

DATE: April 24, 2009
TO: California's Congressional Delegation
FROM: California Food Policy Advocates (CFPA)
RE: **2009 Child Nutrition and WIC Reauthorization**

We are writing to identify the most important changes Congress can make in Child Nutrition and WIC Reauthorization. We want to provide you California-specific suggestions based on CFPA's surveys, review of program data and interviews with program administrators, students, parents, and community organizations.

California Food Policy Advocates is a statewide public policy and advocacy organization dedicated to improving the health and well being of low-income Californians by increasing their access to nutritious and affordable food.

Hunger, food insecurity, and obesity are, for many low-income people, consequences of poverty that have been sorely exacerbated by the recession. This year's reauthorization comes at a time when California families are facing tough economic times, with hardship unseen for a generation. Many new faces have joined the perennially hungry ranks; their health suffers and, for children, performance in school suffers, too. Many of these families must too often rely on the wrong food – cheap, full of empty calories, and short on nutrition. Empty family wallets are causing this two-part malnutrition: hunger and obesity.

USDA's child nutrition programs can help – but they must be improved.

REQUEST #1: EXPAND THE SCHOOL BREAKFAST PROGRAM

Only 10 million of the 30 million lunch participants eat breakfast at school daily across the country; California's ratio is identical: only 1 million breakfast participants out of 3 million lunch participants. This gap is replicated in virtually every state. Among child nutrition programs, breakfast may be the most broadly-supported among stakeholders. Its impact on learning, health, and obesity prevention is well established. Here are a few barriers to participation and Congressional responses.

Provide assistance to start breakfast programs. Nationally, about 15% of schools offering NSLP don't offer breakfast, leaving millions of students without the option to eat breakfast at school. It is feasible to offer breakfast at virtually every school, as demonstrated by twelve states that serve breakfast at 95% or more of schools. In

California, 1200 schools do not offer breakfast. CFPA has proposed state legislation to require severe need schools (about 500 of the 1200) to begin offering breakfast. **Congress should require USDA to work with states to offer breakfast at all severe need schools nationwide. Offer equipment grants to pay for the initiation of breakfast programs and providing increased reimbursement to breakfast (more than lunch).**

Eliminate the reduced price co-payment for breakfast. Nationally, only ten percent of breakfast participants are from households with income between 130-185% FPL. In California, twelve percent of participants pay the reduced rate; yet, data from the California Health Interview Survey documents significant rates of food insecurity (25%) among adults in this income stratum. Eliminating the co-payment for breakfast in Los Angeles and San Diego directly increased participation by 15%. Similarly impressive increases were documented in Washington State. **Eliminate the co-payment to increase participation among needy students.**

Provide incentives to encourage innovation. The state with the greatest increase in breakfast participation in 2007, Wisconsin (25% increase), implemented classroom breakfast widely, directly leading to the spike in participation. The only school districts in California which serve breakfast to 75% or more of their students do so by serving the morning meal in the classroom. **Congress should provide expansion grants to schools offering breakfast in the classroom. Direct USDA to provide simplified administration for schools that serve breakfast in the classroom. A few options might include reducing daily claiming requirements, lengthening P2/3 duration, and others.**

Add a commodity entitlement for breakfast. The value of commodities represents one-fifth of the food cost for the lunch program. Increased participation in NSLP provides additional commodity funds the following year, providing an impetus to bump participation. Breakfast participation will be encouraged, and additional resources with which to purchase healthier, more expensive foods will be gained, if districts are given a commodity entitlement per breakfast served. **Congress should allocate an additional \$0.2047 to each district's commodity entitlement for each breakfast served.**

REQUEST #2: IMPROVE CHILD CARE NUTRITION

Recommendations for Improving Nutritional Quality in CACFP

Congress should act now to begin to improve the nutritional quality of meals and

snacks served through CACFP within the current meal pattern. The principles that inform the modest changes proposed here are consistent both with longstanding nutritional improvements incorporated in the National School Lunch Program and with very recent nutritional improvements currently being made to the WIC program, which serves young children in exactly the same age group. With the possible exceptions of the second and third items, the recommendations below have minimal or no cost implications.

- Serve only lowfat milk to children two and older.
- Require at least half of all grains be whole.
- Serve more fresh fruits and vegetables.
- Serve more lean meats and beans/legumes for protein.
- Limit fried foods.
- Limit sweet grains, such as muffins, pastries, and donuts.
- Limit fruits canned in syrup, especially heavy syrup.

Congress should provide a higher reimbursement for CACFP meals and snacks and should direct USDA to quickly prescribe stronger nutrition standards, which bring meals and snacks into greater compliance with the Dietary Guidelines for Americans.

Recent changes to the WIC food package will be implemented nationwide by October 2009. Many of the changes will result in greater availability (and, hopefully, affordability) of the nutritious foods that are often lacking in CACFP meals. WIC and CACFP serve largely similar populations and thus nutrition messages related to both programs ought to be consistent. **Federal regulations, memoranda, training, and materials relating to nutrition for CACFP should align with WIC's new nutrition messages and guidelines.**

The nutrition requirements of CACFP apply only to foods or beverages reimbursed through the program. Thus, there is no guidance with regard to a host of other items – including food, beverages, behaviors, and activities; this lack of guidance can undermine the benefits of CACFP's nutritional goals. The nutrition and physical activity environments in child care ought to promote healthy choices beyond the reimbursable items. Modeling on the "Foods of Minimal Nutritional Value (FMNV)" concept in school meals, CACFP can support healthier environments in child care settings by requiring the following improvements related to food and physical activity:

- Eliminating Foods with Minimal Nutritional Value, such as sodas, chips, and candy.
- Ensuring easy access to tap water and promoting water consumption.
- Promoting healthy food-related behaviors, such as serving family style meals,

adults eating the same foods along with the children, including age-appropriate nutrition education, and others.

- Discouraging counterproductive food-related behaviors, such as using food as a reward or punishment, encouraging clean plates.
- Placing limits on screen time, including computer and video games.
- Developing strategies to improve the nutritional quality of food from home.

Child care sites receiving reimbursement through CACFP should provide a healthier food environment and more physical activity.

Congress must also take steps to improve access and participation in CACFP. CCFPRoundtable.org is a good source of recommendations for these improvements.

REQUEST #3: STRENGTHEN MEAL QUALITY IN SCHOOL LUNCHES

With public attention focused on nutritional quality of lunch trays, there are several approaches that ought to be considered to improve NSLP. With the right push from Congress, the benefits of improved meals might be available to more students by building on the expectation of a solid IOM report than any other single policy change or fiscal incentive.

Protect NSLP funds. Districts in California and across the nation (see SNA's testimony to the Senate Agriculture Committee 3/4/09) are facing significant indirect charges to the cafeteria fund. Some of these charges are excessive and beyond the reasonable cost of services provided to the cafeteria program. Additionally, USDA's meal cost study (Abt Associates presented on this study during the Senate hearing 3/4/09) found that NSLP funds appear to subsidize a la carte sales in many districts. **Congress should require USDA to develop a range of costs of business and establish a ceiling for indirect charges to NSLP/SBP. Congress ought to require separate accounts for NSLP and a la carte/competitive foods sales.**

Quickly Implement Changes to Meal Patterns and Nutrition Standards to Align NSLP with DGAs. The Institute of Medicine will deliver a thorough, thoughtful set of recommended revisions to USDA later in 2009. USDA will undertake a lengthy rulemaking process to change meal patterns and nutrition standards. Then, USDA will devise implementation protocol for state agencies to train and monitor local school food service authorities on the new meal patterns and nutrition standards. Congress should take several steps in reauthorization to improve this process:

- **Require USDA to expedite implementation of IOM recommendations.** Congress should legislate a faster rulemaking process to bring the benefits of improved nutrition to students nationwide quickly.
- **Require USDA to develop more effective compliance systems to ensure meals meet new guidelines.** SNDA-III (2005) indicated that most meals served didn't comply with School Meals Initiative standards enacted in 1995. Without significant changes in the oversight and accountability systems, compliance with forthcoming IOM recommendations may be equally lax. Additional training and technical assistance might be needed too.
- **Eliminate statutory requirements that NSLP and SBP meals meet calorie minimums.** Children's snack and beverage habits guarantee that most students exceed the energy they need for the day; Congress currently requires extra calories in the meal patterns because the statute doesn't account for snacking. The impact of this statute on meal patterns and nutrition standards is extensively documented in the IOM's Phase I report, released in December 2008.
- **Repeal weighted averages waiver.** SMI reviews take place only once every 5 years, cover only a fraction of the schools in the district, and count every menu item equally rather than being weighted by frequency of student choice – 1 serving of cottage cheese = 1,000 servings of pepperoni pizza. A long-standing waiver has delayed USDA from implementing the "weighting" review that Congress prescribed years ago – Congress should refuse to renew the waiver.
- **Target new investments by providing additional reimbursement for certain higher-cost practices.** Districts serving significant quantities of fresh produce, such as dark, leafy green vegetables, may experience higher costs per plate, compared to large districts with better economies of scale and districts that comply with the fruit/vegetable component requirement by serving French fries or juice.
- **Test new strategies.** Pilot test offering bonus reimbursement to districts that implement Healthier US criteria to measure what level of incentive will assist districts to make menu changes.
- **Reach more students.** The participation targets in HealthierUS are the right ones. The two most successful strategies to boost participation among secondary school students are close the campuses and dramatically curtail competitive foods sales. Obviously, those are difficult to accomplish through the National School Lunch Act, so a few pilot projects might be in order here.