

AMENDMENT TO
RULES COMMITTEE PRINT 113-14, H.R. 1947
FEDERAL AGRICULTURE REFORM AND RISK
MANAGEMENT ACT OF 2013
OFFERED BY MR. YOUNG OF ALASKA

At the end of subtitle A of title IV, insert the following:

1 **SEC. 4033. SERVICE OF TRADITIONAL FOODS IN PUBLIC FA-**
2 **CILITIES.**

3 (a) DEFINITIONS.—In this section:

4 (1) FOOD SERVICE PROGRAM.—The term “food
5 service program” includes—

6 (A) food service at a residential child care
7 facility with a license from an appropriate State
8 agency;

9 (B) a child nutrition program (as defined
10 in section 25(b) of the Richard B. Russell Na-
11 tional School Lunch Act (42 U.S.C. 1769f (b));

12 (C) food service at a hospital or clinic or
13 long term care facility; and

14 (D) a senior meal program.

15 (2) INDIAN; INDIAN TRIBE; INDIAN TRIBAL OR-
16 GANIZATION.—The terms “Indian”; “Indian tribe”;

1 and “Indian Tribal Organization” have the mean-
2 ings given those terms in section 4 of the Indian
3 Self-Determination and Education Assistance Act
4 (25 U.S.C. 450b).

5 (3) TRADITIONAL FOOD.—

6 (A) IN GENERAL.—The term “traditional
7 food” means food that has traditionally been
8 prepared and consumed by an Indian tribe.

9 (B) INCLUSIONS.—The term “traditional
10 food” includes—

11 (i) wild game meat;

12 (ii) fish;

13 (iii) seafood;

14 (iv) marine mammals;

15 (iv) plants; and

16 (v) berries.

17 (b) PROGRAM.—Notwithstanding any other provision
18 of law, the Secretary shall allow the donation to and serv-
19 ing of traditional food through a food service program at
20 a public facility, nonprofit facility, including facilities oper-
21 ated by an Indian tribe or tribal organization that pri-
22 marily serves Indians if the operator of the food service
23 program—

1 (1) ensures that the food is received whole, gut-
2 ted, gilled, as quarters, or as a roast, without fur-
3 ther processing;

4 (2) makes a reasonable determination that—

5 (A) the animal was not diseased;

6 (B) the food was butchered, dressed, trans-
7 ported, and stored to prevent contamination,
8 undesirable microbial growth, or deterioration;
9 and

10 (C) the food will not cause a significant
11 health hazard or potential for human illness;

12 (3) carries out any further preparation or proc-
13 essing of the food at a different time or in a dif-
14 ferent space from the preparation or processing of
15 other food for the applicable program to prevent
16 cross-contamination;

17 (4) cleans and sanitizes food-contact surfaces of
18 equipment and utensils after processing the tradi-
19 tional food; and

20 (5) labels donated traditional food with the
21 name of the food and stores the traditional food sep-
22 arately from other food for the applicable program,
23 including through storage in a separate freezer or
24 refrigerator or in a separate compartment or shelf in
25 the freezer or refrigerator.

1 (c) LIABILITY.—Liability for damages from donated
2 traditional food and products to the participating food
3 service program shall not be subject to civil or criminal
4 liability arising from the nature, age, packaging, or condi-
5 tion of donated food.

