

118TH CONGRESS
2D SESSION

S. 3824

To amend the Food and Nutrition Act of 2008 to establish online and delivery standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2024

Mr. FETTERMAN (for himself and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to establish online and delivery standards, 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 “Food and Nutrition
5 Delivery Safety Act of 2024”.

6 **SEC. 2. ONLINE AND DELIVERY STANDARDS.**

7 Section 9 of the Food and Nutrition Act of 2008 (7
8 U.S.C. 2018) is amended by adding at the end the fol-
9 lowing:

10 “(k) ONLINE AND DELIVERY STANDARDS.—

1 “(1) IN GENERAL.—Not later than 18 months
2 after the date of enactment of this subsection, the
3 Administrator of the Food and Nutrition Service, in
4 consultation with the Administrator of the Food
5 Safety and Inspection Service, the Commissioner of
6 Food and Drugs, the Director of the Office of
7 Science and Technology Policy, and relevant stake-
8 holders, shall establish—

9 “(A) for any retail food store or wholesale
10 food concern authorized to accept and redeem
11 benefits under the supplemental nutrition as-
12 sistance program that accepts benefits through
13 an online or mobile platform, standards for the
14 safe and secure online use of the online or mo-
15 bile platforms by participants in the supple-
16 mental nutrition assistance program and retail
17 participants, including with respect to digital
18 privacy and cybersecurity of the user; and

19 “(B) for any retail food store or wholesale
20 food concern authorized to accept and redeem
21 benefits under the supplemental nutrition as-
22 sistance program that provides delivery services
23 for foods purchased using those benefits, deliv-
24 ery standards that aim—

1 “(i) to promote fair and safe working
2 conditions for the employees of that deliv-
3 ery service, including paying prevailing
4 wages; and

5 “(ii) to keep food safe and secure dur-
6 ing delivery.

7 “(2) REPORT REQUIREMENT.—Not later than
8 18 months after the date on which the Adminis-
9 trator of the Food and Nutrition Service establishes
10 standards under paragraph (1), the Secretary shall
11 promulgate regulations that require a retail food
12 store or wholesale food concern seeking authoriza-
13 tion under this section to accept and redeem benefits
14 under the supplemental nutrition assistance program
15 to submit to the Secretary a report describing com-
16 pliance with the standards established under para-
17 graph (1).

18 “(3) EFFECTS OF NONCOMPLIANCE.—If a retail
19 food store or wholesale food concern does not comply
20 with the standards established under paragraph (1),
21 that retail food store or wholesale food concern—

22 “(A) shall lose authorization to participate
23 in the supplemental nutrition assistance pro-
24 gram; and

1 “(B) may reapply for that authorization
2 upon demonstrating that the retail food store or
3 wholesale food concern, as applicable, is in com-
4 pliance with those standards.”.

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