

**AMENDMENT TO H.R. 4368, AS REPORTED
OFFERED BY MR. GARBARINO OF NEW YORK**

At the end of the bill, before the short title, insert the following:

1 SEC. _____. Section 3 of the Food and Nutrition Act
2 of 2008 (7 U.S.C. 2012) is amended—

3 (1) in subsection (k)(1), by striking “consump-
4 tion except alcoholic beverages, tobacco, hot foods or
5 hot food products ready for immediate consumption
6 other than those authorized pursuant to clauses (3),
7 (4), (5), (7), (8), and (9) of this subsection” and in-
8 serting “consumption, including hot foods or hot
9 food products ready for immediate consumption and
10 excluding alcoholic beverages, tobacco”;

11 (2) in subsection (o)(1)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “and consumption” and insert-
14 ing “or home or immediate consumption”; and

15 (B) in subparagraph (A)—

16 (i) by striking the subparagraph des-
17 ignation and all that follows through “of-
18 fers” and inserting the following:

19 “(A)(i) offers”;

1 (ii) in clause (i) (as so designated), by
2 striking “or” at the end and inserting
3 “and”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(ii) of which not more than 50 percent of
7 the total gross sales are from hot foods or hot
8 food products ready for immediate consump-
9 tion; or”; and

10 (3) in subsection (q)(2)—

11 (A) by striking “include accessory” and in-
12 serting the following: “include—

13 “(A) accessory”;

14 (B) in subparagraph (A) (as so des-
15 igned), by striking the period at the end and
16 inserting “; and”; and

17 (C) by adding at the end the following:

18 “(B) hot foods or hot food products ready
19 for immediate consumption.”.

