



Feeding Bodies. Fueling Minds.™

April 15, 2020

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Mr. Secretary,

School Nutrition Association (SNA) members nationwide are working on the frontlines to serve needy students amid COVID-19 school closures and throughout the school year. On behalf of these school nutrition professionals, SNA is requesting quick action to restore school meal flexibilities following the April 13th court decision vacating the final rule *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements*.

The ruling found that the Final Rule was “not inconsistent” with federal statutes; the only fault was in the rulemaking process. In fact, the decision states “that the Final Rule shows that USDA used its expertise to balance the nutrition science in the Dietary Guidelines with the practical considerations of implementation.” Furthermore, the ruling found “USDA did not improperly consider student taste preferences, operational flexibilities, and the role of product innovation at the expense of student health and nutritional science, but instead balanced these considerations against each other.”

SNA supports maintaining robust federal nutrition standards to ensure all students receive healthy, well-balanced meals at school, and the flexibility provided under the Final Rule did not compromise ongoing efforts to improve school meals. The Final Rule preserved strong standards, including Target 1 sodium reductions and limits on calories and fat, which ensure school meals do not contribute to obesity.

School nutrition professionals depend on the flexibility provided in the Final Rule to help them plan nutritious, appealing school meals for students. Schools struggled to meet the 2012 mandate that all grains must be whole grain rich due to regional and cultural preferences for a few specific items like white rice, tortillas or pasta. Schools also reported widespread concerns about the availability of foods that will meet future sodium limits and are accepted by students. Even the Institute of Medicine warned that meeting later sodium targets in a way that is well accepted by students may not be possible.

COVID-19 shortages and supply chain disruptions will greatly magnify these challenges for meal programs next school year, making it even more difficult to secure foods that meet highly specialized school nutrition standards. Smaller school districts and those in rural areas with limited purchasing power or access to distribution channels already have few options when selecting menu items. Meanwhile, school meal programs nationwide face crippling financial losses due to extended school closures – a further impediment to menu planning and purchases in the coming school year.

SNA urges USDA to take quick action to reinstate these flexibilities and ease the burden on school meal programs working to meet the increased need for school meals following COVID-19 closures. We greatly appreciate USDA's ongoing efforts to support school nutrition professionals and the students they serve. SNA would be happy to share further insights from our members charged with implementing these nutrition standards in school cafeterias nationwide.

Sincerely,



Gay Anderson, SNS
President



Patricia Montague, CAE
Chief Executive Officer