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Food and Nutrition Legislation

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Numerous food and nutrition bills were introduced or became law in the 101st Congress since April 1990. Several bills are described below.

Nutrition

P.L. 101-330

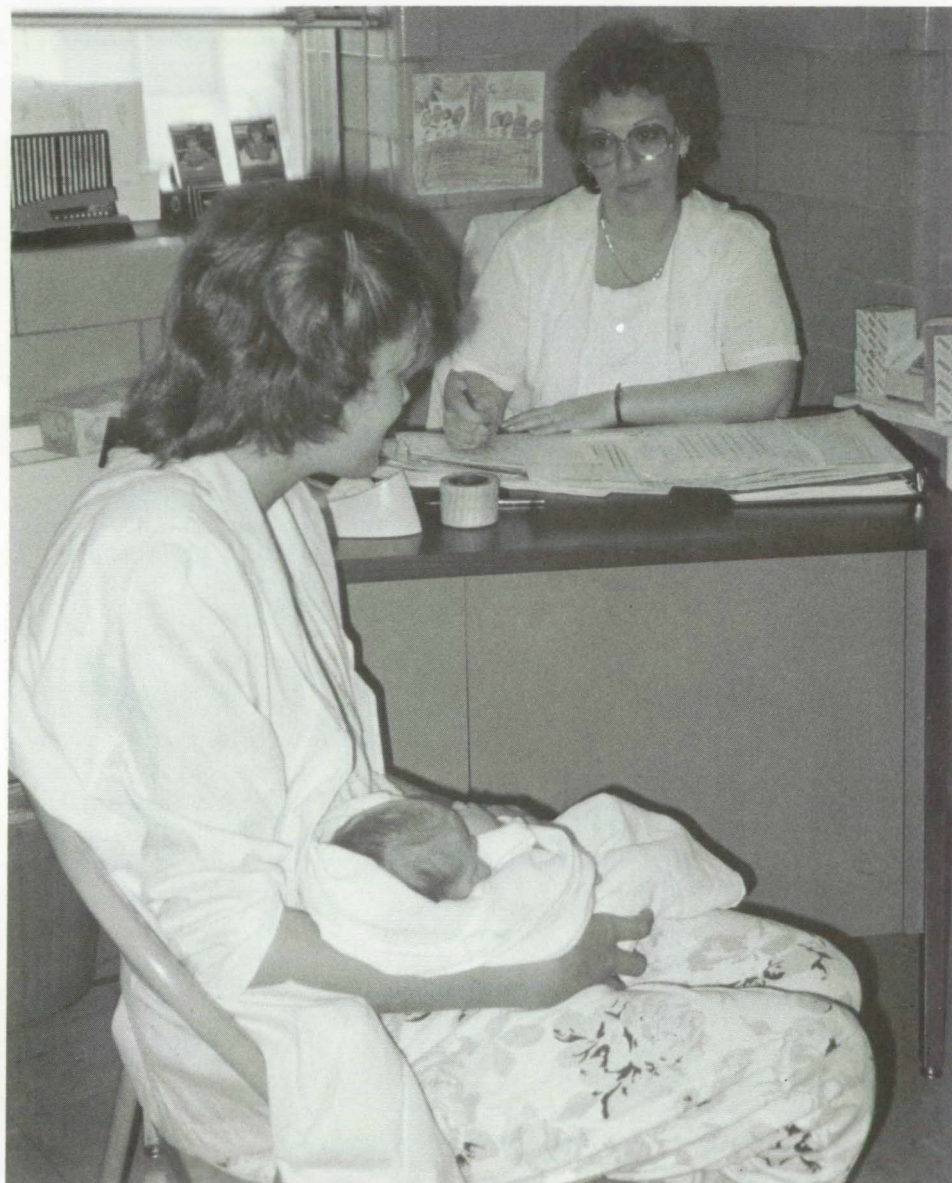
The WIC Services Restoration Act allows States with surplus WIC program funds to return them without penalty. Currently, the following year's funding level is reduced in States that return surplus funds. The Special Supplemental Food Program for Women, Infants, and Children (WIC) provides food assistance to people determined by local health professionals to be at nutritional risk due to inadequate income and nutrition.

Program funding is allocated to States based on a formula rather than on participation. Under P.L. 101-330, the returned funds will be redistributed to States experiencing shortfalls through the WIC formula. The law will also temporarily raise the spending ceiling for States with shortfalls.

H.R. 4432—Rep. Jim Moody (WI)

The Hunger Prevention and Nutrition Expansion Act of 1990 would amend the Hunger Prevention Act of 1986 to direct the Secretary of Agriculture to purchase and distribute \$10 million worth of milk to soup kitchens annually in 1991-95. This would be in addition to the current

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Many of the food bills currently before Congress would update or improve food assistance, especially in the WIC and food stamp programs.

\$32 million annual authorization for the Soup Kitchen Commodities Program.

H.R. 5126—Rep. George Miller (CA)

The Model Good Samaritan Food Donation Act would encourage States and territories to donate wholesome food or grocery products to nonprofit organizations for distribution to the needy. The

bill would allow donors to provide apparently fit grocery products and food without being liable for damage from the goods. This, however, does not exempt an injury to, or death of, a recipient that results from gross negligence or intentional misconduct by the donor. "Appar-

ently fit” means those goods that meet all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to its appearance, age, freshness, grade, size, surplus, or other condition.

S. 2310—Sen. Jim Sasser (TN)

The Hunger Prevention Act of 1990 would expand and reauthorize certain food programs. Funding for the WIC program would increase by \$150 million per year for the next 4 years. Changes in the Food Stamp Program would include: (1) removing the current cap on the “excess shelter” deduction for determining the amount of benefits so that all eligible households could deduct the full amount of their shelter costs (the law currently allows families with children to deduct \$177 of their monthly shelter expenses and elderly and disabled to deduct their full shelter costs); (2) allowing households to collect the first \$50 of child support per month without penalizing benefits; (3) increasing the current limit on the value of motor vehicles owned by households from \$4,500 to \$5,500 in 1991 (indexed annually thereafter, according to the Consumer Price Index); (4) increasing basic benefits 0.5 percent annually for the next 4 years from 103 percent of the Thrifty Food Plan to 105 percent; (5) reducing barriers to participation in rural areas by setting up demonstration projects and requiring mail-issue of food stamps; (6) expanding food stamps and assistance to the homeless; and (7) encouraging use of food

stamp electronic benefit transfer systems to modernize delivery and discourage fraud. The bill would reauthorize funding for the Food Stamp, Temporary Emergency Assistance, Commodity Supplemental Food, and Nutrition Assistance for Puerto Rico programs, all of which expire at the end of fiscal year 1990. It would also increase funding to pilot projects providing food assistance to homeless preschoolers who are currently left out of existing nutrition programs.

S. 2489—Sen. Patrick Leahy (VT)

The Mickey Leland Memorial Domestic Hunger Relief Act would change the Food Stamp Program (FSP) to increase the excess shelter cost deduction for 1992 and removes any limits beginning in 1993. S. 2489 would also make other changes in the FSP, including: (1) allowing households to collect the first \$50 of child support per month without penalty; (2) increasing basic benefits from 103 percent to 105 percent of the Thrifty Food Plan; (3) increasing employment and training incentives to assist getting people off food stamps; (4) raising the amount of child care reimbursement; (5) increasing the automobile deduction for participants from \$4,500 to \$5,500 and eventually to \$5,750, and indexing it to inflation; (6) simplifying the definition of a household in the program; (7) increasing the minimum benefit from \$10 per month to be indexed to inflation; (8) improving access in rural areas; and (9) allowing the homeless to use food stamps in approved restaurants.

S. 2289—Sen. Mitch McConnell (KY)

This bill would allow local community distribution agencies to convert up to

25 percent of unused slots for WIC to be made available to eligible low-income elderly. The bill still gives priority to women, infants, and children.

S. 2445—Sen. Rudy Boschwitz (MN)

The Food Stamp Trafficking Prevention and Penalty Act of 1990 would increase the penalty for traffickers from a maximum \$10,000 fine and a 5-year prison sentence, to a \$500,000 fine and 20 years in prison.

S. 2471—Sen. Wendell Ford (KY)

The bill would require the Secretary of Agriculture to assess changes in the National School Lunch Program operations over the past decade. The factors to be analyzed include the impact of decreased bonus commodities on a State-by-State basis; the indirect costs faced by school food service authorities; current costs of providing school lunches; the reasons why some schools have left the program and the impact on low-income children at those schools; and changes in responsibility during the past decade for both State officials and school food service authorities.

Food Safety and Quality

H.R. 4588—Rep. John Dingell (MI)

The bill would give the Secretary of Commerce, with the assistance of the Secretary of Health and Human Services, the authority to establish standards for harvesting and processing practices and for sanitary conditions on board fishing vessels. It would also establish standards

for grading, identifying, packaging, and labeling fish and fish products for trade. The Secretary of Commerce would also be required to establish a system to register and inspect the vessels.

H.R. 4723—Rep. Robert Torricelli (NJ) and S. 2284—Sen. Robert Kasten (WI)

Both of these bills would create a standard for light natural butter products to enable them to be marketed nationally. The present standard for butter requires 80 percent milkfat. Under H.R. 4723, light butter would have 35 to 40 percent milkfat; under S. 2284, it would have 52 percent milkfat.

S. 2393—Sen. J. James Exon (NE)

The Safe Food Transportation Act of 1990 would require the Secretary of Transportation, in consultation with the Secretaries of Agriculture and Health and Human Services and the Administrator of the Environmental Protection Agency to establish regulations concerning the transportation of food, food additives, drugs, devices, and cosmetics in trucks or trains which also are used to transport municipal waste or nonfood products. Such transport could make the other products unsafe for humans or animals. Drugs, devices, and cosmetics are to be considered nonfood products when transported at the same time as food and food additives.

S. 2642—Sen. J. James Exon (NE)

The Grown in the United States Food Labeling Act of 1990 would establish a program to define conditions under

which food producers, processors, and sellers may label food products as grown in the United States or as made of ingredients grown in the United States. Any product containing a significant amount of imported ingredients would not be permitted to be so labeled. The bill would also require the Secretary of Agriculture and the Commissioner of the Food and Drug Administration to conduct a comprehensive review of all existing Federal country-of-origin food labeling requirements. They would issue a report which analyzes the adequacy of these requirements and make recommendations to Congress to improve country-of-origin information available to consumers.

S. 2272—Sen. Steve Symms (ID)

The Food for Special Dietary Use Act would amend the Federal Food, Drug, and Cosmetic Act to exempt vitamins and other foods for special dietary use from being defined as a drug. The bill would change the way foods which are used for special dietary purposes, such as oat bran, are regulated. Currently, products which make therapeutic claims are defined as drugs by the Food and Drug Administration for regulatory purposes. This change would allow food producers and suppliers to be able to inform the public of the beneficial health effects of products.

S. 2422—Sen. Christopher Bond (MO)

The Food Safety Act affects food products of animal origin, such as poultry. It would authorize the Secretary of Agriculture to establish a research program which would include developing technology to rapidly identify and con-

trol or prevent microbiological or chemical contaminants on a farm or throughout the processing and distribution chain and to establish a statistical framework to measure the potential health risks posed by contamination. USDA would also assist in removing from the market food which would be unacceptable under the statistical framework developed.

H.R. 5045—Rep. Gary Condit (CA)

The Organic Foods National Standards Act would define “organically produced” to mean food produced without chemicals and which does not contain traces of chemical pesticides. It would also establish a USDA certification process for organic foods.

Other

H.R. 4342—Rep. Tom Lewis (FL) and S. 2525—Sen. Connie Mack (FL)

These bills would require the Secretary of Agriculture to conduct a study on the current state of the fruit and vegetable industry. The study would include: (1) a review of the availability of an adequate labor supply and crop insurance or disaster assistance; (2) a review of scientific and technological advances in areas including genetics, biotechnology, and other scientific developments; (3) an examination of the availability of safe and effective chemicals; (4) a review of the requirements and cost as well as the benefits of labeling; and (5) a review of Federal educational programs teaching the importance of fruits and vegetables. ■