

Calendar No. 111

119TH CONGRESS
1ST SESSION

S. 222

To amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2025

Mr. MARSHALL (for himself, Mr. WELCH, Mr. MCCORMICK, Mr. FETTERMAN, Mr. GRASSLEY, Mrs. GILLIBRAND, Mrs. HYDE-SMITH, Mr. KING, Mr. RISCH, Mr. CRAPO, Ms. ERNST, Ms. SLOTKIN, Ms. COLLINS, Mr. MORAN, Mr. JUSTICE, Mrs. FISCHER, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

JULY 10, 2025

Reported by Mr. BOOZMAN, with an amendment

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

A BILL

To amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whole Milk for
3 Healthy Kids Act of 2025”.

4 **SEC. 2. ORGANIC OR NON-ORGANIC WHOLE MILK PERMIS-**
5 **SIBLE.**

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

8 ~~(1) in subparagraph (A)—~~

9 ~~(A) by striking clauses (i) and (ii) and in-~~
10 ~~serting the following:~~

11 ~~“(i) shall offer students a variety of~~
12 ~~fluid milk;~~

13 ~~“(ii) may offer students flavored and~~
14 ~~unflavored organic or nonorganic whole,~~
15 ~~reduced-fat, low-fat, and fat-free fluid milk~~
16 ~~and lactose-free fluid milk;”;~~ and

17 ~~(B) in clause (iii), by striking “physician”~~
18 ~~and inserting “physician, parent, or legal~~
19 ~~guardian”; and~~

20 ~~(2) by adding at the end the following:~~

21 ~~“(D) SATURATED FAT.—Milk fat included~~
22 ~~in any fluid milk provided under subparagraph~~
23 ~~(A) shall not be considered saturated fat for~~
24 ~~purposes of measuring compliance with the al-~~
25 ~~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 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Whole Milk for Healthy*
5 *Kids Act of 2025”.*

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

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

11 (1) *in subparagraph (A)—*

12 (A) *by striking clauses (i) and (ii) and in-*
13 *serting the following:*

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

16 “(ii) *may offer students options which*
17 *may include flavored and unflavored or-*
18 *ganic or nonorganic whole, reduced-fat, low-*
19 *fat, and fat-free fluid milk and lactose-free*
20 *fluid milk, and nondairy beverages that are*
21 *nutritionally equivalent to fluid milk and*
22 *meet the nutritional standards established*
23 *by the Secretary (which shall, among other*
24 *requirements to be determined by the Sec-*
25 *retary, include fortification of calcium, pro-*

1 *tein, vitamin A, and vitamin D to levels*
 2 *found in cow's milk); and"; and*

3 *(B) in clause (iii), by striking "physician"*
 4 *and inserting "physician, parent, or legal guard-*
 5 *ian";*

6 *(2) in subparagraph (C), in the matter preceding*
 7 *clause (i), by striking "fluid milk products" and in-*
 8 *serting "products described in subparagraph (A)(ii)";*
 9 *and*

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

11 *"(D) SATURATED FAT.—Milk fat included*
 12 *in any fluid milk provided under subparagraph*
 13 *(A) shall not be considered saturated fat for pur-*
 14 *poses of measuring compliance with the allow-*
 15 *able average saturated fat content of a meal*
 16 *under section 210.10 of title 7, Code of Federal*
 17 *Regulations (or successor regulations).*

18 *"(E) APPLICATION.—Subparagraph (B)(ii)*
 19 *is not applicable to a school that offers nondairy*
 20 *beverages under subparagraph (A)(ii)."*

21 *(b) CONFORMING AMENDMENTS.—*

22 *(1) Section 14(f) of the Richard B. Russell Na-*
 23 *tional School Lunch Act (42 U.S.C. 1762a(f)) is*
 24 *amended in the third sentence by inserting "or a*

1 nondairy beverage that meets the nutritional stand-
2 ards described in section 9(a)(2)(B)” after “milk”.

3 (2) Section 20(c) of the Richard B. Russell Na-
4 tional School Lunch Act (42 U.S.C. 1769b(c)) is
5 amended by striking “patterns and fluid milk re-
6 quirements” and inserting “patterns, fluid milk re-
7 quirements, and nutritional standards for nondairy
8 beverages”.

9 **SEC. 3. INCLUDING FOOD ALLERGY INFORMATION IN EX-**
10 **ISTING TRAINING MODULES FOR LOCAL**
11 **FOOD SERVICE PERSONNEL.**

12 (a) *FOOD ALLERGY TRAINING MODULE*.—Section
13 7(g)(2)(B)(iii) of the Child Nutrition Act of 1966 (42
14 U.S.C. 1776(g)(2)(B)(iii)) is amended—

15 (1) by redesignating subclauses (II) and (III) as
16 subclauses (III) and (IV), respectively; and

17 (2) by inserting after subclause (I) the following:

18 “(II) food allergies, including in-
19 formation on the best practices to pre-
20 vent, recognize, and respond to food-re-
21 lated allergic reactions;”.

22 (b) *CERTIFICATION*.—Section 7(g)(2)(B)(ii)(II) of the
23 Child Nutrition Act of 1966 (42 U.S.C.
24 1776(g)(2)(B)(ii)(II)) is amended by striking “clause (i)”
25 and inserting “clauses (i) and (iii)”.

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