

Attachment I:  
Child Nutrition Act of 1966  
(42 U.S.C. 1779)

## CHILD NUTRITION ACT OF 1966

[Public Law 89–642, Enacted October 11, 1966]

[As Amended Through P.L. 111–296, Effective Dec. 13, 2010]

【Currency: This publication is a compilation of the text of Public Law 89-642. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

### TABLE OF CONTENTS<sup>1</sup>

- Sec. 1. 【1771 note】 Short title.
- Sec. 2. 【1771】 Declaration of purpose.
- Sec. 3. 【1772】 Special milk program authorization.
- Sec. 4. 【1773】 School breakfast program authorization.
- Sec. 5. 【1774】 Disbursement to schools by the Secretary.
- Sec. 6. 【1775】 Payments to States.
- Sec. 7. 【1776】 State administrative expenses.
- Sec. 8. 【1777】 Utilization of foods.
- Sec. 9. 【1778】 Nonprofit programs.
- Sec. 10. 【1779】 Regulations.
- Sec. 11. 【1780】 Prohibitions.
- Sec. 12. 【1781】 Preschool programs.
- Sec. 13. 【1782】 Centralization of administration.
- Sec. 14. 【1783】 Appropriations for administrative expense.
- Sec. 15. 【1784】 Miscellaneous provisions and definitions.
- Sec. 16. 【1785】 Accounts and records.
- Sec. 17. 【1786】 Special supplemental nutrition program for women, infants, and children.
- Sec. 19. 【1788】 Team nutrition network.
- Sec. 20. 【1789】 Department of Defense overseas dependents' schools.
- Sec. 21. 【1790】 Breastfeeding promotion program.
- Sec. 22. 【1791】 Bill Emerson Good Samaritan Food Donation Act.
- Sec. 23. 【1793】 Grants for expansion of school breakfast programs.

AN ACT To strengthen and expand food service programs for children.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【42 U.S.C. 1771 note】 That this Act may be cited as the “Child Nutrition Act of 1966”.<sup>2</sup>*

<sup>1</sup>This table of contents is not part of the Act but is included for user convenience. The numbers in brackets refer to section numbers in title 42 United States Code.

<sup>2</sup>P.L. 89–642, 80 Stat. 885, Oct. 11, 1966.

**SEC. 10. [42 U.S.C. 1779] REGULATIONS.**

(a) **IN GENERAL.**—The Secretary shall prescribe such regulations as the Secretary may deem necessary to carry out this Act and the Richard B. Russell National School Lunch Act [(42 U.S.C. 1751 et seq.)], including regulations relating to the service of food in participating schools and service institutions in competition with the programs authorized under this Act and the Richard B. Russell National School Lunch Act.

(b) **NATIONAL SCHOOL NUTRITION STANDARDS.**—

(1) **PROPOSED REGULATIONS.**—

(A) **IN GENERAL.**—The Secretary shall—

(i) establish science-based nutrition standards for foods sold in schools other than foods provided under this Act and the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(ii) not later than 1 year after the date of enactment of this paragraph, promulgate proposed regulations to carry out clause (i).

(B) **APPLICATION.**—The nutrition standards shall apply to all foods sold—

(i) outside the school meal programs;

(ii) on the school campus; and

(iii) at any time during the school day.

(C) **REQUIREMENTS.**—In establishing nutrition standards under this paragraph, the Secretary shall—

(i) establish standards that are consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), including the food groups to encourage and nutrients of concern identified in the Dietary Guidelines; and

(ii) consider—

(I) authoritative scientific recommendations for nutrition standards;

(II) existing school nutrition standards, including voluntary standards for beverages and snack foods and State and local standards;

(III) the practical application of the nutrition standards; and

(IV) special exemptions for school-sponsored fundraisers (other than fundraising through vending machines, school stores, snack bars, a la carte sales, and any other exclusions determined by the Secretary), if the fundraisers are approved by the school and are infrequent within the school.

(D) **UPDATING STANDARDS.**—As soon as practicable after the date of publication by the Department of Agriculture and the Department of Health and Human Services of a new edition of the Dietary Guidelines for Americans under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341), the Secretary shall review and update as necessary the

school nutrition standards and requirements established under this subsection.

(2) IMPLEMENTATION.—

(A) EFFECTIVE DATE.—The interim or final regulations under this subsection shall take effect at the beginning of the school year that is not earlier than 1 year and not later than 2 years following the date on which the regulations are finalized.

(B) REPORTING.—The Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and Labor of the House of Representatives a quarterly report that describes progress made toward promulgating final regulations under this subsection.

(c) In such regulations the Secretary may provide for the transfer of funds by any State between the programs authorized under this Act and the Richard B. Russell National School Lunch Act on the basis of an approved State plan of operation for the use of the funds and may provide for the reserve of up to 1 per centum of the funds available for apportionment to any State to carry out special developmental projects.

#### PROHIBITIONS

SEC. 11. [42 U.S.C. 1780] (a) In carrying out the provisions of sections 3 and 4 of this Act, the Secretary shall not impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this Act shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this Act.

(c) FEDERAL LAW NOT APPLICABLE.—Section 920 of the Electronic Fund Transfer Act shall not apply to electronic benefit transfer systems established under this Act or the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

#### PRESCHOOL PROGRAMS

SEC. 12. [42 U.S.C. 1781] The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system.

#### CENTRALIZATION OF ADMINISTRATION

SEC. 13. [42 U.S.C. 1782] Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels