



National Alliance for Nutrition & Activity

April 13, 2011

Julie Brewer
Chief, Policy and Program Development Branch, Child Nutrition Division
Food and Nutrition Service, Department of Agriculture
3101 Park Center Drive, Room 640
Alexandria, Virginia 22302-1594

Docket ID: FNS-2007-0038-001

Dear Ms. Brewer:

We, the undersigned members of the National Alliance for Nutrition and Activity, strongly support the U.S. Department of Agriculture's (USDA) proposed rule on nutrition standards for the school meal programs. Efforts to improve the nutritional quality of school lunches and breakfasts are essential to help end childhood obesity within a generation and help kids grow to be healthy adults.

We are pleased that USDA closely followed the recommendations of the Institute of Medicine's Committee on Nutrition Standards for National School Lunch and Breakfast Programs and the *Dietary Guidelines for Americans*. We support USDA's proposed improvements, including the following:

- Increasing the number of servings of fruits and vegetables served with meals, with an emphasis on a greater variety of vegetables and fewer starchy vegetables, like French fries;
- Ensuring all grains served in the school lunch and breakfast programs are rich in whole grains;
- Serving only milk that is fat-free or low-fat;
- Lowering sodium in meals over time;
- Ensuring schools are regularly reviewed to assess compliance with the new nutrition standards; and
- Providing training and technical assistance and supporting nutrition education and promotion efforts, as soon as possible, to help schools implement the meal changes by the start of the 2012 school year.

Given the high obesity rates among children and the important role school meals play in children's diets, once implemented, these updated standards will make an important contribution to improved dietary intake and the long-term health of millions of children across the country. Implementation of this new rule also should ensure consistency with efforts by schools and other nutrition, health, education, and anti-hunger stakeholders to reach the largest possible number of students with the benefits of healthy school nutrition.

We applaud USDA for these important efforts and urge full implementation within the USDA proposed time line to ensure children have greater access to nutritious meals and school food service staff benefit from the training and technical assistance needed to implement the changes.

Respectfully,

A World Fit For Kids!

Advocates for Better Children's Diets

Alliance to End Hunger

American Association for Health
Education

American Association on Health and
Disability

American Cancer Society Cancer
Action Network

American Diabetes Association

American Dietetic Association

American Heart Association

American Institute for Cancer
Research

American Public Health Association

American Society of Bariatric
Physicians

Association of State and Territorial
Public Health Nutrition Directors

Bread for the World

Campaign to End Obesity Action
Fund

Center for Communications, Health
and the Environment

Colorado Children's Campaign

Consortium to Lower Obesity in
Chicago Children

Consumer Federation of America

Directors of Health Promotion and
Education

Defeat Diabetes Foundation

Earth Day Network

Elyria City Health District

Feeding America

First Focus	National Consumers League
Focus on Agriculture in Rural Maine Schools	National Physicians Alliance
FoodPlay Productions	National WIC Association
Healthy Schools Campaign	Nemours
Healthcare Leadership Council	New York State Healthy Eating and Physical Activity Alliance
HUMAN Healthy Vending	Obesity Action Coalition
Integrated Healthcare Policy Consortium	Oral Health America
Iowa Public Health Association	Oregon Public Health Institute
Latino Coalition for a Healthy California	Partnership for Prevention
League of United Latin American Citizens	Preventative Cardiovascular Nurses Association
Massachusetts Public Health Association	Produce Marketing Association
Maternity Care Coalition	Prostate Cancer Awareness Project
National Alliance to Advance Adolescent Health	Public Health Institute
National Association for Sport and Physical Education	Save the Children
National Association of County and City Health Officials	Society for Nutrition Education
National Association of School Nurses	Society of State Leaders of Health and Physical Education
National Association of State Boards of Education	The SPARK Programs
	Trust for America's Health
	Young People's Healthy Heart Program

April 15, 2010

The Honorable Blanche Lambert Lincoln
Chairman
Senate Agriculture Committee
355 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Saxby Chambliss
Ranking Member
Senate Agriculture Committee
416 Russell Senate Office Building
Washington, DC 20510

Dear Senators Lincoln and Chambliss:

In the spirit of cooperation that is the tradition of the Child Nutrition Act reauthorization, food and beverage companies and health and education advocacy groups have come together in support of updating the national nutrition standards for foods sold through vending machines, school stores, and a la carte on all school campuses throughout the extended school day. We strongly support the carefully negotiated provision based on S. 934/H.R. 1324 that you have included in the 2010 child nutrition reauthorization bill.

The U.S. Department of Agriculture is in the process of updating the school meal standards, and Congress needs to allow USDA to take care of the rest of school foods. The current national nutrition standards for foods sold outside of school meals are outdated and do not reflect the current marketplace nor updated nutrition science. Therefore, we believe new standards are needed to protect the integrity of the school lunch program and the health of all children in all states.

Thank you for your continued leadership on child nutrition. We stand ready to work with you to support good nutrition in schools.

Respectfully,

American Beverage Association

American Academy of Pediatrics

The Coca-Cola Company

American Diabetes Association

The Dannon Company

American Dietetic Association

Frito-Lay

American Heart Association

General Mills, Inc.

Center for Science in the Public Interest

Kellogg Company

National Association of State Boards of
Education

Mars, Inc.

National Education Association

Nestlé USA

National PTA

PepsiCo Inc.



June 8, 2011

The Honorable Thomas Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Dear Secretary Vilsack:

Congratulations on the passage of the historic Healthy, Hunger-Free Kids Act (HHFKA). We, the undersigned organizations of the National Alliance for Nutrition and Activity (NANA), strongly support the provision of the Act to set national nutrition standards for school foods sold outside of meals. This provision will improve school nutrition environments and support USDA's efforts to improve the school meal programs.

We are pleased that USDA is moving quickly to develop and implement regulations to apply the 2010 *Dietary Guidelines for Americans* to all foods and beverages sold outside of the school meal programs, to help ensure that children have access only to healthy foods and beverages in schools. Currently, 66% of students are in school districts that have policies for foods sold outside of the school meal programs. However, the strength and level of implementation of existing policies vary. The Centers for Disease Control and Prevention's School Health Policy and Program Survey found that only 30% of school districts prohibit the offering of low-nutrient-density foods and beverages in vending machines and 77% of high school students still have access to sugar-sweetened beverages.

Through the development and implementation of state and local school nutrition policies, we have identified several "lessons learned." These include loopholes to avoid, barriers to implementation, and weaknesses or omissions to nutrition standards. We write to point out some of these, to help inform USDA as you begin your work to develop the implementing regulations for national school nutrition standards.

We hope that this memo will assist you in developing a strong rule, which will ensure that foods sold outside of school meals align with current nutrition science and meet the *Dietary Guidelines*, while avoiding some of the pitfalls written into current state and local policies.

Common Loopholes. Loopholes related to how and when school nutrition standards are applied weaken the effectiveness of some existing state and local school nutrition policies. Fortunately, most of these loopholes are not allowed under the Healthy, Hunger-Free Kids Act. To make this apparent to schools, we encourage USDA to clearly identify that the new national school nutrition standards must apply to all foods sold on the school campus during the school day, explain the meaning of these requirements, and clearly identify examples of what is not allowed.

- **The Healthy, Hunger-Free Kids Act does not allow a la carte entrée-type items to be exempted from national school nutrition standards.** Only 30% of districts have set nutrition standards for National School Lunch Program entrée items sold through a la carte. It is critical that nutrition standards cover a la carte entrée-type items. SNDA III data shows that entrée items, such as pizza and cheeseburgers, provide one-third of the total energy and at least 40 percent of the saturated fat and sodium in a typical lunch. As part of a meal, items higher in fats, calories, or sodium can be balanced by more nutrient-dense, lower-calories foods, such as fruits, vegetables, and fat-free and low-fat milk, to ensure the overall meal is healthful. However, outside the context of a balanced meal, those items can contribute to unhealthy eating.
- **National school nutrition standards must apply to 100% of foods and beverages sold outside of meals.** Currently, some students attend school districts that only require nutrition standards to apply to a percentage of foods or beverages sold. For example, only 50% of the beverages in vending machines are required to meet nutrition standards. Applying nutrition standards to a limited percentage of the foods and beverages sold 1) sends the wrong message to students about the importance of good nutrition, 2) leaves too many unhealthy foods and beverages in schools, 3) is ineffective (as students could purchase only unhealthy options, leaving the healthy options behind), and 4) is not permissible under the HHFKA.
- **The national school nutrition standards must apply to the whole school day.** Many students attend a school district where nutrition standards only apply to specific time periods during the school day, such as during the school meal periods. Limiting the application of the standards to only certain times of day allows students to make unhealthy purchases during the times nutrition standards do not apply, models and reinforces unhealthy eating, undermines nutrition education, and is not allowed by the HHFKA.
- **Nutrition standards should be applied consistently across the school campus to all school venues (school stores, a la carte, vending, and fundraising).** Only twelve states (24%) have comprehensive school food

and beverage nutrition standards that apply to the whole campus and the whole school day at all grade levels. Some state and local policies are applied inconsistently to different venues on school campuses. To be effective and make them easier to implement, the same set of school nutrition standards should apply to all school venues outside the meal programs (school stores, a la carte, vending, fundraising) and all food sold.

Common Omissions. USDA should avoid weaknesses and omissions in existing state and local policies.

- **Fundraisers.** 70% of children attend school districts where local wellness policies and/or school nutrition standards address fundraisers. However, 65% of those children are in a district with a weak fundraising policy that only applies to certain times of the school day or to a certain percentage of items sold. The HHFKA requires USDA to apply nutrition standards to on-campus fundraisers during the school day. Congress only gave USDA the authority to consider limited exceptions for infrequent, school-approved fundraisers.

We encourage USDA to define infrequent as one allowed exemption per school per quarter, and not to allow those exempted fundraisers to occur during mealtimes, which would compete with school meals. We strongly encourage USDA to provide training and technical assistance on healthy fundraisers, which will help schools maintain revenue and show them that there are numerous healthy and profitable ways of raising funds for schools without harming children's health.

- **Sodium:** Only 12% of students attend a school district that limits sodium in foods sold outside of meals (not including students in districts that do not allow the sale of any foods outside of the meal programs). Given the clear recommendations on limiting sodium intake in the 2010 *Dietary Guidelines*, the HHFKA requires USDA to set sodium standards for foods sold outside of school meals. Although we recognize the challenge of identifying low/moderate sodium foods in the food supply, there are many low/moderate-sodium snack items on the market, and more can be expected once school meal standards for sodium are strengthened. In addition, items in vending, a la carte, school stores, and fundraisers are not essential components of children's diet; all must meet sodium standards.
- **Positive nutritional value.** While all existing state and local school nutrition standards set limits on nutrients that children commonly overconsume, few require the food sold to provide a positive nutritional benefit to the students. The *Dietary Guidelines for Americans* and the Institute of Medicine report, *Nutrition Standards for Foods in Schools*, not

only address nutrients to limit, but also include strong recommendations for food groups and nutrients that children need to consume more often.

Given those guidelines, USDA must establish nutrition standards for the positive nutritional value that foods sold outside of school meals must provide (such as, inclusion of a serving of food from a food group to encourage, like fruits or vegetables, or 10% of a key nutrient that children typically underconsume). The *Dietary Guidelines* places a strong emphasis on eating nutrient-dense foods and increasing intakes of fruits, vegetables, whole grains, and low-fat dairy products, which few children eat in recommended amounts. School foods should not only help children avoid problem nutrients, but also should provide nutrients and foods that will support and promote their health.

- **Seltzer water or flavored water.** Under current Foods of Minimal Nutritional Value requirements, seltzer water is not allowed to be sold in school cafeterias during meal times. We encourage USDA to remove this prohibition. Water is an essential dietary component. Adding bubbles or natural flavorings to water does not undermine its nutritional value. Also, allowing seltzer water or unsweetened flavored water increases the variety of noncaloric beverages available to students.
- **Diluted juice.** In addition to 100% juice, USDA should allow schools to sell juice that is mixed with water or seltzer water that does not contain added sweeteners. Many states and localities allow only 100% juice. While 100% juice contains more nutrients, unsweetened, diluted juice is lower in calories and provides additional healthy options for children.
- **Nuts and nut butters.** As many states and districts have done, USDA should exempt nuts and nut butters from the saturated fat standard, given the healthy fat profile and positive nutritional benefits of nuts (as long as they meet other standards, such as for sodium and calories).

Implementation Challenges. Inconsistent implementation of state and local policies has been a barrier to improving the nutritional quality of foods sold outside of the school meal programs. USDA should address the following barriers to school nutrition standard implementation.

- **Accountability and compliance:** Without specific accountability criteria for LEAs and State Agencies, we are concerned that noncompliance with the new national standards will be high. We recommend USDA add compliance with the nutrition standards for foods sold outside of meals to the new unified accountability system. We also urge USDA to develop an assessment tool (or adapt an existing tool) to allow local school districts, state agencies, parents, advocates, and others to easily assess compliance with the new standards. Finally, USDA should require local

school districts to make the results of those assessments available to parents, school staff, state officials, and other key stakeholders.

- **Added sugars:** States and local school districts currently use a number of different approaches to limit added sugars in foods sold outside of school meals (i.e., added sugars v. total sugars, sugars by weight or by calories). Current approaches generally limit the highest sources of added sugars in children's diets, but vary somewhat in which individual items are allowed. As added sugars are not listed on food labels, a barrier to implementation has been the identification of products that meet an added sugars standard.

We encourage USDA to set a sugars standard based on added sugars (added sugars are what the *Dietary Guidelines* recommend be limited), but allow schools to use total sugars numbers on food labels, when added sugars content is not clear. We also urge the USDA to work with the Food and Drug Administration to require added sugars labeling on food packages. Finally, we suggest that USDA develop a list of foods, tool, or calculator to help schools easily identify products which meet the new USDA added sugars standard.

- **Training and technical assistance:** As with implementation of new meal patterns, technical assistance and training will be required for the successful implementation of the national school nutrition standards for foods sold outside of meals. We encourage USDA to provide technical assistance and training on product selection, procurement, marketing and promotion to students, cultural preferences, and student acceptance.

We applaud USDA for the implementation schedule proposed in the USDA Implementation Plan (February 18, 2010). We encourage USDA to maintain this schedule and look forward to working with you as you fully develop and implement this important provision.

Sincerely,

Advocates for Better Children's Diets

American Academy of Pediatrics

American Institute for Cancer
Research

American Association for Health
Education

American Cancer Society Cancer
Action Network

American College of Preventive
Medicine

American Diabetes Association

American Dietetic Association

American Heart Association

American Public Health Association	National Association for Sport and Physical Education
American Society of Bariatric Physicians	National Association of Chronic Disease Directors
Arkansas 5 A Day Coalition	National Association of County and City Health Officials
Berkeley Media Studies Group	National Association of School Nurses
California Center for Public Health Advocacy	National Association of State Boards of Education
Campaign to End Obesity Action Fund	National Congress of Black Women, Inc.
Center for Science in the Public Interest	National Consumers League
Consumer Federation of America	National PTA
CUNY School of Public Health at Hunter College	Nemours
Defeat Diabetes Foundation	New York City Nutrition Education Network
Directors of Health Promotion and Education	New York Coalition for Healthy School Food
Disciples Justice Action Network	North Dakota Dietetic Association
Earth Day Network	Oral Health America
FGE Food & Nutrition Team	Oregon Public Health Institute
First Focus	Prevention Institute
Fitness Forward	Preventative Cardiovascular Nurses Association
Healthy Schools Campaign	Project MANA (Making Adequate Nutrition Accessible)
Indiana Rural Health Association	
League of United Latin American Citizens	

Robert Wood Johnson Foundation
Center to Prevent Childhood
Obesity

Shape Up America

Society for Nutrition Education

South Carolina Eat Smart Move
More Coalition

Summit Health Institute for Research
and Education, Inc.

Trust for America's Health

United Fresh Produce Association

