

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. BOOZMAN

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Whole Milk for
5 Healthy 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.
10 1758(a)(2)) is amended—

11 (1) in subparagraph (A)—

1 (A) by striking clauses (i) and (ii) and in-
2 serting the following:

3 “(i) shall offer students a variety of
4 fluid milk;

5 “(ii) may offer students options which
6 may include flavored and unflavored or-
7 ganic or nonorganic whole, reduced-fat,
8 low-fat, and fat-free fluid milk and lactose-
9 free fluid milk, and nondairy beverages
10 that are nutritionally equivalent to fluid
11 milk and meet the nutritional standards
12 established by the Secretary (which shall,
13 among other requirements to be deter-
14 mined by the Secretary, include fortifica-
15 tion of calcium, protein, vitamin A, and vi-
16 tamin D to levels found in cow’s milk);
17 and”; and

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

21 (2) in subparagraph (C), in the matter pre-
22 ceding clause (i), by striking “fluid milk products”
23 and inserting “products described in subparagraph
24 (A)(ii)”; and

25 (3) by adding at the end the following:

1 “(D) SATURATED FAT.—Milk fat included
2 in any fluid milk provided under subparagraph
3 (A) shall not be considered saturated fat for
4 purposes of measuring compliance with the al-
5 lowable average saturated fat content of a meal
6 under section 210.10 of title 7, Code of Federal
7 Regulations (or successor regulations).

8 “(E) APPLICATION.—Subparagraph (B)(ii)
9 is not applicable to a school that offers
10 nondairy beverages under subparagraph
11 (A)(ii).”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Section 14(f) of the Richard B. Russell Na-
14 tional School Lunch Act (42 U.S.C. 1762a(f)) is
15 amended in the third sentence by inserting “or a
16 nondairy beverage that meets the nutritional stand-
17 ards described in section 9(a)(2)(B)” after “milk”.

18 (2) Section 20(c) of the Richard B. Russell Na-
19 tional School Lunch Act (42 U.S.C. 1769b(c)) is
20 amended by striking “patterns and fluid milk re-
21 quirements” and inserting “patterns, fluid milk re-
22 quirements, and nutritional standards for nondairy
23 beverages”.