

**DEPARTMENT OF JUSTICE****Bureau of Prisons****28 CFR Part 547**

[BOP-1044-F]

RIN 1120-AA37

**Special Food or Meals**

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

**SUMMARY:** In this document, the Bureau of Prisons is revising its regulations on the introduction into institutions of special food or meals from outside sources. The revised provisions state more clearly that the Bureau is responsible for procuring and preparing any food or food ingredients served to the institution's inmate population. Special food or meals which may be served to specific groups of inmates rather than to the entire inmate population are identified as commissary food items, religious dietary practices, and medical diet foods. This amendment is intended to provide for the secure and orderly operation of the institution.

EFFECTIVE DATE: May 13, 1996.

**ADDRESSES:** Office of General Counsel, Bureau of Prisons, HOLC Room 754, 320 First Street, NW., Washington, DC 20534.

**FOR FURTHER INFORMATION CONTACT:** Roy Nanovic, Office of General Counsel, Bureau of Prisons, phone (202) 514-6655.

**SUPPLEMENTARY INFORMATION:** The Bureau of Prisons is amending its regulations on special foods (28 CFR 547.20). A proposed rule on this subject was published in the Federal Register

September 13, 1995 (60 FR 47648). No comment was received on this proposed rule, and the Bureau is therefore adopting the proposed rule as final. In adopting the proposed rule as final, the Bureau is modifying one provision for the purpose of clarification. As proposed, paragraph (b) of § 547.20 referred to religious diet or ceremonial meals and included a cross reference to the pertinent regulations on religious beliefs and practices. Interim regulations on religious beliefs and practices were published in the Federal Register on September 6, 1995 (60 FR 46485). The wording in paragraph (b) and the cross reference have been adjusted accordingly.

Members of the public may submit comment concerning this rule by writing the previously cited address. These comments will be considered but will receive no response in the Federal Register.

The Bureau of Prisons has determined that this rule is not a significant regulatory action for the purpose of E.O. 12866, and accordingly was not reviewed by the Office of Management and Budget. After review of the law and regulations, the Director, Bureau of Prisons has certified that this rule, for the purpose of the Regulatory Flexibility Act (Pub. L. 96-354), does not have a significant impact on a substantial number of small entities.

**List of Subjects in 28 CFR Part 547**

Prisoners.  
Kathleen M. Hawk,  
*Director, Bureau of Prisons.*

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons in 28 CFR 0.96(p), part 547 in

subchapter C of 28 CFR, chapter V is amended as set forth below.

**Subchapter C—Institutional Management****PART 547—FOOD SERVICE**

1. The authority citation for 28 CFR part 547 is revised to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006-5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

2. Subpart C, consisting of § 547.20, is revised to read as follows:

**Subpart C—Special Food or Meals****§ 547.20 Policy.**

The Bureau of Prisons is responsible for procuring and preparing any food or food ingredients to be served to the institution's inmate population. Except as allowed for in paragraphs (a) through (c) of this section, the Bureau requires that special food or meals prepared for and/or served to any group(s) of inmates also be served to the institution's entire inmate population. Special food or meals, as identified in paragraphs (a) through (c) of this section, may be prepared and/or served to a specific group of inmates rather than to the entire inmate population of the institution.

(a) Food items sold in the institution's commissary.

(b) Religious dietary practices as authorized in accordance with 28 CFR 548.20.

(c) Medical diet foods.

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