

Testimony
Of the
School Nutrition Association
Education and Labor Committee
House of Representatives
March 4, 2008

INTRODUCTION

Chairman Miller, Members of the Committee, we deeply appreciate this hearing. This hearing continues a most extraordinary Congressional tradition, participated in by the House and the Senate, the unprecedented tradition of scheduling a hearing to coincide with an organization's Washington meeting. We fully understand and appreciate that the tradition represents a shared commitment to ending childhood hunger and improving the nutritional health of all children in the country.

I am Mary Hill, the President of the School Nutrition Association, and the Director of Child Nutrition in Jackson, Mississippi. With me is Katie Wilson our President-Elect from Onalaska, Wisconsin; Dora Rivas our Vice President from Dallas, Texas; Craig Weidel, the Chairman of our Public Policy and Legislation Committee, from Mesa, Arizona, and a few hundred of my best friends. The School Nutrition Association (SNA) represents the state and local public administrators of the National School Lunch and Breakfast Programs. We have approximately 55,000 dedicated members who serve 30 million children each school day in almost 100,000 schools.

NUTRITION STANDARDS

Mr. Chairman, as you know, in the last year or two, most of the attention with regard to child nutrition has focused on the key issue of nutrition standards. It is a two part challenge: how to implement the 2005 Dietary Guidelines for Americans into the meal program and what standards to apply to so-called "competitive foods" sold outside of the meal program whether in the cafeteria or sold down the hall in vending machines.

SNA is deeply committed to the Dietary Guidelines for Americans and we believe that they should be applied to all foods and beverages sold in school. Years ago we successfully petitioned the Congress to apply the Guidelines to school meals. Since 1983, however, we have been trying in vain to amend the law and provide the Secretary of Agriculture with the authority needed to regulate the sale of all foods and beverages sold on the school campus.

SNA originally endorsed the legislation introduced by Chairman Harkin and Representative Woolsey to end the “time and place rule” providing the Secretary with the authority to regulate the sale of **ALL** foods and beverages in the school, not just those foods and beverages included in a reimbursable meal. It was, therefore, with great regret that SNA could not support the final version of the nutrition standards amendment that was offered during consideration of the Senate farm bill last December. Why the change?

USDA currently reimburses local schools \$2.47 for every “free” lunch provided to a child with income below 130% of the poverty line...less than the price of a latte at the neighborhood coffee shop. The school food service authority needs the revenue from the sale of all beverages and foods sold on campus to “balance the books” and make the program work for all children. Consistent nutrition standards must therefore be provided for all foods and beverages sold in the school in order to protect the financial and nutritional integrity of the school nutrition program. We were concerned that the version of the amendment offered as a part of the farm bill could have adversely effected the economics of the school meal program in two ways:

1. It would have locked into law a wide variety of different nutrition standards all over the country, increasing the cost of school meals at the local level.
2. The amendment would also have allowed different nutrition standards in different parts of the school building, giving a mixed message to students and draining needed revenue from the school food service authority.

SNA believes that we need to craft a science based, practical, nutrition standard that applies throughout the school and throughout the entire country. The children in California need the same nutrients for healthy development that are needed by the children in South Dakota and Florida.

Schools have a critical role to play in the fight against obesity. We must not, however, craft a standard that could undermine the financial status of many local programs thereby jeopardizing their service to children, including low income children.

As this Committee and the Congress begins to think about the 2009 Child Nutrition Reauthorization Act, SNA has several goals with regard to nutrition standards:

- First, and foremost, provide the Secretary of Agriculture with the authority to regulate the sale of all foods and beverages sold on the school campus, thus ending the “time and place” rule.
- Require that all foods and beverages provided on campus (with some exceptions) be consistent with the Dietary Guidelines, as is currently required for school meals.
- Require a uniform national nutrition standard throughout the country. Children in all states and local districts need the same nutrients to grow and be healthy.
- Finally, please increase the federal reimbursements as a part of any legislation to improve nutrition standards anywhere in schools.

We must consider nutrition standards in the practical context of the financial structure of the program. Whatever nutrition standard is ultimately agreed upon by the Congress or as a result of a Rule Making (we prefer a Rule Making) we believe that it must be uniformly applied and enforced throughout the school land then throughout the country.

We appreciate that many states or local school boards, for the best of reasons, have tried to do “better” than the Dietary Guidelines and have adopted their own version of the Guidelines. We are very sympathetic to this effort. If the Congress, however, allows each state or each district to select its own interpretation of the Dietary Guidelines it will further increase the cost of the school meals program. Further, if, for example, the athletic department in the school is allowed to sell high-profit drinks and the school food service authority is prohibited from selling those same drinks it makes it much more difficult to “balance the books” and feed all children, particularly low income children. In short, there is a connection between nutrition standards and funding for the program.

Obesity is a national epidemic and schools have an important role to play, indeed a critical role to play, in the fight against childhood obesity. SNA is committed to that fight against obesity. But in addressing the obesity issue we must not ignore the practical constraints in the school meals program. We urge the Congress to require a science based, yet practical, uniform national nutrition standard to benefit all children.

Finally, it is our best judgment that developing the precise details of the nutrition standard should be left to Administrative Rule Making, with the benefit of the Institute of Medicine. As you know, science changes all the time. If the nutrition standard were locked into law every time the science changed the statute would have to be changed.

The recent experience with the 2005 Dietary Guidelines is instructive. USDA has been trying to update the meal pattern since the 2005 Guidelines were released three years ago. However, the recent Guidelines changed the recommendation on fat and included several nutrients not included in earlier editions of the Guidelines. After much consideration, and several meetings with SNA, last November USDA announced that it would have to consult with the Institute of Medicine before it could update the meal pattern. Consulting with IOM will take two years. Attached is the USDA memo to our state directors.

We commend USDA for this decision and for acknowledging what we all know to be true: nutrition science is complicated. If USDA must consult with the IOM before proposing a new school meal pattern, then our counsel is twofold:

1. Please don't lock the nutrition standard into statute; and
2. Please don't allow each state and district to establish their own interpretation of the Dietary Guidelines.

THE RECALL

Mr. Chairman, a not so funny thing has happened on the way to this hearing: USDA has had one the largest recalls in history, if not the very largest. As we understand it, approximately 143 million pounds of beef was recalled, of which millions of pounds went to nutrition programs.

Schools, like all consumers, rely on the Department of Agriculture and the Food and Drug Administration to protect the safety of our food supply. USDA has had an excellent food safety record and we appreciate their vigilance. The schools support the USDA commodity distribution program. Approximately 20% of the food served in school comes from USDA; the remaining 80% is purchased locally. The commodities we receive from USDA are quite important to the programs we run. Further, in recent years, USDA has greatly improved the quality of the commodity program. Schools are treated as a customer. USDA asks what commodities the individual local school would prefer. The image of USDA “dumping” commodities the schools do not want and can’t use is no longer valid.

There are two areas, however, where we believe that things can be improved with regard to the recall:

1. Communication:

In an era of instant news and email, when any USDA agency puts out a press release saying the product is “unfit for human consumption,” the information reaches parents **immediately**. Frequently, the information reaches the parents before the information reaches the local school. That is not good. Parents start calling before we have any information.

When the FSIS press release went out on February 17th we had no way of knowing the nature of the recall or how serious the threat was to public health. We did not have the information we needed to respond to the many questions we immediately received from very concerned parents. In short, we believe there must be a better communication system put in place. There must be faster communication between the Food and Nutrition Service and the local recipients that may or may not actually be using the product. Communication from Food and Nutrition Service in Washington to the USDA Regional Offices, to the fifty states, to the local school food service authority, and then to the local 100,000 schools takes too long...particularly when CNN can put out the recall immediately. The USDA communication system needs to be updated.

1. The Recall Procedure:

Many of our programs were affected. Dora Rivas has 3,000 cases of affected product. Craig Weidel has 750 cases. The cases have not yet been disposed of for a variety of reasons and it is also unclear who will absorb the cost associated with the recall. In short, the Department

should improve their procedures on how to execute a recall when one is announced. The schools need better guidance and more training. Funds should be provided to execute the recall, to transport the product and dispose of the product. Existing procedures are not adequate; state and local administrators have not been trained in advance on how to execute a recall of this magnitude.

2009 AUTHORIZATION

Mr. Chairman, we have focused our testimony on just one issue, plus the recall, as they have received the most attention this year. There are, of course other issues that we will want to bring to the Committee's attention next year, as the 111th Congress drafts the next Reauthorization.

- We remain concerned about low-income children who cannot afford a reduced price meal and the recent economic downturn is making the problem worse.
- We must find ways to expand the school breakfast program and break down the practical barriers to implementing the program.
- Providing school breakfast commodities seems like an idea whose time has come.
- The program needs further streamlining. In most schools the number of personnel is limited and the program is increasingly complicated. It is very difficult to focus on nutrition standards if we are also forced to verify income for tens of millions of children.

The school nutrition programs have stood the test of time. They have risen above partisan politics. We all understand that our children are the future of the country. Hungry children can't learn and you can't compete in a world economy without an education. An educated workforce is the backbone of the country and the school nutrition programs are vital to our success.

It has been many years, Mr. Chairman, since the Congress has given these critical child nutrition programs a top to bottom review. We thank you again for our first 2009 Reauthorization Hearing and would be delighted to answer any questions.