



Feeding Bodies. Fueling Minds.™

March 27, 2023

Tina Namian
Director
School Meals Policy Division - 4th Floor
Food and Nutrition Service
1320 Braddock Place
Alexandria, VA 22314

Dear Ms. Namian:

The non-profit School Nutrition Association (SNA), representing 50,000 school nutrition professionals nationwide, appreciates this opportunity to submit comments on the proposed rule, *Child Nutrition Programs: Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans*, published in the Federal Register on February 7, 2023. School nutrition professionals offer a crucial and distinctive perspective, as they have the sole privilege to prepare and serve students school meals, the responsibility to implement these rules and the opportunity to witness firsthand any successes and challenges related to child nutrition regulations.

Since passage of the Healthy, Hunger-Free Kids Act, school nutrition professionals have worked tirelessly, in partnership with the U.S. Department of Agriculture (USDA), to improve the nutrition and quality of school meals. They have reduced sodium, calories and fat, introduced students to whole grain foods, larger servings and a wider variety of fruits and vegetables, and low-fat and fat-free milk. [Research shows students eat their healthiest meals at school thanks to these efforts to implement current nutrition standards.](#)

School meal programs need USDA's continued support to maintain these successful standards and continue to promote consumption through student taste tests, farm to school programs and other nutrition education initiatives. Persistent national labor shortages and supply chain issues have had a lasting impact on the K-12 foodservice industry, limiting manufacturers' and distributors' capacity to produce and stock foods that meet highly specialized school nutrition standards. SNA's [2023 School Nutrition Trends Survey](#) of school meal program directors nationwide reveals 89 percent of respondents face challenges obtaining sufficient menu items needed to meet current standards, such as whole grain, low-sodium and low-fat options. Meanwhile, 93 percent report staff shortages, which can limit scratch cooking efforts and increase reliance on pre-prepared menu options, already in short supply. **With no end in sight to supply chain and labor challenges, most school meal programs nationwide simply lack the capacity to meet these proposed nutrition mandates and exceed transitional standards.**

SNA offers the following solutions, further detailed throughout the comments:

- Maintain Target 1A transitional sodium limits, effective July 1, 2023, and research the impact on menu planning, meal participation and students' health prior to proposing further sodium reductions.

- Allow schools to exclude naturally occurring sodium in future sodium reductions.
- To reduce sugar:
 - Allow meats/meat alternates to be served in place of the entire grain component at breakfast a maximum of three times per week.
 - Allow Smart Snack compliant a la carte options to be served alongside fruit and milk as part of reimbursable meals and snacks.
- Maintain the current requirement that at least 80 percent of the weekly grains offered are whole grain-rich, while extending a waiver protecting school meal programs from fiscal action if they can document that supply chain disruptions have prevented them from meeting whole grain and Target 1A sodium mandates.

When considering rule changes, USDA must weigh the potential negative impact of proposed rules on students' future decisions to eat school meals. Students' tastes will not adjust to meals meeting stricter school nutrition standards when there are no mandatory nutrition standards for the commercial market or other federal nutrition programs such as the Supplemental Nutrition Assistance Program (SNAP) and the Pandemic and Summer Electronic Benefit Transfer (EBT) programs. Frontline school nutrition staff often witness food-insecure children choose not to eat at all if the meal is not familiar or appetizing to them.

While SNA supports current standards, [USDA data](#) show that during their implementation, more than two million students stopped eating school meals each day, despite an increase in student enrollment during the same time period. Since schools are the healthiest place Americans eat, a further drop in student meal participation would be contrary to goals of the Dietary Guidelines for Americans.

Declines in student meal participation also compound mounting financial challenges for school meal programs by reducing revenue to support healthy meal preparation. The rule estimates the proposed changes will increase the cost of preparing school meals between \$0.03 and \$0.04 per breakfast and lunch. On July 1, 2023, school meal programs, still facing oppressive inflationary costs, are slated to lose the \$0.15 per breakfast and \$0.40 per lunch provided under the Keep Kids Fed Act, leaving them ill-equipped to cover additional costs.

Given the tremendous progress achieved in school meal programs under current nutrition standards and the many challenges facing these programs, **SNA urges USDA to support current standards, which ensure students receive healthy meals at school, and focus on expanding access to and promoting consumption of school meals.** To further the goals of the Dietary Guidelines for Americans, SNA provides the following specific comments to each section of the proposed rule:

- **ADDED SUGARS**

Product-specific limits:

School meal programs and food companies should be encouraged to reduce the amount of sugar in school foods, particularly in the School Breakfast Program (SBP), and in products sold on the commercial market. However, the proposed product-specific limits on foods termed as "grain-based desserts" (GBD), will severely limit menu options without regard to their sugar content.

Many GBDs are not "desserts." Whole grain granola bars, breakfast bars, cereal bars and graham crackers are among many GBDs regularly offered as part of a balanced school breakfast and in homes across the country. Grab-and-go and breakfast in the classroom programs, which have successfully increased school

breakfast participation, rely on prepared and packaged items like these because they require minimal labor and time to serve, limit mess in the classroom or are easy for students to consume on their way to class.

The impact of the war in Ukraine and ongoing supply chain challenges have already made procuring whole grain menu options difficult. In SNA's survey, programs challenged by menu item shortages reported that breakfast items (eg cereals, granola bars, biscuits, pancakes) were the most difficult foods to obtain.

Severely restricting service of GBDs, regardless of sugar content, will dramatically and unnecessarily limit the number of breakfast options for students, resulting in menu fatigue and decreased breakfast participation.

Many companies have altered their recipes to ensure whole grain GBDs meet Smart Snacks in School limits for added sugar, calories, fat and sodium. As a result, some GBDs have a better nutritional profile than other breakfast grain options. **USDA should be consistent – breakfast options permitted to be sold five days a week a la carte should also be allowed as part of a balanced reimbursable school breakfast, including milk and fruit.**

In addition, there is significant confusion among school nutrition professionals on what specific products qualify as GBDs and what ingredients constitute an added sugar in the scratch preparation of menu items. SNA encourages USDA to issue detailed guidance on these points.

Proposed implementation timeframes:

Manufacturers' timelines for research and development, product testing, labeling and production of new products vary, but K-12 food companies typically report a minimum three-year timeframe. Persistent labor shortages and limited equipment, infrastructure and funding are all factors hindering schools' capacity to scratch prepare alternatives. SNA members also express concerns that severe limits on sugar will lead more manufacturers to substitute natural sugar for artificial sweeteners in prepared foods.

Impact of standards on menu planning:

Arbitrarily decreasing school breakfast menu options will undoubtedly impact student participation, reducing the number of children who consume reimbursable breakfasts that include fruit and low-fat or fat-free milk. To reduce sugar content in school breakfast, **USDA should allow meats/meat alternates to be served in place of the entire grain component at breakfast a maximum of three times per week, as permitted under the Child and Adult Care Food Program.**

- **MILK**

SNA supports Alternative B to maintain current standards allowing all schools to offer fat-free and low-fat milk, flavored and unflavored. Milk processors have significantly reduced the added sugar in flavored milk options served in schools. School nutrition professionals report that when flavored milk is unavailable, students drink less milk and miss out on milk's 13 essential nutrients. [Research](#) shows the consumption of flavored milk is associated with higher total milk consumption and better overall diet quality without any adverse impact on weight.

SNA supports the current fluid milk substitute process. This process works well for school meal program operators as it provides clear, specific guidelines on how to respond to milk substitute requests. Current federal regulations ensure that all students have access to drinking water as an alternative to milk.

- **WHOLE GRAINS**

SNA supports maintaining the current requirement that at least 80 percent of the weekly grains offered are whole grain-rich. This approach would be the simplest for most menu planners to implement and State agencies to monitor, especially in schools where multiple menu choices are available each day and in communities where four-day school weeks are common.

Since few families or restaurants serve only whole grains, and the Dietary Guidelines allows for consumption of some refined grains, it is critical that USDA continue to allow school meal programs to offer enriched grains on occasion. Schools in many communities encounter strong regional and cultural preferences for specific items like flour tortillas or white rice.

In addition, per SNA's survey results, most school meal programs continue to struggle to procure sufficient menu items needed to meet standards, such as the whole grain requirement. [Federal waivers](#) that protect schools from financial penalty if they cannot meet nutrition standards due to documented supply chain issues will expire June 30, 2023, yet whole grain products continue to be in short supply. **SNA encourages USDA to protect school meal programs from fiscal action if they can document that supply chain disruptions have prevented them from meeting whole grain and Target 1A sodium mandates.**

- **SODIUM**

SNA's survey found that 98% of school nutrition directors are concerned about the availability of foods that meet Target 1A transitional sodium limits and are acceptable to students. **USDA must research the impact of Target 1A sodium limits on menu planning, meal participation and students' health prior to proposing further sodium reductions.**

The Institute of Medicine [recommended](#) assessing progress and the effects of each school meal sodium reduction interval on "student participation rates, food cost, safety and foodservice operations to determine a reasonable target for the next period." The committee warned that meeting later sodium targets "in a way that is well accepted by students will present major challenges and may not be possible."

USDA's [School Nutrition and Meal Cost Study](#) found that in School Year 2014/15, "Lunches consumed by NSLP participants provided significantly less sodium than lunches consumed by matched nonparticipants." However, "compliance with the Target 1 sodium limit was associated with a significantly lower NSLP participation rate (54 percent versus 64 percent)."

Schools and K-12 food companies have reduced the sodium, calories and fat in school menu options, so these choices are healthier than food students eat outside of school. However, sodium mandates that exceed Target 1A will force schools to remove popular, culturally relevant, healthy choices from the menu. For example, many traditionally higher sodium Asian and Hispanic dishes have been adjusted to meet reduced sodium targets and are critical to ensuring school menus appeal to diverse student populations. If sodium is further reduced from these recipes, the dishes diverge too far from what students are familiar with from home.

Student tastes will not adjust to further school meal sodium reductions when there are no corresponding mandatory reductions in the foods they eat from restaurants, grocery stores or those obtained through other federal nutrition assistance programs.

Recommended product-specific limits:

Given persistent menu item shortages and the increasing complexity of meal pattern requirements, additional product-specific limits will further complicate school menu planning.

To help school meal programs meet sodium reduction targets, USDA should allow schools to exclude naturally occurring sodium. Low-fat and fat-free milk are a required component for school meals, but typically contain over 100mg of sodium per serving.

Proposed implementation timeframe and schedule for incremental sodium reductions:

K-12 food companies reported to SNA that incremental sodium reductions require multiple rounds of costly research and development, product testing, CN labeling and processing, and the two-year timeframe is inadequate to successfully produce menu items that meet standards without sacrificing functionality, quality, food safety and taste. Manufacturers note that further sodium reductions in products like low-fat cheese will compromise functionality and the capacity of the product to melt properly. School meal program operators expressed concern about whether manufacturers will choose to replace sodium and sugar with artificial ingredients.

Both operators and manufacturers expressed concern that such strict sodium reductions will result in more food companies exiting the K-12 market and distributors declining to meet the unique needs of K-12 customers. The cost of producing and stocking such highly-specialized K-12 menu items is too high, the demand for these products on the commercial market is too low, as is the price point that schools can afford to purchase these items.

School meal program operators are concerned about their capacity to increase scratch preparation of menu items in the absence of pre-prepared items that meet the standards. Schools struggle with severe labor shortages and inadequate funds to increase salaries or offer bonuses to attract and train new employees. Meanwhile, many schools lack sufficient equipment and kitchen space to expand scratch cooking.

- **MENU PLANNING OPTIONS FOR AMERICAN INDIAN AND ALASKA NATIVE STUDENTS**

SNA supports this provision of the proposed rule and encourages USDA to consider additional ways to make school meals and meal pattern requirements more inclusive of the dietary needs and preferences of students from other ethnicities and cultural backgrounds.

- **TRADITIONAL FOODS**

SNA supports this provision of the proposed rule and encourages USDA to consider additional ways to make school meals and meal pattern requirements more inclusive of the dietary needs and preferences of students from other ethnicities and cultural backgrounds.

- **AFTERSCHOOL SNACKS**

As addressed previously, prohibiting schools from offering foods termed as “grain-based desserts” (GBD) regardless of sugar content will severely and unnecessarily limit whole grain options. Whole grain granola bars, breakfast bars, cereal bars and graham crackers are among many GBDs regularly offered as part of snack programs and in homes across the country. The impact of the war in Ukraine and ongoing supply chain challenges have already made procuring whole grain menu options difficult.

Many companies have altered their recipes to ensure whole grain GBDs meet Smart Snacks in School limits for added sugar, calories, fat and sodium. As a result, some GBDs have a better nutritional profile than other whole grain options. **USDA should be consistent – whole grain snack options permitted to be sold five days a week a la carte should also be allowed for service as part of NSLP afterschool snacks.**

- **SUBSTITUTING VEGETABLES FOR FRUITS AT BREAKFAST**

SNA recommends offering permanent flexibility to allow schools to offer vegetables in place of fruit at breakfast, without having to meet vegetable subgroup requirements. Fruits will continue to be the popular choice for school breakfast sides, but as schools work to increase variety on breakfast menus, they should have the option to substitute a vegetable, without the added complexity of having to monitor vegetable subgroups. Combined with the request to allow meat/meat alternates to be served in place of the entire grain component a maximum of three times per week, this proposed rule will help reduce the overall sugar content of school breakfasts.

- **NUTS AND SEEDS**

SNA supports this provision of the proposed rule.

- **COMPETITIVE FOODS—HUMMUS EXEMPTION**

SNA supports this provision of the proposed rule.

- **PROFESSIONAL STANDARDS**

School nutrition directors manage a vast array of responsibilities, including ensuring their programs meet increasingly complex federal and state standards for procurement, financial management, operations and meal patterns. These professionals also serve as the face of their school nutrition programs within a field that prioritizes educational credentials. Current professional standards for medium and large districts ensure school nutrition directors have the education and skills necessary to excel in their roles, as well as in their work alongside highly credentialed principals, school board members and superintendents to prioritize the importance of school meals to the educational day.

However, school meal programs nationwide face severe hiring and recruitment challenges that must be addressed. **SNA supports this proposal to grant State agencies discretion to make exceptions to the bachelor's or associate's degree hiring requirement for school meal program directors in medium and large districts.** Given the unique challenges and regulatory requirements for operating school meal programs, candidates considered for this exception should have prior work experience in the school nutrition field. Substituting a minimum of ten years of work experience in school nutrition could be appropriate, if the experience includes managing or supervising personnel and overseeing school meal programs at the district level or for multiple sites. We support both the proposed examples of "equivalent educational experience" for the hiring standards and appreciate USDA's recognition of the value of SNA's School Nutrition Specialist credential. To further address ongoing hiring challenges, SNA would appreciate the opportunity to partner with USDA to further promote careers in school nutrition.

- **BUY AMERICAN**

SNA strongly supports America's farmers and our agricultural economy. Our members' first priority is to expose students to nutritious, American grown - and locally grown - foods. However, growing seasons and climates vary nationwide and do not ensure a consistent variety of year-round, readily available domestic produce in sufficient quantities for all schools to meet meal pattern requirements.

The proposed changes to Buy American requirements are too restrictive, could limit students' access to a wide variety of fresh, appealing produce throughout the school year, place significant administrative burden on school meal programs, and further complicate an already complex, challenging procurement process.

USDA based the proposed five percent cap on non-domestic foods on a SY 2017-2018 data collection for FNS's Year 3 Program Operations Study. Since that time, persistent supply chain disruptions, food inflation and the impact of domestic natural disasters have dramatically increased procurement challenges for school meal programs. In SNA's survey, more than 75 percent of respondents reported challenges with suppliers not carrying sufficient menu items to meet Buy American requirements. **USDA must re-evaluate this proposal based on current conditions and account for supply chain challenges that often result in vendors delivering substitute products that do not meet Buy American requirements. School meal programs should not be penalized for factors outside of their control.**


The proposed cap on non-domestic purchases would require programs and vendors to establish and monitor new, complicated tracking and documentation systems, dramatically increasing administrative burdens. **SNA supports maintaining current Buy American requirements and, to ease administrative burdens, establishing a list of non-domestic exempt foods, such as bananas, pineapples, mandarin oranges, mangos, as well as non-domestically grown spices and foods used in culturally relevant menu options.**

- **GEOGRAPHIC PREFERENCE**

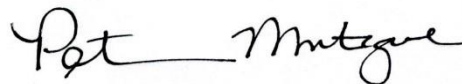
SNA supports this provision of the proposed rule.

Again, we thank you for the opportunity to comment on the proposed rule. We look forward to working with USDA to support school meal programs during implementation of the rule.

Sincerely,



Lori Adkins, MS, SNS, CHE
President



Patricia Montague, FASAE, CAE
Chief Executive Officer