

“(2) LIMITATION.—Funds made available to a State under the program shall not be used to disparage any agricultural commodity.

“(c) SELECTION OF STATES.—

“(1) IN GENERAL.—In selecting States to participate in the program, the Secretary shall take into consideration, with respect to projects and activities proposed to be carried out under the program—

“(A) experience in carrying out similar projects or activities;

“(B) innovative approaches; and

“(C) the ability of the State to promote and track increases in levels of fruit and vegetable consumption.

“(2) ENHANCEMENT OF EXISTING STATE PROGRAMS.—The Secretary may use the pilot program to enhance existing State programs that are consistent with the purpose of the pilot program specified in subsection (b).

“(d) ELIGIBLE PUBLIC AND PRIVATE SECTOR ENTITIES.—

“(1) IN GENERAL.—A participating State shall establish eligibility criteria under which the State may select public and private sector entities to carry out demonstration projects under the program.

“(2) LIMITATION.—No funds made available to States under the program shall be provided by a State to any foreign for-profit corporation.

“(e) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds provided under this section shall be 50 percent.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2002 through 2012.”

#### § 3172. Duties of Secretary of Agriculture

In order to carry out the policy of this subchapter, the Secretary shall develop and implement a national food and human nutrition research and extension program that shall include, but not be limited to—

(1) research on human nutritional requirements;

(2) research on the nutrient composition of foods and the effects of agricultural practices, handling, food processing, and cooking on the nutrients they contain;

(3) surveillance of the nutritional benefits provided to participants in the food programs administered by the Department of Agriculture;

(4) research on the factors affecting food preference and habits; and

(5) the development of techniques and equipment to assist consumers in the home or in institutions in selecting food that supplies a nutritionally adequate diet.

(Pub. L. 95–113, title XIV, §1422, Sept. 29, 1977, 91 Stat. 999.)

#### § 3173. Research by Department of Agriculture

##### (a) Increase in level of support

The Secretary shall establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture, and the Secretary shall increase support for such research to a level that provides resources adequate to meet the policy of this subchapter.

##### (b) Periodic consultation with administrators of other Federal departments and agencies

The Secretary, in administering the food and human nutrition research program, shall periodically consult with the administrators of the other Federal departments and agencies that

have responsibility for programs dealing with human food and nutrition, as to the specific research needs of those departments and agencies.

(Pub. L. 95–113, title XIV, §1423, Sept. 29, 1977, 91 Stat. 999.)

NATIONAL FOOD AND HUMAN NUTRITION RESEARCH PROGRAM; CONGRESSIONAL FINDINGS; COMPREHENSIVE PLAN; ANNUAL REPORT; JOINT DIETARY ASSESSMENT, STUDIES AND REPORTS; SUBMISSION OF PLAN AND REPORTS TO CONGRESSIONAL COMMITTEES

Pub. L. 99–198, title XIV, subtitle B, §§1451–1453, Dec. 23, 1985, 99 Stat. 1561, 1562, as amended by Pub. L. 104–127, title VIII, §872, Apr. 4, 1996, 110 Stat. 1175, provided that:

##### “FINDINGS

“SEC. 1451. Congress finds that—

“(1) nutrition and health considerations are important to United States agricultural policy;

“(2) section 1405 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3121) designates the Department of Agriculture as the lead agency of the Federal Government for human nutrition research (except with respect to the biomedical aspects of human nutrition concerned with diagnosis or treatment of disease);

“(3) section 1423 of such Act (7 U.S.C. 3173) requires the Secretary of Agriculture to establish research into food and human nutrition as a separate and distinct mission of the Department of Agriculture;

“(4) the Secretary has established a nutrition education program; and

“(5) nutrition research continues to be of great importance to those involved in agricultural production.

“[SEC. 1452. Repealed. Pub. L. 104–127, title VIII, §872, Apr. 4, 1996, 110 Stat. 1175.]

##### “DIETARY ASSESSMENT AND STUDIES

“SEC. 1453. (a) The Secretary of Agriculture and the Secretary of Health and Human Services shall jointly conduct an assessment of existing scientific literature and research relating to—

“(1) the relationship between dietary cholesterol and blood cholesterol and human health and nutrition; and

“(2) dietary calcium and its importance in human health and nutrition.

In conducting the assessments under this subsection, the Secretaries shall consult with agencies of the Federal Government involved in related research. On completion of such assessments, the Secretaries shall each recommend such further studies as the Secretaries consider useful.

“(b) Not later than 1 year after the date of enactment of this Act [Dec. 23, 1985], the Secretary of Agriculture and the Secretary of Health and Human Services shall each submit to the House Committees on Agriculture and Energy and Commerce and the Senate Committees on Agriculture, Nutrition, and Forestry and Labor and Human Resources a report that shall include the results of the assessments conducted under subsection (a) and recommendations made under such subsection, for more complete studies of the issues examined under such subsection, including a protocol, feasibility assessment, budget estimates and a timetable for such research as each Secretary shall consider appropriate.”

#### § 3174. Human nutrition intervention and health promotion research program

##### (a) Authority of Secretary

The Secretary may establish, and award grants for projects for, a multi-year research initiative on human nutrition intervention and health promotion.

**(b) Emphasis of initiative**

In administering human nutrition research projects under this section, the Secretary shall give specific emphasis to—

- (1) coordinated longitudinal research assessments of nutritional status;
- (2) the implementation of unified, innovative intervention strategies; and
- (3) proposals that examine the efficacy of current agriculture policies in promoting the health and welfare of economically disadvantaged populations;

to identify and solve problems of nutritional inadequacy and contribute to the maintenance of health, well-being, performance, and productivity of individuals, thereby reducing the need of the individuals to use the health care system and social programs of the United States.

**(c) Administration of funds**

The Administrator of the Agricultural Research Service shall administer funds made available to carry out this section to ensure a coordinated approach to health and nutrition research efforts.

**(d) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 1996 through 2012.

(Pub. L. 95-113, title XIV, § 1424, as added Pub. L. 104-127, title VIII, § 808, Apr. 4, 1996, 110 Stat. 1162; amended Pub. L. 105-185, title III, § 301(a)(4), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, § 7104, May 13, 2002, 116 Stat. 432; Pub. L. 110-234, title VII, §§ 7113, 7114, May 22, 2008, 122 Stat. 1219; Pub. L. 110-246, § 4(a), title VII, §§ 7113, 7114, June 18, 2008, 122 Stat. 1664, 1980, 1981.)

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

## PRIOR PROVISIONS

A prior section 3174, Pub. L. 95-113, title XIV, § 1424, as added Pub. L. 101-624, title XVI, § 1610(a), Nov. 28, 1990, 104 Stat. 3719, provided for establishment of food science and nutrition research center for Southeast region of United States prior to repeal by Pub. L. 104-127, title VIII, § 808, Apr. 4, 1996, 110 Stat. 1162.

Another prior section 3174, Pub. L. 95-113, title XIV, § 1424, Sept. 29, 1977, 91 Stat. 1000, provided for a study assessing potential value and cost of establishing regional food and human nutrition research centers and a report thereon, with findings and recommendations, to be submitted to the Congress not later than one year after Oct. 1, 1977, prior to repeal by Pub. L. 99-198, title XIV, § 1413, Dec. 23, 1985, 99 Stat. 1549.

## AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-246, § 7113(1), which directed amendment of par. (1) by striking out “and,” at end, was executed by striking out “and” at end to reflect the probable intent of Congress.

Subsec. (b)(2). Pub. L. 110-246, § 7113(2), substituted “; and” for comma at end.

Subsec. (b)(3). Pub. L. 110-246, § 7113(3), added par. (3).

Subsec. (d). Pub. L. 110-246, § 7114, substituted “2012” for “2007”.

2002—Subsec. (d). Pub. L. 107-171 substituted “2007” for “2002”.

1998—Subsec. (d). Pub. L. 105-185 substituted “each of fiscal years 1996 through 2002” for “fiscal years 1996 and 1997”.

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

**§ 3174a. Pilot research program to combine medical and agricultural research****(a) Findings**

Congress finds the following:

(1) Although medical researchers in recent years have demonstrated that there are several naturally occurring compounds in many vegetables and fruits that can aid in the prevention of certain forms of cancer, coronary heart disease, stroke, and atherosclerosis, there has been almost no research conducted to enhance these compounds in food plants by modern breeding and molecular genetic methods.

(2) By linking the appropriate medical and agricultural research scientists in a highly-focused, targeted research program, it should be possible to develop new varieties of vegetables and fruits that would provide greater prevention of diet-related diseases that are a major cause of death in the United States.

**(b) Pilot research program**

The Secretary shall conduct, through the National Institute of Food and Agriculture, a pilot research program to link major cancer and heart and other circulatory disease research efforts with agricultural research efforts to identify compounds in vegetables and fruits that prevent these diseases. Using information derived from such combined research efforts, the Secretary shall assist in the development of new varieties of vegetables and fruits having enhanced therapeutic properties for disease prevention.

**(c) Agreements**

The Secretary shall carry out the pilot program through agreements entered into with land-grant colleges or universities, other universities, State agricultural experiment stations, the State cooperative extension services, non-profit organizations with demonstrable expertise, or Federal or State governmental entities. The Secretary shall enter into the agreements on a competitive basis.

**(d) Authorization of appropriations**

There are authorized to be appropriated \$10,000,000 for each of fiscal years 1997 through 2012 to carry out the pilot program.

(Pub. L. 95-113, title XIV, § 1424A, as added Pub. L. 104-127, title VIII, § 808, Apr. 4, 1996, 110 Stat. 1163; amended Pub. L. 105-185, title III, § 301(a)(5), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, § 7105, May 13, 2002, 116 Stat. 432; Pub. L. 110-234, title VII, §§ 7115, 7511(c)(10)(A), May 22, 2008, 122 Stat. 1220, 1268; Pub. L. 110-246, § 4(a), title VII, §§ 7115, 7511(c)(10)(A), June 18, 2008, 122 Stat. 1664, 1981, 2029.)

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub.