

118TH CONGRESS
1ST SESSION

H. R. 5383

To amend the Child Nutrition Act of 1966 to allow certain participants in the special supplemental nutrition program for women, infants, and children to elect to be issued a variety of types of milk, including whole milk, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2023

Mr. THOMPSON of Pennsylvania (for himself and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Child Nutrition Act of 1966 to allow certain participants in the special supplemental nutrition program for women, infants, and children to elect to be issued a variety of types of milk, including whole milk, and for other purposes.

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 “Giving Increased Vari-
5 ety to Ensure Milk Into the Lives of Kids Act” or the
6 “GIVE MILK Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Most Americans, including most children
4 and adolescents, do not consume adequate levels of
5 dairy, on average consuming only about half of the
6 recommended amounts of dairy foods daily.

7 (2) Milk is a source of many nutrients essential
8 to health, and is the leading source of calcium, vita-
9 min D, potassium, and phosphorus for children ages
10 2–18 and is a source of thirteen essential nutrients
11 (calcium, phosphorus, vitamin A, vitamin D (in for-
12 tified products), riboflavin, niacin, vitamin B12, pro-
13 tein, potassium, zinc, choline, magnesium, and sele-
14 nium) in the diets of children and adolescents, in-
15 cluding three nutrients of public health concern: vi-
16 tamin D, calcium, and potassium.

17 (3) Dairy foods are associated with improved
18 bone health, a lower risk of type 2 diabetes, a bene-
19 ficial or neutral effect on blood pressure, and may
20 help reduce the risk of cardiovascular disease, coro-
21 nary heart disease, and stroke.

22 (4) In a September 2019 report on beverage
23 recommendations for early childhood, the Academy
24 of Nutrition and Dietetics, American Academy of
25 Pediatric Dentists, American Academy of Pediatrics,
26 and the American Heart Association found that—

1 (A) medical professionals are in agreement
2 that whole milk is good for childhood develop-
3 ment between ages one and two;

4 (B) skim and low-fat milk are rec-
5 ommended for young children;

6 (C) plant-based, non-dairy milks are not
7 recommended for young children; and

8 (D) an expert panel under the study recog-
9 nized that there has been recent research and
10 discussion regarding the role of dairy fat in
11 healthy dietary patterns but in the absence of
12 clear evidence justifying a departure from cur-
13 rent recommendations, such expert panel chose
14 to remain consistent with current guidance rec-
15 ommending whole milk for most children ages
16 12–24 months and fat-free (skim) or low-fat (1
17 percent) milk for children ages 2 years and
18 older.

19 (5) The 2020 through 2025 Dietary Guidelines
20 for Americans recommendation of the number of
21 dairy servings for young children is—

22 (A) 1.5 to 2 servings for 12 to 23 months;

23 and

24 (B) 2 to 2.5 servings for 2 to 4 years.

1 **SEC. 3. WIC ELECTION FOR TYPE OF MILK.**

2 (a) ELECTION FOR TYPE OF MILK.—Section 17(f)
3 of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f))
4 is amended by adding at the end the following:

5 “(27) ELECTION FOR TYPE OF MILK.—

6 “(A) IN GENERAL.—Notwithstanding any
7 other provision of law, in the case of an indi-
8 vidual participating in the program authorized
9 by this section who is issued milk by the Sec-
10 retary, such individual (or the parent or guard-
11 ian of such individual) may elect to be issued
12 nonfat milk, low-fat milk, reduced fat milk, or
13 whole milk.

14 “(B) ELECTION.—The Secretary shall
15 issue the type of milk elected by an individual
16 under subparagraph (A) to such individual.”.

17 (b) REVISION OF REGULATIONS.—The Secretary of
18 Agriculture shall revise regulations in accordance with the
19 amendments made by this section, including revision of
20 section 246.10 of title 7, Code of Federal Regulations.

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