



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

DEC 07 2012

The Honorable John Kline
Chairman
Committee on Education and the Workforce
U.S. House of Representatives
2181 Rayburn House Office Building
Washington, D.C. 20515-6100

Dear Mr. Chairman:

Thank you for your letter of October 18, 2012, cosigned by your colleagues, regarding the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) and the updated nutrition requirements in the National School Lunch Program.

Your ongoing support of our goal to facilitate the health of American youth is greatly appreciated. Please know that the Department of Agriculture (USDA) is carefully monitoring the implementation of the new requirements to ensure that the updated standards are workable and contain enough flexibility for local schools and school districts.

The HHFKA and new standards are essential to ensure young people get the nourishment they need to support their academic performance and overall well-being. Additionally, these standards are just one part of a comprehensive effort taking place across the Federal government to address childhood obesity—a national epidemic with significant health and economic consequences for our country. Nearly one in three children are at increased risk for preventable diseases like diabetes and heart disease due to being overweight or obese. The costs for treating these preventable diseases have been estimated at roughly \$190 billion per year. If left unaddressed, health experts tell us that our current generation of children may well have a shorter lifespan than their parents. These are not mere statistics; they are real people that we know and see every day.

To be sure, childhood obesity cannot be addressed by changes to school meals alone. The primary responsibility for instilling healthy eating habits in America's kids will always lie with parents, communities, and children themselves. But when spending taxpayer dollars on school meals, we have a responsibility to ensure we are supporting those efforts. And we know that these meals are an important part of the solution, not just because they reach so many children every school day, but also because we know they can work. In fact, recent research by the esteemed Cochrane Collaboration has shown that school-based nutrition reforms—including improvements to school food—can help reduce levels of obesity.

As directed by Congress under the HHFKA, USDA relied on the recommendations of experts like the Institute of Medicine—a gold standard for scientific analysis—as the basis for our standards. The result was updated, science-based standards, in which the portions of school meals are “right-sized” to reflect the age and dietary needs of the students served and the appropriate balance between food groups.

These new school meals offer twice as many fruits and vegetables as the previous ones, and servings of whole grains have been increased substantially. The meals are designed to ensure that children have the energy they need to learn in class and be physically active, while reducing their risk for serious chronic diseases.

Certainly, these reforms will take time to yield results and require collaboration if they are to be successful. As a part of our ongoing implementation plan, USDA has been listening to parents, schools, State agencies, and other interested parties. We always anticipated that some modifications and other allowances would be required for changes of this size and scope. USDA has asked for, and States and schools have provided us with, valuable feedback. As a result, you should be pleased to know that we have recently moved to allow for additional flexibility in meeting some of the new standards.

For example, the top operational challenge that States and schools have reported is in serving meals that fit within the weekly minimum and maximum serving ranges for the grains and meat/meat alternate portions of the standards. To help schools make a successful transition to the new requirements, we have provided additional flexibility in meeting the requirements for these components. If a school is meeting just the minimum serving requirements for these two food groups, they will be considered in compliance with that portion of the standards, regardless of whether they have exceeded the maximum. This flexibility is being provided to allow more time for the development of products that fit within the new standards while granting schools additional weekly menu planning options to help ensure that children receive a wholesome, nutritious meal every day of the week.

These actions are by no means exhaustive. Implementation is a process that takes time, and as the school year progresses we will continue listening and providing education, technical assistance, and flexibilities where appropriate. Fortunately, there are a number of options currently available to deal with potential additional challenges, such as feeding very active students. Parents, individual students and/or sports teams can supplement the taxpayer-subsidized meals with items provided from home or other sources. And students are always permitted to purchase as much additional food a la carte as they want. Schools can also make larger portions of fruits and vegetables (or even milk) available at lunch and structure afterschool snack and supper programs to provide additional foods for those who need them. Many schools have previously found success with parent or school-run booster clubs providing afterschool snacks and may opt to continue or even expand this practice.

Additionally, it is important to note that the new school meals are designed to meet only a portion of a child's nutritional needs over the course of the school day. School breakfasts and lunches are designed to meet roughly one-fourth and one-third, respectively, of the daily calorie needs of school children.

Throughout the implementation process, USDA will remain focused on minimizing additional costs. USDA is acutely aware of the financial challenges that many schools face in putting together healthy school meals on a budget. That is why more than \$3 billion in new resources was provided through the HHFKA to support an additional 6-cent per lunch reimbursement.

The Honorable John Kline

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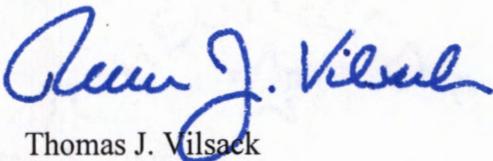
In addition, \$50 million was also provided by the HHFKA for each of fiscal years 2012 and 2013 for USDA and States to offer technical assistance in support of the new requirements. Finally, the HHFKA sets commonsense business standards that complement the Federal resources included in the Act in order to ensure that enough revenue is being brought in to cover the cost of producing healthy school meals. When taken together, these additional resources should provide enough revenue for schools to meet the new meal requirements.

I am enclosing a document with responses to the specific questions posed in your letter.

Again, thank you again for your interest in USDA's efforts to improve the school meal programs. For more information on the updated standards and the work USDA is doing to help States, schools, parents, and children, I encourage you to visit our Web site on the new standards at <http://www.fns.usda.gov/cnd/Healthierschoolday/default.htm>. We appreciate you taking the time to share your concerns with us.

Please have your staff contact Brian Baenig, Assistant Secretary for Congressional Relations, at (202) 720-7095 if you have any questions. A similar letter is being sent to your colleagues.

Sincerely,

A handwritten signature in blue ink that reads "Tom J. Vilsack". The signature is fluid and cursive, with the first name "Tom" and last name "Vilsack" clearly legible.

Thomas J. Vilsack
Secretary

Enclosure

Enclosure
Response to Honorable John Kline, Honorable Kristi Noem, and Honorable Phil Roe
Letter of October 18, 2012

Question 1: Besides sharing information on how schools can better publicize the new requirements to students and parents, what formal and informal guidance and technical assistance is the department providing to states and elementary and secondary schools so they can adequately meet the needs of their diverse student body, especially those students in grades 9-12?

This is a transition year for State and local program operators, and some menu planners are still trying to adjust their menus to offer meals that are nutritious and appealing to children. To help schools make a successful transition to the new meal requirements, throughout the remainder of school year 2012-13, we are providing schools additional flexibility in meeting the maximum weekly limits for the grains and meat/meat alternate components. This flexibility will enhance the ability of program operators to adjust the weekly menus so that school children receive a nutritious and satisfying meal every day of the week. It will also allow more time for the development of new products that can be easily used with the new meal pattern. We are also providing schools discretion to count breadings toward the grains weekly limit. The Department of Agriculture's (USDA) Food and Nutrition Service (FNS) continues to develop practical guidance and technical assistance resources for State and local program operators. This information is available at <http://www.fns.usda.gov/cnd/Governance/Legislation/nutritionstandards.htm>.

Furthermore, FNS is providing technical assistance to program operators through a Web portal (www.usda.gov/healthierschoolday) that organizes technical assistance, training, best practices, policy, and operational tools related to meeting the new meal standards. We have updated key parts of the Food Buying Guide and developed ten fact sheets addressing how to limit saturated fat, trans-fat, and sodium and increase fruits, vegetables, whole grains, and low-fat or fat-free milk and milk products in the school menu. The Team Nutrition Web site also has a Best Practices Sharing Center to enable program operators to exchange ideas and tools to plan meals that meet the new requirements, as well as the diverse needs and preferences of school children.

It is important to note that local program operators have a number of other options at their disposal for feeding very active teenage students. In addition to making available larger portions of fruits and vegetables (or even milk) at lunch, schools can also structure afterschool snack and supper programs to provide additional foods for those who need them. Many schools have previously found success with parent or school-run booster clubs providing afterschool snacks and may opt to continue or even expand this practice. Individual students and/or sports teams can also supplement food provided through Federal programs with items provided from home or other sources.

Question 2: Is USDA conducting or planning to conduct any studies or surveys of school food personnel to evaluate how the rule affects food waste?

USDA will collect data for a study of the school meal programs in school year 2014-2015. The School Nutrition and Meal Cost Study will examine plate waste as part of a comprehensive survey of the school foodservice environment, the nutritional quality of school meals, student participation and participant characteristics, and program costs.

To reduce and prevent food waste in the National School Lunch Program (NSLP), the Offer versus Serve provision allows students to decline foods they do not intend to consume. All high schools in the NSLP have Offer versus Serve in place, and most lower-grade schools also choose to implement it.

Additionally, Team Nutrition Training Grants are being used to assist State agencies in training foodservice staff on ways to improve the nutrition and acceptability of school meals. This training will focus on priority areas including increasing students' consumption of whole grain products, fruits and vegetables, low-fat and fat-free milk products, and fiber while reducing the sodium, saturated fat, and trans-fat content of school meals.

Question 3: Other than delaying the implementation of key requirements in the rule, what is the department doing to assist schools in reducing the cost of implementing the meal pattern rule and reducing the cost of school lunch and breakfast programs in general?

USDA is providing a 6-cent reimbursement rate increase per meal, as well as providing technical assistance and training resources for operators to help minimize the cost of improving the school meals. Training available through the National Food Service Management Institute addresses procurement and financial management. We are also improving and expanding the USDA Foods (i.e., commodities) available to schools by including a wide variety of fruits, vegetables, lean meats and poultry, reduced-fat cheeses, and whole grains. Other options to help schools meet the costs include making use of popular, less-expensive menu choices more often, working with neighboring jurisdictions to purchase larger food quantities at lower prices, and examining labor and production costs.

Question 4: Is the department conducting or planning to conduct a comprehensive evaluation of the meal pattern rule to study its effect on school lunch and breakfast programs, including its effect on student nutrition?

Yes, the 2014-2015 School Nutrition and Meal Cost Study mentioned in the answer to question 2 will evaluate the impact of the meal pattern rule on student nutrition and school foodservice operations.