



PROPOSED RULE ON NUTRITION STANDARDS FOR SCHOOL MEALS

Comments Requested By April 13, 2011
USDA Food And Nutrition Service

View the proposed rule at:
Deadline for submitting comments is April 13, 2011

Background

As part of the "Healthy, Hunger-Free Kids Act of 2010," more commonly known as the reauthorization of the Child Nutrition Act, the Secretary of Agriculture was required to revise the meal patterns and nutrition requirements for the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) to align them with the 2005 "Dietary Guidelines for Americans." The changes proposed in this rule are based on recommendations from the National Academies' Institute of Medicine's 2009 Report "School Meals: Building Blocks for Healthy Children."

This proposed rule would require schools to offer more fruits, vegetables, and whole grains; offer only fat-free or low-fat fluid milk; reduce the sodium content of school meals substantially over time; control saturated fat and calorie levels; and minimize trans fats. Additionally, Schools would also be required to plan their menus based on food group requirements rather than nutrient calculations, follow new age/grade group categories, and require students to take the fruit or vegetable being offered at breakfast and lunch.

Purpose of this Rule

USDA has outlined several goals in putting this proposed rule forward:

- »» update the NSLP and SBP meal requirements according to the latest nutrition science;
- »» increase the availability of key food groups in school menus;
- »» allow the NSLP and SBP to better meet the nutritional needs of children, improve their eating habits, and safeguard their health;
- »» simplify the administration and operation of the NSLP and SBP; and
- »» reinforce the nutrition education messages provided by schools. Reinforce the nutrition education messages provided by schools.



Summary of Proposed Changes

Breakfast	Requires ½ cup of fruits or vegetables per day. No limits on vegetable type. Can offer 1 grain and 1 meat, or 2 grains, or 2 meat/meat alternates	Requires 1-cup of fruits and vegetables per day. No starchy vegetables (e.g. white potatoes) Creates daily meat/meat alternate requirement.
Lunch	Requires ½ to 1-cup of fruits or vegetables per day. * No specification for vegetable type.	Creates separate fruit and vegetable requirement. Requires ¾ to 1-cup of vegetables per day.* Requires ½ to 1-cup of fruits per day.* Sets weekly requirement for dark greens, orange, and legume vegetable subgroups. Limits starchy vegetables to 1-cup per week (e.g. white potatoes, lima beans, corn, peas)
Fruits	All juice must be 100%-juice, no sugar added. No limits on use of juice as a fruit serving. No limits on added sugars in fruits.	All juice must be 100%-juice, no sugar added. Limits juice to no more than ½ of fruit offerings. Limits added sugars in fruits.
Breads, Cereals and Grains	Whole grains encouraged, but not required.	At least ½ of grains must be whole-grain rich upon implementation; All grains must be whole-grain rich 2-years post-implementation.
Fluid Milk	Allows flavored or unflavored whole, 2%, 1%, and fat-free milks.	Only allows fat-free (flavored or unflavored) or unflavored low-fat (1%) milk.
Calories	Must meet Minimum level.	Sets a minimum and a maximum calorie requirement based on age/grade groupings.
Sodium	Decreasing levels encouraged.	Gradual reduces sodium over a 10-year period.
Fat (Saturated & Trans)	Less than 10% of calories from saturated fat. No standard for trans fat.	Less than 10% of calories from saturated fat. Product must indicate 0 grams of trans fat per serving.

VIEW THE PROPOSED RULE AT:
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DEADLINE FOR SUBMITTING COMMENTS IS APRIL 18, 2011

Major Areas of Comment on the Proposed Rule

1) LINK TO USDA GOALS FOR REGIONAL FOODS

Over the past few years, USDA has instituted a Department wide commitment to supporting local and regional food systems and to encouraging the use of local foods in school meals. However, that commitment seems to be missing in this proposed rule. Thus, we recommend that USDA add the following to the proposed rule:

- »» Encourage Local Education Agencies (LEAs) to offer seasonal varieties of fruits and vegetables as well as to encourage local procurement wherever possible.
- »» Provide training and technical assistance to LEAs on how to purchase locally grown products using the standard procurement process.
- »» Conduct a review and analysis of best practices for seasonal procurement, including how it can help school food service operations offer healthier school meals.
- »» Review the “Health and Sustainability Guidelines for Federal Concessions and Vending Operations” proposed by the Centers for Disease Control, and include these proposals as practicable in the combined implementation efforts of USDA, industry, and LEAs.

2) NUTRITION: FRUITS AND VEGETABLES

We support the increased fruit and vegetable requirement as proposed, with the exception of the 1-cup limit on starchy vegetables. As currently defined in the rule, starchy vegetables include white potatoes, corn, peas, and lima beans. Limiting starchy vegetables has the potential to limit the ability to use fresh produce in season, such as corn on the cob and roasted local potatoes, and restriction of these foods may inadvertently teach children that they are not part of a healthy diet. The 2010 Dietary Guidelines for Americans do not limit starchy vegetables, and the most recent School Nutrition Dietary Assessment study (SNDA-III) shows that the most frequently served vegetable in school meals is fried potatoes, not the other components that fall into the starchy vegetable category. Thus we recommend that USDA take the following actions instead:

- »» Eliminate the use of fried or par-fried vegetables. Restricting the use of fried or par-fried starchy vegetables will encourage the service of starchy vegetables in their more natural, nutritious state.
- »» Include oven baked processed potatoes in the definition of what is not allowed to be served in schools. For example, “products that do not meet the USDA definition of minimal processing (from the Geographic Preference rule), as well as fried potatoes/processed potato products, such as Potato Starz, Breakfast Potato (hash browns), baked French fries, and potato pearls should be eliminated from school lunch.”

If USDA is not willing to make the above suggested changes, we recommend that they give LEAs a choice between the following alternative changes to the starchy vegetable category:

- »» Apply the 1-cup limit on starchy vegetables to just potatoes to allow other starchy vegetables -- corn, peas, and lima beans -- to continue to have a place on school lunch menus.
- »» Change the limit on overall amount of starchy vegetables to allow this group to be served on two days per week, maintaining proposed minimum servings of the dark green, orange, and legume subgroups.
- »» Provide an exemption for starchy vegetables that are served in soups or as blends, so that they do not count towards the 1-cup limit on starchy vegetables.

3) IMPLEMENTATION CHALLENGES

The proposed rule will create increases in both food and labor costs. Much of these increased costs will stem from serving more fruits and vegetables, as well as more on-site preparation and less reliance on prepared foods. We suggest the following to USDA in order to ease the implementation of these new rules:

- »» Because schools will incur a very real increase in costs, both in terms of labor and food, during the first two years of implementation, we suggest that all schools be given the \$0.06 increase in lunch reimbursement while they work to comply with these new standards.
- »» As stated in the IOM report, many LEAs will need to purchase new kitchen equipment in order to implement these new requirements, thus we urge USDA to engage with other Federal Agencies and Congress to provide additional equipment grants for schools as they move forward in implementation.
- »» We recommend that USDA adopt both of IOM’s proposed offer vs serve alternatives as options to allow schools the flexibility to best meet the needs of their students.
- »» We encourage USDA to issue guidance to LEAs on creating more effective school breakfast programs, that will both increase participation and result in healthier food served to students.
- »» We recommend that USDA adjust the new requirement for meat/meat alternatives from a daily to a weekly requirement. This will both reduce costs as well as reduce fat and sodium.

Tips for Commenting on the Proposed Rule

1. Comment on any omissions or issues in the summary, background, proposed actions or specific language
2. Always make reference to the page number, column, etc.
3. For each comment:
 - a. Be as specific as possible
 - b. Reference the specific section of the rule
 - c. Propose/recommend alternative language
 - d. Propose alternative/more appropriate methods of implementation
 - e. Cite legislation or report language (see www.farmtoschool.org)
 - f. Base changes or suggestions on your own experience
4. Additional documentation
 - a. Attach supporting documents
 - b. Sign on to the National Network comments (see www.farmtoschool.org)

Submitting Comments to USDA

1. *Preferred Method*
Federal e-Rulemaking portal: Go to www.regulations.gov/
Follow the online instructions for submitting comments to
Docket ID: FNS-2007-0038
2. Mail:

Julie Brewer, Chief
Policy and Program Development Branch
Child Nutrition Division Food & Nutrition Service, USDA
3101 Park Center Drive, Room 640
Alexandria, VA 22302-1594
3. Hand deliver or courier to mailing address,
Room 640, 8:30 a.m. – 5 p.m.

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