

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1236 Session of 2022

INTRODUCED BY VOGEL, SCHWANK, DUSH, GORDNER, MENSCH, STEFANO AND J. WARD, MAY 18, 2022

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 15, 2022

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for extensive amendments to the very
3 small meat processor Federal inspection reimbursement grant
4 program-; IN AGRICULTURE AND YOUTH DEVELOPMENT, FURTHER <--
5 PROVIDING FOR DEFINITIONS AND FOR GRANTS; IN COMMONWEALTH
6 SPECIALTY CROP BLOCK GRANT PROGRAM, FURTHER PROVIDING FOR
7 COMMONWEALTH SPECIALTY CROP BLOCK GRANT FUND; IN URBAN
8 AGRICULTURAL INFRASTRUCTURE GRANT PROGRAM, FURTHER PROVIDING
9 FOR LEGISLATIVE INTENT, FOR DEFINITIONS, FOR GRANT PROGRAM
10 AND FOR DISTRIBUTION OF GRANT MONEY; AND, IN FARM-TO-SCHOOL
11 PROGRAM, FURTHER PROVIDING FOR FINDINGS AND DECLARATIONS, FOR
12 GRANT PROGRAM AND FOR APPLICATIONS AND REVIEW OF
13 APPLICATIONS.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Chapter 101 heading and sections 10101, 10102, <--
17 10103, 10104, 10105 and 10106 of Title 3 of the Pennsylvania
18 Consolidated Statutes are amended to read:

19 SECTION 1. CHAPTER 101 HEADING AND SECTIONS 10101, 10102, <--
20 10103, 10104, 10105, 10106, 10301, 10305(A), 10508(A), 10701,
21 10702, 10703(A), (B) AND (E) (2) (II) AND (VIII), 10704, 10902,
22 10904 AND 10906(B) OF TITLE 3 OF THE PENNSYLVANIA CONSOLIDATED

1 STATUTES ARE AMENDED TO READ:

2 CHAPTER 101

3 VERY SMALL MEAT AND POULTRY PROCESSOR [FEDERAL INSPECTION]

4 REIMBURSEMENT GRANT PROGRAM

5 § 10101. Short title of chapter.

6 This chapter shall be known and may be cited as the Very  
7 Small Meat and Poultry Processor [Federal Inspection]  
8 Reimbursement Grant Program.

9 § 10102. Legislative intent.

10 It is the intent of the General Assembly [that very small  
11 meat processors be offered] to support the development and  
12 expansion of current or future very small meat and poultry  
13 processing operations in this Commonwealth by offering  
14 reimbursement grants to cover the costs associated with [meeting  
15 Federal inspection and certification guidelines during the  
16 planning and start-up periods for these operations.]:

17 (1) A grant of inspection from the USDA Food Safety and  
18 Inspection Service.

19 (2) Opening a new very small meat and poultry processing  
20 operation.

21 (3) Expanding the capacity of a current very small meat  
22 and poultry processing operation.

23 (4) A combination of paragraphs (1), (2) and (3).

24 § 10103. Definitions.

25 The following words and phrases when used in this chapter  
26 shall have the meanings given to them in this section unless the  
27 context clearly indicates otherwise:

28 "Applicant." A person applying for a reimbursement grant  
29 under section 10104 (relating to grant program).

30 "Grant cycle." The period of time from when the department

1 solicits applications for grants under section 10104 to final  
2 reimbursement.

3 "Grant of inspection." An inspection by the USDA Food Safety  
4 and Inspection Service certifying that products at a very small  
5 meat and poultry processing operation are produced in accordance  
6 with Federal law.

7 "Person." An individual, partnership, association, firm,  
8 corporation or any other legal entity.

9 "USDA." The United States Department of Agriculture.

10 ["Very small meat processor." A person subject to Federal  
11 meat inspection that meets the United States Department of  
12 Agriculture's definition of a "very small processor," having  
13 fewer than 10 employees or annual sales of less than  
14 \$2,500,000.]

15 "Very small meat and poultry processing operation." A person  
16 operating under a grant of inspection that meets the definition  
17 of "very small establishment" as described in 9 CFR 381.65(g) (1)  
18 (i) (relating to operations and procedures, generally).

19 § 10104. Grant program.

20 (a) Availability.--Grants under this chapter shall only be  
21 offered [in a fiscal year in which and] to the extent that  
22 funding is made available to the department. The following shall  
23 apply:

24 (1) In the event funding is exhausted or otherwise  
25 unavailable, the department shall be under no obligation to  
26 provide grants under this chapter.

27 (2) Grant money may be prorated or offered as a  
28 percentage of actual costs, as determined by the department  
29 and set forth in an order by the secretary, to spread  
30 available money to a larger number of eligible applicants.

1 The secretary shall transmit notice of an order issued under  
2 this chapter to the Legislative Reference Bureau for  
3 publication in the Pennsylvania Bulletin.

4 (b) Reimbursement grants.--A grant under this chapter shall  
5 be a reimbursement grant. The following shall apply:

6 (1) The amount of reimbursement shall be based on actual  
7 eligible costs submitted by an approved applicant [~~during a~~  
8 ~~fiscal year in which grants are offered~~] within the grant  
9 cycle.

10 (2) Grant reimbursement money shall only be available  
11 for the eligible costs [~~of obtaining a Federal certification~~  
12 ~~to allow the sale of meat by a very small meat processor.~~

13 (c) Eligibility.--A very small meat processor may apply to  
14 receive reimbursement for the cost of meeting Federal inspection  
15 guidelines during the planning and start-up periods for the  
16 operations. The applicant must be in compliance with all  
17 applicable Federal licensure, recordkeeping and slaughter  
18 requirements.] associated with:

19 (i) Meeting the requirements to obtain a grant of  
20 inspection.

21 (ii) Opening a new very small meat and poultry  
22 processing operation.

23 (iii) Expanding the capacity of a current very small  
24 meat and poultry processing operation.

25 (iv) A combination of subparagraphs (i), (ii) and  
26 (iii).

27 (c.1) Eligibility.--An applicant may apply to receive  
28 reimbursement for eligible costs under section 10105 (relating  
29 to eligible costs) if the applicant is a very small meat and  
30 poultry processing operation and is either:

1       (1) currently operating under a grant of inspection; or  
2       (2) upon completion of the approved project, the  
3       applicant will obtain a grant of inspection.

4       (c.2) Attestation.--

5       (1) An applicant shall attest to the eligibility  
6       requirements under subsection (c.1).

7       (2) The attestation shall be made under penalty of law  
8       and subject to 18 Pa.C.S. Ch. 49 (relating to falsification  
9       and intimidation).

10       (3) If a statement or material fact on the application  
11       is found to be false, grant money received by the applicant  
12       shall be returned to the department within 30 days of  
13       notification of the finding.

14       (d) Application procedure.--An applicant who desires to  
15 receive a [very small meat processor Federal inspection]  
16 reimbursement grant under this section shall submit a grant  
17 application on a form provided by the department. The  
18 application shall contain the following information  
19 demonstrating and attesting to:

20       (1) The applicant's name, the organization name, a  
21 business address and a telephone number.

22       (2) A list of corporate officers.

23       (3) The applicant's eligibility[, setting forth  
24 information evidencing and attesting that the applicant meets  
25 the definition of a "very small meat processor." ] under  
26 subsection (c.1).

27       (4) A detailed plan [outlining], including the process  
28 being undertaken to [apply for and obtain Federal  
29 certification as a meat processor.

30       (5) The estimated] meet the requirements necessary to

1 obtain a grant of inspection as a very small meat and poultry  
2 processing operation. The plan shall outline the overall  
3 project and materials being requested, including a line item  
4 proposed budget, individual tasks required to complete the  
5 project, a detailed timeline for completion of project tasks  
6 and, if applicable, detailed descriptions of equipment or  
7 supplies required to complete the project, training,  
8 consulting, technical support and other services utilized.

9 (5) A detailed list of costs, including training and  
10 equipment costs, for which reimbursement is sought.

11 (6) An attestation signed by the applicant and subject  
12 to 18 Pa.C.S. Ch. 49 stating the applicant is in [good  
13 standing with all Federal licensure, recordkeeping and  
14 slaughter requirements, including the Federal Hazard Analysis  
15 Critical Control Point standards.] compliance, or will be in  
16 compliance after the approved project, with the Federal Meat  
17 Inspection Act (Public Law 59-382, 21 U.S.C. § 601 et seq.)  
18 or the Poultry Products Inspection Act (Public Law 85-172, 21  
19 U.S.C. § 451 et seq.) to maintain a grant of inspection.

20 (e) Evaluation of application.--The department shall  
21 evaluate an application on the basis of:

22 (1) The ability of the applicant to complete the stated  
23 project within the stated timeline.

24 (2) The ability of the applicant to provide a detailed  
25 description of the project and project costs as required by  
26 subsection (d).

27 (3) The potential of the project to provide slaughter or  
28 meat or poultry processing capacity and services to this  
29 Commonwealth's livestock and poultry producers.

30 (4) The potential of the project to provide availability

1 of Pennsylvania-produced meat or poultry products to  
2 consumers.

3 § 10105. Eligible costs.

4 The following costs, incurred during the term of the grant  
5 cycle in which the grant is awarded, shall be eligible for  
6 reimbursement:

7 [(1) Invoiced costs directly incurred for the initial  
8 compliance inspection.]

9 (1.1) Consulting or other technical support services  
10 that directly support the development and maintenance of  
11 programs required to operate under a grant of inspection.

12 (2) [A one-time reimbursement for the cost, not  
13 including man hours, directly incurred in producing the  
14 required Federal Hazard Analysis Critical Control Point  
15 plan.] Professional employee training and educational  
16 services and programs that support the development and  
17 maintenance of programs to operate under a grant of  
18 inspection. If a professional consultant is utilized [to  
19 develop the Federal Hazard Analysis Critical Control Point  
20 plan], reasonable costs may be reimbursed, as determined by  
21 the department.

22 (3) Up to [50%] 85% of the actual costs of [a first-  
23 time] the purchase of meat or poultry slaughter or processing  
24 equipment [necessary for compliance with the Federal Hazard  
25 Analysis Critical Control Point plan.] or supplies. This  
26 paragraph does not include reimbursement of the cost of  
27 planning, erection, repair or modification of a structure or  
28 building or repair or installation of roofing or other  
29 physical structure improvement.

30 (4) The purchase of equipment or supplies directly

1 related to employee safety.

2 § 10106. Final reimbursement.

3 (a) Required submission.--Reimbursement shall be based on  
4 the approved applicant's completion of the project and  
5 submission of the final costs [of obtaining the required Federal  
6 certification for which grant money was sought] related to  
7 expenses and materials in the applicant's approved grant project  
8 within the grant cycle. The submission shall include:

9 [(1) The date of the inspection.

10 (2) The name of the Federal inspector or veterinarian in  
11 charge of the inspection.

12 (3) A document signed by the Federal inspector or  
13 veterinarian in charge evidencing that the approved  
14 applicant's establishment passed the inspection.]

15 (4) Documentation of actual [costs for which  
16 reimbursement is sought and payment of the costs.]  
17 expenditures for eligible costs approved in the grant  
18 application and invoices evidencing payment of the costs. The  
19 documentation may include invoices for hours of training or  
20 consultation.

21 (5) Documentation of the completion of the approved  
22 project. The documentation may include pictures and dates of  
23 training and equipment installation.

24 (6) Documentation demonstrating the very small meat and  
25 poultry processing operation is operating under a grant of  
26 inspection.

27 (7) A written report related to:

28 (i) The completed project.

29 (ii) The expansion of meat or poultry processing  
30 capability.



1 PROGRAMS] A SCHOOL DISTRICT.

2 "BOARD." THE STATE AGRICULTURE AND YOUTH DEVELOPMENT BOARD.

3 "PROGRAM." THE AGRICULTURE AND YOUTH ORGANIZATION GRANT  
4 PROGRAM.

5 § 10305. GRANTS.

6 (A) GENERAL RULE.--THE DEPARTMENT SHALL MAKE GRANTS IN AN  
7 AMOUNT NOT TO EXCEED \$7,500 TO QUALIFYING AGRICULTURE AND YOUTH  
8 ORGANIZATIONS UPON THE RECOMMENDATION AND APPROVAL OF THE BOARD.

9 \* \* \*

10 § 10508. COMMONWEALTH SPECIALTY CROP BLOCK GRANT FUND.

11 (A) ESTABLISHMENT.--THE COMMONWEALTH SPECIALTY CROP BLOCK  
12 GRANT FUND IS ESTABLISHED AS A SPECIAL NONLAPSING FUND IN THE  
13 STATE TREASURY. [ALL MONEY DERIVED FROM FINES AND CIVIL  
14 PENALTIES, JUDGMENTS AND INTEREST COLLECTED OR IMPOSED UNDER  
15 THIS CHAPTER SHALL BE PAID INTO THE FUND.] ALL MONEY PLACED INTO  
16 THE FUND AND THE INTEREST THE FUND ACCRUES ARE HEREBY  
17 APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS FOR ANY  
18 ACTIVITIES NECESSARY TO MEET THE REQUIREMENTS OF THIS CHAPTER.

19 \* \* \*

20 § 10701. [LEGISLATIVE INTENT.

21 IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ESTABLISH A  
22 REIMBURSEMENT GRANT PROGRAM UNDER WHICH PERSONS WHO IMPLEMENT  
23 PROJECTS THAT IMPROVE AGRICULTURE INFRASTRUCTURE IN URBAN AREAS  
24 AND THAT FOCUS ON AGGREGATION OF AGRICULTURAL PRODUCTS, SHARING  
25 OF RESOURCES AND SUPPORT FOR COMMUNITY DEVELOPMENT RESOURCES MAY  
26 BE REIMBURSED SOME PORTION OF THE COSTS OF THE PROJECTS.]

27 (RESERVED).

28 § 10702. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "ELIGIBLE PROJECT." A PROJECT THAT THE DEPARTMENT DETERMINES  
3 DOES [ALL] ONE OR MORE OF THE FOLLOWING:

4 (1) IMPROVES AGRICULTURAL INFRASTRUCTURE IN AN URBAN  
5 AREA.

6 (2) IMPROVES OR FACILITATES THE AGGREGATION OF  
7 AGRICULTURAL PRODUCTS IN AN URBAN AREA.

8 (3) ENTAILS THE SHARING OF RESOURCES AMONG URBAN  
9 AGRICULTURAL OPERATIONS, AGRICULTURAL PRODUCERS OR COMMUNITY  
10 ORGANIZATIONS.

11 (4) SUPPORTS COMMUNITY OR ECONOMIC DEVELOPMENT IN THE  
12 PROJECT AREA.

13 "PERSON." AN INDIVIDUAL, PARTNERSHIP, ASSOCIATION, FIRM,  
14 CORPORATION OR ANY OTHER LEGAL ENTITY.

15 "PROGRAM." THE URBAN AGRICULTURAL INFRASTRUCTURE GRANT  
16 PROGRAM ESTABLISHED UNDER THIS CHAPTER.

17 § 10703. GRANT PROGRAM.

18 (A) AVAILABILITY.--GRANTS UNDER THIS CHAPTER SHALL ONLY BE  
19 OFFERED [IN A FISCAL YEAR IN WHICH AND] TO THE EXTENT FUNDING IS  
20 MADE AVAILABLE TO THE DEPARTMENT. THE FOLLOWING APPLY:

21 (1) IF FUNDING IS EXHAUSTED OR OTHERWISE UNAVAILABLE,  
22 THE DEPARTMENT SHALL BE UNDER NO OBLIGATION TO PROVIDE GRANTS  
23 UNDER THIS CHAPTER.

24 (2) GRANT MONEY MAY BE PRORATED OR OFFERED AS A  
25 PERCENTAGE OF ACTUAL COSTS, AS DETERMINED BY THE DEPARTMENT  
26 AND SET FORTH IN AN ORDER BY THE SECRETARY, TO SPREAD  
27 AVAILABLE MONEY TO A LARGER NUMBER OF ELIGIBLE PROJECTS. THE  
28 SECRETARY SHALL TRANSMIT NOTICE OF AN ORDER TO THE  
29 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE  
30 PENNSYLVANIA BULLETIN.

1 (B) REIMBURSEMENT GRANTS.--GRANTS UNDER THIS CHAPTER SHALL  
2 BE REIMBURSEMENT GRANTS. THE FOLLOWING SHALL APPLY:

3 (1) THE AMOUNT OF [REIMBURSEMENT] A GRANT SHALL BE BASED  
4 ON ACTUAL ELIGIBLE COSTS SUBMITTED BY AN APPROVED APPLICANT  
5 FOR AN APPROVED PROJECT [DURING ANY FISCAL YEAR IN WHICH  
6 GRANTS ARE OFFERED].

7 (2) GRANT [REIMBURSEMENT MONEY SHALL BE LIMITED TO 50%  
8 OR LESS] MONEY SHALL NOT EXCEED 85% OF THE COSTS OF AN  
9 ELIGIBLE PROJECT.

10 (3) GRANT [REIMBURSEMENT] MONEY SHALL NOT BE USED TO  
11 REIMBURSE ANY PORTION OF AN IN-KIND CONTRIBUTION TO AN  
12 ELIGIBLE PROJECT.

13 (4) GRANT MONEY MAY NOT BE USED TO PAY OR REIMBURSE  
14 WAGES OR SALARIES OF GRANT RECIPIENT STAFF.

15 (5) GRANT MONEY MAY NOT BE USED TO REIMBURSE ANY PORTION  
16 OF THE PROJECT COSTS WHICH ARE BEING PAID OR REIMBURSED UNDER  
17 ANOTHER FEDERAL OR STATE GRANT PROGRAM.

18 (6) A SINGLE APPLICANT MAY NOT BE AWARDED MORE THAN  
19 \$100,000 IN GRANTS IN ANY FIVE-YEAR PERIOD, CALCULATED FROM  
20 THE DATE THE DEPARTMENT AWARDS THE GRANT.

21 \* \* \*

22 (E) APPLICATION PROCEDURE.--AN APPLICANT WHO DESIRES TO  
23 RECEIVE A PROGRAM REIMBURSEMENT GRANT SHALL SUBMIT A GRANT  
24 APPLICATION ON A FORM PROVIDED BY THE DEPARTMENT AND IN  
25 ACCORDANCE WITH PROGRAM STANDARDS AND REQUIREMENTS. THE  
26 APPLICATION SHALL CONTAIN THE FOLLOWING INFORMATION AND OTHER  
27 INFORMATION AS REQUIRED BY THE DEPARTMENT:

28 \* \* \*

29 (2) THE DETAILS OF THE PROJECT FOR WHICH REIMBURSEMENT  
30 GRANT MONEY IS SOUGHT, INCLUDING THE FOLLOWING:

1 \* \* \*

2 (II) A STATEMENT OF THE MAXIMUM AMOUNT OF GRANT  
3 MONEY SOUGHT FOR THE PROJECT [ , NOT TO EXCEED 50% OF  
4 PROJECT COSTS ] .

5 \* \* \*

6 (VIII) A DESCRIPTION OF HOW THE PROJECT SUPPORTS  
7 COMMUNITY OR ECONOMIC DEVELOPMENT IN THE PROJECT AREA.

8 \* \* \*

9 § 10704. DISTRIBUTION OF GRANT MONEY.

10 THE DEPARTMENT SHALL ISSUE PROGRAM REIMBURSEMENT GRANT MONEY  
11 TO PAY [SOME] ANY PORTION OF THE COSTS OF AN ELIGIBLE PROJECT  
12 BASED UPON THE APPLICANT'S SUBMISSION OF A VERIFIED STATEMENT  
13 THAT THE ELIGIBLE PROJECT HAS BEEN COMPLETED OR IMPLEMENTED,  
14 INCLUDING A STATEMENT OF THE PROJECT COMPLETION DATE, PHOTOS OF  
15 THE COMPLETED OR IMPLEMENTED PROJECT WITH A NARRATIVE  
16 EXPLANATION OF EACH PHOTO, BILLS AND INVOICES FOR WHICH  
17 REIMBURSEMENT GRANT MONEY IS SOUGHT AND OTHER INFORMATION AS THE  
18 DEPARTMENT MAY REASONABLY REQUIRE.

19 § 10902. [FINDINGS AND DECLARATIONS.]

20 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

21 (1) AGRICULTURE IS THIS COMMONWEALTH'S LEADING ECONOMIC  
22 ENTERPRISE. UNFORTUNATELY, THE PERCENTAGE OF OUR POPULATION  
23 DIRECTLY INVOLVED IN AGRICULTURE HAS DECREASED DRAMATICALLY  
24 OVER THE LAST SEVERAL DECADES. KNOWLEDGE ABOUT THE SOURCES OF  
25 OUR FOOD AND AGRICULTURE IN PENNSYLVANIA IS NOT WIDESPREAD IN  
26 OUR COMMUNITIES, PARTICULARLY IN LESS AFFLUENT AREAS.  
27 EDUCATIONAL PROGRAMS FOR YOUNG CHILDREN PROVIDING HANDS-ON  
28 EXPERIENCE WITH AGRICULTURE INCREASES AN AWARENESS OF WHAT  
29 CONSTITUTES A HEALTHY DIET. THUS, IT IS VITAL TO INFORM THE  
30 FUTURE CITIZENS OF THIS COMMONWEALTH ABOUT GOOD EATING

1 HABITS, WHILE DEMONSTRATING THE IMPORTANCE OF THE ROLE OF  
2 LOCAL FARMS IN ACHIEVING THIS CRUCIAL GOAL.

3 (2) THE PURPOSES OF THIS PROGRAM ARE TO EDUCATE  
4 PREKINDERGARTNERS THROUGH FIFTH GRADERS AND THEIR FAMILIES  
5 ABOUT THE IMPORTANCE OF CHOOSING HEALTHY, LOCALLY PRODUCED  
6 FOODS AND INCREASE AWARENESS OF PENNSYLVANIA AGRICULTURE.  
7 FURTHERMORE, THE INITIATIVE SHOULD AID PENNSYLVANIA FARMERS  
8 IN GAINING ACCESS TO NEW MARKETS WITHIN THIS COMMONWEALTH.  
9 CONSEQUENTLY, THE COMMONWEALTH SHOULD INSTITUTE A PROGRAM  
10 INCLUDING:

11 (I) NUTRITION EDUCATION INVOLVING STUDENT  
12 PARTICIPATION WHICH IS INTEGRATED INTO REGULAR SUBJECTS  
13 IN THE CURRICULUM OF PRIMARY AND SECONDARY EDUCATION  
14 INSTITUTIONS.

15 (II) FOCUSING ON LOCALLY GROWN FOODS PROVIDED FROM  
16 PENNSYLVANIA FARMS.

17 (III) EQUIPPING TEACHERS AND OTHER EDUCATORS TO  
18 INCORPORATE NUTRITION AND AGRICULTURE EDUCATION INTO  
19 THEIR INSTRUCTION.

20 (IV) PROVIDING FOR NEW DIRECT MARKETING  
21 OPPORTUNITIES FOR PENNSYLVANIA FARMERS.

22 (V) PROVIDING FOR FAMILY AND COMMUNITY INVOLVEMENT,  
23 INCLUDING PARENT, CAREGIVER AND COMMUNITY GROUP  
24 PARTICIPATION IN EDUCATION ACTIVITIES.

25 (VI) VISITS TO NEARBY FARMS FOR SCHOOL CHILDREN SO  
26 THEY MAY UNDERSTAND AND LEARN MORE ABOUT THE SOURCES OF  
27 THEIR FOOD.] (RESERVED).

28 § 10904. GRANT PROGRAM.

29 (A) AUTHORIZATION.--THE DEPARTMENT, IN CONSULTATION WITH THE  
30 COMMISSION AND THE DEPARTMENT OF HEALTH, IS AUTHORIZED TO

1 ESTABLISH A PROGRAM TO AWARD GRANTS FOR THE PURPOSE OF  
2 DEVELOPING THE FARM-TO-SCHOOL PROGRAM [IN PREKINDERGARTEN  
3 CLASSES, KINDERGARTEN CLASSES OR ELEMENTARY SCHOOL CLASSES  
4 THROUGH THE FIFTH GRADE] IN THIS COMMONWEALTH.

5 (B) ELIGIBILITY.--ANY SCHOOL DISTRICT, SCHOOL, CHARTER  
6 SCHOOL [OR], PRIVATE SCHOOL OR CENTER WITH PREKINDERGARTEN  
7 CLASSES[, A KINDERGARTEN PROGRAM OR ELEMENTARY SCHOOL CLASSES  
8 THROUGH THE FIFTH GRADE], KINDERGARTEN CLASSES, ELEMENTARY  
9 CLASSES OR MIDDLE SCHOOL CLASSES THROUGH THE EIGHTH GRADE THAT  
10 PARTICIPATES IN A FEDERAL CHILD NUTRITION PROGRAM MAY SUBMIT AN  
11 APPLICATION TO THE DEPARTMENT FOR FUNDING A PROGRAM.

12 (C) PROGRAM REQUIREMENTS.--THE PROGRAM SHALL CONTAIN THE  
13 FOLLOWING ELEMENTS:

14 (1) [A LIST OF PENNSYLVANIA FARMERS WHO HAVE AGREED TO  
15 SUPPLY FOOD PRODUCTS FROM PENNSYLVANIA FARMS, VERIFIABLE BY  
16 THE DEPARTMENT.] THE PROCUREMENT OF FOOD AND FOOD PRODUCTS OR  
17 FOOD-PRODUCING PLANTS FROM A PENNSYLVANIA FARM.

18 (2) NUTRITION AND AGRICULTURE EDUCATION, INCLUDING  
19 INTEGRATION INTO REGULAR CLASSROOM SUBJECTS.

20 (3) TRAINING OF TEACHERS, CAFETERIA STAFF AND OTHER  
21 EDUCATIONAL STAFF ON NUTRITION AND AGRICULTURE EDUCATION.

22 (4) THE INCLUSION OF PARENTS, CAREGIVERS AND COMMUNITY  
23 GROUPS IN EDUCATIONAL ACTIVITIES.

24 (5) FIELD TRIPS TO PENNSYLVANIA FARMS OR OTHER DIRECT  
25 AGRICULTURAL EDUCATIONAL EXPERIENCES WHICH TEACH CHILDREN  
26 ABOUT SOURCES OF FOOD AND PENNSYLVANIA AGRICULTURE.

27 (D) PROGRAM OPTIONS.--AN ELIGIBLE APPLICANT MAY USE A GRANT  
28 AWARDED UNDER THIS CHAPTER TO ESTABLISH A SCHOOL GARDEN OR  
29 POLLINATOR HABITAT AND MAY USE THE SCHOOL GARDEN OR POLLINATOR  
30 HABITAT TO MEET THE REQUIREMENTS UNDER SUBSECTION (C).

1 § 10906. APPLICATIONS AND REVIEW OF APPLICATIONS.

2 \* \* \*

3 (B) EVALUATION.--WHEN REVIEWING APPLICATIONS, THE SECRETARY  
4 SHALL EVALUATE APPLICATIONS ANNUALLY ON THE BASIS OF ALL OF THE  
5 FOLLOWING:

6 (1) THE ABILITY OF THE APPLICANT TO COMPLETE THE  
7 PROGRAM.

8 (2) THE ABILITY OF THE APPLICANT TO INCORPORATE ALL OF  
9 THE PROGRAM REQUIREMENTS UNDER SECTION 10904(C) (RELATING TO  
10 GRANT PROGRAM).

11 (3) THE LOCATION OF THE SCHOOL IN AN AREA WHERE A HIGH  
12 PERCENTAGE OF THE CHILDREN ARE ELIGIBLE TO RECEIVE FREE OR  
13 REDUCED-PRICE SCHOOL MEALS.

14 (4) THE POTENTIAL OF THE PROGRAM TO INCREASE KNOWLEDGE  
15 ABOUT NUTRITION AND HEALTHY EATING HABITS FOR THE CHILDREN,  
16 THEIR CAREGIVERS AND THE COMMUNITY.

17 (5) THE POTENTIAL OF THE PROGRAM TO INCREASE KNOWLEDGE  
18 ABOUT PENNSYLVANIA AGRICULTURE FOR THE CHILDREN, THEIR  
19 CAREGIVERS AND THE COMMUNITY.

20 (6) THE ABILITY OF THE APPLICANT TO PROCURE [LOCALLY  
21 GROWN FOODS] PENNSYLVANIA FOODS AND PRODUCTS OR PLANTS FOR  
22 THE APPLICANT'S PROGRAM.

23 (7) THE POTENTIAL OF THE PROGRAM TO INCREASE MARKETS FOR  
24 [LOCAL] PENNSYLVANIA AGRICULTURAL PRODUCERS.

25 (8) THE NUMBER OF PEOPLE WHO WILL BE SERVED BY THE  
26 PROGRAM.

27 (9) THE ABILITY OF THE APPLICANT TO SUSTAIN THE PROGRAM.

28 (10) THE OVERALL PERFORMANCE OF THE APPLICANT IF A GRANT  
29 WAS RECEIVED IN A PREVIOUS YEAR.

30 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.