

# CHILD NUTRITION AND THE SCHOOL SETTING

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## HEARING BEFORE THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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MARCH 6, 2007  
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## CHILD NUTRITION AND THE SCHOOL SETTING

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Tuesday, March 6, 2007

U.S. SENATE,  
COMMITTEE ON AGRICULTURE,  
NUTRITION, AND FORESTRY,  
*Washington, DC*

The Committee met, pursuant to notice, at 9:30 a.m., in room SH-216, Hart Senate Office Building, Hon. Tom Harkin, Chairman of the Committee, presiding.

Present: Senators Harkin, Lincoln, Stabenow, Salazar, Casey, Klobuchar, Chambliss, Lugar, Coleman, and Thune.

### **STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRI- TION AND FORESTRY**

Chairman HARKIN. The Senate Committee on Agriculture, Nutrition, and Forestry will come to order.

First of all, I want to welcome everyone to the Senate Committee on Agriculture, Nutrition, and Forestry's hearing on child nutrition within the school setting. First let me begin by welcoming all of our witnesses who are here today, thanking them for their contributions to the health and well-being of our kids in school.

Let me also welcome all of the School Nutrition Association delegates who are here today. This is now an annualized meeting, and it is always great to see all of you here and to welcome you here to Washington. Again we have a big Iowa delegation, I am proud to say, and I am certain Indiana is well represented also, Senator Lugar.

Today we will hear about the progress made and about areas where more can be done, and specifically about the role that this Committee can play in improving children's diets. The farm bill reauthorization this year provides us with an opportunity to make further progress on these issues, and I look forward to working with my colleagues on this year.

The hearing occurs at a critical moment for our Nation's children. Over the past 30 years, in large part because of Federal nutrition programs, we have made remarkable strides in ending hunger in the United States. In recent years, thanks to the efforts of school nutrition personnel, those of you in this room, the nutritional quality of school means has also improved. But now we have a new set of health risks associated with diet which have grown rapidly in recent years with serious consequences for our children.

Unhealthy weight, even obesity, among children has increased dramatically. Diet-related type II diabetes has reached levels never thought possible, with some estimating that one in three children born today will develop the disease. Added sugar and fat consumption generally is on the rise among children, representing half of daily caloric intake among school-aged kids. I might also add that too much salt is being put in all of the foods that all of our kids consume.

I would like to make it clear that when I talk about diet-related health problems, I am not trying to demonize any particular food. All of us here enjoy the occasional sugary snack. Myself, I prefer Dairy Queen, but that is just my own predilection.

[Laughter.]

Chairman HARKIN. The real issue here is maintaining the proper balance in our diets. In recent decades, there have been significant changes in the diets of most Americans, especially kids. Since the last 1970's, the percentage of daily calories that kids get from sweetened beverages has doubled—doubled—from less than 5 percent to more than 10 percent, according to the American Journal of Preventative Medicine. Foods that once were considered a treat are now consumed daily, even multiple times daily, by many of our kids. According to USDA's Food and Nutrition Service, 52 percent of teenage males and 32 percent of teenage females consume three or more soft drink servings each day.

Even as the quality of federally reimbursed meals, as I mentioned earlier, has improved, foods of little nutritional value—candy, chips, sweetened beverages—have become increasingly available and consumed in most schools where kids spend, of course, the majority of their day.

Now, some schools and some States have taken action to address these challenges, and I compliment them. But many more have not. And the Federal Government I think has done little, and far too little—again, I think, in my opinion—to set basic nutrition standards for foods that are sold in our schools. I mean all foods. Without such guidelines, millions of American children fail to receive optimal nutrition at school, and the \$10 billion that our taxpayers spend every year in school meal reimbursements is undermined by these foods of little nutritional value available in school settings.

Today I am happy to announce that again Senator Murkowski and I will be reintroducing today the Child Nutrition Promotion and School Lunch Protection Act of 2007. It was called 2006 last year. I just want to thank all of the people who are here and the School Nutrition Association for their strong support of this legislation to set national guidelines—national guidelines—and to give the Secretary of Agriculture the authority to set those guidelines for all foods in all schools that receive reimbursements for School Breakfast or School Lunch Programs. So I just wanted to mention that, that we will be reintroducing that legislation today. I hope that we can once again have the support of the School Nutrition Association and hopefully that with the farm bill up this year, perhaps we can see some more determined action on that front this year.

With that, I would turn to my good friend and also a great supporter of good health, Dick Lugar, Senator Lugar from Indiana.

**STATEMENT OF HON. RICHARD G. LUGAR, A U.S. SENATOR  
FROM INDIANA**

Senator LUGAR. Well, thank you very much, Mr. Chairman. I had not anticipated making an opening statement, but let me just say that this is always a rally of the faithful. And I would say that Tom Harkin is absolutely right that it is a time in which those who have fostered school lunches and school breakfasts for children all over our country, rejoice, we have preserved that thought that these meals ought to be available to all of our children, regardless of which State or county or locale they happen to be in. And this group is largely responsible for maintaining that and maintaining support for Senators who have supported that.

I agree also that it is extremely important that we tackle once again the vending machine problem and the child obesity problem. The Chairman has phrased this in more artful language, but these are issues that come before us perennially, and clearly there is now, I think, movement to understand the dilemmas that come to school administrations that wrestle with these problems, as well as with nutritionists, and, finally, of course, our children. Of course, we could set better examples as parents and adults with regard to the obesity issue, in addition to working with the child issue, but it is so important there. The data is incontrovertible. And I rejoice in this hearing and the chance to hear from distinguished witnesses, and hopefully we will have a chance to visit with you.

Thank you.

Chairman HARKIN. Thank you, Senator Lugar.

I would just mention that Senator Chambliss was here. He has to go over to a meeting of the Armed Social Security Committee. He will be right back, and I will keep the record open for his opening statement.

Just for short statements, I would yield now to Senator Salazar from Colorado.

**STATEMENT OF HON. KEN SALAZAR, A U.S. SENATOR FROM  
COLORADO**

Senator SALAZAR. Thank you very much, Chairman Harkin. I very much appreciate you holding this hearing. Just two very quick points.

First, I applaud the Chairman and all of you who have been advocates of the Fresh Fruit and Vegetable Program. I think the fact that was included in the 2002 farm bill was a very important step forward. I know it operates in some six or seven States now, and I hope that one of the things that we can do is to find ways of expanding that to more States, including my State, which currently does not participate in it.

Second of all, I think when we look at these nutrition programs, what we really are talking about is having our children across this country being in a position where they can learn. I always wonder when I go to schools how is it that a young person can be in a classroom in an environment that is supposed to be a learning environment, but they have not had a breakfast or they have not had a lunch and they are malnourished. So it very much ties into the whole concept of competitiveness and having a great educational system and improving upon our educational system here.

I was briefly looking at the numbers for us in Colorado, Mr. Chairman, and I noted that in Colorado we have over 1,000 Colorado schools with 72,000 students getting a breakfast from our program. We have 1,600 schools and 330,000 students that participate in the lunch programs that are provided out of the programs that have been created by this Congress. And so it has a huge impact on what we do in my State, and I know that is true for each of our States across this country.

So thank you so much for putting a spotlight on this issue.

Chairman HARKIN. Thank you, Senator Salazar.

Again, a new member of our Committee, and we welcome him because he is also a good proponent of preventative medicine and good health, and that is Senator Casey from Pennsylvania.

**STATEMENT OF HON. ROBERT P. CASEY, JR., A U.S. SENATOR  
FROM PENNSYLVANIA**

Senator CASEY. Mr. Chairman, thank you very much for having this hearing, and I want to thank the witnesses and the advocates who are in the room.

There are few issues that this Congress will deal with that have more importance, I think, for the families involved and the children involved than the issues that we are going to be talking about today. Very few issues have as much impact on those families and our economy, frankly, now and in the future than these issues. And I want to thank all of you for the work that you do, the important work that you do, to make sure that our children are receiving the nutrition they need. And I think it is very important for this Congress to focus on these programs.

I know in my State of Pennsylvania we have just over a million people—a million children, I should say, that participate in the School Lunch Program. We have got a lot less in school breakfast. That is a problem. We have got to correct that. About a quarter of a million in school breakfast. So this issue is critically important to the families in Pennsylvania, but I know across the country.

I know that in our State the Fruit and Vegetable Snack Program has been a great program, but not enough schools are participating. We have got to expand that for our State and other States around the country.

But I really believe this is an issue for the future of America, for our kids, as everyone here in this room knows, to have the nutrition that they need in the dawn of their lives and they get a healthy start. They are going to be better educated and much better prepared to meet the challenges of their educational career, but also the world of work and the economy that they can build.

So, Mr. Chairman, I think this hearing is as much about the future and our economic future as it is about the children who will benefit, and we are honored to be a part of it.

Chairman HARKIN. Thank you very much, Senator Casey.

Now I will turn to our distinguished Ranking Member, Senator Chambliss.

**STATEMENT OF HON. SAXBY CHAMBLISS, A U.S. SENATOR  
FROM GEORGIA**

Senator CHAMBLISS. Thank you very much, Mr. Chairman, and I am very appreciative of you holding this hearing today and the bipartisan approach we have taken on nutrition in the past. And I know as we craft the farm bill this year, we are going to work very close together to make sure the nutrition title is exactly the way it should be.

I welcome all of our visitors here today as we discuss the child nutrition programs in the school setting, and I particularly want to welcome all of my good friends from Georgia who are up today to observe this hearing.

Good nutrition is not only important for good health, but also for proper cognitive development in our children. Our school nutrition programs are a key component in our effort to provide healthy, nutritious meals to our Nation's school children. According to the U.S. Department of Agriculture, which administers these programs, nearly 85 million school breakfasts and over 210 million school lunches were served in Georgia during fiscal year 2006. For too many of our children, the school nutrition programs are the healthiest, most balanced meals of their entire day, so thank goodness we have got great nutrition folks in our schools that are helping look after these children.

We appreciate the efforts of our school nutrition professionals, many of whom are visiting today, for the job they perform to ensure that our young people have a healthy start on life. I know from the school teachers in my family of the importance of good nutrition in our schools, especially for our children's development. Moreover, the food for our school meals programs come from U.S. farmers, which obviously helps agriculture. School nutrition programs are good for families, good for farmers, and good for the future of America.

Nutrition programs have been and continue to be an important part of the farm bill. Although the Committee will be facing budgetary pressures from all interested parties when writing this farm bill, Mr. Chairman, I look forward to working together to address the nutritional issues which are critical to the well-being of our Nation's children.

Thank you, Mr. Chairman, and I look forward to our witnesses' testimony today.

Chairman HARKIN. Thank you, Senator Chambliss. And we have a great panel here today that covers, I think, the whole scope of what we are talking about here.

We have Ms. Janey Thornton, Child Nutrition Director from Hardin County School District in Elizabethtown, Kentucky; Ms. Teresa Nece, Director of Food and Nutrition at Des Moines Public Schools, Des Moines, Iowa, who I hope is going to speak about the Fruit and Vegetable Program that Senator Salazar mentioned; Ms. Susan Neely, President and CEO of the American Beverage Association here in Washington; Ms. Mary Lou Hennrich, the Executive Director of the Community Health Partnership in Portland, Oregon; and Mr. Kelly Brownell, Founder and Director of the Rudd Center for Food Policy and Obesity at Yale University in New Haven, Connecticut, who has met with us before and has been a witness before

us in the past, and is one of the really guiding lights in terms of nutrition in the United States of America.

We thank you all for being here, and we will ask you each—I will just say that all of your statements will be made a part of the record in their entirety. What I would like you to do is if you could just sum up your points within 5 minutes each. We will go down the line in the order in which I introduced you, and then we will open it for questions and answers with the Senators.

So, first, I would turn to Ms. Janey Thornton.

**STATEMENT OF JANEY THORNTON, CHILD NUTRITION DIRECTOR, HARDIN COUNTY SCHOOL DISTRICT, ELIZABETHTOWN, KENTUCKY**

Ms. THORNTON. Chairman Harkin, Senator Chambliss, members of the Committee, thank you very, very much for this hearing on child nutrition and for continuing the unique tradition of hosting this hearing during our legislative annual conference. I am Janey Thornton, President of the School Nutrition Association, from Hardin County, Kentucky.

Mr. Chairman, I am pleased to report this morning that, if our membership and our Industry Advisory Board are any judge, support for your legislation is increasing. SNA believes strongly that the Secretary of Agriculture should have the authority to regulate the sale of food and beverages throughout the entire school day and throughout the entire school. We cannot have one set of a la carte standards in the cafeteria and then another set of standards or no standards down the hall.

We need consistent standards in the school for two reasons: to promote wellness, but also to send a consistent nutrition message to our students. As every parent knows, if we tell our children one thing but they see us doing something else, they are going to follow our actions and ignore our words. Schools must also practice what they preach, and with the foods we sell and the nutrition education that we are teaching. Therefore, we hope Congress will move forward with this important legislation.

If the Congress is going to move forward in this area, however, it is our hope and our suggestion that nutrition guidelines within the cafeteria also be standardized. Current law requires that meals served be consistent with the Dietary Guidelines for Americans. However, in recent years, many States and even some local districts have come to interpret those dietary guidelines differently.

The ever increasing range of nutrition standards is creating a significant problem for our schools as well as for our industry sponsors. The variety and disparity of standards throughout the country are forcing an increase in our food cost, which we cannot accommodate given our current Federal reimbursement.

Mr. Chairman, whatever nutrition a child needs in Iowa are the same nutritional standards that a child needs in Georgia or in Kentucky or in any other State.

As we focus on improving the quality of school meals, we must not forget about those low-income students who qualify for the program but cannot afford to participate. I am referring, of course, to the reduced-price school meals. Students from families with incomes between 130 and 185 percent of the poverty level are

charged a maximum of 40 cents for lunch and 30 cents for breakfast. While that may not sound like a lot of money, it is keeping students out of the program. SNA firmly believes that if a family qualifies for free WIC benefits, they should also qualify for free meals.

Every day our SNA members are confronted with children who cannot afford that fee. Sometimes our members actually reach into their own pockets to pay the fee. Some schools might hold up that report card until the fees are paid. This is a real problem. There are families in America who cannot afford the 40 cents per child for a nutritious school lunch and 30 cents for breakfast.

With my district being adjacent to Fort Knox, I hear almost weekly from many of our military families about this very concern. We are not here today urging Congress to expand the free meal program and eliminate the reduced-price program. We are just urging Congress to finally fund the reduced-price pilot program to determine once and for all whether it is the fee as opposed to some other variable that might be keeping those low-income children from the program. According to USDA, a valid test can be implemented for approximately \$23 million over a 3-year period.

Finally, as we celebrate National School Breakfast Week, we are asking the Committee to provide USDA commodities for the School Breakfast Program. As you know, USDA currently provides approximately 18 cents in commodities for each lunch served to almost 30 million children in the program. By comparison, no commodity support is provided to the School Breakfast Program and the 9 million children who participate, even though, as you have mentioned, all available research indicates that this is the most important meal of the day. School breakfast commodity support would help us expand this program and would at the same time support American agriculture. We are suggesting that 10 cents per meal be provided in USDA commodities for each breakfast served.

Mr. Chairman, members of the Committee, that concludes our formal statement. We will be most pleased to answer any questions you may have, and we certainly thank you again for this opportunity to address you today. Thanks.

[The prepared statement of Ms. Thornton can be found on page 78 in the appendix.]

Chairman HARKIN. Madam President, thank you very much for a great statement, and thanks for your great leadership of this organization.

Ms. THORNTON. Thank you.

Chairman HARKIN. Now we will turn to Teresa Nece, a long-time friend of mine, from Des Moines. Welcome back again, Teresa.

**STATEMENT OF TERESA NECE, DIRECTOR, FOOD AND NUTRITION, DES MOINES PUBLIC SCHOOLS, DES MOINES, IOWA**

Ms. NECE. Thank you. Chairman Harkin and members of the Committee, I am Teresa Nece, Food and Nutrition Director, Des Moines Public Schools, Des Moines, Iowa. I am pleased to be here today representing my school district, other Iowa schools, as well as schools across the Nation. Mr. Chairman, you and each Committee member are to be commended for spending your time working on behalf of our Nation's children. The children deserve policies

and programs that will contribute to their health and well-being. My comments today will be focused on the Fresh Fruit and Vegetable Program currently operating in 14 States and on three Indian Tribal Organizations, representing 375 schools.

Des Moines has been fortunate to have had four of its 59 schools participate in the Fresh Fruit and Vegetable Program during the past 5 years. Currently we have two program participants reaching approximately 900 students reaping program benefits each and every day.

The Fresh Fruit and Vegetable Program has been very successful in participating schools across the Nation because the fruits and vegetables are available free to all students. I feel this is a very important aspect of the program design. One of the original reasons for offering fresh fruits and vegetables to students throughout the day was to demonstrate that when fresh fruits and vegetables were made readily available, students would increase their consumption of fruits and vegetables and decrease consumption of candy, chips, and other similar, less healthy snacks. The theory has worked.

Our students have definitely enjoyed the experience of not only trying familiar fruits and vegetables but also new and different fruits and vegetables.

One of our first learning experiences in a middle school was to offer Bartlett pears in the classroom. We discovered that the sixth, seventh, and eighth grade students thought fresh pears were white, soft, and sliced. Many of the students had never seen or tasted a whole fresh pear. Classroom teachers discovered that they had many teachable moments with the fruits and vegetables. They embraced the program and encouraged their students to try new foods each and every day. What more could we ask of our teachers?

We have noted improved eating habits of the students as well as a healthier school environment in our buildings. One of the greatest benefits of the program has been the creation of a school community focused on healthy foods offered throughout the day—before school, during school, and after school. This environmental change has taken work on the part of all staff and students. In our schools, we offer fresh fruits and vegetables in the classrooms every day, in the school cafeteria, in the office, and in the nurse's office.

Parents have told us about their students looking forward to the fruits and vegetables at school, as well as about shopping experiences at the grocery store when the students request the purchase of fruits and vegetables that they have had during the week.

Teachers and principals have stated many times one of the unexpected benefits of the program is the opportunity for students and teachers to talk about something other than academics. In Des Moines, the piece of fruit or vegetable has brought a neutral focal point for teaching life skills and has supported the development of a school family focused on success for all students.

Teachers have watched their learning behavior of their students change, creating a relaxed classroom atmosphere that enhanced the learning experience. They identified that their students are more ready to learn with the availability of the fresh fruits and vegetables in the classroom.

The program has been a positive experience for our district. I have had requests for expansion of the program into schools within

my district because of the positive impact of the program. Our State child nutrition director has received numerous calls from other schools in Iowa requesting information on how to get involved.

This program impacted the lives of our students by creating an environment focused on developing good eating habits. This program has supported the role of the school meal programs and has enhanced the learning environment in the total school. I know that our Iowa experiences mirror experiences from across the Nation.

Chairman Harkin and members of the Committee, the Fresh Fruit and Vegetable Program has demonstrated changed student food consumption practices. Children are eating more fruits and vegetables. Healthy fruits and vegetables are chosen more often by students, decreasing the consumption of less healthy snack foods.

In summary, Mr. Chairman and members of the Committee, the Fruit and Vegetable Program has been remarkably successful, not just in fulfilling its stated purpose of increasing fruit and vegetable consumption, but also in helping to create something much bigger, namely, a culture of wellness and health promotion. I strongly believe in the value of this program and would like to see the program expanded. Additionally, I would like to see the school meal programs enhanced with additional funding to support infrastructure needs to facilitate increased offerings of fruits and vegetables as a part of the School Breakfast and Lunch Programs.

I look forward to my continued work in impacting the lives of students and families each day in Des Moines. And that concludes my statement, and I thank you.

[The prepared statement of Ms. Nece can be found on page 68 in the appendix.]

Chairman HARKIN. Ms. Nece, thank you very much, and thanks for your great leadership in Iowa in this program. I am going to have more questions for you when we get to our question period.

Now we turn to Susan K. Neely, President and CEO of the American Beverage Association. Welcome.

**STATEMENT OF SUSAN K. NEELY, PRESIDENT AND CHIEF EXECUTIVE OFFICER, AMERICAN BEVERAGE ASSOCIATION, WASHINGTON, DC**

Ms. NEELY. Thank you. Good morning, Mr. Chairman, Senator Chambliss, and members of the Committee. Thank you for the invitation to appear before you today to discuss child nutrition and the school setting. I am Susan Neely, President and CEO of the American Beverage Association. We represent the nonalcoholic refreshment beverage industry and have done so for almost 90 years, which means we represent producers, distributors, franchise companies that market hundreds of brands, bottled water, flavored water, fruit juice, ready-to-drink teas, coffees, fruit drinks, carbonated soft drinks, dairy-based beverages, and sports drinks. I am also the mother of two elementary school aged children and originally from Iowa.

Mr. Chairman, the American Beverage Association agrees that the obesity crisis is a complex national challenge that requires us to re-examine old practices and find new solutions. All of us—policymakers, parents, educators, industry, and community leaders—

have a responsibility to do our part to help teach our children how to have a healthy lifestyle. I am proud to report that the American beverage industry is doing just that. The Committee invited me here today to talk about our recently adopted school beverage guidelines which limit calories and increase nutritious offerings in the beverages that are available in schools.

Last May, ABA, Cadbury Schweppes, Coke, and Pepsi teamed up with the Alliance for a Healthier Generation, a joint initiative of the William J. Clinton Foundation and the American Heart Association, to develop these new guidelines. In a nutshell, the only beverages available in elementary and middle schools will be water, low-fat and nonfat milk, and 100 percent juice. The milk and juice products will be portion controlled to keep calories in check while delivering key nutrients children need. For older students in high schools, the product mix is broadened to include low- and no-calorie beverages, light juices, and portion-controlled servings of sports drinks and other beverages that are all capped at 100 calories per container.

The most dramatic effect of the guidelines, once fully implemented, is that full-calorie, carbonated soft drinks and fruit drinks will no longer be available in schools. Mr. Chairman, I repeat, we will no longer sell full-calorie soft drinks in schools, even high schools.

We agree with parents and educators that schools are special places and play a meaningful role in shaping our children's health. The guidelines were designed using nutrition science, including the Dietary Guidelines for Americans 2005, as well as the American Heart Association's Dietary Guidelines for Healthy Children and 2006 Diet and Lifestyle Recommendations.

We think we have struck the right balance with these guidelines. A recent national survey found that 82 percent of parents surveyed support our school beverage guidelines. It is important to note that they support the guidelines over more restrictive alternatives. When asked to choose between the guidelines and a policy providing only water, low-fat milk, and 100 percent juice in all grades, K through 12, parents support the guidelines by a margin of 56 percent to 42 percent. When asked if they support the guidelines or a complete ban on vending in schools, they chose the guidelines by a margin of 82 percent to 14 percent.

Clearly, parents believe we have hit the mark with our policy. It is based on sound nutrition and reflects the reality of how most of us live. Like grownups who like our treats, kids want to drink both nutritious and enjoyable beverages. Through these guidelines, schools can help our children learn how to choose beverages that are lower in calories and/or high in nutrition.

Now, the No. 1 question we get about our guidelines, even from those who say they support it, is: Will they be implemented? They are only voluntarily. I can assure you that the beverage industry is working hard to implement the guidelines. In the past 10 months since we signed the Memorandum of Understanding with the Alliance for a Healthier Generation, our companies have spent hundreds of hours training their marketing and sales teams. The teams have reached out to school contract partners to educate them. We are reformulating products. We are creating new package

sizes to meet the smaller portion sizes required in the guidelines. And we are retrofitting vending machines to accommodate the changes in package sizes. Mr. Chairman, our policy is indeed a national policy as our companies are implementing it in each one of their schools across the country.

The School Beverage Guidelines MOU requires full implementation of the guidelines by August 2009. The first progress report on implementation of the guidelines will be completed in August. We fully expect the August report to show a continued decline in the sale of full-calorie soft drinks in our schools.

The bottom line: The School Beverage Guidelines are common sense, supported by science, backed by parents, responsive to concerns about calories and nutrition, and they are already being implemented across the country. We are making it happen in our schools.

Mr. Chairman, I sincerely appreciate the opportunity to appear before the Committee and want to conclude by stating again how proud we are of these new school beverage guidelines. While we applaud this Committee's efforts to find new ways to address good nutrition, we hope it will recognize and support the significant effort by this industry to change the beverage offerings in schools that is already well underway. We will continue to do our part to support healthy, happy kids. After all, we are parents, too.

Thank you very much.

[The prepared statement of Ms. Neely can be found on page 72 in the appendix.]

Chairman HARKIN. I can assure you that we recognize it, and we compliment the industry for taking these bold steps. I think it is moving in the right direction.

Ms. NEELY. Thank you.

Chairman HARKIN. Thank you very much.

And now we turn to Mary Lou Hennrich, Executive Director of Community Health Partnership in Portland, Oregon. Ms. Hennrich?

**STATEMENT OF MARY LOU HENNRICH, EXECUTIVE DIRECTOR, COMMUNITY HEALTH PARTNERSHIP, PORTLAND, OREGON**

Ms. HENNRICH. Thank you, Chairman Harkin, Senator Chambliss, members of the Committee. Thank you for the opportunity to allow me to testify today and, as you said, my name is Mary Lou Hennrich. My 35-year career as a public health nurse and administrator finds me currently serving as the Executive Director of Community Health Partnership, Oregon's Public Health Institute, based in Portland, Oregon. Community Health Partnership is an independent, nonprofit organization committed to improving the health of Oregonians. In recent years, our organization has led statewide efforts to improve the nutritional quality of foods and beverages in schools, similar to what you are trying to do nationally. I have advocated for stronger school nutrition standards in Portland Public Schools, which is my local school district and Oregon's largest district.

The challenges we have encountered in our efforts at the local and State level—and in Oregon, we have been working for nearly

6 years to pass State standards for food sold outside the National School Lunch Program—have made it very clear to us that we need strong Federal leadership on this issue. That is why our organization has endorsed Senators Harkin and Murkowski's Child Nutrition Promotion and School Lunch Protection Act of 2006 and will do so in 2007, and we urge the Senate to pass it this year.

I am going to speak a little bit about local control because this seems to be an issue that comes up at the State level where, when we try to do things on a statewide basis, we are told local districts want to do it. I think when the Federal Government tries to do it, they are told the locals are the States. So it is kind of like everybody is passing the buck on, you know, who is the local and everybody else should be doing it.

I think parents do not care whether school food standards come from Congress, a State, or the local school district. To them, local control means that they have control over what their kids are eating in school. And parents have told us, loudly and clearly, that they want the foods sold in their children's schools to be healthy. The sale of low-nutrition foods in schools undermines parents' ability to help their children eat a healthful diet. Parents should not have to worry that their children will spend their lunch money on low-nutrition foods from vending machines, school stores, and a la carte in the cafeteria instead of on balanced school meals.

While we respect that many school-related policies are left to local control, school foods are different. School foods have been a Federal issue since the Truman administration. Congress and the USDA set detailed standards for school lunches and breakfasts. And as Senator Harkin said, the Federal Government invests huge amounts of money—\$10 billion in fiscal year 2006 alone—in school lunches and breakfasts. Selling low-nutrition foods in schools undermines that major taxpayer investment and the efforts to ensure that school meals are healthy.

The majority of the Nation's 14,000 school districts are not equipped to develop science-based nutrition standards for school foods. A recent national analysis found that only 20 percent of the largest 100 school districts in the country have set specific nutrition standards for a la carte and vending in their recently passed local wellness policies. In Oregon, our organization analyzed the 174 local district wellness policies that were filed with the State Department of Education. That is out of what should have been 189, but there were a few districts that did not even turn in a policy. And we found the exact same percentage, which was 19.5 percent of policies, set any specific guidelines around foods sold outside the National School Lunch Program. So the local wellness policies did not do it.

All other things being equal, local control is an important consideration. However, the inherent value of local control must be weighed against the significant threat that childhood obesity poses to our children's health. I think as Senator Harkin clearly said this morning, we have got diabetes on a rampant rise, and almost 40 percent of girls and one-third of boys are on track to develop diet-related diabetes. We have got to re-examine the value and effectiveness of local control with regard to children's health and nutrition.

Things have drastically changed in schools in the past 20-plus years. When my oldest child, who is now 32 and is a teacher, was in school, 99 percent of eating happened in the cafeteria. Now that she is a teacher, she reports that more than 75 percent of eating occurs in hallways and classrooms. Indeed, there is a lot of food sold through venues other than school meals. Nationally, 83 percent of elementary schools, 97 percent of middle, and 99 percent of senior high schools sell foods and beverages out of vending machines, school stores, or a la carte. Unfortunately, too many of the choices offered to children, as you have heard, in these venues are of poor nutritional value. They also undermine what is being taught in the classroom. We need to sell what we tell.

There are revenue considerations. The sale of low-nutrition food outside school meals programs undermines school lunch. For example, when Jefferson County School District in Kentucky set nutrition standards for items sold through its a la carte line, it experienced an annual decrease of \$3 million in a la carte revenue. However, at the same time it saw a \$6.9 million annual increase in school meal revenue. We are finding that in Portland. It has changed its offerings dramatically and now is seeing an increase in the money they are getting from national school meals, and the kids are getting healthier foods.

So I have other things in my testimony, but I think you can ask me questions on that. Our organization did what turned out to be the sentinel study on soda contracts, and I can answer questions about the revenue, the changes. We applaud the ABA for their voluntary guidelines but do point out they are voluntary. Schools must approach and ask to have these implemented. We believe that those guidelines should be the law of the land, and we would hope that would happen under your bill.

So thank you very much. I urge the Committee and the rest of the Senate to set national nutrition standards for foods and beverages sold out of vending machines, school stores, and a la carte. It is important that Congress act now to address this pressing problem. Children are only children once, and every year that we wait and debate this and do not move forward, we have lost a year in that child's life.

Thank you very much, and I would be glad to answer questions later.

[The prepared statement of Ms. Hennrich can be found on page 64 in the appendix.]

Chairman HARKIN. Thank you very much, Ms. Hennrich, and I will come back to the part of your statement that you did not mention about what happened in Portland with the removal of soft drinks.

Ms. HENNRICH. Yes.

Chairman HARKIN. Now, Dr. Kelly Brownell, Professor of Psychology and Epidemiology and Public Health at the Rudd Center at Yale University. Welcome back again, Doctor.

**STATEMENT OF KELLY BROWNELL, FOUNDER AND DIRECTOR,  
RUDD CENTER FOR FOOD POLICY AND OBESITY, YALE UNI-  
VERSITY, NEW HAVEN, CONNECTICUT**

Mr. BROWNELL. Thank you, Chairman Harkin, Senator Chambliss, and colleagues. Being a proud native of Indiana, I am especially happy to make Senator Lugar's acquaintance.

The window is open at this particular moment in history. The public is interested in child nutrition. They are willing to take action, and they are willing to have their elected leaders take action. We realize as a Nation that our children need protecting from a difficult and challenging food environment, and we also realize that the foods children eat in schools affects their health, well-being, and also our national presence in education. And a malnourished child, which could mean an overnourished child, will not perform well in school.

I would like to introduce a concept that economists and public health people have been looking at for a number of years called "optimal defaults." The idea is that one hopes to create an environment where healthy behavior becomes the default rather than the reverse. So take lead paint, for example. We have legislation that forbids the use of lead paint, so when people paint, it becomes a healthier behavior by default. Air bags in cars would be another example. Unleaded gasoline would be yet another example. There are a number of precedents like this where we try to create an environment that makes healthy behavior the default.

Unfortunately, in the food environment, unhealthy behavior has become the default, and it has become very difficult for parents to offer a good nutrition environment for their children, particularly when it is occurring in schools.

I am happy to come with a scientific perspective on this, and I would like to discuss several things that we know not to be true and several things we know to be true.

First is the myth that schools will lose money if they get rid of what we commonly know as junk food. As the previous speaker mentioned, it has not proven to be the case. Schools will either stay neutral or make more money if they switch out the unhealthy for healthier food.

The second myth is that children will compensate outside of schools for the unhealthy food that they are not getting in schools. Colleagues of mine at Yale University have recently completed a study finding that not to be the case, that what happens is children tend to eat the same outside of schools, but, of course, improve what they eat in schools because of the better nutrition environment.

The third issue is that local control is sufficient. We have done a study in Connecticut, my colleagues at the Rudd Center, looking at school wellness policies. There is remarkable variation in the way the schools either develop their policies, much less implement them, ranging from very aggressive and progressive nutrition-related school policies to something that is nothing more than a paragraph on a sheet of paper. And, hence, local control does not seem to be getting the job done, and if we wait for school district by school district to make the changes, I fear we have a very long wait indeed.

Let me turn my attention to things we know to be true. First, the food landscape has changed remarkably for the American child. From 1994 to 2004, for example, there were more than 1,600 new candy products introduced specifically targeted to children. There were 52 fruit and vegetable products. This typifies the food landscape.

Science has advanced a great deal during that time, and we have learned an awful lot about what contributes to child obesity and to poor nutrition in general. For example, we have a paper about to come out in the American Journal of Public Health looking at the impact of sugared beverage consumption on children's nutrition and their risk for obesity and diabetes, and yet again the science shows clearly, in words that Senator Lugar used, incontrovertible evidence that soft drinks and sugared beverages are related to poor health, poor nutrition, and risk for diseases like diabetes. There is no longer any dispute on this in the scientific literature.

So what we have is that the defaults are sub-optimal. Children are raised in a difficult environment. Schools become a wonderful opportunity to turn that tide around. It is a place where children spend many hours. It is a place where they learn lessons about nutrition as well as eat the foods there, and creating a good environment for them can be a remarkable opportunity for us as public health advocates.

The schools should be more than a good nutrition environment, but it should teach good nutrition lessons. And having branded products in machines interferes with that because children become loyal customers at early ages and the fact that a child may see a beverage machine that has a somewhat healthier selection of beverages but still is branding certain soft drink brands can be quite difficult.

Schools, as I said, are a wonderful place to help, and I would like to end with the following idea. I have a sheet here that I believe is available to members of the Committee that shows trends in public opinion over the last 5 and 6 years. And if you ask the public whether childhood obesity is a serious problem, what began as a 74-percent endorsement in 2003 is now a 93-percent endorsement. If you ask Americans in polls not done by the food industry whether they favor soft drink and snack food bans in schools, the number began at 47 percent in 2001, went to 59 percent, 69 percent, and 83 percent in 2006. So it looks like it is a winning issue, at least from my perspective, where public opinion combines with science to provide a very compelling need to change nutrition in schools.

I am delighted that the Committee is looking into this. I find it a very positive sign. And I think in 5 and 10 years we will have a much better food environment in schools, and I am delighted that 2007 may be a place to start that journey.

Thank you.

[The prepared statement of Mr. Brownell can be found on page 56 in the appendix.]

Chairman HARKIN. Dr. Brownell, thank you very much for your testimony and for your great leadership in this area.

We will have just a series of rounds of questions of 5 minutes, and I will start with my round of questions at 5 minutes.

Ms. Thornton, as President of the School Nutrition Association, again, I compliment you and all of you who are in this room for all the wonderful work you are doing. One of the things that I am concerned about is the quality of commodities that are made available. Now, I have talked to a lot of people about this, and I need to know from you have they gotten better over the years, the commodities that are provided? We have not really talked about that here, but is that an area that we should be looking at in the farm bill this year? Any thoughts that you might have on the quality and the type of commodities that we provide for the School Lunch and Breakfast Programs.

Ms. THORNTON. I think the nutritional quality of commodities has improved dramatically over the last number of years. We are seeing beef products, for instance, with a lower fat content. We are seeing a lot more fresh fruits and vegetables. We are seeing canned fruits with water pack or a natural juice pack as opposed to a sugar-based pack. There are a lot more frozen options. And then the whole option of being able to divert products so that we can have those manufactured ourselves into an end product that is a nutritionally sound product has also been a great improvement.

Chairman HARKIN. I would welcome any input from your association about any thoughts you might have on how we address this, or if we should, in the farm bill this year in terms of modifications or anything that we should be thinking about. I would welcome that. But it has been sort of my information that they have gotten better.

Ms. THORNTON. Absolutely.

Chairman HARKIN. And I just wanted to ask you that, if that was your feeling also.

Teresa, about the Fruit and Vegetable Program, it has been my understanding that not one school that has ever participated ever asked to be dropped from the program, and that you just keep getting more and more requests for schools to participate in this. And it has been my understanding also that now companies like, I think, Sunkist, Dole—I do not mean to single out any companies, but some like that are now packaging fruits and vegetables just for this program. Is that right?

Ms. NECE. That is correct. Actually, I have not ever heard of a school that has requested to not participate. I have heard of schools that want to participate. You know, in Des Moines, I would say that I probably have 90 percent of the schools that are interested in participation because of the significant positive events that have occurred in the school environment, and that it has encouraged that healthy environment for not only learning but also for nutrition behavior.

In terms of product availability, we have seen a great change in prepackaged food items including pineapple. One of the most popular student ones was a pineapple push-up.

Chairman HARKIN. I have seen that, yes.

Ms. NECE. Which is just marvelous. But it makes also for easy classroom distribution so that you have little mess, and you do not have a great amount of waste from the food product itself.

Chairman HARKIN. I have told this story before. It was a third-grade kid that taught me how to eat kiwi fruit.

[Laughter.]

Chairman HARKIN. I thought, kiwi fruit, boy, they are hard to peel, a mess. So I went to this one classroom 1 day, and they were having the fruits and vegetables. These kids were having kiwi fruit. And I thought, "Boy, this is a mess. How is this going to work?" This third-grade kid showed me. He took a spoon, got a little plate, took the spoon and jabbed it right in the middle, broke it open, scooped it out and ate it. Why didn't I ever think of that?

[Laughter.]

Chairman HARKIN. I will never forget that.

This Fruit and Vegetable Program, it was a theory that we tested. We wanted to test it to see if it would work. We had all kinds of information that maybe there would be a mess and there would be peels on the floor and all that kind of stuff. We found that that really did not occur. We had one—this was in Michigan, as a matter of fact, Senator Stabenow.

Senator STABENOW. We have a lot of programs in Michigan.

Chairman HARKIN. I know. You have got a lot of them there. And we had one information—this is a couple years ago—where the bus driver—they had put some fruits on the bus going out to pick up kids. And the bus driver got really upset because kids were putting banana peels and apple cores on the floor and stuff like that, and he got very upset about it until the principal of the school decided to take affirmative action. He went to the local Safeway store—I do not know if it was Safeway or whatever store it was—and got these little plastic bags, and he just put them on the back of seats of the bus, and the kids would put them in there afterward, and the problem was solved. So it is just ingenious things like that.

But I just think that this program has taken off. I will state publicly here right now that because this has proven to be successful, that kids do eat these fruits and vegetables, they are getting healthy, the teachers like it, the principals like it, the school boards like it. I have not seen anyone that has been opposed to it. It is my goal and I will do whatever I can to ensure that every elementary school kid in America in 10 years gets free fresh fruits and vegetables in school. I think that is a goal we ought to shoot for, and we will do everything we can to get to that point.

Senator STABENOW. Mr. Chairman, could I just insert one thing? Could we ask that they be grown in Michigan?

[Laughter.]

Chairman HARKIN. I do not know about that. It is a national program here.

Ms. Neely, my time is running out. I just wanted to ask you—well, my time is out; I will do it on my second round—about the idea about snack food companies. The beverages seem to be doing OK, but the problem is with the snack foods that is a problem in our vending machines in schools. I want to ask you about that, but I will do that during my second round because my time has run out.

With that, I will turn to Senator Chambliss.

Senator CHAMBLISS. Thank you very much, Mr. Chairman, and, Debbie, you all just don't grow peaches in Michigan. That is the problem.

[Laughter.]

Senator CHAMBLISS. To serve to all these kids all over America.

Ms. Nece, I am a big fan of that program, too. We were to be included, Georgia was to be included in the pilot program in the ag appropriation bill of last year, which, unfortunately, with the continuing resolution, got dropped out. But I share that with you, Mr. Chairman, and as we move into the farm bill, that is certainly an issue that we need to address, and I hope we are able to accomplish that.

I would just like to ask you, as a practical matter, is it a problem to our local systems to any degree to purchase local fruits and vegetables? Or is it something they kind of look forward to?

Ms. NECE. I think it is a great opportunity to involve local suppliers if the suppliers exist in the community, and I think that is a reasonable responsibility for a school district to look at options and ways of incorporating local.

One of the challenges initially from my perspective in the startup was figuring out how to manage all the fruits and vegetables that were going to go to our classrooms, and then how were we going to distribute those out to each and every classroom in a school building and get it done in a timely manner to not interfere with the operation of the school day.

And so that took some creativity, but I think that the options to look at local purchases using local suppliers of products that are not only local but what are coming from national manufacturers is a great opportunity.

Senator CHAMBLISS. Great. Ms. Thornton, Congress required schools to develop local wellness policies in the Child Nutrition and WIC Reauthorization Act of 2004, and the policies were required to go into effect at the beginning of this past school year. Knowing the nutritional expertise that can be provided by the School Nutrition Association, how active was your organization in helping schools develop their local plans? And how active will your organization be in helping to revise those plans as needed?

Ms. THORNTON. Our organization did offer training for wellness programs throughout the country as well as training at a number of our national meetings. But obviously only those folks that chose to attend those meetings had that training. I think it varied dramatically across the country as to how involved child nutrition folks were in the development of the plans. It was left up to the districts, obviously. But I think you could tell a difference in plans where someone in school nutrition was involved and then those where they were not.

Senator CHAMBLISS. Ms. Hennrich, as I hear from you relative to national mandates relative to nutritional aspects in our School Lunch Programs, I am one of those folks who happens to have a lot of confidence in our local folks. I visit schools on a regular basis. I have a fifth grader and a third grader as grandchildren. I have a daughter who is a teacher. When I go into the schools, I try to make it a point to eat lunch and visit with the kids, and I am always impressed by what I see. And I try to do it so they do not always know the Senator is coming to eat lunch so we are going to have what he likes that particular day.

But I am saying this because you seemed to indicate with your recommendation that there is a problem out there. Local control

means to me—we set broad parameters with which our dietitians are required to make certain selections of nutritional food, and whether it is the State or whether it is the local folks at the end of the day who adopt those dietary guidelines, it is the local folks who make the decision about what is going to be served in the lunchroom on those particular days.

I just do not see the problem there. Now, if there is, if there are schools that are not serving the right kinds of meals, obviously we want to know about that. So I throw that out to you because that is what I got from your conversation in your statement there.

Ms. HENNRICH. Senator Chambliss, let me kind of go back and say more specifically it is not with the school meals program. We believe that Congress has done an admirable job and the locals have done an admirable job actually making the broad policy play in local districts. It is the fact that you do not have any reach over what is sold in hallways, in school stores. There are no Federal guidelines. That is the point to us, that those competitive foods are the things that we are concerned and why we believe that you should broaden your definition of not just in the cafeteria or where the school meals are being sold but throughout the whole school, because that is where kids are eating now. And there are no guidelines, no standards. Anything can be sold. There is the voluntary guidelines that are coming in from the ABA, but they do not have to play. And that is what we are concerned about. It is really up to individual local schools. And that is where I think they have been pushed in the corner in terms of funding, believing they have got to sell “bad foods,” foods that do not have much nutritional value, to kids in order to keep the band playing.

Senator CHAMBLISS. Well, I understood that part of it, but I obviously misunderstood and thought you were talking, too, about our lunchrooms.

Ms. HENNRICH. No.

Senator CHAMBLISS. Good. Because I am very proud of my folks.

Mr. Chairman, I know my time is up. Unfortunately, as I indicated to you, we have got a hearing over in Armed Services relative to our issue out at Walter Reed, and I am going to have to go over there. But I did want to get into one other issue, but I am not going to have time to. But in Ms. Hennrich’s testimony, you do refer to this situation involved Coca-Cola and the Portland Public School System, and your testimony seems to characterize a contract renegotiation is going to cost the public school system about a \$6,000 penalty, that that is what Coca-Cola is seeking to extract. And in looking at the Portland Public School System’s website, they have a press release on there dated February 7 that says exactly what is going on out there. And, Mr. Chairman, I would just like to insert a copy of that press release in the record.

Chairman HARKIN. Without objection.

Chairman HARKIN. OK. Thank you, Saxby.

Senator Lugar?

Senator LUGAR. Mr. Chairman, I want to pick up on questioning Mrs. Hennrich. You pointed out that testimony from those who reported to you indicated that 75 percent of eating occurs in hallways and classrooms. Is that a general characteristic or a specific school? Or where did the 75 percent come from?

Ms. HENNRICH. Senator, I think that was I was alluding to my daughter, who is a teacher, just saying, "Mother, it is not happening in cafeterias anymore. It is happening all over the school." So that is not a scientific number. That was simply her estimate in her school that kids are eating from vending machines, school stores, things people bring from home and their lockers. You name it. She just said it is unregulated out there.

Senator LUGAR. There seems to be anecdotal evidence that that is true. If not 75 percent, I am just curious whether any of you have any research on how much occurs in the lunchroom, as Senator Chambliss was talking about admirable standards, and how much outside where there are no standards. This would seem to me to be a very important point, and maybe in due course we will get some research, if we do not have it.

In any event, we have come to a conclusion that something is occurring outside the lunchroom and, in fact, in fairly large volume, and there has been a great deal of interest, and admirable, Ms. Neely's testimony, the voluntary efforts that are involved. But let me just say that essentially Mr. Brownell's testimony leads me to believe that we are back into an issue that is not unlike that which we faced with regard to the whole School Lunch Program, say in about 1994, 1995, and 1996. The argument then was that certainly it was admirable to have these programs, but we have a Federal system, which means that we have States and we have local governments. And as a matter of fact, they look after children, too, are very humane, but there is no particular reason for a Federal lunch program. That was the issue, and it was fought vividly, and a pretty close decision.

Now, people who were not there in that period of time 10, 12 years ago cannot fathom that we were arguing whether we should have a National School Lunch Program. But that was the issue, and it could have been terminated at that point.

Now, at this point, I am convinced that we really have to have national standards for what is occurring in the hallway. I think it is incontrovertible with regard to the obesity problem for our children. However, I ask you, Mr. Brownell, you say, Who should develop the standards? This is a critical issue. You said, "It is likely that calls have been made for USDA to establish the definitions of Foods of Minimal Nutritional Value." You state, "This could be a barrier to progress, given the dual and oft-conflicting priorities of the agency to help promote food sales but at the same time establishing national nutrition policy."

Therefore, you suggest that, "Having the criteria established by the Institute of Medicine or the Centers for Disease Control and Prevention could help alleviate the dual role experienced by the USDA and avoid to some extent the problems created by the 'revolving door' between the USDA and the food industry."

Now, without indicting USDA, I would just observe that we do have a political system in this country that is to the good. People come and go. Sometimes those who come into office have very different values that are not necessarily those of scientists, nutritionists, doctors, and so forth, taking a look at food. And, therefore, I am at least persuaded that the Committee ought to look very care-

fully at who sets the standards and, furthermore, that we probably should move to set some standards.

Ultimately, the question will be raised—and several of you have suggested all the arguments against it, and this is a critical one often that comes up in local meetings, and that is, we need the revenue. Here is the principal, the superintendent, somebody. Just very frankly, we are not getting enough support from the State of Indiana or the State of Ohio or what have you, quite apart from the Federal Government. It is a question of kids' education. Which comes first? And this is a critical—now, so people say, well, perhaps that could be substituted, maybe if people began to eat nutritious foods and drinks and so forth, the revenue—maybe. But it appears to me that this is a factor for some research also. Who is eating outside the cafeteria, to begin with, and how much—and how the revenue situation is going to be there. Because, absent that, we are going to have a very tough problem in which we are talking about denying education to children while we are busy trying to fix the fact that they will not have diabetes. And we do not want to get involved in that kind of a critical choice if, in fact, the facts or the programs can avoid that.

So I ask any of you for comment. My time is already expired, but, nevertheless, yes, sir?

Mr. BROWNELL. It is a very realistic concern because the general lore is that schools are making a great deal of money from the sales of these products, and it is supporting the soccer team or the band or students to come to Washington on trips or things like that. And so there was a perfect need for some research on the topic, which has now been done, and the studies on this show either the revenue stays the same or increases as the foods become healthier because children will buy the healthier options.

Senator LUGAR. Thank you.

Ms. THORNTON. The School Nutrition Association also, if I may, totally agrees with your comment, but we also have some real concern as to what is happening within the cafeteria and the diversity that is there. We are all over the board with regard to nutrition standards, some being really high with maybe sodium, low on fat, standards are all over the place. And I think this chart that I gave you would just give you some indication of what we are seeing and how it is impossible to meet standards across the country by manufacturers and even to find product in many instances.

Senator LUGAR. We need some standards in the kitchen in addition.

Ms. THORNTON. Absolutely.

Senator LUGAR. Thank you.

Chairman HARKIN. I might just add, Senator Lugar, that a couple of years ago, in anticipation of trying to figure out who was going to decide what these standards are, in our appropriations bill we requested the Institute of Medicine and the National Academy of Sciences to study this and to come out with some recommendations. And I am told that they are going to do that sometime this spring. It has been about 2 years in the development.

Senator LUGAR. Good.

Chairman HARKIN. So we will have at least some documentation on this, hopefully soon, I hope.

Senator LUGAR. That is great.

Chairman HARKIN. From the Institute of Medicine. Is that right? It is going to come out this spring sometime? So hopefully we will have at least that to go on. Thank you, Senator Lugar.

Senator Casey?

Senator CASEY. Thank you, Mr. Chairman, and I want to thank the panel for your testimony and for your great advocacy.

I have a couple of specific questions, one with regard to the Fruit and Vegetable Snack Program. We know that there are a lot of States out there—a lot of schools, I should say, in those States that have a real interest in participating. In Pennsylvania, we had last year, I am told, some 1,000 schools applying, but, of course, it is limited by the program to, I guess, 25.

I would ask you your opinion on that and how we go about expanding that so that more and more schools in a lot of our States can participate. And I know that is directed at all of you, but whoever wants to take that one.

Ms. NECE. Very well. I will take the first shot at it.

Senator CASEY. Thank you.

Ms. NECE. I think there are some collective, collaborative ways where we need to look at how we expand the options. And you are correct, currently in any of the States participating, there are primarily 25 schools to the State. And that is true in Iowa, and it is open for application each year, and those applications then are reviewed under a set of criteria for implementation.

I think there is a nutrition education component that is extremely important in the Fruit and Vegetable Program. One of the ways in my district that we get fruits and vegetables available in our elementary schools is through a grant. It is referred to as “Basics,” and it is a nutrition education curriculum that goes into the classroom, and as a part of that, we provide fruits and vegetables as a part of a snack. And that has been a very successful way for us to incorporate fruits and vegetables in the schools that are not grant schools.

Ms. THORNTON. I think another way you may do it is through the commodity program. We are asking for more commodities for breakfast. Fresh fruits and vegetables would be great for breakfast. So if we could tie those two together, then we would have both issues solved, perhaps.

Senator CASEY. Thank you. And a related question on coordination. In Pennsylvania, as I mentioned before, we have got about a million children, just over a million children, in School Lunch, but just about a quarter of a million or so in School Breakfast, and that lack of coordination is obviously a problem for Pennsylvania. I guess it is a two-part question that could go to anyone, Ms. Thornton, Ms. Nece, Ms. Hennrich.

I guess the two-part question, one is: How can Pennsylvania move forward to better coordinate that based upon your experience? But, also, have you seen this lack of coordination or disconnect between School Lunch and School Breakfast in your own communities or in other States?

Ms. THORNTON. I think we see that obviously nationwide, just from the numbers we have. But very often we get back to the money issue. If a parent has to pay for one meal of the day, they

typically pay for lunch because that is in the middle of the day. When they do not have money, then that breakfast is often left off there. That is why we are really anxious to see money appropriated for this pilot, because those reduced-price kids are often the ones that do not have food available at home either. So if we can see if money is truly that issue, I think this would give us one more step forward to being able to do something about that.

Senator CASEY. Ms. Hennrich?

Ms. HENNRICH. I know that in Oregon the numbers are about the same, the percentages. Of course, Oregon has much smaller numbers than Pennsylvania. But I think that what I have heard, breakfast in the classroom, and really getting schools that offer breakfast for all kids and that has to do—and I am not an expert because I am not a school nutrition director. But hearing from them, I know there are programmatic issues and issues around funding that make it difficult to—only if you have a certain percentage of free and reduced children then can you really offer it freely in every classroom every day. And so I think that they are constantly balancing, wanting to do the right thing and providing the nutrition both at breakfast and lunch, with the limited resources. So I think it is a balance of getting the will and the direction and the help to really have good programs and know how to do them, along with adequate funding so they can really make it happen.

Senator CASEY. And, Ms. Hennrich, I wanted to point to your testimony, just startling numbers here. On page 2, two sets of numbers which are disturbing to say the least: Rates of obesity among U.S. children and teens tripled between 1980 and 2002. That is fact No. 1. And the second one, for individuals born in 2000, the chance of developing diabetes during their lifetime is 39 percent for females, 33 percent for males. Just startling. And with those statistics that everyone here has heard over and over again, but they bear repeating—and you also have the question of the voluntary nature of these new guidelines. What do those who are at the witness table recommend in terms of making the connection between what the Beverage Association membership is trying to do—and we appreciate that—and the failure by more schools or school districts to take this challenge more seriously because of the voluntary nature of where we are with the guidelines? Anyone want to chime in there?

Ms. HENNRICH. Well, I will jump in first. One of the problems is that I think schools kind of inadvertently, before they realized we had the child obesity epidemic happening and the diabetes epidemic, they were struggling for funds and so, you know, kind of walked into, geez, let's just have this vending machine and make a little money and put it down here. And the next thing you know, let's have a few more vending machines. And my son is 27 and went to a Portland public school high school, and I said to him about a year back when I was really into this, I said, "Brent, did you have machines at Benson High School?" And he goes, "Of course we did, Mother." And I said, "Well, I walked in and out of there a lot as a parent volunteer doing"—"I never noticed them." I think they have become such a part of the landscape everywhere we go. Hospital emergency rooms. I mean, all kinds of places that I believe should be role models about health have vending ma-

chines everywhere selling products that I do not think any of us think are the best for our kids. And yet they happened. They one by one kind of snuck in. And then what—the Portland district I think is a good example. They found they had—all the different high schools had contracts with different—with Pepsi or with Coke. And all of a sudden—and different agreements and different things happening.

So they said, my goodness, we have got to get this together, and they came up with one contract. And it is an 8-year contract. It started in 2001 and goes to 2009. And we found in our soda contract study that we have some districts in Oregon that signed 15-year contracts. And there is one school district that kind of knowing that all this turmoil and the local—the voluntary standards were coming in, quickly went and signed a contract that starts in 2008 and goes to 2015.

So some of them are stuck with the contracts they did in 2001 and 2002. Others seem to be rushing to kind of get themselves into a contract that will go out into the future. And it is complicated with the voluntary guidelines. Although the MOU from the alliance says that they, you know, will not stand in the way of local districts changing product mix, et cetera, we are not finding that to be true in every case. And I think Portland is an example where they did go further than the voluntary guidelines. They took out diet sodas and they took out sports drinks. So they went further than the guidelines, but they have been told—we were told at a meeting of the local wellness task force by the director of nutrition services that although this had all been negotiated and agreed upon last fall, that all of a sudden this spring we are told by Coca-Cola that things were changing, and either those products needed to come back in or potentially face a \$600,000 fine.

Now the district is in, quote, good-faith negotiations at the moment, and we do not get any information on what exactly is happening. So it is complicated, I think, by the fact that you have got voluntary guidelines now that have come in, but you have these contracts, and the local districts, they are all very different. And it is going to take a while to unwind all of it, I think.

Senator CASEY. Thank you. I am over time.

Chairman HARKIN. Thank you.

Senator Salazar?

Senator SALAZAR. Thank you very much, Chairman Harkin.

Let me just at the outset say that I fully support you and endorse you in the great role of getting every one of our children in elementary school to be a part of the Fruit and Vegetable Program within 10 years. I think it is a laudable goal, and I think it is something that hopefully we can develop the kind of inertia around here to make happen.

Let me ask a question to you, Ms. Neely. It seems to me that on either side of you, you have proponents of the Federal mandate in terms of how we deal with our children and the cafeterias, out in the hallways, and so forth. And my question to you is: You as Beverage Association have come up with a set of voluntary guidelines, and what I would like to know from you is how you believe that those voluntary guidelines ultimately will be effective. And from you, Mr. Brownell, from an academic point of view, how can we

measure the effectiveness of these programs? I see the mandates that we have put forward, for example, with respect to teenage/underage drinking, and yet we know the statistics on college campuses and drinking between 16 and 21, which shows that those mandates have not worked. And I would venture that all of my colleagues here and all of you would agree on the goal that we want to have healthier children and we want them to be eating healthier foods.

So my question to you is whether you believe that the voluntary guidelines that the Beverage Association has come up with will get us there. And, No. 2, how do we deal with the reality of the fact that the schools cannot do everything? It is the parents that are buying things and bringing them—allowing their children to take them to school or whatever. How do you deal with that reality? The schools control, you know, a significant aspect of what happens in terms of a child's diet, but the rest of the world that we deal with. And so at the end of the day, whatever we end up doing in terms of mandates or supporting voluntary compliance, how do we ensure effectiveness at the end of the day?

Ms. NEELY. Well, that is a very large, important question, and I will try to answer a bit of it from the beverage industry perspective.

First, I will start with the latter part of your question, schools versus what happens at home and elsewhere in a child's life. I think we do agree with Dr. Brownell that schools are the optimal environment to teach healthy behaviors, which is why the beverage industry wanted to enter this agreement with the Alliance for a Healthier Generation. It is a special place, and it is where we can teach children the best habits. So schools are important to learn lifelong habits, and that is why we are all concentrated on them.

I would also say that beverages are, as is being discussed here, only one component of the obesity challenge, and so we are trying to tackle our piece of it, what is sold in the vending machines, and our agreement with the alliance actually applies to all of the beverages sold. We have the most impact as an industry on the vending machines because that is where the majority of our contractual relationships are, but there also are obviously beverages sold in the cafeteria and the a la carte lines and the school stores. And it would certainly be our intent that this policy applies across the school. Again, it is a national policy.

I will say that one of the things we so strongly support in the approach the alliance is taking is that it is a comprehensive look at the entire school environment, so it is not just the nutrition component, but it is also the fitness component, which Senator Harkin has sponsored a useful piece of legislation.

Senator SALAZAR. Ms. Neely, do your guidelines go beyond the schools? And would there be a problem in terms of your guidelines going beyond the schools so that parents and anybody else that interfaces with a child's life actually would know what guidelines there are that might work in terms of the diet for their children from nonalcoholic beverages?

Ms. NEELY. Well, we think the schools are special places to have a more limited environment where kids could really learn healthy behaviors, and then as they are with their parent, I think those of

us who are parents want to have some say over what they do as well.

Senator SALAZAR. I have about a minute. I am very interested in this question of effectiveness, because it does not do anything for us to pass the greatest law in the world but—

Ms. NEELY. Our commitment is that these guidelines will be implemented by the start of the school year in 2009, so we are almost a year into it, and we have two 2 more years to go. So—

Senator SALAZAR. I will be very interested in knowing how we are going to measure the effectiveness of the program. So let me, Mr. Brownell—

Ms. NEELY. We will bring you a copy of our first report in August, this August.

Senator SALAZAR. I look forward to getting that report.

Mr. Brownell, I have about a minute on my time, so if you can be quick.

Mr. BROWNELL. I will be very quick. I believe the objective assessment of the effectiveness of this program would be in order, and somebody other than the industry should probably do that evaluation, but it definitely needs to be done.

If I were betting on this myself, I would bet that this will take a long time to roll out. There will be spotty compliance, and that it will be incomplete in terms of changing the children's nutrition environment because it leaves in some sugared beverages, namely, sports drinks, and it amply allows opportunities for the company to do branding to the children in the schools. And I believe the schools should not be an opportunity for the soft drink industry to develop brand loyalty.

The other thing I might say is that we should know that it is not the food industry that is putting the quarters and the dollars into those machines and helping pay for the education. It is the children and the parents of the community. So it is a myth that the industry is somehow helping education in this process. It is more or less a tax being applied to the parents and children of the community to help support the education.

Senator SALAZAR. Thank you, Mr. Brownell.

Thank you, Mr. Chairman.

Chairman HARKIN. Thank you, Senator Salazar.

Senator Coleman?

Senator COLEMAN. Thank you, Mr. Chairman.

The New York Times about a year ago did a series of articles on obesity and the epidemic and the impact of diabetes, and it is truly devastating and worth taking a look at.

The Chairman talked about the food industry in addition to the beverage industry. I represent a State that has General Mills, has been very, very active in their foundation and partnership, American Dietetic Association Foundation, the President's Council on Physical Fitness, they have Champion for Healthy Kids grant program, very, very active. I was a former mayor and worked hand in hand with the business community. I did not see them as the enemy. The Beverage Council, you know, coming forward with their programs.

And perhaps you, Ms. Thornton, or others, how do you involve the private sector in this? As others said, Government cannot do

this all by ourselves. Assuming—and, you know, I can look to General Mills or I can look to the beverage folks as folks who are willing partners. We may in the end not agree with everything that is being offered, but how do you engage the private sector in this? Do you see a role for them in what we are talking about here?

Ms. THORNTON. Absolutely. I think industry, at the local level, our community members, community organizations, even our churches, civic organizations—we all have got to work together. We all have a responsibility. In our district, we have even involved some factory leaders because we think they have a very vested interest in wellness of students in our community.

So I think we need to stop perhaps pointing fingers and all start taking a role and recognizing that we have all got to work together to change what we are seeing happening right now. And I think we all want the same end results, and that is, what is best for children. It is just we may not all have exactly the same philosophy as to how we need to get there.

Senator COLEMAN. Mr. Brownell, you seem somewhat critical of at least involving the industry in the evaluation of the research. What role do you see for the private sector in this issue of improving nutrition, fitness behavior, et cetera?

Mr. BROWNELL. Did you address that to me?

Senator COLEMAN. Mr. Brownell or Ms. Hennrich, either or both of you.

Ms. HENNRICH. You start.

Mr. BROWNELL. OK. I believe the industry has done some interesting and progressive things. If we look at industry behavior in general, we could look back at the tobacco industry, for example, that deceived the public time after time after time, and what seemed like victories at the moment turned out not to be. Now, the food industry is not the tobacco industry, and food is not tobacco as a substance. However, there are some interesting lessons to be learned from that.

So I believe industry has a voice. The industry players who are making good-faith efforts to move ahead on this should be applauded for doing so. Nor do I think we can just take at face value industry claims that they are holding the children's interest of the public at their heart.

So who sets the guidelines becomes important, and I think industry should not set the guidelines for the nutrition education of our children. I think that should be done by a Government agency free of industry influence, and then industry can help accomplish the goals.

Ms. THORNTON. One of the things I would like to add, we have an Industry Advisory Council as a part of our organization. You should have before you a group of letters just collected here saying from industry that they think national standards are certainly the way to go in schools. So this is certainly putting it out of industry into your hands to say we do need something. It would make it so much clearer for everyone.

Senator COLEMAN. And a question about the data. Mr. Brownell, in your data you have indicated that 83 percent of parents favor soft drink and snack food bans in public schools. Ms. Neely, you have got a figure that says by a margin of 82 percent to 14 percent

parents favor guidelines over bans. Could somebody sort that out?  
Ms. Neely?

Ms. NEELY. Well, I appreciate you asking that question, Senator. I think the distinction is that when we surveyed parents, we heard that they agreed with us that calories should come out of the schools. So that is why our policy, which was put together not by industry but with nutrition scientists at the American Heart Association, that is why our policy is framed around getting calories out of the equation. And even the products that are higher in nutrition, like 100 percent juice, are portion controlled so that the calories remain limited.

So, again, our policy was developed with healthy input from a significant health organization, and we think it is appropriate, and supported by parents as common-sensical.

Senator COLEMAN. I have to ask you a question, Mr. Brownell. If parents looking at the guidelines—and I take it your objection to the guidelines is that includes things like sport drinks, low-calorie—

Mr. BROWNELL. And opportunities for—

Senator COLEMAN. Pardon me?

Mr. BROWNELL. And opportunities for branding.

Senator COLEMAN. But if parents wanted to give their kids those choices—and parents, when you say it is a tax, kids are spending money, parents are—and with these contracts, they are making choices. And if parents want to make choices about things like sport drinks, again, understanding that there are guidelines that are worked out in accordance with recognized—do you think parents should have that right?

Mr. BROWNELL. Oh, of course. I do not know that anybody has proposed any rule that would interfere with parents' rights to do things. And, in fact, even the most severe ban ideas would not restrict children from bringing the beverages into schools if they wanted to do or if the parents wanted to do it. It really would be local choice and up to the parents. But the question is: Should the schools be selling snack foods and beverages to children that ultimately could be hurting their health?

Senator COLEMAN. And if parents and the local school board wanted to make that choice, do they—I guess that is the question then. Do we come in and say there is a Federal standard and we are saying no? Or even if there is some balance there, even if there are these other options out there, but what we are saying is if there is this particular option, to have something with caloric content, to have a sport drink, if you are going to do that, one point of view would say no, we are not going to allow that. Ms. Neely, your response to that?

Ms. NEELY. Well, the question is should parents have some input or—I am not sure I understood the question exactly.

Senator COLEMAN. I mean, the question—there is a perspective that we are trying to sort out here. Should there be a Federal standard that says no, in fact, no sport drinks, no—and that any caloric content, et cetera, if schools want to do that, and if parents and a local school board come up with a policy and a contract that says this is what we want, to offer these choices to our kids, understanding, you know, where the bulk of things, but we are going to

offer choice for a sport drink, should—do parents have—do we respect the wish of the parents there or, in fact, should we simply come in and say that is a bad choice and we are not going to allow the school to do it?

Ms. NEELY. Well, I think as we all agree, schools are special places where educators, nutrition experts, policymakers want to work with parents to determine what the best approach is. Why we think, in working with the American Heart Association, we have hit the right balance is that we have focused on calories. So sports drinks are available for active kids who are engaged in sports, but they are capped at a certain size so that the calories are commensurate with what is determined appropriate.

The view of the American Heart Association, when we developed the policy, is, well, kids should have water, they should have juice, they should have things that are high in nutrition or functional. But they also are going to want something that is enjoyable. So why not push diet soft drinks as an option only for high school kids, so if you are going to have a treat, you learn how in school to take the no-calorie or low-calorie option.

So we think we have hit the balance because we are out there listening to parents, we are listening to schools, and we consulted with nutrition scientists in order to create that balance.

One of the things our survey showed is that parents reject the notion of a wholesale ban. They think that is too much, that it just goes too far. And so, again, the mix in the machines or in the a la carte line or in the school store should be framed around calories and nutrition, not concern about specific products.

Senator COLEMAN. Thank you.

Thank you, Mr. Chairman.

Chairman HARKIN. Thank you.

I might just add for the record that I have a letter here dated March the 1st from the American Heart Association and the American Stroke Association endorsing the legislation that Senator Murkowski and I are introducing today. I just want to read just one letter from this. It said that, "The foods and drink sold in our schools must meet standards informed by the latest science." What we talked about earlier, Senator Lugar. "However, the current Federal nutritional standards for foods sold outside of school meals or foods of minimal nutritional value is now 30 years out of date. It is clear that a review by the Secretary of Agriculture of this definition is overdue."

So I know the American Heart Association was involved in that process with the Alliance for a Healthier Generation, but they are also saying that we need to enact national standards.

I have a chart here. I will just take a little bit of time. I just wanted to show it. I think this might be an appropriate point in the proceedings. Why this is so important—no, I will just hold it up here. I do not need that. You can hold it up. Why it is so important to get the standards—or get the definitions updated, according to USDA right now, here is what is allowed: fruitades, french fries, ice cream bars, candy bars, cookies, chips, snack cakes, and doughnuts. Not allowed, seltzer water. No calories. Seltzer water is not allowed. Caramel corn, popsicles, jelly beans, chewing gum, lollipops, cotton candy, and breath mints.

This is really confusing. This is just—that is why we need to update the standards, 30 years out of date. You can have a Twinkie, but you cannot have seltzer water. Now, that just does not make sense. That is just one aspect of the legislation, that is, to get them to update these standards so we get them—kind of clear it out a little bit and bring it up to date.

I am sorry to have taken that time to do that. I wanted to get that in now.

We will go to Senator Klobuchar.

Senator KLOBUCHAR. Thank you, Chairman Harkin. Thank you for the work that you are doing. And like Senator Coleman, I am from Minnesota. I grew up on General Mills cereal. That is how I got a number of my vitamins in the morning. But I now have seen my daughter—she was at a very poor school for a number of years that was 80 percent free and reduced lunch. And it is one thing to have cereal, and it is another thing to see these kids eating snack food all day and drinking sugar pop. And I have a very personal reaction to this just because I have seen these poor kids that have gained a lot of weight and that really, I do not think, have much of a choice. And as you pointed out, some of it is how they have grown up and the food that they are getting from their parents. But I do not believe that we can continue going the way that we are and expect things to change. Obviously, some of this is having fruits and vegetables available, but some of it is also looking at having some kind of national standards.

I guess my first question is about this—I have talked to some school officials in Minnesota, and they are attempting to proactively look at the new nutrition guidelines by incorporating more fresh fruits and vegetables. But they have found themselves in something of a Catch-22 because it is expensive to do that, and so then they get into these contracts, as you pointed out, so that they bring more money in, and the kids are drinking pop and eating Fritos.

And so my question is to Ms. Nece: Do you feel that greater support from the Federal Government would allow schools to pay for more nutritious foods and still have the flexibility to base their snack food sales on nutritional standards rather than financial concerns?

Ms. NECE. Yes, I think that would be of some great assistance to school districts across the Nation. One of the proposals from the School Nutrition Association is to increase the commodity support or to actually create commodity support for the School Breakfast Program. The School Breakfast Program is one of the programs that used far less than the National School Lunch Program. And one of the things that I have seen in my district is an increase in breakfast participation, and part of that is because of the offering of fresh fruits and vegetables. Even in our Fresh Fruit and Vegetable pilot schools, we have watched the numbers continue to grow.

Senator KLOBUCHAR. Thank you.

There was a recent “Cathy” cartoon that I showed to Chairman Harkin, and it was in the Sunday paper, and it talked about how the health-conscious consumer thinks more about fresh fruits and vegetables, knows more about fresh fruits and vegetables, plants more, buys more, but that the only thing that they do not do is ac-

tually eat them. And so my concern is that if we have a strictly voluntary approach to nutrition in schools, we can educate kids about how good they are. But when you put a kid in a situation—and, again, I have seen it, especially in a school where there is more poverty—where they are surrounded by high-sugar, high-fat, and professionally marketed junk food, many of them are going to choose that.

So I guess my question of all of you is: Do you think it is reasonable to expect that education alone will guide children away from junk food and toward healthy food? Or should we be playing a more active role?

Mr. BROWNELL. I can respond partly—go ahead.

Ms. HENNRICH. Go ahead.

Mr. BROWNELL. I was going to say that there is a long and rich history of research on the effects of nutrition education, and it tends not to work very well in the absence of structural environmental change that supports it. So I agree with you that something more than just education needs to be done.

Ms. HENNRICH. And I totally second that. Nancy Becker is a dietician who works with us, teaches at Portland State University, and she kind of laughingly says, “I spend my life teaching nutrition education, but,” she said, “honestly, changing the environment, making the foods available that we want people to eat, that is what is going to make change.” Not saying that we should not be teaching kids, et cetera, but the fact is you can teach them up the ying-yang, and if you do not make those fruits and vegetables available for them to eat, they are not going to eat them.

Ms. THORNTON. I will also say that in my district I have had a number of parents call after we started serving a lot more fresh fruits and vegetables, and they were amazed that we were able to get the children to eat them. We are finding that because of the busy lifestyles of parents, we have so many more convenience foods, and the parents are becoming more aware that this is what they need to do. But because so many parents do not practice it at home, they do not truly understand the need for fresh fruits and vegetables, good nutrition at home. It is just easier to eat out of a box or out of a can or whatever.

As we educate the kids and they are learning to eat properly, we are also indirectly educating those parents, and we are seeing a difference just from anecdotally what they are eating at home.

Senator KLOBUCHAR. But again, when you are around kids—I mean, I have been in different kinds of schools with my daughter where their parents are buying them grapes and that is what they are eating for a snack. You start having that kind of synergy in the school.

Ms. THORNTON. Yes.

Senator KLOBUCHAR. But when it is a poor school, I just do not think you see that as much. And so I think that we have neglected to take care of these kids when they are in our car.

Ms. NECE. And, Senator Klobuchar, I just would emphasize again, we do agree that the school environment should be more controlled. That is why we are taking full-calorie products out of the schools so that it will be low-calorie offerings, and we are actually creating packages and reformulating products to have smaller

portion sizes of the things that are high in nutrition and have more calories. So we agree that it should be a more controlled environment in the schools and are trying to walk the talk, so to speak.

Senator KLOBUCHAR. Thank you.

Ms. NECE. The middle-school environment that we have the fruit and vegetable pilot that has been in existence for 5 years has no vending machines available for students, and they did not have a snack machine, never had one. But they did have a soda machine a number of years ago. The machines went away. And the students are active participants not only in the school meals program, but also in that access to that fresh fruit and vegetable and product, and we do see consumption change. It is a school that is about 80 percent free and reduced.

Chairman HARKIN. Which school is that?

Ms. NECE. Hardin Middle School.

Chairman HARKIN. Hardin Middle School. That is right. I have been there.

Senator KLOBUCHAR. You know, and, again, I as a parent just decided to make peanut butter sandwiches every day because they are more nutritious than what happens if you put them into this environment where they just cannot help but go to pick the pizza every day. Again, I think that we can do what we can with the environment, but at some point we are going to have to decide that this is what you are going to get to eat if we are going to change behavior.

Chairman HARKIN. Thank you very much, Senator Klobuchar.

Senator Lincoln?

Senator LINCOLN. Thank you, Mr. Chairman, and thank you so much for your leadership holding this very important hearing to discuss an issue that is always on the minds of parents all across our great Nation, and that is the overall health and well-being of our children.

Having for the third school day in a row forgotten to send in my check for school lunch—

[Laughter.]

Senator LINCOLN. I left them out on the counter this morning for both of my children, but I discovered when I finally—and this is the benefit of having twins. When I asked one of my boys, I said, “Now, why is it that you always run out of lunch money before your brother?” And he hemmed and hawed, and, you know, he said, “Well, it is because we can buy a cookie.” And I said, “Yes, but we agreed we are only going to buy cookies on Friday.” And I said, “Besides, how are you getting lunch?” “Well, I use my brother’s card.”

Anyway, there are a lot of choices and issues that we deal with, with our children, and it is so important for the parental engagement in terms of teaching those issues and those choices. And I think that that is something so important for all of us to remind ourselves.

And there are other ways, too, for our parents to engage themselves in the school and what they are doing and what our children are doing. I know we have had a discussion about how many cookies we can have and when we can have them. And I remembered the check, so we are moving along here.

But I do think it is important to remind ourselves that our children are going to be faced with those choices when they leave the schools as well. So if we as parents do not engage ourselves in teaching those good habits—and as a school, there is no doubt—as Ms. Neely mentioned, this is a place to learn and reinforce good choices and good behavior.

I want to applaud your industry for the work you have done and the voluntary efforts that you have made in trying to bring about those choices. With children that are also doing after-school activities, knowing that they are—other than the water fountain—the water fountain is good. We use those. But to know that there are those drinks that are there available to them after their sports activities to make sure that there is some thought being put into those drinks or into those beverages that they may be selecting.

So it is a very healthy discussion that we are having and a very important one, coming from a State like Arkansas where we have seen tremendous childhood obesity and tremendous issues in diabetes as well, with our different populations, whether it is minority populations, low-income populations, and all of those issues that we are dealing with.

So we want to do something that is constructive and certainly encouraging in terms of making sure that we are teaching good habits and making sure that parents are involved in that, too, because we know when they come home, that environment is perhaps going to be very different.

I do want to put in a plug for the Breakfast Program. I think it is critically important, having had a sister that taught in the public schools, recognizing that children do come in with a tremendous amount of hunger and the need before they begin their school day to have that available to them. I think that is very, very important.

Just a couple of quick questions. Ms. Neely, as you know, school districts are implementing local wellness policies as a requirement of the Child Nutrition Act. Any more that you might want to add to how school beverage guidelines mesh with those wellness policies?

Ms. NEELY. Well, we think the guidelines mesh very well with the school wellness policies, and as our marketing sales teams are meeting with school leadership, they are presenting this as something that would make sense in the context of the overall policy.

Senator LINCOLN. Well, and in order for things to work, people have to participate. What is the willingness or the percentage of school districts that you see showing a willingness to implement your guidelines over the past year?

Ms. NEELY. Well, we are 10 months into it, so we have not yet—

Senator LINCOLN. I know your study comes out in August, but—

Ms. NEELY. It does, and we have not completed the school year yet, and it is the first that would apply to the guidelines. But we are making progress. As I said, we fully expect the first report will show a significant decline in the sale of full-calorie soft drinks in schools, and it will also speak to the contracts that have been changed.

So we think we are making progress. We are starting to assemble the data now, and as I said, we will personally deliver the report to all of you so that you can see we are doing what we said we would do.

Senator LINCOLN. Good. We appreciate that.

Dr. Brownell, there are some researchers from Ohio State University and Indiana University that released a study indicating that children are more likely to gain weight during the summer months as opposed to during the school year. I do not know. That goes counter to everything. I always keep thinking I will try to lose my weight during Lent, but, you know, summer is coming and I am going to—it is a better time to lose weight. But apparently that is not the case for children. They gain weight during the summer months as opposed to during the school year due to inactivity and improper snacking.

I am just wondering if you are familiar with that study. Are there any comments you might have on its findings as they related to what we are talking about today?

Mr. BROWNELL. The results from that study seem a bit counter-intuitive at first glance, but I think you are right. If you think about what happens to children in the summer where their structured physical activity from organized sports and other things in the school declines, and also, my guess—although I do not have data handy on this—is that their amount of time in front of the television increases and other screen activities, like computer games and Internet websites and things like that. And one could expect all those things to increase food intake and to decrease physical activity.

Senator LINCOLN. You also discussed the views of economists and public health experts on the importance of creating conditions where actions that enhance health and well-being become the default response, kind of. Maybe you might want to discuss your views a little bit more—you have already touched on some of it—on the argument that it may be useful, particularly for young adults, to learn to make healthy choices. I just think that is so critically important that we engage our children. My boys cooked dinner last night, which was quite interesting. But it was a part of me trying to help them understand. I laid out all the foods before I left. I made sure they knew the recipe was on the counter. They had a wonderful time, and they very much understood a lot of the preparation and what they were putting into their dinner. These types of choices, as well as the choices they make in selections, are important as they reach the real world.

Mr. BROWNELL. I think your focus on parents is absolutely a good idea, and the question becomes how can we best support parents. When I give talks these days, I will start off by asking the audience if they can list the National Dietary Guidelines or even name the two Government agencies that establish them. And even rooms full of dieticians cannot do that.

And then I give people a little quiz, and I ask them to tell me which food products are associated with the following slogans, and I will say things like, “Break me off a piece of that...”? You know, Kit Kat bar. Or “I go cuckoo for...”? Cocoa Puffs. And nearly 100 percent of the audience can nail those things.

Now, parents are competing with that, and parents can try their best and do their best, and I think we should support them in every way possible, and that includes looking at the marketing picture, looking at what is happening in schools. The schools can do programs to help educate parents themselves. All these things need to be done together in order to have an impact.

But anything that can possibly be done to support parents, as you are doing with your own children, to teach them good rules about food and healthy eating I think is absolutely indicated.

Senator LINCOLN. Yes?

Ms. HENNRICH. I have one thing as a parent. When my children were young, it was the age of recycling. And I am the first to admit, I was throwing cans and cardboard in the garbage can. And my kids came home from school and said, "Mom, you cannot do that." And I went, "Why not?" "Well, because you need to recycle this." I was, like, "Oh, all right." And, I mean, I am out in healthy Oregon, you know, so I am supposed to be—but we did not really know that. As parents, somewhere, you know, that had escaped me while I was doing whatever I was doing being a parent. And I think there is a corollary here, that when the kids learn about fruits and vegetables, they eat things they have never eaten before, and then they are at the grocery store. I hear stories over and over of kids saying to their parents, "Mom, we had that at school. We should buy some of that. We should have some of that."

So I think sometimes we kind of have this thing, well, parents, we are supposed to be all knowledgeable, teaching our kids everything that is good for them. Yet sometimes, you know, the best of us kind of miss a little piece here or do not have that. So I think it is reciprocal.

And so I think that if the environment in school does not undermine what you are trying to do as a parent, and, in fact, supports that, and for the kids who do not have the parents who are necessarily thinking about doing that, if it just kind of—

Senator LINCOLN. Or do not have time.

Ms. HENNRICH. Right.

Senator LINCOLN. They are working three jobs, or they do not have the time to do that.

Ms. HENNRICH. Exactly. Exactly. And so, therefore, is the default, as Dr. Brownell says, that they kind of just learn this is what we are supposed to be doing and eating, it is the modeling that is there. And so it can do nothing but be a win-win for parents and children.

Senator LINCOLN. Mr. Chairman, can I just reinforce another thing that Ms. Thornton said, and that is, engaging the community in these things. I know we were supposed to, as Senator Chambliss in the appropriations, be the next State or one of those five or six next States for the fresh fruits and vegetables, and because of the CR we did not. We were so excited about that, and we had already engaged our fresh fruits and our specialty crop growers, our farmers' markets and others to be engaged with the school, not only to provide those products but to come in and talk to the children about how great it is to be a small family farmer of specialty products. And we also had schools where they brought parents into the schools and engaging with the local community folks, different

types of things like fly fishing and—I mean, a whole host of things that just brings parents into the schools and engages them in the decisionmaking and being a part of the child's life. And it leads to all of those other things which are healthy choices and that are important. So I appreciate Ms. Thornton bringing in the rest of the community because that is important, too.

Thank you, Mr. Chairman.

Chairman HARKIN. Thank you very much, Senator Lincoln, for your very valuable contribution, especially you and Senator Klobuchar, who have kids in school. You can add a lot to this process about what we should do.

I mentioned the letter that we got from the American Heart Association. I would ask that it be included in the record, and also your counsel, Marshall Matz, a long-time friend of this Committee, had given us the series of letters, Ms. Thornton, that you mentioned about this and about asking Congress to establish a uniform national nutrition standard, and I would ask that all these be made a part of the record also.

[The following information can be found on page 100 in the appendix.]

Please, what happens when these other ones out there, who are not a part of this process as well, they get out, we will put more of ours in. So there is nothing controlling their—what do you do about the snack foods, the junk food kind of stuff that is coming in?

Ms. NEELY. Well, just for the record, I would also say the other signatory was Cadbury Schweppes, so there is—

Chairman HARKIN. Oh, Cadbury Schweppes, OK. That is another one, yes.

Ms. NEELY.—Coke, Pepsi, and Cadbury Schweppes, and a host of other brands, but those were the three signatories.

Obviously, I am more intimately familiar with the beverage Memorandum of Understanding, and ours was for—it was our entire board of directors that signed onto it, and so we represent not quite 100 percent of the industry but close to it.

On the snack food side, again, they followed the same sort of conceptual model in that it is all about calories, and the major trademarks that committed to that do represent a healthy share of the market, and their agreement is all around calories and limiting calories.

So I think it is a good start, and I know that—

Chairman HARKIN. But without national standards—I mean, assuming that the voluntary guidelines are fine as far as they go, but without national standards, I mean, even you have to admit that those who are not signatory to this, the hundreds of other snack food companies that are out there in different States, some of these are just local businesses and stuff like that. They cover one or two States, three States, something like that. They are not as big as Frito-Lay, for example, but they are out there. They are still able to then, under these guidelines, continue to market their foods in the schools. Is that not right?

Ms. NEELY. Well, I again will speak on behalf of beverage. We have a national policy. We agree there should be a national approach on this particular issue. We would certainly talk about

going further. We just, as I said, want there to be some reflection that we are a year into implementing a set of standards really that we think are the right approach and, you know, that is what we want to see promulgated across the country.

So I will not duck the question. I will just say I cannot speak on behalf of snack food, but I can speak on behalf of beverage, that we want to see our policy promulgated across the country.

Chairman HARKIN. I understand that. I am, I guess, trying to make the point that—my problem with the voluntary—I do not have a problem with it as such. It is great. But it is the implementation of it. And since nothing happens to a school that does not—or a school district that does not abide by that and nothing happens to a company that is not a signatory to this to go ahead and keep marketing this junk food to kids, then it seems to me while the effort might be marginally successful and it might do some good sometimes, I do not know that it really kind of goes the distance in terms of cutting down on these junk foods.

Again, I do not mean to belabor that point, but it just seems to me that is the problem with not having the national standards in there. And I am hopeful that these groups that have done so well—and, again, I am very complimentary of what you have done. This is a great step forward. I just hope that all of you will work with us as the Institute of Medicine study comes out. I do not know what it is going to say. We asked the experts to do it. They have no monetary involvement with companies here and there. We thought the National Academy of Sciences would be the best one to do the study. And I hope that when they come out we will take a look at that and think about those standards and think about how we implement that and get the Secretary of Agriculture then to implement these standards all over the school, not just in the lunchrooms. And I hope that this association, the Alliance for a Healthier Generation, would be supportive of that effort.

Ms. NEELY. Senator, I can assure you that we are very supportive of seeing this implemented all across the school—from the beverage standpoint, which is what I can speak to—and we will be happy to work with you to that end.

Chairman HARKIN. I appreciate that.

Let me just get to one other Internet here. In 2004, Dr. Brownell, you know that we put into our child nutrition reauthorization a provision that stated that every school in America had to come up with a school wellness policy by last July. We did not say what it had to be. We just said get the process going, start talking about it locally, thinking about what a school wellness policy would be.

Now, again, we are going to be looking at those. As I said, a lot of schools just came in this year. So we really do not know a lot about it, but I want to take a look at what they have done locally. And I am just going to ask, Dr. Brownell, if you have any preliminary analysis of the guidelines, how they are being formulated, how they are being implemented. Do you have any idea at all preliminary what is happening to these?

Mr. BROWNELL. Well, my colleague at Yale, Marlene Schwartz, is undertaking a major study of the implementation of wellness policies in Connecticut. What she has found thus far is that there is great variability in the degree to which schools are taking this seri-

ously. Some are taking them very seriously and have very progressive policies. Others do the bare minimum that is provided to them from the outside as a template and then put it in a drawer afterwards, and there does not seem to be much follow-through. But it is a little bit too early to know how they will play out over the years.

I think the fact that the wellness policies are being discussed is a very positive move forward, because just even discussion is a good thing, and that will get people thinking about it. Some national standard that would support a good wellness policy I think would be very helpful because, otherwise, we will get spotty compliance and irregular uptake of what would be good nutrition values across school systems.

So that is why I think the national policy is so important, and the variability that we have seen so far would suggest just that.

Chairman HARKIN. Does anybody else here have any thoughts on that?

Ms. HENNRICH. Senator Harkin, in Oregon, our organization did get a copy of all the policies. We have 198 school districts in Oregon, and 189 of those participate in the National School Meals Program. So those are the school districts that should turn in policies.

We got a copy from the Oregon Department of Education of each of those policies that were turned in this past September. There were 174. So out of 189, there were 15 that did not turn anything in. And there is really no piece in this law to say you have got to turn them in or else. So those 15 are just kind of hanging out there.

But the 174 that were turned in, actually we have done some initial analysis of them, and this is where I talked about that in only 20 percent of them, a little less than 20 percent, did they mention anything about foods sold outside of the National School Lunch Program. So they did not say—like here is one, Ashland School District, Jackson County, they did say there would be a minimum of 50 percent fruit juice, low-fat and fat-free milk, and soy milk. That is what they said in terms of anything that is sold outside of the National School Lunch Program. Bandon School District in Coos County said “limits the amount of FMNV”—with all of the problems that we know the definition of FMNV has—“sold in vending machines.”

So even the ones that did something did pretty minimal when it came to anything outside of the School Lunch Program, and this is where I was interested in the study that had been nationally done on the 100 largest school districts, and they found 20 percent of those policies said something about the food sold outside National School Lunch. So, you know, and we are finding, too, it is very variable, and when we look at it by the poorest school districts, what we find is we really believe it is a matter of social justice, that those school districts that do not have parent activists, do not have school leaders that have time, they have got so many other things on their plates, that if you do not have some kind of real outside push on this, we are finding that the poorer districts really had very minimal policies. Mostly they pulled down—the School Board Association in Oregon did kind of a template on the

website, and they pulled it down, inserted the name of their school district, and some—this is very sad. Where the Board of Education said you could—there were parentheses, and you could choose “daily” or you could choose “weekly.” I mean, you were supposed to make a choice. They turned in the policy that said “daily weekly.” You know, all they did was download it, put their district name on it, have a quick whatever, pass it, and it went on.

Chairman HARKIN. Yes, our hope when we did this was, again, get the process going, get school districts thinking about it, and then States, State Departments of Education, then take a look at it, and then out of this amalgam of different approaches, start looking at those that are really doing good things, and then sort of go back to the school districts and say, “We think you ought to do this.”

Now, we did not have at that time, again, any standards, or we did not know—but I think the Institute of Medicine study that will come out will help sort of, again, give them ideas about what they ought to be doing in terms of establishing those kinds of wellness standards. So hopefully this process will continue.

I have taken enough time. I would turn to Senator Lugar for the second round.

Senator LUGAR. Thank you very much, Mr. Chairman.

I was intrigued with your statement, Ms. Thornton, that in Salt Lake City as an experiment, they eliminated reduced-price lunch and lunch participation—or eliminated the reduced-price fee, rather, and lunch participation rose 50 percent, breakfast participation 300 percent. It appears that eliminating the reduced-price fee has a much greater impact on breakfast but, nevertheless, rather dramatic on lunch.

You say in your testimony, “We are not here today urging the Congress to expand the free meal program and eliminate the reduced-price program. We are just urging Congress to finally fund the reduced-price pilot program to determine once and for all whether it is the fee as opposed to some other variable that might be keeping those low-income children from the program.”

I would say common sense has already indicated, given that dramatic a change in Salt Lake City, that the answer would be yes. What I am really curious about is whether your association or anybody else has done research on what it would cost if, in fact, despite your admonition, we proceeded to think about eliminating the fee. And I raise that because it appears to me this is fairly critical. We have been talking about the standards for the meals, but if a significant number of children are not even getting the meals to begin with, that is academic. That is sort of a second problem.

Ms. THORNTON. Right. I think that was one school district. I think there are other issues that are barriers to breakfast that districts are slowly overcoming like breakfast in the classroom, because in most school districts breakfast is not a part of the school day, and in most cases lunch is. So that certainly is one component, that cost component.

Obviously, if the same kids ate breakfast as ate lunch, you know, that would be fairly easy to calculate that 30 cents per meal times however many students that would be.

I think we will still have some component of children that parents choose to feed them at home, which is fine. Our concern is that they have had food.

Senator LUGAR. Well, that is all of our concern.

Ms. THORNTON. Yes.

Senator LUGAR. My concern started when I went on the school board in Indianapolis in 1964. The first Federal aid Indianapolis ever accepted was for a breakfast program for so-called latch-key children. The problem in our country is there are many latch-key children, or their equivalent, and we are now looking at it in a different Committee with No Child Left Behind. The fact is that the amount of progress by children who are suffering in this way is a very tough issue, and school boards are very unhappy that there are so many children not meeting the standards. There are lots of reasons why they might not, given teacher quality, availability of lots of things. But the health issues, the availability of food, basically—then I sort of pick it up from there, that we are not measuring in No Child Left Behind the same children year by year. The schools that I am looking at in the inner city of Indianapolis have a 50-percent turnover.

Now, if we do not have some type of at least statewide standard, it is very likely that because they are wards of relatives that carry them to the next district the next year, they are out of luck. We are almost back to the same problem basically with the National School Lunch Program. This is why I would like to know what the cost is going to be. You are advising us \$23 million for the pilot project.

Ms. THORNTON. Right.

Senator LUGAR. I think that may be useful, but I think maybe my prejudice is why, that that has already been established. And the question is: What kind of money in the Food Stamp Program, which you have cited, which we are going to be taking up in the farm bill and reauthorization, what kind of money in the food stamp bill needs to be devoted to eliminate this barrier?

Ms. THORNTON. I cannot give you that information right off, but I will certainly see that our association works with USDA and gets you that information.

I would like to say, though, it is amazing to many of us in my position that come test time, we will have schools that will pay for every child to have a breakfast because they know it makes a difference. And we kind of sit back and laugh and say, you know, they can only give you back what they know. It is not going to help all those days that they have not had breakfast.

Senator LUGAR. Well, this is known as “gaming the system,” and anybody involved in No Child Left Behind is a student of all the ways that occurs.

Ms. THORNTON. Yes.

Senator LUGAR. But this is certainly an ingenious way, to feed children on the day of the test so that at least they have some pep to get a few more points.

Ms. THORNTON. Right.

Senator LUGAR. But that really does not suffice, as you know.

Ms. THORNTON. Right.

Senator LUGAR. And that is why I ask this question, seriously, and you are going to provide a serious answer.

Ms. THORNTON. Yes, we will.

Senator LUGAR. Thank you very much.

Chairman HARKIN. Thank you, Senator Lugar.

Senator Casey?

Senator CASEY. Yes, thank you. One topic that I did not touch on in my first round of questions was on the WIC Program, Women, Infants, and Children's Program. And I will assert it more than ask a question, but it is my belief that the cuts that are proposed to WIC, especially starting in 2009 and going forward, are obviously detrimental to the children and families affected, but I think harmful for our economy, and I am going to fight aggressively and mightily and resolutely against those cuts.

I do not know if anyone on the panel has any direct experience with WIC and the impact of the program to make comment. And I just have one other question.

Ms. HENNRICH. Yes, I actually worked for Multnomah County Health Department for many years and was the manager of the WIC Program in Portland, so I think now it fairly intimately. And it is absolutely essential that we get kids started out early, that we—Oregon has the highest sustained breast-feeding rate in the Nation; 26 percent of all babies in Oregon are breast-fed until 6 months. And our WIC Program pushes that very hard. I am kind of amazed when we say it is the best. I think it ought to be 75 percent, not 25 percent. But we are the leaders in it. But feeding mothers well during their pregnancy, we have a program so that it is way too small, but some State money has been put in so that women can get vouchers for farmers' markets and buy fresh fruits and vegetables that are locally produced in the summer.

Absolutely, WIC is essential. It is that first building block prenatally, and then as the children grow until they come to school. So anything you can do to—and also to get the WIC food package changed to include fruits and vegetables is high on our list.

Senator CASEY. And, again, you are right, we could have more—we could increase our commodity purchases for WIC.

Ms. HENNRICH. Yes.

Senator CASEY. I guess my problem with the way that things work in Washington is often when they propose budget cuts to programs like WIC which have a disproportional and devastating impact on people, the budget-meisters did no analysis. It is just, Where can we find money to pay for tax cuts? And they cut indiscriminately, with no analysis about waste, fraud, and abuse, no analysis about inefficiency. They just bring down the meat axe and cut. But that is the way they do it in Washington, but we are going to fight against it.

One quick point. On the question of how we impact behavior, whether by children or adults, and especially adults who happen to be parents, it is my belief—and I think there is a lot of evidence to show this—that unfortunately the cold reality in terms of how we impact how people think, I think, Mr. Brownell, you mentioned the impact of surveying a group of even experts, and they can recite the TV ads. Whether it is children's health insurance programs, whether it is nutrition, whatever it is in terms of getting

people to focus on a problem, to be aware of it, to take steps to improve—or to change behavior, so much of this revolves around television and the advertising. I know it works in the beverage context. It has an impact on all of our lives. We are all subjected to that, and we are all prone to believe television ads and be impacted by them.

My question is this: In this context of changing behavior, in this context of making parents and school officials and, obviously, children more aware of these choices they make about nutrition, is there any initiative that you are aware of—public, private, nonprofit, whatever—across the country, any initiative that focuses on paid television ads to impact behavior? Because if we are not doing that, all the laws and regulations in the world are not going to be enough. And I just want to know if anyone has any information about any initiative to pay for ads to impact this positively.

Ms. NEELY. Well, Senator, I would certainly encourage you to look at what the Advertising Council, which is the nonprofit arm of the advertising industry, is doing. They have a major campaign in that regard of communications of all sorts on this issue. The Alliance for a Healthier Generation, one of their partners is Nickelodeon, and as a parent with children who do like Nickelodeon, I can attest that they do an excellent job with their paid spaces to communicate healthy messages about this is the most important meal of the day, that kind of thing. And I will hear my children playing back what they saw on those commercials on Nickelodeon, so I know that they are very effective. So there is some good work being done out there by professionals that is supported by our companies and others.

Mr. BROWNELL. One quick comment. There are some positive changes, and the challenge by the Ad Council I think is one of them. But they are a drop against the tidal wave, and they are simply not going to have an impact given the massive, massive amount of advertising for unhealthy foods.

I also would like to say that the amount of exposure of children to food marketing in general is increasing at the same time that television exposure to food marketing is going down. It is because other things have come in to take its place. So food industry websites that have engaging games for children would be an example. It will soon be the case that food advertisements will be beamed over cell phones to children specific to their location because of the GPS chips that are built into the modern cell phones. And there are a number of viral—in fact, I mentioned in my testimony, in my written testimony, that the industry uses the words “viral marketing,” “stealth marketing,” and “guerilla marketing” to describe the ways they are going after children.

Senator CASEY. Anybody else?

Ms. HENNRICH. I guess in the Northwest, Kaiser Permanente has done an ad campaign called “Thrive,” and they have had some great ads on, you know, bicycling to work, on eating antioxidants and fruits and vegetables. But it is a drop in the bucket compared to what is happening on the other side.

Senator CASEY. Thank you, Mr. Chairman.

Chairman HARKIN. Thank you, Senator Casey.

Senator Klobuchar?

Senator KLOBUCHAR. Thank you. I just wanted to follow up some of Senator Lugar's questions about the breakfasts. In Minnesota, actually, the State legislature eliminated the reduced-price category for school breakfasts, and they made school breakfast free to all students who are eligible for free and reduced-price meals. And so I saw this in the school where my—basically the whole school would go down and have breakfast in the morning, and I was horrified to hear that story about just on the day of a test.

I wondered if any of you knew how many other States had done this, where they have eliminated, as Senator Lugar was talking about, the free and reduced—eliminated the reduced-price breakfast and have replaced it with the free breakfast for poorer schools.

Ms. HENNRICH. Oregon has not.

Ms. THORNTON. I am not aware of other States. That is not to say there is not any. I know there are some individual districts. My district, for instance, our local board pays for breakfast for all elementary school students. But I think these are isolated instances and not really the rule nationwide.

Senator KLOBUCHAR. OK. The other thing is I was talking before—I was listening to Senator Lincoln, and I want to make clear that I think education plays a major role in this. My daughter actually last week came and told me that she said that Daddy has been saying pack my lunch, and he said that the fruit roll-up was a fruit. "I do not think that is right, do you, Mom?" she said.

[Laughter.]

Senator KLOBUCHAR. "I think that is a dessert," she said.

So, in any case, I do think that it plays a major role, but I also, again, want to go back to the fact that when there are just these endless possibilities of food that is not good for kids, I do not think we are going to get to where we want to be. And I wondered if you—if there are any statistics—I guess I would ask you, Mr. Brownell—of schools where we have put that standard in place, that is in force, where we have seen not just, oh, yes, they are eating healthy food, but we have seen a decrease in obesity. Are there examples of that from around the country?

Mr. BROWNELL. There are some, but we are early enough in the research that we have mainly anecdotal reports at the moment. But I think in the next several years we will see an awful lot more research.

What is available—some of which has come from the University of Minnesota, by the way—has been quite positive.

Ms. HENNRICH. One study that we had—Amanda Purcell from California Center for Public Health Advocacy came up and spoke to our legislature last week because we are working on trying to get State standards in Oregon, and she referenced a study out of UCLA where L.A. Unified went ahead and implemented the basic standards that we are talking about in Oregon and that are now California law. They did them before they became California law. And the study actually did a control, looked at the schools on L.A. Unified that implemented early versus others that did not. And I cannot remember the researcher at UCLA, but they actually found a year later smaller waist circumferences and some other indicators. And so I have asked her to get me that study because it does seem like one that actually really looked at just changing what is

being sold in the hallways and in the a la carte and in the school stores, and that it did really make a difference. So I think it is beginning to come out.

Ms. THORNTON. I think you will see, too, there are any number of school districts that food sold within the cafeteria has changed dramatically from, you know, obviously eliminating deep fat fryers, changing tremendously the kinds of foods. If a la carte is sold, they would meet the same standards that USDA would be recommending. It may be a la carte because it is a higher, maybe a whole muscle meat product, a more expensive food, but still, we sell apples a la carte. They would be on the line, maybe bananas, like a tossed salad that a child may buy just as an individual.

So I think you are seeing kinds of things sold that are changing tremendously, and I think you are going to see this continue to change.

Senator KLOBUCHAR. Thank you.

Chairman HARKIN. Thank you, Senator Klobuchar.

I just have a couple things I just want to close up on here. Ms. Nece, you mentioned in your statement about infrastructure needs for the Fruit and Vegetable Program. Could you elaborate a little bit? What infrastructure needs?

Ms. NECE. Sure. From my perspective as a food service director, what needs to transpire with many schools across the Nation as we continue to increase fruit and vegetable consumption, particularly fresh, we run into just storage facilities to be able to handle the volume of fresh fruits and produce that come in at any given time. So it is dealing with whether it is equipment or the additional cost of purchasing, not every school district in the Nation has easy access to fresh fruits and vegetables.

Chairman HARKIN. Has what?

Ms. NECE. Does not have easy access to fresh fruits that are financially—or that are reasonable in cost.

Chairman HARKIN. I see.

Ms. NECE. And so as schools continue to increase their options making fruits and vegetables available, it is looking at what are the needs that need to support that additional offering of fruits and vegetables.

Chairman HARKIN. Storage, basically.

Ms. NECE. Storage, whether it is equipment. For us in the Fruit and Vegetable Pilot, we actually had to go to daily delivery from a produce supplier to be able to manage the fresh produce on a daily basis.

Chairman HARKIN. The refrigeration and things that you have in the school lunchroom, that cannot handle that?

Ms. NECE. Well, part of what we were doing is we were also increasing fruits and vegetables, fresh fruits and vegetables in our school meals programs. So you have fresh fruits and vegetables coming in for breakfast, for lunch, for the pilot programs during that entire timeframe. So you increase what needs to have refrigerated storage.

Chairman HARKIN. I would also like to look at what we can do in the farm bill on this program to encourage somehow more local—I think it was Senator Chambliss or someone who brought that up about more local growing and consumption of local fruits

and vegetables and how we can do that. And any thoughts any of you have on that I would really appreciate that, unless you have something right now that you have on your mind. But if you do not—

Ms. HENNRICH. Well, I know Portland Public Schools is working very hard with local farmers in having a Harvest of the Month, and they did winter squash the other day in all the schools and actually got a lot of that product donated by the squash growers in Oregon.

But one of the things that I do not know the specifics, and I think that you can speak much more to them, is some of—what I have heard, at least, is that there are some of the procurement rules that make it a little difficult to try to advantage local producers of fruits and vegetables from Oregon. And I am not adequately knowledgeable to speak of that, but I have heard Kristy Obbink, the Portland Public School Director, talk about trying to work within some guidelines that make it more difficult sometimes than she thinks it should be.

Ms. THORNTON. Right, and those—

Chairman HARKIN. Dr. Brownell, do you have some—oh, I am sorry.

Ms. THORNTON. I am sorry. Go on.

Mr. BROWNELL. Well, I also agree it is very important. The American food system has changed in such a way that people have a distant psychological and physical relationship with food. It tends to be shipped long distances. It has so many ingredients and additives and preservatives that you hardly know what it is by the time you eat it. And so anything that can shrink the psychological and physical distance I think would be quite helpful, and local foods would go a long way in that direction.

Ms. THORNTON. We are working very closely with the Farm to School Program in many, many of our States. We do have some issues that we are working to overcome. One in Kentucky, so many of the farmers are fairly small farmers, and to get the quantity of foods we need is sometimes an issue.

Also, if we have something on the menu, we depend on that product being there that day. Maybe we had a lot of rain or had cool weather or whatever and that product is not there. We have not contracted with the outside vendor to get it, so I have 16,000 kids sitting there with nothing.

So we are slowly working, though, with them, and we certainly, I think all of us, want to continue to do that to support our local farmers.

Chairman HARKIN. I am just, again, looking for suggestions or advice how we might do that. One of the things that you just kind of hit on, and, that is, you have all these small farmers, but there is no kind of a central place where they can send it where it is processed, packaged, and shipped on to you.

Ms. THORNTON. Right.

Chairman HARKIN. It is that kind of thing, and so we are looking at something like that, either through the cooperative co-ops or something. I do not know how we do it, but to somehow promote that kind of concept.

Ms. THORNTON. And then in our part of the country, you know, obviously we do not plant until Derby Day, so we do not get food

that ripens until in the summer. So we use a lot of that during the summer months, but to actually use the fresh product—maybe a little bit in August in schools that start early, and we can do a little bit with apples. But the season is not when we are in school.

Chairman HARKIN. The same way where I am from, too.

Ms. THORNTON. Yes.

Chairman HARKIN. The season is different.

[Pause.]

Chairman HARKIN. Derek Miller, who knows everything about all this stuff, just gave me a note, and Derek says that OMB regulations have a prohibition on geographical preferences in procurement. I asked him what we could do about it, and he said, “Well, you can override it.” Well, we will have to think about that.

[Laughter.]

Chairman HARKIN. One last thing I wanted to cover with Ms. Neely and Dr. Brownell. Ms. Neely, you talked about a public opinion survey. You said, “A recent nationwide survey...When asked to choose between the School Beverage Guidelines and a policy...parents supported our guidelines...when asked if they preferred our guidelines or a complete vending ban...they chose the guidelines by a margin of 82 percent to 14 percent.”

Could you make that available to us? I have not been able to get this survey. Who did the survey?

Ms. NEELY. I would be happy to. It was done by Public Opinion Strategies, the pollster for NBC and the Wall Street Journal.

Chairman HARKIN. Yes. Could you make that available to the Committee?

Ms. NEELY. Certainly.

Chairman HARKIN. In its raw form, so we know the questions. And, again, I have the same question for you, Mr. Brownell. You said trends in public opinion, which seem to kind of go the other way, and I would like to know who did this.

Mr. BROWNELL. We will send the data on who did the various numbers in that sheet because they come from different polls over time.

Chairman HARKIN. I would like to see it.

Mr. BROWNELL. Also, when you do polls, how you ask questions matters a lot.

Chairman HARKIN. That is why I want to see the raw data.

Mr. BROWNELL. You should see the way the questions—

Ms. NEELY. But I would say just from the soft drink questions specifically, probably we would agree with your data. What we heard from parents and saw in market research, which one of the reasons the industry wanted to move forward with this is that they want full-calorie regular soft drinks out of the schools, and we agree with parents.

So I do not think our data is inconsistent with that. What our policy says is no-calorie soft drinks in the schools, and parents, again, seemed to embrace this sort of calorie construct. So whether it is sports drinks, soft drinks, whatever, that they are within a calorie construct that makes sense. If it is obesity we are trying to tackle, it is about calories, not people’s personal likes and dislikes of individual products.

Chairman HARKIN. OK. It would just be interesting to take a look at that.

Well, that is all I have for today. I just again thank the School Nutrition Association for all of the great work you do, all of you who are here for your annual meetings here. I urge you to make sure you contact all your Representatives and Senators when you are here. You have a lobby day someday. I do not know. Is that tomorrow? Oh, it is today. OK, today on the Hill. I am sorry I kept you here this long then.

[Laughter.]

Chairman HARKIN. I want you to get out there and do your work and get a hold of your Representatives and Senators and let them know that you support national guidelines. Do we have a House companion?

Derek tells me there is going to be a companion bill in the House. Perhaps they are going to try to introduce that today, Shays and Woolsey. So on the House side, if you can go to the House side, really encourage your Representatives to get on board this, I think that we could get something done about this hopefully this year when we do the farm bill and get it through.

On the Fruit and Vegetable Program, we are going to see what we can do about expanding that.

I think the bottom line really is that we all want what is best for our kids. And, you know, leave no child behind, that is fine, I am supportive of it. We need to fund it better, obviously. But we also need to leave no child behind in terms of health, either, and like it or not, schools are now becoming a place where kids get most of their nutrition during the day, and that is just it. You know, no more do we have kids that eat their breakfast at home and maybe even have a healthy meal at home at night. So we are looking at our schools to provide that. We all want to make sure that the foods and beverages that they consume there not only are healthy in and of themselves, but that also promote their thinking about this. You know, at an early age when they start eating fruits and vegetables, they find they like them, they get satisfaction from it, and then it carries on later on in life. If kids start eating potato chips and drinking soda pop at age 4, well, you have set a bad course for the future. But when they start eating fresh fruits and vegetables and they get the flavor of those if it is fresh, I think it starts establishing habits and life patterns for these kids as they grow up.

Again, I do not want to be alarmist on this or anything like that, but, you know, that is why the voluntary guidelines are fine, but I have just got to say that we are in almost a crisis situation. We have got to do something right away. This diabetes thing that is hitting us is just awesome. And when we look ahead to the costs to our society downstream of this, boy, it is just amazing.

So we have got to do what we can early on to start preventing this and getting kids healthier, and that also means exercise in school, too, by the way. I do not want to leave that out. As you know, I have my bill in on the Play Day at school and to make sure that we, again, within whatever confines that we can here, try to encourage schools to provide physical exercise for all those kids at least once a day.

I remember I was in Japan one time, and I went out to a factory. About 9:30 in the morning, the whistle blew and everybody stopped working, and they all stood by their desks and their workstations and did exercises for 5 minutes. I was told by my guy who was there taking me through that, you know, what they had found was that mid-morning people get a little lethargic, and that is when mistakes are made. So get the blood moving again, get them exercising. And then I was told that they do that in schools in Japan. I do not know that for a fact, but I was told that kids in school actually do that in school.

Well, that is why we need to promote both ends, the wellness in terms of what they eat during the day, what is available to them to eat during the day, and then to get them to do exercise, get kids out playing. To me it is just abominable that we are building elementary schools in America now without playgrounds. Without playgrounds. One principal is quoted as saying, "Well, my job is to educate kids, not to build monkey bars." A cute saying, but it misses the mark completely, that these kids do need to have exercise.

Well, that is enough of that. I just thank you all very much. Thank you for being here. Thanks for your great testimony. Thanks for all the good work that you do in getting our kids a good, healthy start in life. And we will try to do our part in the farm bill with your advice and your input, all of you, on what we ought to be doing.

Thank you very much.

[Applause.]

[Whereupon, at 12:03 p.m., the Committee was adjourned.]

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**A P P E N D I X**

MARCH 6, 2007

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A handwritten signature in black ink, appearing to read "Thad Cochran". The signature is fluid and cursive, written in a dark ink on a white background.

Senate Agriculture Committee Hearing

Senator Thad Cochran

March 6, 2007

Mr. Chairman, thank you for holding this important hearing. There is no issue of greater importance than the health of our children. Schools are an influential component of a child's nutritional development and should help provide a foundation for healthy eating habits.

There has been significant progress among states, local schools, and private industry to develop guidelines that help address many of the concerns debated during consideration of the 2002 Farm Bill.

Obesity is one of the greatest factors contributing to health risks in Mississippi. This problem cannot be solved merely by changing the food served in school cafeterias. Congress should encourage schools to set priorities for educating school officials and parents on proper nutrition and healthier cooking. In addition, many schools have removed physical education programs from their curriculum requirements. This is a trend that should be reversed.

I want to thank all the representatives of the various nutrition associations and school districts for their support at this hearing. I have enjoyed working with them on nutrition issues that are so important to our nation's school children.

**Statement for the Record**  
**Senator Mitch McConnell**  
**Senate Agriculture, Nutrition and Forestry Committee**  
**Hearing to Discuss Child Nutrition and the School Setting**  
**March 6, 2007**

Thank you, Mr. Chairman, for holding this hearing on such an important issue for our nation's school children. First, I would like to recognize a constituent of mine who is testifying before the committee today, Ms. Janey Thornton. Ms. Thornton's role as President of the School Nutrition Association is a testament to her dedication to providing school children with nutritious meals and healthier lifestyles. As a resident of Elizabethtown, Kentucky, she has served as the Child Nutrition Director for the Hardin County School District for over 20 years. Under her leadership, this district received the first ever Kentucky Exemplary School Food Service District award. Ms. Thornton has a compiled an impressive list of accomplishments during her career, including a Masters Degree in vocational home economics and school administration, and ten years of service with the Kentucky Department of Education as a Home Economics supervisor. She has been a tremendous asset to our Commonwealth as well as her local school district, and I appreciate her appearing before the committee to outline some of the successes of the school nutrition programs as well as opportunities to improve these programs in the next farm bill.

Throughout my service as a United States Senator, I have been a strong supporter of nutrition programs. Studies suggest that children who participate in the U.S. Department of Agriculture's School Breakfast Program and School Lunch Program consume a better overall diet, which can improve a child's behavior and school performance. In addition, children learn healthy eating habits that will have continued benefits throughout their adult lives as well as help educate their families about making healthier food choices.

During floor debate on the 2002 Farm Bill, I offered an amendment that would have reduced certain commodity benefits and used the resulting savings to improve nutrition assistance. I look forward to the 2007 Farm Bill providing not only a safety net for agriculture but also a safety net for low income families through nutrition programs such as the School Lunch Program.

I also was pleased that Congress approved the Child Nutrition and WIC Reauthorization Act in 2004. Among the many provisions in this act, it authorized the expansion of USDA's Fresh Fruit and Vegetable Program, which promotes fresh fruit and vegetable consumption among U.S. school children. I asked USDA to carefully consider including Kentucky in this program since many of the Commonwealth's farmers have been producing fruits and vegetables as a means of diversifying away from the production of tobacco. While Kentucky was not chosen for the program, I hope that it will be selected to participate in future expansions. Increased consumption of fruits and vegetables in our schools could have the dual benefit of improving the health of our youth while supporting the consumption of Kentucky-grown produce.

Likewise, the free meal expansion initiative, which was also included in the Child Nutrition and WIC Reauthorization Act, could provide students in Kentucky with increased access to healthy meals while simultaneously reducing burdensome paper work associated with separating eligible students into “free” and “reduce-price” categories. Kentucky schools have historically had very high participation rates for both the free and reduced-priced breakfast and lunch programs. Furthermore, Kentucky is already engaged in a comprehensive effort to improve health and nutrition in our schools, and the free meal expansion initiative would compliment these activities and benefit students across the Commonwealth.

Thank you, Mr. Chairman. I look forward to working with you and my colleagues on this committee to continue a strong school nutrition program.

**Opening Statement for Senator Debbie Stabenow**

Chairman Harkin and Senator Chambliss, I thank you for convening this hearing today on our child nutrition programs administered by the U.S. Department of Agriculture.

Mr. Chairman, our commitment to our children's nutritional health must be one of our legislative priorities. Along with exercise, nutritious food is the basis of good health.

I am proud that Michigan's farms play an important role in the school lunch program. I represent a diverse agricultural state, and I am proud of the many nutritious commodities grown and produced in Michigan.

Although we tend to think of the federal role in the school *lunch* program, USDA also operates a breakfast, snack, and afterschool supper program. I am very proud that Michigan participates in all of these programs, but I know that there is still a pressing need. We can do more and we can give our schools and communities more tools to use existing resources more effectively.

For example, Michigan was one of four states selected for the 2002 pilot program, and the pilot is a huge success. Principals and teachers love the program and parents tell me their children are asking for more fruits and vegetables at home!

I am very committed to working with our Chairman to expand the fresh fruit and vegetable pilot program. I also want to find ways include more fruits and vegetables in all of the nutrition programs to help children and families develop healthy dietary patterns that will last a lifetime. Of course, I would prefer that those fruits and vegetables come from Michigan!

On a related note, as we focus on the problem of childhood obesity and the importance of providing a healthy diet to children, one area where we could address these issues is Section 32. By providing funding for Section 32, we would be able to supply our nation's children with ample fruits and vegetables.

It was the intentions of the conferees and managers of the Farm Bill to provide NEW purchases for fruit and vegetables on top of existing commodity purchases.

Regrettably, USDA is not interpreting the language this way, despite Congress's clear intent. USDA is misinterpreting this provision and not providing funding for *additional* purchases to the detriment of farmers, school children, and nutrition programs.

I look forward to working with the other members of the committee on continually improving the child nutrition programs. The child nutrition programs are yet another great example of what our nation can accomplish.

Thank you.



**TESTIMONY OF KELLY D. BROWNELL, Ph.D.**  
**Professor of Psychology, Epidemiology and Public Health**  
**Director of the Rudd Center for Food Policy and Obesity**  
**Yale University**

**Before the**  
**Committee on Agriculture, Nutrition and Forestry**  
**U.S. Senate**

**March 6, 2007**

Thank you for inviting me to testify before the committee. My name is Kelly Brownell and I am professor of psychology, former Chair of the Department of Psychology, and Director and Co-Founder of the Rudd Center for Food Policy and Obesity at Yale University. The Center seeks to improve the world's diet, prevent obesity, and reduce weight stigma by establishing creative connections between science and public policy, developing targeted research, encouraging frank dialogue among key constituents, and expressing a dedicated commitment to real change.

**Current Conditions: Unhealthy Defaults for America's Children**

Economists and public health experts have recently converged on the concept of creating conditions where actions that enhance health and well-being become the default. Stopping the sale of lead paint and leaded gasoline makes painting and driving less toxic, by default. There are innumerable examples as well in arenas where people make choices regarding personal behavior.

It is in the best interest of individuals and the nation if people enroll in pension plans. Some employers do not enroll people unless they specifically opt in while others enroll new employees automatically while giving them the option of opting out. Less than 50% of employees participate in pension plans in the first year if the default is suboptimal and people must opt in, compared to nearly 100% participation when enrollment is the default. Organ donation is another example. European countries are divided on whether people opt in or opt out of becoming an organ donor. About 15% of

people are organ donors in countries where one must opt in, compared to 98% in countries where opting in is the default.

The default conditions for America's children promote unhealthy eating and physical inactivity. It is hard to imagine any outcome other than rampant obesity and diabetes, given the relentless and powerful environment bearing down on children and their parents. Factors such as large portions, low costs for high-calorie foods and higher costs for fruits and vegetables, limited access to healthy foods for the poor, high consumption of soft drinks and fast foods, and massive marketing campaigns targeting children have been shown in scientific studies to be linked to poor diet, risk for excess weight gain, and in some cases diseases such as diabetes.

Legislative efforts to improve nutrition in schools offer hope of changing conditions such that healthy behaviors become more likely, by default.

### **The School Nutrition Environment**

Over the past few decades, the food landscape for children has been deteriorating. Between 1994 and 2004, 1,643 new types of candies were introduced and marketed specifically for children, while in that same time period, only 52 fruit and vegetable-related products were introduced.<sup>1</sup> Food and beverage companies are clever to market these unhealthy products to youth: adolescents spend approximately \$140 billion dollars per year, while children under 12 spend another \$25 billion--and may influence as much as an additional \$200 billion of annual food spending.<sup>2</sup>

Children and adolescents are very specifically targeted by food marketers and hence are flooded with advertising - researchers estimate that a child is exposed to 40,000 food advertisements on television per year.<sup>3</sup> Parents find it difficult to compete with television ads, but also with product placements in videogames, movies, and TV shows, sports, movie, and music stars endorsing foods, and ads on billboards, buses, taxicabs, bus shelters, trash receptacles, and more. In its own words, the advertising industry refers to some methods as "stealth, viral, and guerilla" marketing. These words alone indicate a predatory approach.

The school environment has become a marketer's dream. Snack foods, desserts, pastries, candy, and soft drinks are part of the nation's school landscape. Schools make money selling these products and become marketers themselves. Every child walking past a soft drink machine is exposed to advertising because of the brightly colored images on the machines. Television piped into many schools is replete with food advertising. The newest example is "bus radio," where a marketing company supplies radio equipment for school buses with claims it will reduce behavior problems, but mandates its own content-

<sup>1</sup> The Institute of Medicine (2006), *Food Marketing to Children and Youth: Threat or Opportunity*.

<sup>2</sup> Story, M., & French, S. (2004). Food advertising and marketing directed at children and adolescents. *International Journal of Behavioral Nutrition and Physical Activity*, 1-17.

<sup>3</sup> Kaiser Family Foundation (2004). *The Role of Media in Childhood Obesity*.

-which contains advertising. Few parents fully grasp the commercial nature of a child's school experience and those who do find it difficult to shield their children. The typical American school today is an *unsafe* nutrition environment.

School foods are an important source of calories and nutrition for children; children and adolescents consume approximately one third of their daily calorie intake while at school.<sup>4</sup> The nutritional quality of those calories is highly variable. The National School Lunch Program (NSLP) is required to serve children foods that meet federal nutritional standards while excluding certain foods from sale (i.e., "Foods of Minimal Nutritional Value" or FMNV). Classifying some foods as FMNV is a sound concept, but the definition of minimally healthful foods, established in 1979, is outdated and out of touch with the modern school environment. Foods like French fries, ice cream, cookies, chips, and snack cakes can be served in school cafeterias during lunchtime under federal guidelines, creating damaging defaults.

American children and adolescents also get a significant amount of their daily calories from foods sold in schools outside of the cafeteria. While FMNV foods are excluded from sale during lunch periods at schools participating in the National School Lunch Program, children still can have access to them at other times in the day through vending machines, or school stores, which are not required to meet any nutrition standards.<sup>5</sup> Between the unhealthy cafeteria a la carte foods and the foods available in vending machines—both of which are not adequately regulated by the current FMNV definitions, children are exposed to unhealthy foods throughout the school day. One study found that 83% of elementary schools, 97% of middle schools, and 99% of high schools sell unhealthy foods inside and outside of the cafeteria.<sup>6</sup> Other research has found that the most frequently sold items are chips, candy, cookies, soft drinks, sports drinks, imitation fruit juices, and snack cakes.<sup>7</sup>

The Child Nutrition Promotion and School Lunch Protection Act would require the USDA to update nutritional standards for foods sold outside of school lunch meals.

<sup>4</sup> USDA. (2004). National School Lunch Program.

<sup>5</sup> Harnack, L., Snyder, P., Story, M., Holliday, R., Lytle, L., & Neumark-Sztainer, D. (2000). Availability of a la carte food items in junior and senior high schools: a needs assessment. *Journal of the American Dietetic Association*, 100, 701-703.

Kann, L., Grunbaum, J., McKenna, M., Wechsler, H., & Galuska, D. (2004). Competitive foods and beverages available for purchase in secondary schools - selected sites in the United States. *Journal of School Health*, 75, 370-374.

Wechsler, H., Brener, N., Kuester, S., & Miller, C. (2001). Food service and foods and beverages available at school: results from the School Health Policies and Programs Study 2000. *Journal of School Health*, 71, 313-324.

<sup>6</sup> Government Accountability Office (2005). *School Meal Programs: Competitive Foods Are Widely Available and Generate Substantial Revenues for Schools*. Washington, DC: GAO.

<sup>7</sup> Wechsler, H., et al (2001). Food service and foods and beverages available at school: Results from the school Health Policies and Programs Study 2000. *Journal of School Health*, 71, 313-324.

Center for Science in the Public Interest (2004). *Dispensing junk: How school vending undermines efforts to feed children well*. Washington, DC: CSPI.

Kann, L., et al. (2005). Competitive foods and beverages available for purchase in secondary schools—selected sites, United States, 2004. *MMWR*, 54(37), 917-921.

This aim is to create a better set of defaults and hence make progress in improving children's diets and preventing childhood obesity.

Opponents often claim that children and teenagers will just eat more of these foods outside school and hence no overall change in nutrition will occur. The inference is that children *must* have large amounts of these foods and will be driven to get them in one place or another. My colleagues at Yale recently completed a two-year study and found this is not true. Schools taking part in a program by the state of Connecticut to remove unhealthy snacks were compared to control schools that offered unhealthy snacks as usual. Students in schools making the nutrition changes ate healthier snacks during school hours, but more importantly, did not compensate by eating more outside school.

There is also research showing that the school environment and food related policies are associated with weight.<sup>8</sup> Researchers in Minnesota studied food practices such as allowing students to have food in class, allowing food in the hallways, allowing beverages in class, allowing beverages in the hallways, using food as a reward or incentive, selling food for classroom fundraising and selling food for school-wide fundraising. They found that schools restricting such food-related activities had lower rates of obesity.

#### **Local Control Over School Nutrition Policies Is Not Sufficient**

The 2004 Child Nutrition and WIC Reauthorization Act required that all public and private schools participating in the USDA's Child Nutrition Programs (i.e., National School Lunch Program, School Breakfast Program, After-School Snack Program and Special Milk Program) create a local School Wellness Program for the 2006-2007 school year.<sup>21</sup> As a result, thousands of SWP's were written at the same time across the country. The law mandates that the policies address nutrition education, physical activity, nutrition guidelines for all foods available, compliance with national school meal nutrition regulations, and a plan for implementation of the policy as well as who must be on the School Health Team that develops the policy (parents, students, food service, school board members, administrators, and the public). Otherwise, the act allows each school district to exert local control over the specific language and guidelines.

Our research group at Yale is collecting and evaluating every school wellness policy in Connecticut. Our preliminary analysis shows that there is tremendous variability across these policies. Some meet only the bare minimum requirements of acknowledging the importance of nutrition education, physical education, and setting some type of nutrition standards while other districts created comprehensive policies complete with mechanisms to ensure implementation and compliance. Consequently, children in one Connecticut town are presented with an array of only healthy beverages and snacks, while children in the next town have the same, nutritionally-poor foods they were eating before the school wellness policies were written.

<sup>8</sup> Kubik, M. Y., Lytle, L. A., & Story, M. (2005). School-wide food practices are associated with body mass index in middle school students. *Archives of Pediatric and Adolescent Medicine*, 159.

In 2001, Congress passed the No Child Left Behind Act to ensure that all American children would receive a more equal and high-quality education. It is essential that the health and well-being of our children also not be left behind. Current school wellness policies demonstrate that local control results in uneven, haphazard standards that protect only some children. In Connecticut, the school districts with the best policies have strong leaders who are committed to children's health. This is the type of leadership that every child in this country deserves—and that the federal government can help provide.

### **A Winning Issue: Scientists and the Public Support Improving School Foods**

Scientists, parents, and the American public all strongly support improving the quality of school foods. Fully 90 scientific and health organizations support the Child Nutrition Promotion and School Lunch Protection Act, including organizations such as the American Academy of Pediatrics, American Heart Association, and the American Cancer Society.

Nutrition experts also consider these issues to be extremely important. Last fall, my colleagues and I completed a study where we surveyed 33 of the country's leading experts in nutrition, obesity and physical activity. These experts reported that implementing the policies contained in the Child Nutrition Promotion and School Lunch Protection Act would have a "strong" impact on improving children's nutrition and physical activity.

The American public, including parents, also want our government to improve school foods. A recent poll by the Robert Wood Johnson Foundation found that 90% of parents and teachers support replacing unhealthy items in school vending machines with healthy items. Another poll by the Wall St Journal/Harris Interactive Health-Care revealed that 83% of adults believe that "public schools should do more to limit children's access to unhealthy foods like snack foods, sugary soft drinks, and fast food." Parents may not know what "FMNV" means, but they do know that their kids deserve healthier foods at school.

### **The Food and Beverage Industry**

It can be anticipated that the food industry will use its considerable political influence to fight this act and others that mandate changes in the nutrition environment, arguing that voluntary self-regulation by the industry will be sufficient to protect the well-being of the nation's children. It is common to hear dramatic claims from industry that schools will suffer dearly from nutrition changes, that poorer public schools will be especially hard hit, that freedom is usurped by mandates, and that the food companies just want to offer children choices. These industry positions defend the status quo and defend the very conditions that have created a public health disaster for our children. An

example is how the beverage industry, represented by the American Beverage Association (formerly the National Soft Drink Association), has addressed the issue of soft drinks in schools.

#### *Conventional Industry Arguments*

At least four claims are frequently advanced by industry representatives about beverages in schools.

#### **1. “Restrictions on beverages will cost schools major revenue.”**

This is a common concern, but in fact, school districts that have made changes have reported no loss of revenue; in fact, some schools have found that revenue increased due to increased sales of water.<sup>9</sup> There are also studies showing that removal of unhealthy snacks leads to increased participation in and greater income from the National School Lunch Program. Data also show that children who participate in the NSLP eat healthier (e.g., more fruits and vegetables).<sup>10</sup>

#### **2. “Beverages already are regulated under the federally defined Foods of Minimal Nutritional Value (FMNV).”**

As this hearing has amply demonstrated, the FMNV definition is out of date and only excludes carbonated sugared beverages. Further, FMNV regulations do not extend across the entire school day. Students can drink sports drinks and other sugared drinks at lunch and in mornings and afternoons when the cafeteria is closed.

#### **3. “Industry already solved the problem of soda in schools.”**

Though a potentially promising start, the agreement between Clinton’s Alliance for a Healthier Generation and the American Beverage Association is a voluntary, non-binding agreement. It will not necessarily affect current pouring rights contracts and sets weak standards for high schools, where the majority of sugared beverages are sold.

It is clear that the soft-drink industry agreed to what in fact was their only option – to pull some of their most nutritionally unsound products from schools. Small towns, large cities like Philadelphia and Los Angeles, states like California and Connecticut, and countries like England and France have all banned soft drinks from schools. Each time state or local legislation has been introduced the media calls attention to problems with soft drinks and raises public awareness of exactly what occurs in schools. Rather than risk unfavorable local and state actions, the industry itself proposed weak standards and then celebrated them as a significant public health achievement.

<sup>9</sup> Food and Nutrition Service, US Department of Agriculture (2005). *Making It Happen! School Nutrition Success Stories*. Alexandria, VA.

<sup>10</sup> Wharton, C. M., Long, M., & Schwartz, M. B. (2007). Changing nutrition standards in schools: The impact on school revenue. (*manuscript under review*).

#### 4. “Some studies find there is no link between soft drinks and obesity.”

When evaluating research, it is important to consider the source. The food industry, including the National Soft Drink Association, has funded studies that have found no link between their products and negative health consequences. Research, including a study by our group at Yale just published in the *American Journal of Public Health*, shows that industry-supported research on beverages is much more likely than other studies to report results favorable to the industry.<sup>11</sup> Abundant science definitively affirms that soft drinks contribute to poor diet and risk for key diseases such as diabetes and obesity.

There is serious reason to question whether industry’s calls for and attempts at self-regulation have any substance. Parallels in other arenas such as tobacco reveal industry actions that benefit industry and help sell more products, not less.

#### *Industry & School Nutrition*

We also have ample evidence, beyond the merely anecdotal, that past regulatory efforts to achieve progressive, nutritionally beneficial changes to school meals have been altered or entirely blocked by industry interest-group lobbying.<sup>12</sup> In fighting such bans, food and beverage employ a range of tactics: in Connecticut, for example, industry lobbyists claimed that schools had the option to sell healthier beverages but then it was discovered that there were pouring right contracts that the sales commissions that schools get for the sale of soda are up to 25% higher for soda than for other, healthier drinks such as bottled water. Also, in Connecticut, the Coca-Cola Company made heavy-handed threats to state legislators that they would rescind scholarships and academic and athletic enrichment programs if they supported the junk food ban.<sup>13</sup>

The recent school-beverage agreement brokered by the Clinton Foundation evokes a worrisome comparison with tobacco history. When the Fairness Doctrine was passed in 1960s, equal time for anti-smoking messages was mandated for television advertisement for cigarettes. The industry, as was revealed later in internal documents, knew it lost ground every time it advertised because anti-smoking messages were so powerful. Tobacco companies announced they would voluntarily stop advertising on TV, in exchange for calling off critics who demanded cessation of all forms of advertising. What appeared a public health victory was not: the industry moved their marketing dollars from a cost-ineffective medium to ones where more people could be convinced to smoke.

<sup>11</sup> Vartanian, L. R., Schwartz, M. B., & Brownell, K. D. (2007). Effects of soft-drink consumption on nutrition and health: A systematic review and meta-analysis. *American Journal of Public Health*.

Lesser, L. I., Ebbeling, C. B., Goozner, M., Wypij, D., & Ludwig, D. S. (2007). Relationship between funding source and conclusion among nutrition-related scientific articles. *PloS Medicine*, 4, e5.

<sup>12</sup> See, for example, Dobbs et. al., (2004). Analysis of interest group influence on federal school meals regulations, 1992 to 1996. *Journal of Nutrition Education and Behavior*, 36, 90-98.

<sup>13</sup> April 6, 2006, Press release from Connecticut President Pro Tem Senator Donald Williams.

In the context of food and beverages, key truths are apparent. First is that children are critical consumers in the eyes of food and beverage companies and the industry will not release them easily. Changes in the school environment could be undermined by increases in other forms of marketing such as product placements in movies and television shows, advertisements beamed over cell phones, billboards, etc. A troublesome possibility is that companies may increase promotion near schools through point-of-purchase promotions in mini-markets, service stations, and fast-food restaurants, or worse yet, encourage these food delivery businesses to open ever closer to schools.

#### **Who Should Develop Nutrition Standards?**

It is likely that calls will be made for the USDA to establish the definitions of Foods of Minimal Nutrition Value. This could be a barrier to progress, given the dual and oft-conflicting priorities of the agency to help promote food sales while at the same time establishing national nutrition policy.

Having the FMNV criteria established by the Institute of Medicine or the Centers for Disease Control and Prevention could help alleviate the dual role experienced by the USDA and also avoid to some extent the problems created by the “revolving door” between the USDA and the food industry. It is important that the guidelines be science-based and free of political influence.

#### **In Conclusion**

Children deserve an environment that supports their becoming happy, healthy, and productive citizens. Too many modern schools instead deliver a powerful blow to the hopes of parents who want their children to eat well. Unhealthy conditions are clearly the default – it is why the prevalence of obesity in children has spiraled out of control.

A window has opened where federal and state legislators can make an important difference. The public is aware of the problem and has grown steadily more supportive of actions by legislators to protect children. Thus a winning political issue aligns with good public health. Acting now can prevent untold problems as the next generation of American citizens develops.

U.S. Senate Committee on Agriculture, Nutrition, and Forestry  
Hearing on Nutrition in Schools

March 6, 2007

Testimony of Mary Lou Hennrich  
Executive Director, Community Health Partnership

Thank you for the opportunity to testify today before your committee. My name is Mary Lou Hennrich. My 35 year career as a public health nurse and administrator finds me currently serving as the executive director of Community Health Partnership: Oregon's Public Health Institute based in Portland, Oregon. Community Health Partnership is an independent, non-profit organization committed to improving the health of Oregonians. In recent years, our organization has led statewide efforts to improve the nutritional quality of foods and beverages in schools. In addition, I have advocated for stronger school nutrition standards in Portland Public Schools, my local school district—Oregon's largest district.

The challenges we have encountered in our efforts at the local and state level have made very clear to us the need for strong federal leadership on this issue. That is why our organization has endorsed Senators Harkin and Murkowski's Child Nutrition Promotion and School Lunch Protection Act, which we urge the Senate to pass this year.

**Local Control**

Parents don't care whether school food standards come from Congress, a state or the local school district. To them, local control means that they have control over what their kids eat at school.

And parents have told us loudly and clearly that they want the foods sold in their children's schools to be healthy. The sale of low-nutrition foods in schools undermines parents' ability to help their children eat a healthful diet. Parents should not have to worry that their children will spend their lunch money on low-nutrition foods from vending machines, school stores, and a la carte in the cafeteria, instead of on balanced school meals.

While we respect that many school-related policies are left to local control, school foods are different. School foods have been a federal issue since the Truman administration. Congress and the U.S. Department of

Agriculture (USDA) set detailed standards for school lunches and breakfasts. The federal government invests huge amounts of money – \$10 billion in fiscal year 2006 alone – in school lunches and breakfasts. Selling low-nutrition food in schools undermines that major taxpayer investment and efforts to ensure that school meals are healthy.

Most states and localities leave the development of dietary guidance to federal agencies. The majority of the nation's 14,000 school districts are not equipped to develop science-based nutrition standards for school foods. A recent national analysis found that only 20% of the largest 100 school districts in the country have set specific nutrition standards for a la carte and vending in their recently-passed local wellness policies. In Oregon, after analyzing the 174 local district wellness policies filed with the state department of education, we found exactly the same percentage (19.5%) of policies that set **any** specific guidelines or standards for foods sold outside the NSLP.

All other things being equal, local control is an important consideration. However, the inherent value of local control must be weighed against the significant threat that childhood obesity poses to our children's health. Rates of obesity among U.S. children and teens tripled between 1980 and 2002. For individuals born in 2000, the chance of developing diabetes during their lifetime is 39% for females and 33% for males. When almost 40% of girls and one-third of boys are on track to develop diet-related diabetes, one needs to re-examine both the value and the effectiveness of local control with regards to children's health and nutrition.

Things have drastically changed in schools over the past 20+ years. When my oldest child was in school, 99% of eating happened in the cafeteria—now that she is a teacher, she reports that more than 75% of eating occurs in hallways and classrooms. Indeed there is a lot of food sold through venues other than school meals in the cafeteria. Nationally, 83% of elementary schools, 97% of middle/junior high schools, and 99% of senior high schools sell foods and beverages out of vending machines, school stores, or a la carte in the cafeteria. Unfortunately, too many of the choices offered to children are of poor nutritional value.

### **Revenue Considerations**

The current sale of low-nutrition food in outside school meals programs undermines school lunch revenues. For example, when Jefferson County School District in Kentucky set nutrition standards for items sold through its a la carte line, it experienced an annual *decrease* of \$3 million in a la carte

revenue; however, at the same time it saw a \$6.9 million annual *increase* in school meal program revenue, resulting in a net annual increase of \$3.7 million for the county's school food service programs. Portland Public Schools are finding the same to be true as they implement significant changes this school year. Improving the nutritional quality of foods sold outside school meals will strengthen the National School Lunch Program.

As the USDA and Centers for Disease Control and Prevention documented in their report "Making It Happen," students will buy and consume healthful beverages – and schools can make money from selling healthful options. Of 17 schools and school districts they surveyed that tracked income after switching to healthier options, 12 increased revenue and four reported no change. The one school district that did lose revenue in the short term experienced a subsequent revenue increase after the study was completed.

Our organization surveyed Oregon school districts in 2003 regarding the revenue raised by their beverage vending contracts. We found that total vending revenues for school districts range between \$12 and \$24 *per student per year*. This modest amount of revenue could be raised by selling only the healthier beverages offered by the major beverage companies, e.g. Pepsi and Coca Cola, or through other, healthier fundraisers (e.g., water, 100% juice, low-calorie diet drinks).

In the larger school finance picture, beverage contracts really raise only a comparatively small amount of funds. District contract revenues amount to less than half a percent of annual district per-student spending. Also, most of the money generated from school vending contracts comes from students purchasing beverages, and a significant portion of this revenue goes directly to the companies, as opposed to the schools. Vendors also gain exclusive advertising rights to promote and increase the sale of products in schools.

### **Voluntary Guidelines Are Not the Answer**

In 2006, the Alliance for a Healthier Generation, the nation's largest soft drink companies, and several snack food companies announced voluntary guidelines for nutrition standards for foods and beverages sold in schools. The new beverage guidelines are laudable. However, the magnitude of the obesity problem necessitates a more certain solution. These voluntary guidelines are unenforceable. Importantly, schools have not agreed to the guidelines, and it remains to be seen whether and to what extent schools will accept and comply with them.

Unfortunately, in Portland, OR, a soft drink company is using this agreement to punish the school district for establishing nutrition standards different from the industry's guidelines. Last fall, as part of its wellness policy, Portland Public Schools removed all carbonated soda and other sugary drinks from its schools. Now, Coca-Cola is threatening Portland Public Schools with a \$600,000 penalty for disallowing the sale of sports drinks and diet soda in schools, since according to the industry's voluntary guidelines they are allowed. It does not seem to matter to them that parents and schools in Portland want sugary beverages like sports drinks *out* of schools. So much for the local control argument.

**In closing, I again urge this Committee and the rest of the Senate to set national nutrition standards for foods and beverages sold out of vending machines, school stores, and a la carte in schools. Since childhood obesity and the proliferation of low-nutrition foods throughout schools have reached a crisis point, it is important that Congress act *now* to address this pressing problem. Parents and, more importantly, America's children are counting on you. Thank you, and I would be happy to answer questions.**

**STATEMENT  
OF  
TERESA NECE  
BEFORE THE  
COMMITTEE ON AGRICULTURE, NUTRITION & FORESTRY  
UNITED STATES SENATE  
MARCH 6, 2007**

Chairman Harkin and Members of the Committee, I am Teresa Nece, Food and Nutrition Director, Des Moines Public Schools, Des Moines, Iowa. I am pleased to be here today representing my school district, other Iowa schools as well as all schools across the nation. The health and well being of America's children is very important to our future. Mr. Chairman, you and each committee member are to be commended for spending your time working on behalf of our nation's children. My comments today will be from the school food service director perspective, focused on the Fresh Fruit and Vegetable Program currently operating in 14 states and on 3 Indian Tribal Organizations, representing 375 schools. As a point of reference, on average, children eat less than half of the daily amount of fruits and vegetables recommended by the 2005 U.S. Dietary Guidelines.

Des Moines has been fortunate to have had 4 of our 59 schools participate in the fruit and vegetable program at some time during the past five years. This program is very popular among our students, parents, teachers and food service staff. The benefits of the program include increased consumption of fresh fruits and vegetables by students, an improved school food environment and a positive impact on the family. Harding Middle School and King Elementary School have been participants for the past five years with approximately 900 students reaping the benefits of this program daily. The fruit and vegetable program in these schools has become an integral part of the school day and has enhanced the school environment.

The Fresh Fruit and Vegetable program has been very successful in participating schools across the nation because the fruits and vegetables are available free to all students. I feel this is a very important aspect of the program design. In addition school staff members have the opportunity to participate as role models. One of the original reasons for offering fresh fruits and vegetables to students throughout the school was to demonstrate that when fresh fruits and vegetables are made readily available, students would increase their consumption of fresh fruits and vegetables and decrease consumption of candy, chips and other similar less healthy snacks. I believe that this theory has been demonstrated by each of the participating schools across the nation. This program has truly changed the way our students look at food and has broadened students' food experiences with additional fresh fruits and vegetables. The customer is savvy as a result of the access to different fresh fruits and vegetables. It takes the whole school community to change food habits.

Our students have definitely enjoyed the experience of not only eating familiar items such as carrots, apples, and oranges, but also trying new fresh fruits and vegetables.

Even some of our teachers have experienced tasting fruits and vegetables for the first time. Some of the new favorites are fresh pears, fresh berries, jicama, fresh pineapple and the large variety of apples now available. Donna Christenson, principal at Harding Middle School in Des Moines, indicated the program has created a unique school dining experience by bringing the fruits and vegetables to the classroom.

One of our first learning experiences in a middle school was offering fresh Bartlett pears as a choice in the classrooms. We discovered that these 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade students thought fresh pears were white, soft, and sliced. Many of the students had never seen or tasted a whole fresh pear. Classroom teachers discovered that they had many teachable moments with the fresh fruits and vegetables; they embraced the program and encouraged their students to try the new foods each day. What more could we ask of our teachers.

We have noted improved eating habits of students as well as a healthier school environment in our buildings. The focus in the schools has been healthier choices offered throughout the day. Comments from the students, teachers, principals and food service staff tell the true value of this program. One of the greatest benefits of the program has been the creation of a school community focused on healthy foods offered throughout the day – before school, during school and after school. This environmental change has taken work on the part of all staff and students. In our schools we have offered the fresh fruits and vegetables to students in their classrooms, in the school office, in the nurse's office as well as at a kiosk type station in the school cafeteria. Teachers have noted that eating patterns of students in participating schools have changed. Students are very willing to try new fruits and vegetables each day. The students enjoy eating the apple or pineapple during silent reading time, while listening to teacher instructions or while doing math problems. Many of the new fruits and vegetables served as a part of this program are now incorporated into the school meal program offerings with greater acceptance.

The students even tell their younger brothers and sisters about the fruits and vegetables they will get to eat when they go to Harding Middle School next year. The parents have told us that their students look forward to the fresh fruits and vegetables at school and ask for fresh fruits and vegetables at home. We have had parents tell us about shopping at the grocery store and children requesting that the parent buy for the family the same type of fruit that they had at school that week.

The school office staff welcomes families, younger siblings as well as new students to the school daily. A basket of assorted fresh fruits and vegetables is always available in the office. What a marvelous experience for a parent or child to be offered a piece of fresh fruit while waiting in the school office or visiting a classroom. The parent now understands what the student will experience each day at school.

The teachers and principals in the schools have stated many times one of the unexpected benefits to the program is the opportunity for students and teachers to talk about something in the classroom other than just the academics. In Des Moines the piece of

fruit has brought a neutral focal point for teaching life skills and has supported the development of a school family focused on success for all students.

Teachers have watched the learning behavior of their students change creating a relaxed classroom atmosphere that enhanced the learning experience. They identify that their students are more ready to learn with the availability of the fresh fruits and vegetables in the classroom.

The school nurses have identified fewer referrals from teachers because students do not feel well. Instead of saltine crackers in the nurses' office, they now have a basket of fresh fruits and vegetables available throughout the day. Today, the students just come to the nurses' office to visit and have a snack. The nurse has the opportunity to assist with reinforcing good eating habits.

One of the goals of this program has been to offer a variety of fresh fruits and vegetables to students throughout the school day at no cost to the participant. When we first started this venture five years ago, I was amazed with how well our students, teachers and support staff accepted the program. Everyone seemed to embrace the value of the benefits of the program. Students showed responsibility with handling the fruits and vegetables in the classroom, teachers incorporated the food items into the learning environment and custodians handled the additional responsibilities of classroom waste within their normal daily activities. This program has been a very positive experience for our district. I have had requests for expansion of the program into other schools in our district because of the positive impact of the program. Our state child nutrition director receives numerous calls from other schools in Iowa requesting information on how to get involved in the program.

Ongoing studies confirm that a hungry child cannot learn effectively. A hungry child is distracted from learning and is more likely to experience discipline and health problems. This program impacted the lives of our students by creating an environment focused on developing good eating habits. This program has supported the role of the school meal programs and has enhanced the learning environment in the total school. I know that our Iowa experiences mirror experiences from across the nation.

Chairman Harkin and Members of the Committee, the Fresh Fruit and Vegetable Program has demonstrated changed student food consumption practices. Children are eating more fresh fruits and vegetables. Healthy fruits and vegetables are chosen more often by students, decreasing the consumption of less healthy snack foods. This program has assisted schools across the nation by providing schools the opportunity to enhance the learning environment. The investment in the Fresh Fruit and Vegetable Program has reaped numerous benefits to children and schools.

In summary, Mr. Chairman and members of the committee, the fruit and vegetable program has been remarkably successful, not just in fulfilling its stated purpose of increasing fruit and vegetable consumption, but also in helping to create something much bigger – namely, a culture of wellness and health promotion. I strongly believe in the

value of this program and would like to see the program expanded. Additionally, I would like to see school meal programs enhanced with additional funding to support infrastructure needs to facilitate increased offerings of fresh fruits and vegetables as a part of the school breakfast and lunch programs.

I look forward to my continued work in impacting the lives of students and families each day in Des Moines. I would be pleased to answer any questions that you may have. Thank you very much for your continuing support of child nutrition programs.

**Testimony of Susan K. Neely  
President and CEO  
American Beverage Association**

**Senate Committee on Agriculture, Nutrition and Forestry**

**March 6, 2007**

### **Introduction**

Good morning, Mr. Chairman and members of the Committee. Thank you very much for the invitation to appear before the Committee to discuss the issue of nutrition in the school setting.

I am Susan K. Neely, President and CEO of the American Beverage Association (ABA). As a representative of the nation's beverage industry and the mother of two elementary school children, I applaud the committee for holding a hearing on an issue that is critical to the health of our school children. I also want to thank the Chairman for his leadership in introducing the Play Every Day bill to help children and communities eliminate barriers to the kind of physical activity that is equally critical to their health.

The American Beverage Association has been the trade association for America's non-alcoholic refreshment beverage industry for more than 85 years. Founded in 1919 as the American Bottlers of Carbonated Beverages and renamed the National Soft Drink Association in 1966, ABA today represents hundreds of beverage producers, distributors, franchise companies and support industries. ABA's members employ more than 211,000 people who produce U.S. sales in excess of \$99 billion per year.

According to American Economics Group, Inc., direct, indirect and induced employment in the beverage industry means over 3 million jobs that create \$280 billion in economic activity. At the state and federal level, beverage industry firms pay more than \$30 billion of business income taxes, personal income taxes, and other taxes with over \$14 billion in taxes paid to state governments alone. In 2003 it is estimated that beverage companies donated \$326 million to charities.

ABA members market hundreds of brands, flavors and packages, including diet and full calorie carbonated soft drinks, ready-to-drink teas and coffees, bottled waters, fruit juices, fruit drinks, dairy-based beverages, and sports drinks.

### **Adoption of School Beverage Guidelines**

The American Beverage Association agrees that the obesity crisis is a complex, national challenge that requires us to re-examine old practices and find new solutions. All of us -- policymakers, parents, educators, industry and community leaders -- have a responsibility to do our part to help teach our children how to have a healthy life style. I am proud to report that the American beverage industry is doing just that.

In May of 2006 the American Beverage Association, Cadbury Schweppes, The Coca-Cola Company and PepsiCo teamed up with the Alliance for a Healthier Generation (a joint initiative of the William J. Clinton Foundation and the American Heart Association)

to develop new School Beverage Guidelines that limit calories and increase nutritious beverages in schools.

We agree with parents and educators that schools are special places and play a unique role in shaping our children's health. The guidelines provide students with a broad array of lower- and no-calorie options along with nutritious and smaller-portioned beverages to help kids build healthy habits as they learn to balance the calories they consume with the calories they burn. The guidelines are designed to balance children's nutritional and hydration needs with appropriate caloric consumption for their age.

### **The Guidelines**

#### **Elementary School**

- Bottled water
- Up to 8 ounce servings of milk and 100% juice
  - Low fat and non fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/8 ounces
  - 100% juice with no added sweeteners, up to 120 calories/8 ounces, and with at least 10% daily value of three or more vitamins and minerals

#### **Middle School**

- Same as elementary school except juice and milk can be sold in 10 ounce servings
- As a practical matter, if middle school and high school students have shared access to areas on a common campus or in common buildings, then the school community has the option to adopt the high school standards

#### **High School**

- Bottled water
- No or low calorie beverages with up to 10 calories/8 ounces (e.g. diet soft drinks, diet and unsweetened teas, fitness waters, low calorie sports drinks, flavored waters, seltzers)
- Up to 12 ounce servings of milk, light juice, 100% juice and certain other drinks
  - Low fat and no fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/8 ounces
  - 100% juice with no added sweeteners, up to 120 calories/8 ounces, and at least 10% daily value of three or more vitamins and minerals
  - Other drinks with no more than 66 calories/8 ounces (e.g. light juices and sports drinks)
- At least 50 percent of beverages must be water and no or low calorie options

For elementary and middle schools, we limit the beverage offerings to water, milk and juice because parents believe, and we agree, that younger children need more guidance to choose foods and beverages appropriate for their nutrition and caloric needs.

By the time students reach high school, parents believe children should have more freedom to choose their food and beverages during the school day. These guidelines provide more options for older children, while still capping calories and portion-sizes. No full calorie soft drink products will be offered in any grade.

We hope the Committee appreciates the extraordinary steps our companies are taking with these guidelines. Our companies are removing full-calorie soft drinks from elementary, middle and high schools throughout America – an unprecedented move by a member of the broader food and beverage industry. They’re also reducing the portion sizes of many beverages and capping the calories of products offered in schools. This does not come without real cost and risk to the industry.

#### **Guidelines Developed Using Nutrition Science**

The American Heart Association wielded great influence in the development of the School Beverage Guidelines along with the Clinton Foundation and the beverage industry.

The guidelines were designed using nutrition science, including the *Dietary Guidelines for Americans, 2005* as well as the *American Heart Association’s Dietary Guidelines for Healthy Children* and *2006 Diet and Lifestyle Recommendations* in order to balance children’s nutritional needs with the requirement to manage caloric consumption. The guidelines are also developmentally appropriate, taking the age of the student into great account. They balance children’s nutritional and hydration needs with appropriate caloric consumption.

By using nutrition science, along with parental concerns, we were able to develop guidelines that are responsive to concerns about school wellness and that will make a meaningful impact on our children.

#### **Parents Support this Commonsense Approach**

We are very proud of these guidelines and are happy to report that parents think we’ve struck the right balance by limiting calories and increasing nutritious offerings in schools. A recent nationwide survey showed that 82% of parents surveyed support our school beverage guidelines. In fact, they clearly support our school beverage guidelines over more restrictive alternatives.

When asked to choose between the School Beverage Guidelines and a policy that provided bottled water, 100 percent juice, and low fat milk for K-12, parents supported our guidelines by a margin of 56% to 42%. And when asked if they preferred our guidelines or a complete vending ban in schools, they chose the guidelines by a margin of 82% to 14%.

Some of the reasons parents gave for supporting the guidelines:

- They appreciate the age-appropriateness of the policy.
- They like that it limits choices for younger students.
- Most feel that high school students are old enough to make choices.

This poll was conducted of 700 parents (59% female/42% male) by the highly respected Public Opinion Strategies firm, which is the research firm for the NBC News/Wall Street Journal poll.

The parents responding to the survey reaffirm that our policy makes good sense. It is based on sound nutrition and reflects the reality of how most of us live. Like grown-ups, kids want to drink both nutritious and enjoyable beverages. As a result of these guidelines, schools can help our children learn to choose beverages that are lower in calories and/or high in nutrition.

#### **Committed to Implementation**

The beverage industry is working hard to implement these guidelines. In the past 10 months since we signed the Memorandum of Understanding with the Alliance for a Healthier Generation, our companies have spent hundreds of hours training their marketing and sales teams about the guidelines. These teams have reached out to school contract partners to educate them. Our companies are reformulating products. They are creating new package sizes to meet the smaller portion sizes required in the guidelines. And, they are retrofitting vending machines to accommodate the changes in package sizes.

In addition, both the Alliance for a Healthier Generation and the industry are continuing our outreach efforts with schools and national education groups to garner their support to implement the guidelines. The Alliance will soon offer a web-based product catalog so that schools can more clearly understand what beverages fit the guidelines when they enter into or amend contracts.

The School Beverage Guidelines MOU requires full implementation of the guidelines by August 2009. The first progress report on implementation of the guidelines will be completed in August. Dr. Robert Wescott, an independent economist and member of the Clinton administration, is overseeing the process to gather and evaluate both sales volume and contract data from thousands of bottlers and schools across the country. This is not a simple process, but the work is well underway. We fully expect the August report to show a continued decline in the sale of full calorie soft drinks in our schools.

**Conclusion**

The American Beverage Association welcomes the opportunity to work with the Alliance for a Healthier Generation to provide guidelines for schools that offer more lower-calorie and nutritious beverages. As we complete the first school year affected by our agreement, we can report good progress in achieving our goals. While we applaud this Committee's efforts to find new ways to address student nutrition, we hope that it will recognize and support the significant effort by this industry to change the beverage offerings in schools that is already well underway. Limiting calories in schools is a sensible approach that acknowledges our industry's long-standing belief that school wellness efforts must focus on teaching kids to consume a balanced diet and get plenty of exercise. Our industry will continue to do its part to help our kids learn how to have a healthy life.

**STATEMENT  
OF THE  
SCHOOL NUTRITION ASSOCIATION  
BEFORE THE  
COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY  
UNITED STATES SENATE  
MARCH 6, 2007**

Chairman Harkin, Senator Chambliss, members of the Committee thank you very much for this hearing on Child Nutrition and for continuing the unique tradition of hosting this hearing during our Legislative Action Conference. I am Janey Thornton, President of the School Nutrition Association (SNA) from Hardin County, Kentucky. With me today is Mary Hill, from Jackson, Mississippi, who is our President-elect; Danny Scymour, from Pittsburgh, Pennsylvania who is the Chair of our Public Policy and Legislation Committee; Teresa Nece, from Des Moines, Iowa who is the Midwest Representative on our Board; several hundred of our dedicated colleagues; and our Counsel, Marshall Matz.

Mr. Chairman, as this is a farm bill year, allow me to also thank our farmers and ranchers for producing a safe, ubiquitous, and inexpensive food supply. American consumers spend less than 10% of their disposable income on food, the lowest in the world. Many Americans have come to take the food supply for granted, but as one of the nation's largest consumers, SNA would like to say "thank you."

**NUTRITION STANDARDS**

Chairman Harkin, let me start by expressing our appreciation to you, in particular, for your leadership on expanding the fruit and vegetable program and for the introduction of the Child Nutrition Promotion and School Lunch Protection Act. These proposals are important in the fight against obesity and SNA is pleased to support them both. The national concern about obesity seems to be growing as fast as our national waistline.

I am pleased to report this morning, if our SNA membership and our Industry Advisory Board are any judge, support for your legislation is increasing. SNA believes strongly the Secretary of Agriculture should have the authority to regulate the sale of

food and beverages throughout the entire school, throughout the school day. We cannot have one set of ala carte standards in the cafeteria and another set of standards, or no standards, down the hall.

We need consistent standards in the school for two reasons: to promote wellness, but also to send a consistent nutrition education message to students. As every parent knows, if we tell our children one thing but they see us do something else, they're going to follow our actions and ignore our words. Schools must also practice what they preach with the foods they sell. Therefore, we hope the Congress will move forward with this important legislation.

If the Congress is going to move forward in this area, however, it is our hope and our suggestion that nutrition guidelines within the cafeteria also be standardized. Current law requires that meals served be consistent with the Dietary Guidelines for Americans. However, in recent years different States, and some local districts, have come to interpret the Dietary Guidelines differently. Some states are more concerned about sodium, some about fat, some average nutrients over a week and some over a day. Some states consider the USDA Guidelines a minimum standard that they can "exceed" while others consider the USDA Guidelines to be THE standard that must be followed precisely. (See Attachment 1).

The ever-increasing range of nutrition standards is creating a significant problem for our schools and our industry partners who market foods nation-wide. The variety and disparity of standards throughout the country are forcing an increase in our food costs which we cannot accommodate given the current Federal reimbursement levels. In short, the current federal reimbursement cannot accommodate a variety of different nutrition standards. We have even seen a few schools drop out of the national program because of the difficulty of following state standards and purchasing foods that are consistent with the local or state guideline. (See attachment 2).

Mr. Chairman, whatever nutrients a child needs for optimal health in Iowa, are the same nutrients a child needs in Georgia and in every other state. States that have adopted nutrition standards are to be commended for their leadership. It is time for the federal government to catch up, take a look at the different state and local standards and establish national standards for reimbursable school meals and standards for all other foods sold in school. These standards can then be applied throughout the school throughout the entire day.

#### **PROGRAM ACCESS FOR LOW INCOME CHILDREN**

As we focus on improving the quality of school meals, we must not forget about those low-income students who qualify for the program but cannot afford to participate. I am referring, of course, to reduced price school meals. Students from families with incomes between 130% and 185% of the poverty line are charged a maximum of 40 cents per meal for lunch and a maximum of 30 cents for breakfast. While that may not sound

like a lot of money, it is keeping children out of the program. SNA believes if a family qualifies for free WIC benefits, that family should also qualify for free school meals.

Every day our SNA members are confronted with children who cannot afford the fee. Sometimes our members reach into their own pockets to pay the fee. Some schools hold up the last report card until all fees are paid. This problem is real. **There are families in America who cannot afford 40 cents per child for a nutritious school lunch and 30 cents per child for breakfast.** (See attachment 3).

In Salt Lake City, as an experiment, they eliminated the reduced price fee. Lunch participation rose 50% and breakfast participation increased 300%. **It appears that eliminating the reduced price fee has a much greater impact on breakfast participation than lunch participation.**

We are not here today, however, urging the Congress to expand the free meal program and eliminate the reduced price program. We are urging the Congress to finally fund the reduced price pilot program to determine once and for all whether it is the fee, as opposed to some other variable, that is keeping these low-income children from the program. According to USDA, a valid test can be implemented for approximately \$23 million over three years.

The major feature of the Farm Bill reauthorization is the Food Stamp Program. The Food Stamp Program is the backbone in the fight against hunger in America and we support the agenda recently outlined by the national anti-hunger organizations before the Committee. We are hoping, however, that as a part of a multi-billion dollar farm bill you can identify \$23 million for child nutrition and allow the reduced price pilot to go forward!

#### **BREAKFAST COMMODITIES**

Finally, as we celebrate National School Breakfast Week, we are asking the Committee to provide USDA commodities for the School Breakfast Program. As you know, USDA currently provides approximately 18 cents in commodities for each lunch served to the almost 30 million children in the program. By comparison, no commodity support is provided to the School Breakfast Program and the 9 million children who participate, even though all available research indicates that it is the most important meal of the day. School breakfast commodity support would help us expand the program and would at the same time support American agriculture. We are suggesting that 10 cents per meal be provided in USDA commodities for each breakfast served.

Mr. Chairman, members of the Committee, that concludes our formal statement. We would be pleased to answer any questions. Again, thank you very much for the opportunity to appear here today.

School Food Nutrition Standards – Selected States and Districts  
Standards Listed Refer to NSLP/NSBP and/or Snacks, Vending, and Ala Carte\*

Attachment I

| State/District  | Fat   | Sat/Trans Fat   | Sugar  | Other  | Calories   | Sodium   |
|---|---|---|--|--|--|--|
| Arizona (Elim. – a la carte/vending)  | 35% or less of total calories from fat                                  | 10% or less of total calories from saturated and trans fatty acids (combined) | No more than 35% total sugar by weight   | Must contain at least 1 gram of fiber<br>Exceptions (cheese, nuts and seeds, others)<br>Limitations on fried/deep fried items<br>Serving size limits   | Maximum 400 calories per serving for entrée items sold as a la carte<br>Maximum 300 calories per serving for all other items | Maximum 800 mg of sodium for entrée items sold as a la carte<br>Maximum 600 mg of sodium for all other snack items |
| California (Elim. – outside of NSLP/SBP - As of 7/1/07)   |   |   |  | Nuts, Nut Butters, and Seeds; Eggs; Cheese packaged for individual sale;<br>Fruit, Vegetables (deep fried vegetables are not allowed); Legumes; Dairy or whole grain items that contain no more than the following in each individually-sold food item:<br>35% of calories from fat;<br>10% of calories from saturated fat;<br>35% of total weight from sugar (naturally occurring and added sugar); and 175 Cal.<br>Limit prepared foods and pastries |  |  |
| Los Angeles   | Limit entrée to 35 g fat<br>No more than 18 grams per entrée.           | No more than 5 grams per entrée.  | Limit added sugars to less than 7g/oz cereal<br>No more than 15 grams added sugar per entrée.                  | Increase choices of entrees with whole grains and foods containing fiber.<br>Portion size: No larger than the serving size that would normally be planned and served as part of the reimbursable meal for the appropriate age/grade group under  |  | 1500 mg sodium/meal averaged over week<br>Not yet defined.   |
| Connecticut (voluntary a la carte entrée standards – not part of NSLP - K-12 - \$.10/NSLP meal incentive) |   |   |  |  |  |  |
| Illinois (Elim. – individual food sales – a la carte, vending, school stores, fundraising)                | 35% or less fat calories per serving OR 8 grams or less fat per serving | 10% or less saturated fat per serving   | Total amount of sugar by weight does not exceed 35 percent (includes both added and naturally occurring sugar) | Separate standards for soups, NSLP sides, cooked grains, fruits and vegetables, snacks and desserts.<br>Not allowed for grades Pre-K thru 5. Separate standards for nutrient dense foods and a la carte entrée items.  | Not to exceed 200 calories per serving.  |  |

\*\*For complete information on any district or state, contact the School Nutrition Association, Phone: (800) 877-8822

School Food Nutrition Standards -- Selected States and Districts  
Standards Listed Refer to NSLP/NSBP and/or Snacks, Vending, and Ala Carte\*

|                             |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|
| Kentucky                    | 30% fat calories   | No more than 9 grams total fat per food item                                       | No more than 2 grams sat. fat per food item  | 32% sugar by weight & 14 grams sugar (some specific exceptions)  | Cal from fats excludes reduced fat (two (1) percent milk-fat or less), cheese, nuts, seeds, and nut butters. Portion size limits are specific to particular food items. Beverages no more than 10g/serving. No sales outside NSLP/NSBP until 30 min after last lunch   | 300 600-mg sodium depending on item. Specific portion sizes also given |
| Maryland (Elim. And Middle) | No more than 9 grams total fat per food item                               | No more than 2 grams sat. fat per food item  | No more than 15 grams of sugar per food item   | No more than 15 grams of sugar per food item   |  |  |
| Detroit, MI                 |  |  | 25% sugar by weight (nuts/fruits/veg exempt)   |  | nutritious, fresh, locally grown food (USDA approved) that reflects Detroit's cultural diversity   |  |
| New Jersey                  | No more than 8 grams total fat per food item                               | No more than 2 grams sat. fat per food item  | No more than 2 grams sat. fat per food item  |  | Schools required to reduce the purchase of all products containing trans-fats by September 2008. No FMNVs anywhere on campus during school day.  |  |
| New Mexico (Ala Carte)      | No more than 16 grams of fat per food item                                 |  | No more than 30 grams of sugar per food item   | No more than 30 grams of sugar per food item   |  | No more than 400 calories per food item                                |
| North Carolina              | 35% total calories from fat, excluding nuts and seeds                      | 10% total calories from saturated fat  | 35% added sugar by weight  |  | Fruit (some fresh) or vegetables (not fried)<br>Yogurt<br>The same portion size of any food item served that day in the NSLP or SBP that meets Requirements.   |  |
| New York City               |  | Max 38% total calories from fat  |  |  | Artificial coloring, flavoring and sweeteners and MSG are not permitted.   | 350 mg serving   |
| Philadelphia                |  |  |  |  | Total fat content must be less than or equal to 7 grams per serving. Saturated fat content must be less than or equal to 2 grams per serving. Sodium content must be less than or equal to 360 milligrams per serving. Sugar content must be less than or equal to 15 grams per serving. Candy will not be sold or served during the school day. |  |
| Rhode Island                | No more than thirty percent (30%) of its total calories shall be from fat. | Not more than ten percent (10%) of its total calories shall be from saturated fat. | Not more than seven (7) grams of total sugar (includes both naturally occurring and added sugars) per ounce. | Not more than seven (7) grams of total sugar (includes both naturally occurring and added sugars) per ounce. | Individually sold enriched or fortified grain or grain product, or whole grain food items. Individually sold portions of low fat yogurt with not more than four (4) grams of total carbohydrates (including both naturally occurring and added sugars) per ounce and   |  |

\*For complete information on any district or state, contact the School Nutrition Association, Phone: (800) 877-8822

**School Food Nutrition Standards – Selected States and Districts  
Standards Listed Refer to NSLP/NSEBP and/or Snacks, Vending, and Ala Carte\***

|  |   |  |  |   |  |
|--|---|--|--|---|--|
| Tennessee (K-8 – food items sold individually)                   | Calories from total fat must be at or below 35%, excluding nuts, seeds, and nut butters.  | Calories from saturated fat must be at or below 10%.   | Calories from sugar must be at or below 35% by weight. | reduced fat or low fat cheese packaged for individual sale.<br>Individually sold portions of nuts, nut butters, seeds, eggs, and cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes.<br>Fruits and Non-Fried Vegetables that can be sold individually include the following: 1. Fruits and vegetables may be fresh, frozen, canned or dried, and they must be found in the Food Buying Guide for Child Nutrition Programs.<br>Examples of products that cannot be sold as a fruit or vegetable include: (i) Snack-type foods made from vegetables or fruits, such as potato chips and banana chips; (ii) Pickle relish, jam, and jelly; and (iii) Tomato catsup and chili sauce. 3. Fruits and non-fried vegetables are exempt from portion-size limits. | Chips, cereals, crackers, French fries, baked goods, and other snack items may contain no more than 230 mg. of sodium per serving; pastas, meats, and soups may contain no more than 480 mg. of sodium per serving, and pizza, sandwiches, and main dishes may contain no more than 600 mg. of sodium. |
| Texas (Elementary through grade 6 - as of 2007-2008 school year) | Individual food items must not contain more than 23 grams of fat with an exception of one individual food item per week. No food items can exceed 28 grams of fat at any time. (See the full policy for peanut butter exemption.) | Trans fat information must be requested in all product specifications and of products containing trans fats must be reduced. |  | Deep-frying must be eliminated as a method of on-site preparation.<br>Deep fried processed (manufactured) foods that have been pre-fried, flash-fried or par-fried by the manufacturer may be served but must be baked or heated by another method.<br>French fried potatoes must be baked for on-site preparation.<br>Portions may not exceed 3 oz., may only be served once a week, and may only be purchased by students one serving at a time.<br>Fruits and Vegetables must be offered daily on all points of service, preferably fresh. Frozen and canned fruits should be packed in natural juice, water or light syrup whenever possible.<br>Portion size limits exist for certain items (ie chips etc)   |  |
| West Virginia  |   |  | Less than 40 percent added sugar by weight             |   |  |

NOTE: Beverage standards vary as much as food standards and were not listed in this chart. Middle school and high school nutrition standards differ from the above elementary level in some states and were not included. Limitations on time of day and location of sale of certain items vary from state to state.

\*For complete information on any district or state, contact the School Nutrition Association, Phone: (800) 877-8822

**Attachment 2**

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The Dallas Morning News

**Rich schools reject junk food rules  
And reap profits**

09:37 AM CDT on Friday, October 13, 2006

By **KIM BREEN** / The Dallas Morning News

PLANO – Soda flows freely in the newly remodeled Plano Senior High School cafeteria. Big Grab chip bags are again up for grabs. The same goes for Skittles and plus-size pastries.

It's enough to make most junk-food-deprived Texas schoolchildren drool.

State rules cut portion sizes, fat and sugary snacks in schools to curb skyrocketing child obesity rates two years ago. Schools that violated those restrictions forked over \$54,000 last year in lost funding and face higher penalties this year.

But a handful of wealthy school districts have rejected the rules altogether in some high schools, saying student choice and healthier cafeteria budgets outweigh efforts to force teenagers to eat right.

Allen, Frisco, Carroll, Coppell and, most recently, Plano are among the districts that give up government money for high school cafeterias for freedom from the food police.

They offer what they say older kids demand – the good and the bad – to make ends meet.

And in response, business is booming.

At Plano Senior High, which abandoned the federal meals program and state restrictions this year, entree sales have tripled. Students and staff spend \$750 a day at the new 7-Eleven-style convenience store, which is next to the lunch lines.

The staff scrambled to add a third cash register to meet demand in a cafeteria that could barely compete with nearby fast-food restaurants last year.

"I was nervous the first day," said Cynthia Lee, director of food and nutritional services for Plano schools. But students lined up at the pastry counter and made-to-order stir-fry line during a recent lunch show her fears were unfounded.

"We were overwhelmed," she said. "It was packed." She attributes the success to better presentation and flexibility in what the schools can offer.

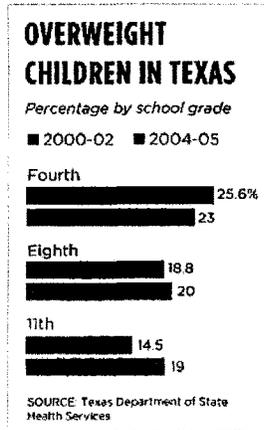
"It is amazing. I hope the revenues reflect that, too."

LeAnn Kridelbaugh, a physician nutrition specialist at Children's Medical Center Dallas, said schools should not compromise student health to stay afloat financially.

"I'm sure they could make a lot of money selling cigarettes in the schools, too," she said.

Obesity rates for adolescents have tripled since 1980 and doubled for younger children. Even older students need to be protected from themselves sometimes, Dr. Kridelbaugh said.

"Kids traditionally are not good at delaying gratification," she said.



SERGIO PEÇANHA/Staff Artist

Most schools comply

The vast majority of schools are following state rules, and kids are healthier because of them, said officials from the state Department of Agriculture.

"What we've seen a lot of is districts that have actually gone above and beyond what our policy is," said Nicole Notarianni, lead compliance monitor for the department's child nutrition programs. "Some [schools] choose not to be on our program to do what they want to do. Of course, that's their decision."

Nutrition rules in schools have restricted everything from pizza parties to sprinkles on snack cakes in Texas schools since August 2004. The rules are tightest in elementary schools and grow less restrictive in middle and high schools.

Schools caught violating rules are docked funds doled out through the federal child nutrition program, which reimburses districts for meals that meet certain dietary requirements.

Reimbursements are highest for poorer students who qualify for free or reduced cost lunch. The government generally pays \$2.40 for each free lunch, \$2 for reduced price lunch, and 23 cents for a paid lunch.

That means schools that enroll poorer students earn the highest reimbursements. Most districts are sticking with the federal program in elementary and middle schools because a higher proportion of free and reduced meals are served at lower grade levels. Food service leaders also said more restrictive diets make better sense for young students. High schools generally sell the fewest reimbursable meals because older students are more likely to find the money they need to buy what they like, in or outside of the cafeteria.

So wealthier districts forfeit much smaller checks than districts like Dallas, which rely heavily on reimbursements. In those districts, cafeteria managers have found they can easily make up the money lost by offering meals and snacks that don't meet state restrictions.

In the Frisco district, the decision was a no-brainer, said Child Nutrition Director Lena Wilson.

"We looked at the cost," she said. "We would lose more money by adopting those restrictions than we would get in reimbursements."

The nutrition department made a \$109,000 profit in 2003-04 from selling just four items: candy bars, sports drinks, extra-large cookies and large muffins.

It forfeited \$81,000 in federal reimbursements that year.

None of the district's high schools have participated in the reimbursement system at lunch since the state nutrition rules went into effect.

Money collected from the teenagers is helping some districts make up for funds they lose at the elementary and middle schools, which follow state food restrictions.

Most districts strive for self-sufficient food service programs, which must keep up with rising labor and other costs, Ms. Wilson said.

"I just think it was so extreme that it really tied some of our hands," she said.

"The whole point of the [food services] program is not to make a ton of money. It's to break even and operate soundly."

Frisco high schools haven't turned to a "free-for-all" in the cafeteria, Ms. Wilson said.

Soda is not served. But foods in larger portion sizes than the state allows, such as big cookies, are sold at lunch.

"At the high school age, the kids are pretty much set in their eating habits," Ms. Wilson said. "We're trying to cater to who our customers are. The kids have a certain expectation. They're very verbal about it. ... By prohibiting more products, it only makes them want it more."

Their choice to make

At Plano Senior High, where the revamped cafeteria is considered a pilot program, the convenience store is outfitted with the typical fare. Glistening hot dogs perpetually turn on a silver display, a giant tub of pickles sits on the counter, and \$2 Starbucks drinks chill in a cooler.

During a recent lunch, baklava, banana bread and other baked goods protected by cake domes and in a display case elicited "oohs and aahs." Candy bars, chips and packaged cookies also abound. But healthier fare, such as frozen yogurt, fresh fruit and salads are also popular.

Competition is fierce in Plano high schools because students can leave campus at lunch.

The school plans to offer made-to-order waffles and a panini grill soon.

"You want to have the freedom and flexibility," Ms. Lee said. "Kids will pay a little more if you have the things they like. ... I think it's my job to give them variety."

During a recent lunch, Plano juniors Kristen Hernandez and Savannah Deegan, both 16, said they're fans of the new choices in the cafeteria. Among Savannah's favorites is the made-to-order stir-fry, made with fresh vegetables.

Her stepfather, Rudy Escobar, said he would prefer that cafeterias offer only healthy fare and leave out the junk food. "When I went to school, they didn't offer us any cakes," he said. "Parents had control."

He trusts Savannah's food choices and said that even if she eats junk at school, she's active enough to burn off the extra calories. At home, he said, Savannah eats fruits and vegetables. "We monitor what she eats," he said.

This generation of students is well informed about healthy choices, Kristen said.

"They've been drilling that into our brains since elementary school," she said. That doesn't mean they want only health food. "We're just stubborn people."

Senior Teresa Rodriguez said more students this year are staying at school for lunch, rather than going off campus for cheap, fat-laden food on dollar menus.

She buys large fruit cups or bottled water at the school's convenience store, but she's noticed students grabbing quick donuts for breakfast.

"Well, let's face it," she said. "We're all going to be living on our own in a year or two. If we can't decide now [to choose healthy meals], it's pretty much a lost cause."

Balancing act

School nutrition directors constantly walk the line between running a sound business and doing what's right for kids, said Dorothy Thompson, director of student nutrition for the Allen school district.

In a perfect world, Allen would stop selling soda to its high school students and shut down the snack bar, she said. But by high school age, some students would rather go without eating if they don't see items they want.

"I really feel that they need to have some self-responsibility at this age," Ms. Thompson said. "At the same time, I need to model as best I can and keep putting in front of them what is the best for them.

"Some of the restrictions have been good," she said. "There's got to be some balance ... to not make them so strict that it's almost difficult to make a business run."

Dr. Kridelbaugh said the state may have to find ways to take the financial pressure off school food service departments.

"We may have to put some money behind some of their food service efforts for the health of our children."

E-mail [kbreen@dallasnews.com](mailto:kbreen@dallasnews.com)

**SOME VIOLATORS OF SCHOOL FOOD POLICY**

Nearly 45 Texas school districts lost about \$54,000 in meal reimbursements during the 2005-06 school year because of violations of the state's nutrition policy. The following is a sampling of funding losses:

| DISTRICT      | AMOUNT  | VIOLATION/COMMENTS   |
|---------------|---------|--|
| Abilene       | \$1,305 | High school machines in courtyard where students can take meals; beverage size violation |
| Cedar Hill    | \$557   | Portion size over limits in vending machines   |
| Comanche      | \$465   | Lollipops given out during a class presentation  |
| Como-Pickton  | \$1,407 | Candy and baked goods in vending machines; portion size violation                        |
| Dallas        | \$3,966 | Cookies too large; sales of Skittles   |
| Edinburg      | \$1,222 | Food with minimal nutritional value/lollipops during school day.                         |
| Elkhart       | \$1,031 | French fries violate 3-ounce portion limit and were served over allowable times per week |
| Florence      | \$292   | Pizza party held in cafeteria during lunch   |
| Grand Prairie | \$2,677 | Over 28 grams of fat twice per week  |

|  |          |   |
|--|----------|---|
| H-E-B  | \$1,670  | Vending machine violation; too much sugar in drink; portion size violation                              |
| Houston  | \$15,073 | Violations involved candy, sharing and food with minimal nutritional value                              |
| Lindale  | \$577    | Elementary teacher gave students fruit drinks for lunch   |
| Lubbock-Cooper   | \$1,191  | Candy led to several violations at one elementary school  |
| Mesquite   | \$2,429  | Candy over 1.5 ounces   |
| Northwest  | \$926    | Vending machine violations  |
| Pilot Point  | \$305    | Candy in vending machines over 1.5 ounces   |
| Plano  | \$1,067  | Carbonated beverage violation; Gummi Bears shared by student  |
| Prosper  | \$1,064  | Vending machine turned on and french fries served over allowable times per week; portion size violation |
| Richardson   | \$28     | Cupcakes and cookies in cafeteria   |
| San Antonio  | \$6,358  | Cookies too large; food competing with approved school lunch  |
| Scurry-Rosser  | \$166    | Cookies too large; beverage size and vending machine violations   |
| Yantis   | \$1,507  | French fries more than one time per week for elementary   |
| NOTE: Fines rounded to nearest dollar. SOURCE: Texas Department of Agriculture |          |   |

Attachment 3



**Military Impacted Schools Association**

**1600 Highway 370**

**Bellevue, NE 68005**

**(800) 291-MISA • fax (402) 291-7982**

**[www.militaryimpactedschoolsassociation.org](http://www.militaryimpactedschoolsassociation.org)**

April 7, 2005

The Honorable Ross DeLauro  
Ranking Member  
Subcommittee on Agriculture, Rural Development Food and Drug  
Administration and Related Agencies  
House Committee on Appropriations  
Washington, DC 20515

Dear Congresswoman DeLauro:

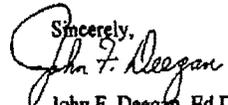
I am writing on behalf of the Military Impacted Schools Association (MISA), serving the 55 school districts nationwide most heavily impacted by the children of military personnel.

MISA's mission is to serve the needs of the children of military personnel, including their need for proper nutrition. There are many issues facing military children, particularly those whose parents have been deployed. The one problem they should not face is access to nutritious meals.

Last year, Congress passed the Child Nutrition and WIC Reauthorization Act of 2004. MISA supported a provision in that law creating a pilot program to eliminate the reduced price fee in up to five states. Many of our children just miss the income requirements allowing them to be eligible for free meals. This creates a financial hardship on families and increases the paperwork on schools.

On behalf of military families throughout the United States, we encourage Members of the Committee on Appropriations to include funding in the 2006 appropriations bill to fund the pilot program eliminating the reduced price meal category which also reduces paperwork on the state and federal level.

If you have any questions regarding the impact of this provision on military families, please do not hesitate to contact me.

Sincerely,  
  
John F. Deegan, Ed.D.  
Chief Executive Officer

**Attachment 4****HEALTHY CHANGES IN SCHOOLS**

- Foods baked rather than fried
- More fresh fruits and vegetables served
- More whole grain products served
- Nutritional analysis of menus on district website
- Nutrition information available for teachers, students and parents
- More fat-free products being utilized
- Low-fat milk is now standard
- Fat being replaced with healthy substitute in many baked products (i.e. Part applesauce used instead of fat in cookies and cakes)
- Products from manufacturers processed to contain lower fat, sodium, and sugars while still meeting the “student acceptance” test
- Elimination of trans fats
- Nutrition standards for ala carte addressing fats, sodium, added sugars, and portion sizes
- More nutrition education taking place in the classroom
- Foods seasoned with herbs and spices rather than salt
- More frozen vegetables used than canned (eliminating sodium)
- More training for employees on healthy food preparation techniques
- Low fat cheese utilized in recipes
- Recipes standardized to ensure accurate nutritional analysis

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**DOCUMENTS SUBMITTED FOR THE RECORD**

MARCH 6, 2007

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Two North LaSalle Street  
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Chicago, Illinois 60602  
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Fax: 312/827-8737

February 6, 2007

The Honorable Tom Harkin,  
Chairman

The Honorable Saxby Chambliss,  
Ranking Member

Agriculture, Nutrition, & Forestry Committee  
328A Russell Senate Office Building  
Washington, DC 20510

**RE: Written Testimony for the March 6, 2007, Committee Hearing: Investing  
in our Nation's Future through Agricultural Research**

Dear Senators Harkin and Chambliss:

The Engine Manufacturers Association (EMA) is the trade association representing the major manufacturers of internal combustion engines used in a wide variety of applications including agricultural equipment, heavy-duty on-highway trucks and buses, construction equipment, marine vessels, lawn and garden equipment, and stationary generators. We thank you for holding this important hearing on agricultural research and for making this written testimony part of the record.

A key component of agricultural productivity is the use of high performance, diesel-engine driven equipment. A recent USDA report indicates that diesel fuel comprised about 43% of total energy consumption on US farms, representing nearly 3.8 billion gallons of diesel fuel. Agriculturally-derived alternative fuels, such as biodiesel, have the potential to supplement today's transportation petroleum fuel supply, reduce the nation's dependence on foreign energy sources, and may be a key factor in reducing greenhouse gas emissions. Today, there is tremendous interest in the use of biodiesel fuel in diesel engines that, as noted above, are the workhorses of our agricultural and transportation economy. Yet, there is very little information available on the use of biodiesel fuels in modern diesel engines and the effects of biodiesel fuel on engine performance, durability, or emissions.

This lack of information on biodiesel fuel use is particularly critical today since the US EPA recently promulgated very stringent emission standards for both on-highway vehicles and nonroad equipment that will reduce emissions from diesel engines to near zero levels, thereby improving air quality throughout the nation. Diesel engine manufacturers are investing billions of dollars in new technology in order to meet the new emission standards that are based on the use of ultra-low sulfur diesel fuel. These new high performance engines with aftertreatment pollution control equipment require high-quality fuel in order to maintain the performance and durability that owners expect and to achieve the near-zero emissions that regulations require.

EMA European Office, C.P. 65, CH-1231 Conches, Switzerland  
Telephone: +41 22 784 3357 Facsimile: +41 22 784 3349

EMA is a Non Governmental Organization in Special Consultative Status with the Economic and Social Council of the United Nations

A critical research issue that needs to be addressed is the performance and effects of the use of biodiesel fuel in diesel engines, today and in the future. Until engine manufacturers, regulatory agencies, and end users can be assured that the long-term use of biodiesel fuel will not adversely affect the engine, aftertreatment equipment, or an engine's emission profile and compliance, there will be a significant barrier to the increased use of biodiesel fuel. Therefore, it is important that the necessary research be conducted to demonstrate the performance and impact of the use of biodiesel blends in state-of-the-art engine technology.

The biodiesel and OEM industries are committing significant resources towards testing biodiesel fuels, but federal support is needed to complete the timely testing of biodiesel blends and to help assure the compatibility of biodiesel blends with the new engine and emission control technologies. This research is needed in order to put to rest the uncertainty that currently surrounds the properties and quality of biodiesel fuel in the marketplace and to gain widespread approvals for the use of higher levels of biodiesel fuels.

EMA respectfully suggests that a research program on the effects of biodiesel fuel clearly falls within the scope of the farm bill's research activities on energy crops and improving biofuel based products and energy fuels, particularly given the importance of diesel fuel to the agricultural community.

With the National Biodiesel Board, EMA supports the need for research on several vital technical issues and recommends that research funding be directed towards the following priorities:

- Long term durability studies using biodiesel blends;
- Testing of B20 and lower blends in post-2007 engines (on and off-highway);
- Funding for research on emissions, performance, and compatibility with advanced engines and emission control systems;
- Funding for research on lubricating oil requirements;
- Funding for research on compatible bearing materials;
- Funding for biodiesel education and fuel quality enforcement; and
- Testing of biodiesel in advanced combustion concept engines.

Thank you for your review and consideration of these comments and recommended priorities for the Farm Bill research agenda.

Very truly yours,

*Jed R. Mandel*

Jed R. Mandel  
President



March 12, 2007

The Honorable Tom Harkin  
 Chair  
 Senate Committee on Agriculture, Nutrition and Forestry  
 Senate Russell Building, Room 328-A  
 Washington, DC 20510

The Society for Nutrition Education (SNE) is pleased to submit the following statement for the Senate Agriculture, Nutrition and Forestry Committee record for the hearing on "Child Nutrition and the School Setting." As the Committee begins work on critical issues in the 110<sup>th</sup> Congress, you and your colleagues have the opportunity to protect and enhance the health of children through school food programs which provide food and educate America's children for living healthful lives.

SNE believes school food programs – the school breakfast program, school lunch program, after school food program, summer food program, and the fruit and vegetable snack program are all critical in providing food for children in public and private schools in America. These programs are especially important for children from low income families for whom school food is often a very large percentage of the food they will eat in the day.

All of these important school food programs are operating in the midst of increasing concern about childhood obesity and related health issues from diabetes to high blood pressure once found only in adults, but now found ever more frequently in children. This has led experts to predict that children born today will live lives shorter than their parents for the first time in recorded history. These health issues can be partially explained by the eating habits of children. For example, US Department of Agriculture (USDA) research has shown that only 2% of children meet all of the recommended servings in the USDA's MyPyramid.

Schools participating in the school food programs, however, are required by USDA to serve meals that meet the standards established by the Dietary Guidelines for Americans. USDA studies find that school lunch participants consume less sugar, soft drinks, and sweetened fruit drinks; consume more milk and vegetables; and have higher intake of many key vitamins and nutrients than do non-participants. The meals eaten in a school cafeteria comprise anywhere from 19-50% of students' total daily caloric intake during a school day.

Unfortunately, children also consume foods at school from sources such as vending machines which compete with the school food programs (thus the term competitive foods). These foods are generally of minimal nutritional value. USDA has reported these competitive foods have an impact. They:

- influence diet-related health risks;
- stigmatize participation in school meal programs;

Society for Nutrition Education ■ 7150 Winton Drive ■ Suite 300 ■ Indianapolis, IN 46268  
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- decrease viability of school meal programs; and
- convey a mixed message about nutrition and health.

Other studies have shown competitive foods:

- 1) are often high in fat, sodium, and added sugar;
- 2) displace student consumption of more nutritious foods; and
- 3) cause a negative relationship between revenue from competitive foods and school lunch participation.

A new report from the University of California shows results from studies on the effect of California's competitive food standards. The studies indicate that nutrition standards for school foods and beverages not only improve the quality of the individual foods and beverages sold to students but also result in a shift in student purchases away from snack foods toward complete meals. Nutrition standards have a double benefit: not only do students eat healthier foods but school food service can actually increase their revenues.

All of these issues in child nutrition are of great concern to SNE as an international organization of nutrition education professionals who conduct research in education, behavior, and communication; develop and disseminate innovative nutrition education strategies; and communicate information on food, nutrition, and health issues to students, professionals, policy makers, and the public. SNE is prepared to work with you and the members of the Committee to address children's health issues through public policies that support effective nutrition education in a health-promoting environment for children.

#### **The Child Nutrition Promotion & School Lunch Protection Act**

Promoting child nutrition in schools was an obvious choice in 1946, as it is now. Students have the opportunity to eat a significant portion of their daily dietary intake at school. Schools are an appropriate setting for teaching children important health lessons, including how to adopt and maintain a healthy, active lifestyle. The non-verbal lessons, i.e. the foods that are available in the school and school activities, are more effective than the verbal lessons, because they present children with the foods to eat, not the theory of what to eat. With this didactic and experiential learning, well-nourished, physically active students exhibit improved academic and athletic performances, better test scores, improved attendance, lower incidence of illness, support of healthy lifestyle behaviors, better student behavior, and increased attention and creativity.

SNE supports the Child Nutrition Promotion & School Lunch Protection Act. We believe this Act is necessary to provide the Secretary of Agriculture the authority to consider and implement recommendations made by authoritative scientific organizations concerning appropriate nutritional guidelines for foods sold in schools participating in school food programs.

SNE recommends that this legislation:

- Cover all foods sold in schools including a la carte lines, vending machines, and school snack bars;
- Encompass all foods made available on school grounds;

- Apply to the entire school day;
- Support fundraisers that promote that sale of fruits and vegetables or other efforts that are in line with a healthy lifestyle; and
- Promote and incorporate local wellness policy initiatives with school food programs.

This Act makes exceptions for school parties and classroom celebrations, as well as provides exemptions for school fundraisers. SNE, however, is cautious to support exceptions and exemptions that encourage eating patterns that could potentially teach children unhealthy eating habits. For example, rewarding children with food has been shown to have negative dietary repercussions.

### **The Fruit and Vegetable Snack Program**

In operation for the last four years in several states, the Fruit and Vegetable Program (FVP) has shown success in increasing children's intake of fruits and vegetables resulting in healthier eating habits for a lifetime. In 2002-2003, schools provided fresh and dried fruits and fresh vegetables to all students at no cost at 25 pilot schools in Indiana, Iowa, Ohio, and Michigan and the Zuni Indian Tribal Reservation in New Mexico.

The success and political support for the program led to Congress converting the FVP from a pilot program to a permanent program in The Child Nutrition and WIC Reauthorization Act with an expansion in 2004 to 8 states and 3 Indian Tribal Organizations. In 2005-2006, Congress again appropriated funds to expand the FVP to include a total of 14 states. The states currently participating include: Connecticut, Idaho, Mississippi, New Mexico, North Carolina, Pennsylvania, Texas, Utah, Washington, and Wisconsin, along with the original four: Indiana, Iowa, Ohio, and Michigan. SNE is proud of the success and political support the FVP receives, as we have been a player supporting the program from the very start.

SNE currently recommends:

- Expansion of the FVP to all 50 states;
- Increase fresh, regionally-grown foods in the FVP through pilot projects that focus on local strategies that build stronger connections between local farmers (new, transitioning, immigrant, small and mid-sized) and schools.
- Requirement of a Farm-to-School coordinator in each state that has FVP projects to work directly with schools, state department of education, state department of agriculture, local farm groups, cooperatives, and food policy councils.
- Provision of technical assistance and incentives (e.g., on-farm entrepreneurship, micro-credit, or development of infrastructure such as farmer cooperatives) to farmers (new, transitioning, immigrant, small and mid-sized) to support the increased demand for fresh fruits and vegetables for the FVP. Also important:

Society for Nutrition Education ■ 7150 Winton Drive ■ Suite 300 ■ Indianapolis, IN 46268  
Tel: 317-328-4627 or 800-235-6690 ■ Fax: 317-280-8527 ■ www.sne.org ■ info@sne.org

- Regionally-produced food must be sustainably-raised with little or no pesticides, herbicides or fungicides in an effort to decrease pesticide exposure to children, with a preference for organically-grown fruits and vegetables.
- Assistance for farmers and/or schools for increased labor costs with processing regionally-produced food (small scale processing).
- Provision of technical assistance to schools to increase percentage of regionally-grown products purchased as part of the FVP.
  - Schools that provide regionally-produced food would integrate nutrition education in the curriculum including learning more about the farms in which the food is grown.
- Research for a strong evaluation component of FVP to look at health status of students, local economic factors, community indicators, etc.

SNE thanks the Committee for their work in promoting child nutrition in schools. SNE also appreciates this opportunity to share its expertise in this critical endeavor.

Sincerely,



Robin A. Orr, PhD  
President  
Society for Nutrition Education



GENERAL MILLS

March 5, 2007

Ms. Janey Thornton, SNS  
SNA President  
School Nutrition Association  
700 S. Washington Street  
Suite 300  
Alexandria, VA 22314-4287

Dear Ms. Thornton:

We share SNA's concern about emerging problems with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, a state can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

We agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program.

Thank you very much for your efforts on behalf of America's children.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mary Catherine Toker'.

Mary Catherine Toker  
Vice President, Government Relations

A handwritten signature in black ink, appearing to read 'Lesa Tieszen'.

Lesa Tieszen  
Channel Marketing Director

**Land O'Lakes, Inc.**



March 1, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and, in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend will make it virtually impossible to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

*Sheila M. Bianconi*

Sheila M Bianconi  
Director, School Foodservice  
Land O'Lakes, Inc.

*Steven Krikava*

Steven Krikava  
Director, Government Relations  
Land O'Lakes, Inc.



March 5, 2007

The Honorable Collin Peterson  
Committee on Agriculture  
House of Representatives  
Washington, D.C. 20515

Dear Representative Peterson:

As a member of the School Nutrition Association, I have taken an interest in the ongoing review of the dietary guidelines. After reviewing SNA's position on the issue of uniform national standards, I must agree with them.

As a large processor of fluid dairy products we serve many school districts and do so by complying with the specifications set forth in the USDA-Guidance. We process lowfat and non-fat milk in five flavors and several different packages in order to maximize the level of participation in the school breakfast and lunch programs. We do this in an attempt to assist our school district customers in supplying the most nutritious meals some of their students will receive each day.

I feel your assistance in setting uniform guidelines will further assist them in achieving their goal while making the food processors more efficient in production.

I appreciate your consideration of my thoughts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raymond A. Platter', with a horizontal line extending to the right.

Raymond A. Platter  
Executive Vice President  
Borden Milk Products Division  
National Dairy Holdings



March 4, 2007

The Honorable Barbara Mikulski  
Committee on Education  
U S Senate  
Washington, DC 20510

Dear Senator Mikulski

As a major employer in Maryland and a key supplier to the school foodservice industry, Perdue Farms would like you to support the following issues surrounding the nutrition of our school age children.

**Nutrition Standards** – Perdue urges the requirement of a uniform national standard to govern the sale of all foods made available on the school campus during the school day. While school programs must follow the *Dietary Guidelines for Americans*, the implementation of the guidelines is not uniform throughout the country. We need consistent standards in the schools to promote wellness. In addition, manufacturers will be challenged with whether or not we will be able to make affordable products to meet all the different standards implemented by states, counties and school districts.

**School Breakfast Commodities** – USDA currently provides 18 cents in commodities for each school lunch served to 29 million children in the program. Yet, 9 million children participate in the school breakfast program with no funding at all. Not only could we provide better more nutritious breakfast for those 9 million but, we could feed many more children that need a healthy breakfast but go hungry since there is no support.

**Elimination of Reduced Program (ERP)** – data indicates that the daily 40-cent cost for a reduced price lunch and the 30-cent fee for a school breakfast is a barrier to participation for low income working households – *including military families!* The 40-cent and 30-cent fees for many hard working low-income families are simply more than they can afford. So, the end result is we have children not eating at all when these children could easily be moved into the free portion of the National School Lunch Program with little impact on the program or to taxpayers.

Please consider supporting these initiatives and help our children to be better fed and in turn, better educated. Feel free to contact us should you have any questions on these complicated topics.

Sincerely,

A handwritten signature in black ink that reads "Kevin Riddle". The signature is written in a cursive style.

Kevin Riddle  
Division Manager/School Foodservice  
Perdue Farms Inc.



Frank B. van Schaayk  
CEO

**McCain Foods USA, Inc.**

2275 Cabot Drive  
Lisle, IL 60532-3653  
Telephone (630) 857-4255 Fax (630) 857-4566

March 5, 2007

The Honorable Tom Harkin, Chairman  
Committee on Agriculture, Nutrition and Forestry  
United States Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As you work through a very complex farm bill, you are no doubt aware of an emerging problem with regard to the USDA School Lunch Program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines. In recent years, however, individual states, counties and in some cases local districts have begun interpreting the Dietary Guidelines differently. For example, different states can have different fat standards or sodium guidelines. Some of these interpretations counter the very intention of the Act by inadvertently restricting or banning some very healthful and nutritious foods. The varied interpretation is also making it very difficult for industry to develop products for the USDA School Meal Program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we support the School Nutrition Association and others who are asking Congress to establish one uniform nutrition standard for the USDA School Lunch Program. A national standard based on sound nutritional information should apply throughout the school, during the entire school day. The standard should not exclude specific food types, but instead set nutritional requirements that will help ensure the health of our nation's children, and provide a stable target for food manufacturers to meet. In short, we believe uniform national nutrition standards are good for children, good for schools and good for business.

Thank you very much for your consideration. My company is a leader in offering products with 0g trans fat and low saturated fats. We would be pleased to further discuss our point of view on this important subject with you and your staff.

Sincerely,

A handwritten signature in black ink that reads "Frank van Schaayk". The signature is written in a cursive style and is positioned above the printed name and title.

Frank van Schaayk  
CEO

FVS/dbk



**GOLD KIST INC.**

244 Perimeter Center Parkway, N.E. (30346-2397) • P.O. Box 2210, Atlanta, GA 30301-2210 • (770) 393-5000

Jane Thornton  
President, School Nutrition Association  
700 South Washington Street  
Alexandria, Virginia 22314

Dear Mrs. Thornton,

We strongly support the School Nutrition Association's position in establishing one uniform national nutritional standard for the USDA National School Lunch Program.

As a company, we have supplied poultry products to the National School Lunch Program (NSLP) for over forty years. While the NSLP and the USDA Commodity Programs have undergone several changes over this time period, today's trends and local regulations are creating a very complex environment.

The Richard Russell National School Lunch Act requires that all school meals comply with the USDA Dietary Guidelines. In recent years many individual states and local school districts have begun to interpret the USDA Dietary Guidelines differently and have begun to require specific product nutritional parameters. Our challenge is that these local requirements often vary and require specific formulations to meet the individual state or school district requirements. This product nutritional variation not only creates a difficult sales environment, but also significantly increases our cost to produce child nutrition products and our ability to respond to child nutrition program needs in an efficient manner.

Thank you for your support and your continuing efforts on behalf of the members of the School Nutrition Association.

Sincerely,

A handwritten signature in cursive script, appearing to read "Everett Kuglar".

Everett Kuglar  
Director of School Foodservice Sales



March 4, 2007

Janey Thornton, SNS  
President  
School Nutrition Association  
700 S. Washington Street, Suite #300  
Alexandria, VA 22314-42887

Dear President Thornton:

On behalf of our company, Rich Products Corporation, we would first like to commend you and the School Nutrition Association for the dedicated work that you do on behalf of the nation's children. There is no more important mission than to advance good nutrition for all children.

We have been a long time supporter of your Association and are appreciative of the opportunity to lend our support to your request that Congress establish one uniform national nutrition standard for the USDA school lunch program. We agree that this national standard should apply throughout the school and during the entire school day.

As a national food manufacturer who provides nutritious food products for your child nutrition programs, we could better meet the needs of your programs with nutritious economical foods for your menus if there were clear universal guidelines for the foods served. Currently there are so many various food specifications throughout the country due to individual district and state interpretations of the Dietary Guidelines that we are finding it harder to determine what products are needed. This increases our production and distribution costs and unfortunately necessitates more expensive products that you cannot always afford even if the children prefer them.

Please add our name to the list of supporter as you take your request to Congress. We wish you much success in your efforts and will help you in any way we can to continue to provide the very best nutrition to all children.

Sincerely,

Handwritten signature of Shirley J. Brown in cursive.

Shirley J. Brown, Ed. D, SNS  
National Director of Training  
Rich Products Corporation

Handwritten signature of Ginny Spencer in cursive.

Ginny Spencer  
National Sales Manager, Schools  
Rich Products Corporation



March 2, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and, in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend will make it virtually impossible to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

Jean D. Harris, Ph.D.  
Government Relations  
Pierre Foods, Inc.

CREATIVE IDEAS. INNOVATIVE SOLUTIONS.

---

9990 Princeton Road Cincinnati, Ohio 45246 [www.pierrefoods.com](http://www.pierrefoods.com)  
Phone 513-874-8741 Toll Free 1-800-543-1604 Fax 513-874-1756



March 5, 2007

Janey Thornton  
SNA Association  
2514 Leitchfield Road  
Elizabethtown, KY 42701

Dear Janey,

On behalf of JTM FoodGroup I would like to thank you and your committee for supporting a national standard for dietary guidelines for meals provided through the school lunch and breakfast program in America. As you know we are a major supplier to the program and currently process commodities for school systems in 34 states. JTM has always strived to produce nutritious reduced fat entrées that kids like. With the implementation of a standard we can better develop products that will be appealing in all markets and minimize the costs to districts.

The school lunch program has been and will continue to be a major part of our company's business. Consistent guidelines from state to state and district to district will enable us to better support the program not only with nutritious quality foods but enable us as industry to partner with districts in providing educational material to help teach our youth proper nutrition.

Sincerely,

A handwritten signature in black ink that reads "Brian Hofmeier". The signature is written in a cursive, flowing style.

Brian Hofmeier  
Director School Food Service  
JTM FoodGroup



Super Bakery Inc.  
5700 Corporat Dr.  
Suit 455  
Pittsburgh, PA 15237  
1-800-899-9808

---

March 4, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As a registered dietitian, and a school nutrition industry member, I would like to express an emerging concern regarding the USDA school lunch program.

As stated by law, The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines. In recent years, however, individual states, counties and, in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. The interpretation of these guidelines is widespread, making it very challenging to produce nutritious products that will benefit all children. This trend will make it *virtually impossible* to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and other who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

*Franco Harris*

Franco Harris,  
President and Owner  
Super Bakery Inc.

*Kimberly Schwabenbauer, RD, LDN*

Kimberly Schwabenbauer, RD,LDN  
Corporate Dietitian  
Super Bakery Inc.



March 4, 2007

Janey Thornton, SNS  
President, SNA  
700 S. Washington Street, Suite 300  
Alexandria, VA 22314-4287

Dear Janey,

As the School Nutrition Association prepares to address the Senate regarding the very complex farm bill, J & J snack Foods Corporation SUPPORTS SNA's 2007 issue paper as it relates to all the issues including supporting national NUTRITION STANDARDS.

The issue paper urges the Congress to require a uniform national standard to govern the sale of all foods sold or made available on the school campus during the school day.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree and support the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school, during the entire day.

Thank you,

*Mimi Ford*

Mimi Ford  
National SFS Sales Mgr.  
J & J Snack Foods Corp.



2345 Carton Drive  
Louisville, Kentucky 40299

The Honorable Tom Harkin  
Chairman  
Committee on Agriculture  
Senate Standing Committees  
Washington, D.C. 20515

Dear Chairman:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program. The school foodservice market supports over seventeen percent of Winston Products domestic sales. In turn it represents jobs for over 180 employees and provides over \$250,000 worth of educational sponsorship and support services. The health and wellbeing of the National School Lunch Program is a priority for our company's viability and the physical, emotional health of our nation's children. We therefore ask you to consider the following.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement. Multiple products manufactured to different standards greatly impacts our manufacturing costs, training costs, and growth opportunities, as it becomes increasingly difficult to manufacture appliances that maintain the integrity of each new food item and supply them to school foodservice at a reasonable purchase cost.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA lunch program. The national standard should apply throughout the school, during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Respectfully yours,

A handwritten signature in cursive script that reads "Winston L. Shelton".

Winston L. Shelton  
COB  
Winston @winstonind.com

A handwritten signature in cursive script that reads "Jill Conklin".

Jill Conklin  
Director of National School Accounts  
JPConklin @winstonind.com

New Opportunity Technologies

***West Coast Marketing***

---

Food Service Sales

11960 Silvergate Dr.  
Ste. 101  
Dublin, CA 94568

Office: (925) 551-8455  
Fax: (925) 551-8494

March 05, 2007

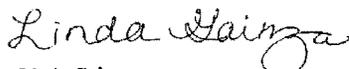
Dear Representative McNeirney,

I am the owner of West Coast Marketing a food brokerage in Dublin, California and I am writing this letter to tell you how important I feel it is to support Uniform National Nutritional Standards. Uniform National Nutrition Standards is in no way a cost to the government.

As a broker who represents twenty different manufacturers it is important to see that our industry colleagues are struggling at the manufacturing level to meet the wide variety of standards that exist from state to state. With their costs sky rocketing to meet each state's individual needs it has an impact not only on the manufacturers' cost, but will have impact on the school foodservice market. With these costs trickling down, it could cause the food service programs in our schools to eventually be non-existent hurting not only the manufacturers, distributors and brokers, but our children too.

In closing, please consider supporting the Uniform National Nutrition Standards. By doing this you will not only be helping our children but you will be keeping our food service industry alive.

Thank you for this consideration.



Linda Gainza  
West Coast Marketing  
Partner/Owner



6079 oakbrook parkway norcross, georgia 30093

770.441.3100 770.449.6834 fax www.pmreps.com

March 5, 2007

The Honorable Collin Peterson  
Chairman  
Committee on Agriculture  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school, during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in cursive script that reads "Alice Stipe".

Alice Stipe  
Professional Manufacturers Representatives  
6079 Oakbrook Parkway  
Norcross, GA 30093



March 4, 2007

The Honorable Barbara Mikulski  
Committee on Agriculture  
House of Representatives  
Washington, DC 20515

Dear Representative Mikulski,

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases local districts have begun interpreting the Dietary guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price with in the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school, during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Palumbo', with a large, looping flourish at the end.

Beth Palumbo  
School Specialist  
Odenton, MD

1701 Crossroads Drive • Odenton, Maryland 21113  
(800) 626-3841  
(410) 381-0281 fax



13138 S. Bethel  
Kingsburg, CA 93631  
Office: 559-897-6695  
Fax: 559-897-6808

March 5, 2007

The Honorable Collin Peterson  
Chairman, Committee on Agriculture  
House of Representatives  
Washington, D. C. 20515

Dear Mr. Chairman:

As you think through a very complex Farm Bill, I would like to bring to your attention an emerging problem with regard to the USDA School Lunch Program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA School Lunch Program and to market them nation wide at a price within the USDA Federal Reimbursement.

Therefore, we agree with the School Nutritional Association and others who are asking Congress to establish one uniform National Nutrition Standard for the USDA School Lunch Program. The National Standard should apply throughout the school during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Johnson".

Stephanie Johnson  
Sales Representative  
HMC Marketing Group

**Stewart Sales & Marketing**  
*Your Source for Quality Food Products and Innovative Solutions*

7416 Noble Ct.  
Mentor, Ohio 44060

440-951-8123 Telephone  
440-951-0116 Fax

March 4, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C., 20510

Dear Mr. Senator Harkin:

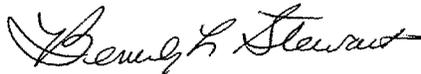
As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply through the school, during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject. In addition to the information listed above, I can be reached by e-mail: [BeverlyLStewart@aol.com](mailto:BeverlyLStewart@aol.com).

Sincerely,  
STEWART SALES & MARKETING



Beverly L. Stewart  
President

1101 East Washington Street  
Louisville, KY 40206  
(502) 587-8877; fax (502) 587-0150  
www.culinarystandards.com



The Honorable Mitch McConnell  
Committee on Agriculture  
U.S. Senate  
Washington, DC 20510

Dear Senator McConnell:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program. Culinary Standards is a food manufacturer with plant and corporate headquarters in Louisville. An important and growing segment of our business supplies nutritious food products that comply with the National School Lunch Program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and other who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standards should apply throughout the school, during the entire school day.

Thank you very much for your consideration. I would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Foulke Pline", written in a cursive style.

Lisa Foulke Pline  
Business Manager, Schools & Commodity



March 6, 2007

Dear Senator McConnell,

The purpose of this letter is to identify the need for Congress to act on the following initiatives:

- A uniform national standard to govern the sale of all foods sold or made available on the campus during the school day.
- Funding of the reduced price school meal pilot.
- School breakfast commodities and the fresh fruit and vegetable program.

Dennery Enterprises is a Kentucky based sales agency that for 20 plus years has represented dozens of school food nutritional companies and promoted within the school markets in Kentucky, Tennessee, Indiana and other surrounding states. The need for nutritional standards are necessary for providing a consistent product throughout the country meeting federal guidelines in sizing and nutritional value to get the best possible price for the schools. If Whitfield manufacturers have to continue to meet multiple nutritional standards and product size request, prices will continue to escalate.

I am also the chair of the Industry Advisory Council and work between the Kentucky School Nutrition Association (KSNA) and Industry Partners promoting all the above issues. Our council consists of Industry, Sales Agencies, and School Nutrition Directors/Managers promoting best practices for the School Nutrition Association and Industry.

Dennery Enterprises has and will continue to support the School Nutrition Association at the annual Legislative Conference in the following respects:

- Support for a uniform nutritional standard to govern the sale of all foods sold or made available on the school campus during the day.
- We ask that the Congress to provide \$23 Million over the next three years to carry out the reduced price school meal pilot.
- We support the School Breakfast Commodities plan urging 10 cents to be provided in USDA commodities for each school breakfast served.
- We support the Expanding of the Fresh Fruit and Vegetable Program.

Respectfully Yours,

Chuck Robison, Division Vice President  
Industry Advisory Council Chair, Section of KSNA  
crobison@dennery.com

cc Janey Thornton, SNS, SNA President

9816 Bluegrass Parkway  
Louisville, KY 40299  
1-800-DENNERY  
(502) 493-7377  
Fax (502) 493-0204

www.dennery.com



March 5, 2007

Ms. Janey Thornton, SNS  
President, SNA  
c/o Hardin Co. Schools  
Elizabethtown, KY

Dear Janey,

Please know that we at Data Futures agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. We also agree that the national standard should apply throughout the school, during the entire school day.

Our LunchBox school food service management software is used by 3,200 schools in more than 40 states across the nation. Therefore, we are very sensitive to the issues that school nutrition directors face.

We understand the need for consistency in the interpretation of USDA-HHS Dietary Guidelines. Because in recent years states, counties and sometimes local school districts have begun interpreting the Dietary Guidelines differently, it is increasingly difficult to develop products for the USDA school meal program and to market them nationally.

The uniformity delivered by a national standard will put our focus back where it belongs: using our time and resources to continually seek useful and innovative ways to serve our school nutrition customers.

Please accept our support and gratitude for all you do for our children's nutrition and well-being.

Sincerely,

A handwritten signature in cursive script that reads "Charleen Combs".

Charleen Combs  
CEO



6940 Marvin D. Love Freeway  
Dallas, TX 75237

972-296-8575  
877-366-3JOY (Toll Free)  
972-296-8618 FAX

March 4, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend is making it difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school, during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in black ink, appearing to read "Joy L. Wallace".

Joy L. Wallace  
President & CEO



101 West Main Street  
PO Box 456  
West Branch, Iowa 52354  
319-643-3220  
Fax: 319-643-3225

[www.cantwofoodbrokerage.com](http://www.cantwofoodbrokerage.com)

March 5, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin,

As a small business owner in Iowa I would like you to consider the following as you think through a very complex farm bill. I have 12 people on staff that visit schools in Iowa and Nebraska daily with new foods that they can add to their menus that are not only healthy but that will create excitement so the kids will eat school lunch. I have a challenge everyday helping these schools find items that fit into their program because each program is different but I do believe that they are all trying to have the same end result which is healthy meals for healthy kids. It would be very helpful to all of us in this industry if you were to adopt one uniform nationwide nutrition standard for the USDA school meal program.

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties, and in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, state can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

Elizabeth Klingman  
President  
CanTwo Food Brokerage



March 5, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA-IHHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and, in some cases, local school districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend will make it virtually impossible to develop standardized software products, such as Nutrition Analysis, for monitoring USDA school meal program for compliance with the National School Lunch Act.

We agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout school districts for the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

A handwritten signature in cursive script that reads "James A. Swartz".

James A. Swartz  
President  
Meal Magic Corporation



622 Elliott Street, Grand Haven MI 49417 • Toll Free 877-383-3100 • Fax 616-842-9379 • [www.mealmagic.com](http://www.mealmagic.com)



March 5, 2007

Board Advisor  
Janey Thornton, SNS  
CN Director  
Hardin County SD  
2514 Leltchfield Road  
Elizabethtown, KY 42701

The National School Lunch Act requires all school meals to comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and, in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend will make it virtually impossible to develop products for the USDA school meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutritional Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Cohen". The signature is written in a cursive style with a long horizontal stroke at the end.

Rodney Cohen  
President, Cohen Food Brokerage



COHEN FOOD BROKERAGE COMPANY - FOODSERVICE SALES  
P.O. BOX 7657 - MARIETTA, GEORGIA 30065 - 1351 DIVIDEND DRIVE - SUITE N - MARIETTA, GA. 30067  
LOCAL - 770-955-3166 - FAX# 770-955-3039



March 5, 2007

Janey Thornton, SNS CN Director  
Hardin County School District  
1051 Rineyville School Road  
Rineyville, KY 40162-9761

Dear Ms. Thornton:

Yesterday during the Industry Meeting you requested processors contact you who feel the need for uniform National Nutrition Standards.

As you know the National School Lunch Act requires all school meals comply with the USDA-HHS Dietary Guidelines, as they should. In recent years, however, individual states, counties and in some cases, local school districts have begun interpreting the Dietary Guidelines differently. For example, products can have different fat standards or sodium guidelines. This trend is making it very difficult to develop products for the USDA School Meal Program and to market nation-wide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one Uniform National Nutrition Standard for the USDA School Lunch Program. The national standard should apply throughout the school and during the entire school day.

Sincerely,

A handwritten signature in cursive script that reads "Kandy Jenkins".

Kandy Jenkins  
Commodity Program Director

jre

P. O. Box 1980, Jamestown, North Dakota 58402-1980  
5855 3<sup>rd</sup> Street SE, Jamestown, North Dakota 58401  
701-252-5222 Fax 701-252-6863



**Leprino Foods**  
1830 West 38th Avenue  
Denver, CO 80211-2200  
303 480-2600  
FAX 303 480-2817

**Richard L. Barz**  
Senior Vice President  
Quality Assurance  
Research and Development  
303 480-2794

March 5, 2007

The Honorable Tom Harkin  
Committee on Agriculture  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Harkin:

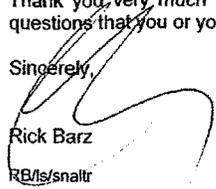
As you think through a very complex farm bill, I would like to bring to your attention an emerging problem with regard to the USDA school lunch program.

The National School Lunch Act requires all school meals to comply with the USDA/HHS Dietary Guidelines, as they should. In recent years, however, individual states, countries and, in some cases local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines. This trend will make it virtually impossible to develop products for the USDA school lunch meal program and to market them nationwide at a price within the USDA federal reimbursement.

Therefore, we agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch program. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration. We would be pleased to answer any questions that you or your staff may have about this complicated subject.

Sincerely,

  
Rick Barz

RB/ls/snaltr



March 5, 2007

Ms. Janey Thornton  
SNA President  
700 South Washington Street  
Suite 300  
Alexandria, Virginia 22314-4287

Re: National School Nutrition Standards

Dear Ms. Thornton,

Regarding the current farm bill under consideration, I would like to bring to your attention an emerging problem with regard to the USDA school lunch and breakfast programs.

The National School Lunch Act requires all school meals to comply with the USDA Dietary Guidelines. We understand that in recent years, however, individual states, counties and, in some cases, local districts have begun interpreting the Dietary Guidelines differently. For example, states can have different fat standards or sodium guidelines.

We agree with the School Nutrition Association and others who are asking Congress to establish one uniform national nutrition standard for the USDA school lunch and breakfast programs. The national standard should apply throughout the school and during the entire school day.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Raymond W. Barger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Raymond W. Barger  
Director of Sales and Marketing

**Cotton, Cotton & Hill**  
F O O D B R O K E R S

My name is Iris Nelson. I am a sales representative for Cotton, Cotton and Hill, a small food brokerage dedicated to school food service in New England. I am here today to support those involved in the Maine School Nutrition Association in their quest to provide not only the best meals possible to all their students, but to offer nutrition education, and to promote healthy eating habits.

My company plays an important role in bringing K-12 food products to the Maine school market place. As food brokers, we try to ensure our customers receive the best deals, provide marketing tools to promote food products, help resolve quality issues and offer support in whatever way possible.

My main role is to act as the link between the manufacturers, which my company represents, and my customers in the schools and ensure both are successful. I accomplish this by visiting individual food service directors, participating in food shows, making presentations at co-op meetings, and even doing taste tests with students. By doing so, I garner information regarding the schools' nutritional needs and relay it to the manufacturers. They then work to develop products which will be satisfactory. This is oft times daunting because even though schools must use the Dietary Guidelines for Americans, they are not uniformly followed throughout the country. In fact, the states in my territory, northern Massachusetts, New Hampshire and Maine, all have different requirements.

In order for schools food products to be all things to all people, it is imperative Congress establish a uniform national standard to govern the sale of all foods sold or made available on school grounds during school hours. These regulations should apply to all foods sold on campus, whether it be in the cafeteria, at a basketball game or a school bake sale. These consistent standards would reinforce the importance of good nutrition to our children.

Cotton, Cotton and Hill supports all the issues put forth by the SNA. Uniform national standards, funding of reduced School Meal Pilot, providing 10 cents of USDA commodities for each school breakfast, and expanding the Fresh Fruit and Vegetable Program are all extremely viable ways in which to ensure school children receive something they ALL deserve...the most affordable and healthiest school lunch possible.

Respectfully yours,  
Iris Nelson  
Cotton, Cotton and Hill  
3/6/2007

