

118TH CONGRESS
1ST SESSION

S. _____

To amend the Food and Nutrition Act of 2008 to require the Secretary to designate food and food products to be made available under the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Food and Nutrition Act of 2008 to require the Secretary to designate food and food products to be made available under the supplemental nutrition assistance program, 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 “Healthy SNAP Act
5 of 2023”.

1 **SEC. 2. FOOD UNDER SUPPLEMENTAL NUTRITION ASSIST-**
2 **ANCE PROGRAM.**

3 (a) DEFINITION OF FOOD.—Section 3(k)(1) of the
4 Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)(1))
5 is amended—

6 (1) by striking “except alcoholic beverages, to-
7 bacco” and inserting the following “designated by
8 the Secretary under section 4(d), except any alco-
9 holic beverages, tobacco, soft drinks, candy, ice
10 cream, prepared deserts such as cakes, pies, cookies,
11 or similar products”; and

12 (2) by striking “clauses” and inserting “para-
13 graphs”.

14 (b) DESIGNATED FOOD.—Section 4 of the Food and
15 Nutrition Act of 2008 (7 U.S.C. 2013) is amended by add-
16 ing at the end the following:

17 “(d) DESIGNATED FOOD.—

18 “(1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of this subsection, the
20 Secretary shall designate by regulation the foods and
21 food products that shall be included in the definition
22 of the term ‘food’ under section 3(k)(1).

23 “(2) CONSIDERATIONS.—In carrying out para-
24 graph (1), the Secretary shall—

25 “(A) take into consideration food and food
26 products that—

1 “(i) based on nutrition research, con-
2 tain nutrients lacking in the diets of people
3 in the United States; and

4 “(ii) promote the health of the popu-
5 lation served by the supplemental nutrition
6 assistance program, based on relevant nu-
7 trition science, public health concerns, and
8 cultural eating patterns; and

9 “(B) to the maximum extent practicable,
10 ensure that the fat, sugar, and salt content of
11 the food and food products is appropriate.

12 “(3) REVIEW OF AVAILABLE FOODS.—As fre-
13 quently as determined by the Secretary to be nec-
14 essary to reflect the most recent scientific knowl-
15 edge, but not less frequently than once every 5
16 years, the Secretary shall—

17 “(A) conduct a scientific review of the food
18 and food products designated under paragraph
19 (1); and

20 “(B) amend those foods and food products,
21 as necessary, to reflect nutrition science, public
22 health concerns, and cultural eating patterns.

23 “(4) PREPARED MEALS.—Prepared meals de-
24 scribed in section 3(k) shall have nutritional values

1 consistent with regulations developed by the Sec-
2 retary under this subsection.

3 “(5) CULTURAL CUISINES.—To allow for dif-
4 ferent cultural eating patterns, State agencies may,
5 with the approval of the Secretary, substitute dif-
6 ferent food for food designated under paragraph (1)
7 subject to the condition that the different food is nu-
8 tritionally equivalent to the substituted food.”.