes of measuring compliance with the al-
24 lowable average saturated fat content of a meal

1 under section 210.10 of title 7, Code of Federal
2 Regulations (or successor regulations).

3 “(E) PROHIBITION ON CERTAIN PUR-
4 CHASES.—The Secretary shall prohibit schools
5 participating in the school lunch program under
6 this Act from purchasing or offering milk pro-
7 duced by China state-owned enterprises.

8 “(F) LIMITATION ON AUTHORITY.—The
9 Secretary may not prohibit any school partici-
10 pating in the school lunch program under this
11 Act from offering students the milk described in
12 subparagraph (A)(ii).”.

Passed the House of Representatives December 13,
2023.

Attest: KEVIN F. MCCUMBER,
Clerk.

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