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(Original Signature of Member)

111TH CONGRESS  
1ST SESSION

# H. R.

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To amend the Child Nutrition Act of 1966 to extend the limitation of liability arising from certain donations to include the donation of animal feed.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. CULBERSON introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend the Child Nutrition Act of 1966 to extend the limitation of liability arising from certain donations to include the donation of animal feed.

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. LIMITATION OF LIABILITY ARISING FROM DO-**  
4 **NATION OF ANIMAL FEED.**

5 (a) IN GENERAL.—Subsection (b) of section 22 of the  
6 Child Nutrition Act of 1966 (42 U.S.C. 1791) is amend-  
7 ed—

1           (1) by redesignating paragraphs (1) through  
2           (10) as paragraphs (2) through (11), respectively,  
3           and inserting before such redesignated paragraphs  
4           the following:

5           “(1) ANIMAL FEED.—The term ‘animal feed’  
6           means any raw, cooked, processed, or prepared edi-  
7           ble substance, ice, beverage, or ingredient used or in-  
8           tended for use in whole or in part for animal con-  
9           sumption.”;

10           (2) in paragraph (7) (as so redesignated), by  
11           inserting “animal feed,” after “cleaning product,”;  
12           and

13           (3) in paragraphs (8) and (9) (as so redesign-  
14           ated), by inserting before the period at the end of  
15           each paragraph the following: “, or, in the case of  
16           conduct relating to animal feed, the health or well-  
17           being of an animal for which such feed is intended”.

18           (b) EXCEPTION.—Paragraph (3) of subsection (c) of  
19           such section is amended to read as follows:

20           “(3) EXCEPTION.—Paragraphs (1) and (2)  
21           shall not apply—

22           “(A) in the case of food or a grocery prod-  
23           uct other than animal feed, to an injury to or  
24           death of an ultimate user or recipient of the  
25           food or grocery product that results from an act

1 or omission of the person, gleaner, or nonprofit  
2 organization, as applicable, constituting gross  
3 negligence or intentional misconduct; or

4 “(B) in the case of animal feed, to an in-  
5 jury to or death of an animal for which such  
6 animal feed is intended that results from an act  
7 or omission of the person, gleaner, or nonprofit  
8 organization, as applicable, constituting gross  
9 negligence or intentional misconduct.”.