

## **FOOD AND NUTRITION ACT OF 2008**

[As Amended Through P.L. 113-79, Enacted February 07, 2014]

**Sec. 28**

**FOOD AND NUTRITION ACT OF  
2008**

**1-154**

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**SEC. 28. ~~07~~ U.S.C. 2036a; NUTRITION EDUCATION AND OBESITY PREVENTION GRANT PROGRAM.**

(c) DELIVERY OF NUTRITION EDUCATION AND OBESITY PREVENTION SERVICES.—

(3) ~~IN GENERAL~~.—State agencies may deliver nutrition education and obesity prevention services under a program described in subsection (b)—

(A) directly to eligible individuals; or

(B) through agreements with other State or local agencies or community organizations.

(4) NUTRITION EDUCATION STATE PLANS.—

(A) ~~IN GENERAL~~.—A State agency that elects to provide nutrition education and obesity prevention services under this subsection shall submit to the Secretary for approval a nutrition education State plan.

(B) ~~REQUIREMENTS~~.—Except as provided in subparagraph (C), a nutrition education State plan shall—

(i) identify the uses of the funding for local projects;

(ii) ensure that the interventions are appropriate for eligible individuals who are members of low-income populations by recognizing the constrained resources, and the potential eligibility for Federal food assistance programs, of members of those populations; and

(iii) conform to standards established by the Secretary through regulations, guidance, or grant award documents.

(C) ~~TRANSITION PERIOD~~.—During each of fiscal years 2011 and 2012, a nutrition education State plan under this section shall be consistent with the requirements of section

**1-155**

**FOOD AND NUTRITION ACT OF  
2008**

**Sec.  
28**

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11(f) (as that section, other than paragraph (3)(C), existed on the day before the date of enactment of this section).

**(5) USE OF FUNDS.—**

(A) **I<sub>N</sub> GENERAL.**—A State agency may use funds provided under this section for any evidence-based allowable use of funds identified by the Administrator of the Food and Nutrition Service of the Department of Agriculture in consultation with the Director of the Centers for Disease Control and Prevention of the Department of Health and Human Services, including

- - (i) individual and group-based nutrition education, health promotion, and intervention strategies;
  - (ii) comprehensive, multilevel interventions at multiple complementary organizational and institutional levels; and
  - (iii) community and public health approaches to improve nutrition.

(B) **C<sub>ONSULTATION</sub>.**—In identifying allowable uses of funds under subparagraph (A) and in seeking to strengthen delivery, oversight, and evaluation of nutrition education, the Administrator of the Food and Nutrition Service shall consult with the Director of the Centers for Disease Control and Prevention and outside stakeholders and experts, including—

- (i) representatives of the academic and research communities;
- (ii) nutrition education practitioners;
- (iii) representatives of State and local governments; and
- (iv) community organizations that serve low-income populations.