



Robert Wood Johnson Foundation

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Julie Brewer

Chief, Policy and Program Development Branch, Child Nutrition Division

Food and Nutrition Service, U.S. Department of Agriculture

P.O. Box 66874

Saint Louis, MO 63166.

Docket ID: [FNS-2011-0019](#)

Re: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010

Dear Ms. Brewer:

The Robert Wood Johnson Foundation (RWJF) strongly supports the updated nutrition standards proposed by the U.S. Department of Agriculture (USDA) for snack foods and beverages sold in school, referred to as “competitive foods.”

RWJF is committed to tackling one of the most urgent threats to the health of our children and families—childhood obesity. With more than 23.5 million children and adolescents in the United States overweight or obese, we need strong nutrition standards for *all* foods and beverages sold in schools.

A growing body of evidence shows that policies that restrict sales of unhealthy snack foods and beverages in schools can improve children’s diets, reduce weight gain, and increase food-service revenues.^{i,ii,iii,iv,v}

But currently there is wide discrepancy among state nutrition standards for school snacks. The proposed rule builds upon expert recommendations and existing effective policies in order to help ensure that all students have access to healthy choices. It has the potential to create the healthy school environments needed to improve children’s health and help to reverse the childhood obesity epidemic.^{vi}

PROGRESS TO DATE

Several states and localities have made progress in adopting stronger competitive food policies, but research documents the continued prevalence of unhealthy foods and beverages in schools. Bridging the Gap (BTG), a nationally recognized research program supported by RWJF, recently found that, as of the 2010-11 school year, local school wellness policy provisions for competitive foods were the weakest components of those policies.^{vii} The Centers for Disease Control and Prevention found that, as of October 2010, there were 39 different state standards for competitive foods, none of which met the standards recommended by the Institute of Medicine (IOM).^{viii}

FINANCIAL IMPACT

RWJF recognizes that many schools have financial concerns related to selling healthier snack foods and beverages. However, evidence from districts that have successfully made the transition suggests that schools can implement strong competitive food standards while without sacrificing revenue.^{ix} In fact, food service revenues can increase when schools have strong standards for competitive foods and beverages, because schools tend to see increased participation in school meal programs.^x

This research shows that national guidelines for competitive foods are necessary, and that they can support not only student health, but also school budgets. As USDA finalizes this rule, RWJF offers the following specific comments for consideration.

GENERAL NUTRITION STANDARDS FOR COMPETITIVE FOODS §210.11(C)

Competitive food and beverage standards should be comprehensive and should apply to all snack foods and beverages sold in schools, across the school campus and throughout the school day, including at least 30 minutes after the last class ends.

Exemption of NSLP and SBP Entrees and Side Dishes, §210.11(c)(3)-(4)

RWJF does not support exempting à la carte items from the national school nutrition standards.

Permitting the sale of individual items that do not meet nutrition standards would undercut efforts to promote healthier diets. If parents want to allow their children to have such items, that is their choice, and they may send such foods from home. But schools should not be in the business of selling unhealthy foods.

USDA's own research shows that the vast majority of students have access to à la carte entrees and side dishes. According to School Nutrition Dietary Assessment IV, such à la carte options are available in more than three-quarters of elementary schools and 90 percent or more of middle and high schools.^{xi} The à la carte entrée items schools most commonly offer are less-healthy options such as pizza, burgers, and breaded chicken patties.^{xii} In addition, district policies for competitive foods are more likely to limit items in vending machines than in school stores and à la carte settings.^{xiii}

Positive Nutritional Value of School Foods, §210.11(c)(2)

RWJF supports the proposed standards, including the proposal that nutrients should be naturally occurring.

The nutrition standards USDA has proposed are appropriate and in line with recommendations in the *2010 Dietary Guidelines for Americans* and the Institute of Medicine report *Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth*.

Total Sugars, §210.11(i)

RWJF recommends that USDA adopt the sugar standard that allows no more than 35 percent of calories from total sugars in foods.

Excess sugar consumption increases the risk for obesity, diabetes, heart disease, cancer, and dental cavities. Of the two alternatives provided in the proposed rule regarding total sugars in foods, RWJF supports Alternative C1, which allows no more than 35 percent of calories from total sugars in foods. This standard is consistent with the IOM's "Tier 1" recommendation,^{xiv} and is the limit for total sugars recommended in the health impact assessment conducted by the Kids' Safe and Healthful Foods Project and Health Impact Project, two collaborations between RWJF and The Pew Charitable Trusts.^{xv}

Additionally, a standard based on percent of calories from sugar is more consistent with the science than one based on weight. Just because a food or beverage has more water, and therefore weighs more, it should not be allowed to have more sugar. A limit on sugars by weight would allow a number of sugary foods to be sold that would be excluded using a limit based on percent of calories, including some ice pops, fruit snacks, ice creams, pudding, granola bars, and snack cakes.

Calories, §210.11(j)-(k)

RWJF supports the need for calorie limits for snacks and side dishes, and proposes that USDA consider a tiered approach based on students' grade levels.

Employing a tiered approach for calorie limits is consistent with standards put forth by the Healthy Schools Program of the Alliance for a Healthier Generation, an RWJF grantee. The Alliance works with more than 14,000 schools nationwide to support implementation of its guidelines, including calorie limits on snack foods: 150 calories in elementary schools, 180 calories in middle schools, and 200 calories in high schools.^{xvi} In a recent analysis, experts recommended setting calorie maximums for school-based snack foods to even lower levels: 100 calories in elementary schools, 140 calories in middle schools, and 180 calories in high schools.^{xvii}

BEVERAGES, §210.11(M)

Sugary Drinks, §210.11(m)(3)(vi)-(viii)

RWJF strongly supports the elimination of all sugar-sweetened beverages (SSBs) from elementary schools and middle schools, as well as the elimination of full-calorie sodas and other sugary drinks from high schools.

Over the past three decades, U.S. children and adolescents significantly increased their SSB consumption, and these beverages now account for 10 percent to 15 percent of youths' daily caloric intake.^{xviii,xix,xx} Consumption of SSBs is associated with excess weight gain, poor nutrition, displacement of healthful beverages, and a higher risk for obesity and diabetes.^{xxi} A research review published by two RWJF-

supported programs, BTG and Healthy Eating Research (HER), highlights the need for comprehensive policies to reduce students' access to and consumption of SSBs.^{xxii}

Since beverage manufacturers voluntarily phased out full-calorie soda from schools, they have promoted sports drinks as a healthier alternative, with some success. Sports drinks increased their market share in schools between 2004 and the 2006–2007 school year, while the market share of sodas decreased.^{xxiii} Policies that restrict only soda, but allow sports drinks and other SSBs, do not reduce the overall availability or consumption of SSBs.^{xxiv}

Water, Juice, and Milk §210.11(m)(1)-(3)(v)

RWJF recommends that elementary and middle school students have access only to water, limited amounts of 100% juice, low-fat and fat-free milk, and comparable soy beverages. In addition to these beverages, RWJF supports non-caffeinated, non-fortified beverages with no more than 40 calories per container in high schools.^{xxv}

The new *Healthier Beverage Recommendations* recently released by HER conclude that healthy beverage choices should consist primarily of water; appropriate amounts of unflavored nonfat and low-fat milk, and comparable soy beverages; and 100% fruit or vegetable juice in limited quantities (if provided at all). Other options, including low-calorie beverages, can help meet calorie goals, prevent excess weight gain, and support weight reduction for certain age groups.

SUMMARY

Given the high childhood obesity rates and the role school foods and beverages play in children's diets, it is imperative that all foods and beverages served and sold in schools are held to high nutrition standards. Once implemented, the proposed update to competitive food standards will make an important contribution to improved dietary intake and the long-term health of millions of children across the country. We applaud USDA for these important efforts and urge the agency to act expeditiously to finalize and fully implement the rule within the proposed timeline to ensure that all children across the country have access to healthier snack foods and beverages in schools as soon as possible.

Respectfully,

Risa Lavizzo-Mourey, M.D., M.B.A.

President and CEO

Robert Wood Johnson Foundation

ENDNOTES

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- ⁱ Chriqui J. 2012. Healthy Eating Research and Bridging the Gap. *Influence of Competitive Food and Beverage Policies on Children's Diets and Childhood Obesity*. www.healthyeatingresearch.org/images/stories/her_research_briefs/RRCompFoods7-2012.pdf. Accessed March 29, 2013.
- ⁱⁱ Beighle A. 2012. Active Living Research. *Increasing Physical Activity Through Recess*. www.activelivingresearch.org/files/ALR_Brief_Recess.pdf. Accessed March 29, 2013.
- ⁱⁱⁱ Ward D. 2011. Active Living Research. *School Policies on Physical Education and Physical Activity*. www.activelivingresearch.org/files/Synthesis_Ward_SchoolPolicies_Oct2011_1.pdf. Accessed March 29, 2013.
- ^{iv} Crepinsek M, Gordon A, McKinney P, et al. 2009. "Meals Offered and Served in U.S. Public Schools: Do They Meet Nutrition Standards?" *Journal of the American Dietetic Association*. 109(2, Supplement 1): S31–S43.
- ^v Condon E, Crepinsek M, Fox M. 2009. "School Meals: Types of Foods Offered to and Consumed by Children at Lunch and Breakfast." *Journal of the American Dietetic Association*. 109(2, Supplement 1): S67–S78.
- ^{vi} Chriqui J, Resnick E, Schneider L, et al. Bridging the Gap. *School District Wellness Policies: Evaluating Progress and Potential for Improving Children's Health Five Years after the Federal Mandate. School Years 2006–07 through 2010–11*. Volume 3. Chicago, IL: Institute for Health Research and Policy, University of Illinois at Chicago. www.bridgingthegapresearch.org/_asset/13s2jm/WP_2013_report.pdf.
- ^{vii} Ibid.
- ^{viii} Centers for Disease Control and Prevention. *Competitive Foods and Beverages in U.S. Schools: A State Policy Analysis*. Atlanta, GA: Centers for Disease Control and Prevention, 2012.
- ^{ix} Kid's Safe & Healthful Foods Project and Health Impact Project. 2012. *Health Impact Assessment: National Nutrition Standards for Snack and a la Carte Foods and Beverages Sold in Schools*. www.pewhealth.org/uploadedFiles/PHG/Content_Level_Pages/Reports/KS_HIA_revised%20WEB%20FINAL%20073112.pdf.
- ^x Chriqui J, 2012, *Influence of Competitive Food and Beverage Policies on Children's Diets and Childhood Obesity*.
- ^{xi} U.S. Department of Agriculture. *School Nutrition Dietary Assessment Study-IV*. Washington, D.C.: U.S. Department of Agriculture, 2012.
- ^{xii} U.S. Department of Agriculture. *School Nutrition Dietary Assessment Study-III*. Washington, D.C.: U.S. Department of Agriculture, 2007.
- ^{xiii} Chriqui J, et al., 2013. *School District Wellness Policies: Evaluating Progress and Potential for Improving Children's Health Five Years after the Federal Mandate. School Years 2006–07 through 2010–11*.
- ^{xiv} Institute of Medicine. 2007. *Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth*. Washington, DC: The National Academies Press.
- ^{xv} Kid's Safe & Healthful Foods Project and Health Impact Project.
- ^{xvi} Alliance For A Healthier Generation. 2012. *Competitive Foods Guidelines*. www.healthiergeneration.org/companies.aspx?id=2540. Accessed March 29, 2013.
- ^{xvii} Kid's Safe & Healthful Foods Project and Health Impact Project.
- ^{xviii} Wang Y, Bleich S, Gortmaker S. 2008. "Increasing Caloric Contribution from Sugar-Sweetened Beverages and 100% Fruit Juices Among U.S. Children and Adolescents, 1988–2004." *Pediatrics* 121(6): e1604–e1614.
- ^{xix} Block G. 2004. "Foods Contributing to Energy Intake in the US: Data from NHANES III and NHANES 1999–2000," *Journal of Food Composition and Analysis* 17(3–4): 439–47.
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- ^{xx} Troiano R, Briefel R, Carrol M, et al. 2000. “Energy and Fat Intakes of Children and Adolescents in the United States: Data from the National Health and Nutrition Examination Surveys.” *American Journal of Clinical Nutrition* 72(5): 1343S–1353S.
- ^{xxi} Brownell K, Frieden T. 2009. “Ounces of Prevention—The Public Policy Case for Taxes on Sugared Beverages.” *New England Journal of Medicine* 360(18): 1805–1808.
- ^{xxii} Chriqui J, 2012, *Influence of Competitive Food and Beverage Policies on Children’s Diets and Childhood Obesity*.
- ^{xxiii} Story M, Klein, L. 2012. Healthy Eating Research. *Consumption of Sports Drinks by Children and Adolescents*. www.healthyeatingresearch.org/images/stories/her_research_briefs/IBSportsDrinkFINAL6-2012_WEB.pdf. Accessed March 29, 2013.
- ^{xxiv} Chriqui J, 2012, *Influence of Competitive Food and Beverage Policies on Children’s Diets and Childhood Obesity*.
- ^{xxv} Fox, T, Corbett A. 2013. Healthy Eating Research. *Healthier Beverage Guidelines*. www.healthyeatingresearch.org/images/stories/comissioned_papers/her_beverage_recommendations.pdf.