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March 24, 2022

Tina Naiman
Chief
School Programs Branch
Policy and Program Development Division
Food and Nutrition Services
U.S. Department of Agriculture
P.O. Box 2885
Fairfax, Virginia 22031

Re: Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium (FNS-2020-0038)

Dear Ms. Naiman:

The Academy of Nutrition and Dietetics (the "Academy") appreciates the opportunity to submit comments to the Food and Nutrition Services at the U.S. Department of Agriculture, in response to the February 7, 2022, final rule: "Transitional Standards for Milk, Whole Grains, and Sodium." Representing more than 112,000 registered dietitian nutritionists (RDNs), nutrition and dietetic technicians, registered (NDTRs), and advanced degree nutritionists, the Academy is the largest association of food and nutrition professionals in the world and is committed to improving the nation's health through food and nutrition, including by ensuring America's children are fed safe, nutritious, and appealing meals in school.

In a position paper published in coordination with the School Nutrition Association and Society for Nutrition Education and Behavior, the Academy states "that comprehensive, integrated nutrition programs in preschool through high school are essential to improve the health, nutritional status, and academic performance of our nation's children. Nutrition standards established through the Healthy Hunger-Free Kids Act provided students with a wider variety of fruits, vegetables, and whole grains, while limiting sodium, calories, and saturated fat. Millions of students enjoy school meals every day in the United States, with the majority of these served to children who are eligible for free and reduced-priced meals."[1]

The Academy is uniquely positioned to help USDA determine how best to deliver the school nutrition programs in an efficient and effective manner while focusing on what is best for the health of our nation's students. To develop these comments, the Academy issued a survey to and facilitated a listening session with members of the School Nutrition Services Dietary Practice Group (SNS DPG) asking for feedback on the transitional standards and subsequent steps. The School Nutrition Services DPG represents approximately 1,000 Academy members who are working on the front lines of school nutrition each day and have the skills and passion needed to deliver healthful, appealing meals to kids.

[1] Hayes, D. & Dodson, L. (2018) Practice Paper of the Academy of Nutrition and Dietetics: Comprehensive Nutrition Programs and Services in Schools. *J Acad Nutr Diet*., 118(5), 920-931. https://doi.org/10.1016/j.jand.2018.02.025.

The following comments summarize the Academy's overall position regarding the transitional standards, including specific feedback from members working in school nutrition. This comment highlights the impact of the COVID-19 pandemic on school nutrition services and the need for realistic transitional standards during ongoing pandemic-related disruptions. We then share feedback from Academy members and finally, we lay out additional strategies to consider in future rules to improve both nutritional quality in school foods and ease the burden off school nutrition directors and staff.

A. Pandemic-Related Challenges and School Meals

School nutrition services have faced substantial obstacles throughout the last two years: school closures; uncertainty about product supply, service options, and accessibility to needed waivers; limited staffing; and supply chain shortages. Meals provided in National School Lunch and Breakfast Programs have been crucial in combatting the increased food insecurity seen during the pandemic, especially in families with children.[2,3] USDA school nutrition programs play a critical role in reducing food insecurity in American households.[4] School meals have been shown to decrease the prevalence of food insecurity and reduce the likelihood of a child becoming ill.[5,6] School meals have also been linked to increased student attendance and academic performance and decreased absenteeism, trips to the school nurse's office and disciplinary actions.[6,7] Prior to the pandemic, studies suggest that schools were the healthiest place for children to eat

[2] Economic Research Service. (2021) Food Security Status of U.S. Households in 2020. *USDA.* https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-u-s/key-statistics-graphics/#:~:text=Overall%2C%20households%20with%20children%20had,food%20insecurity%20(9.5%20percent).

[3] Feeding America. (2021) The Impact of the Coronavirus on Food Insecurity in 2020 & 2021. https://www.feedingamerica.org/sites/default/files/2021-03/National%20Projections%20Brief_3.9.2021_0.pdf.

[4] Ralston, K., Treen, K., Coleman-Jensen, A., & Guthrie, J. (2017) Children's Food Security and USDA Child Nutrition Programs. *Economic Research Services of USDA.* https://www.ers.usda.gov/webdocs/publications/84003/eib-174.pdf.

[5] Research Shows that the School Nutrition Standards Improve the School Nutrition Environment and Student Outcomes. (2016) Food Research and Action Center. https://frac.org/wp-content/uploads/school-nutrition-brief.pdf.

[6] The Connections Between Food Insecurity, the Federal Nutrition Programs, and Student Behavior. (2018). Food Research and Action Center. https://frac.org/wpcontent/uploads/breakfast-for-behavior.pdf.

[7] Ruffini, K. (2021) Schoolwide free-meal programs fuel better classroom outcomes for students. Brookings. https://www.brookings.edu/blog/brown-centerchalkboard/2021/02/11/schoolwide-free-meal-programs-fuel-better-classroom-outcomes-forstudents/

outside of the home.[8] Participation in the National School Lunch Program is associated with a healthier overall diet and higher fruit and whole-grain intake than lunch brought from home.[9] USDA's School Nutrition and Meal Cost Study, the first nationally-representative study to assess school meals after the Healthy, Hunger-Free Kids Act, found that the nutritional quality of school lunches and breakfasts, measured by the Healthy Eating Index (HEI-2010) scores,[10] increased by 41% and 44%, respectively, between school years 2009-10 and 2014-15.[11] The study also found schools made significant progress on whole grains[11] and sodium reduction[12]; a majority of schools met daily meal components, especially for fruits and vegetables[13]; schools with healthier meals experienced higher participation rates in the program[14]; and plate waste remained the same.[15] A recent study suggests that since implementing the Healthy, Hungry-Free Kids nutrition standards there has been a significant decrease in obesity risk for children living in poverty.[15] Strong nutrition standards are working.

Now more than ever, it is vital to amplify efforts to connect children to healthful food that reduces their risk of obesity since COVID-19 has disproportionately impacted individuals with underlying health conditions, including obesity. We appreciate the USDA's efforts to improve school nutrition

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[8] Gallagher, S. (2021) Study Finds Americans Eat Food of Mostly Poor Nutritional Quality – Except at School. TuftsNow. https://now.tufts.edu/news-releases/study-finds-americans-eatfood-mostly-poor-nutritional-quality-except-school.

[9] Au, L.E., Gurzo, K., Gosliner, W., Webb, K.L., Crawford, P.B., & Ritchie, L.D. J Acad Nutr Diet. 2018 118(8): 1474–1481.e1. doi:10.1016/j.jand.2018.01.010.

[10] Food and Nutrition Service. (2021) School Nutrition and Meal Cost Study. *USDA.* https://www.fns.usda.gov/school-nutrition-and-meal-cost-study.

[11] Fox, M.K. & Gearan, E. (2019) School Nutrition and Meal Cost Study: Summary of Findings. *U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support*. https://fns-prod.azureedge.net/sites/default/files/resource-files/SNMCS_Summary-Findings.pdf

[12] Callahan, E. (2020) Schools Find Success in Reducing Sodium in Meals. *Healthy Eating Research*. https://healthyeatingresearch.org/wp-content/uploads/2020/09/HER-Reducing-Sodium-1.pdf.

[13] Newman, C. (2013) Fruit and Vegetable Consumption by School Lunch Participants Implications for the Success of New Nutrition Standards. *USDA,* Economic Research Report Number 154. https://www.ers.usda.gov/webdocs/publications/45122/39888_err154.pdf?v=0.

[14] Fox, M.K. & Gearan, E. (2019) School Nutrition and Meal Cost Study Final Report Volume 4: Student Participation, Satisfaction, Plate Waste, and Dietary Intakes. *U.S. Department of Agriculture, Food and Nutrition Service, Office of Policy Support.* https://www.mathematica.org/publications/school-nutrition-and-meal-cost-study-final-report-volume-4-student-participation-satisfaction-plate.

[15] Plate Waste- Cohen, J.F.W., Richardson, S., Parker, E., Catalano, P.J., & Rimm, E.B. (2014) Impact of the New U.S. Department of Agriculture School Meal Standards on Food Selection, Consumption, and Waste. *Am J Prev Med*. 46(4), 388–394. doi:10.1016/j.amepre.2013.11.013.

standards while allowing for the needed flexibilities for school nutrition professionals to serve during ongoing challenges.

B. Whole Grains

The Academy supports alignment with the *Dietary Guidelines for Americans* which recommends that half of one's grains be from whole grains. The Academy acknowledges the proposed rule of 80% whole grain rich (WGR) for the transitional period is a steppingstone to meeting the *Dietary Guidelines for Americans*. Considering many children get half of their daily calories from school meals, encouraging intake of WGR items helps them meet the dietary guidelines' grain recommendations. Academy members working in school nutrition acknowledge the nutritional value of whole grains but appreciate some flexibility in offering whole grain rich products, especially as schools continue to recover from pandemic-related challenges. These flexibilities are especially helpful when serving culturally significant food. SNS DPG members report some flexibility in providing WGR products allows them to accommodate student preferences and include culturally appropriate foods; however, most indicated that they would meet or exceed the 80% standard.

> "Certain whole grain items like brown rice in cultural dishes are not an acceptable replacement to students from South Asian backgrounds. With the flexibility of 80%, we can be intentional to meet the needs of our communities." -Minnesota SNS DPG member

Some Academy members suggested that it may be more appropriate to reword the standard to reflect a limit on the flexibility. For example, allowing ***up to*** 20% enriched grains.

> "We are 100% WGR except for biscuits. It's hard to find a WGR biscuit students enjoy." -Georgia SNS DPG member

Academy members stressed that it is imperative to continue working with the food industry to ensure that WGR items that are acceptable by students are readily available and affordable. The Academy wants to continue to encourage WGR items in schools and have school nutrition standards consistent with the 2020-2025 *Dietary Guidelines*. Eating more whole grains is associated with reduced risk of heart disease, stroke and diabetes, provides more nutrients and is a healthful source of fiber.[16] Children, on average, consume too few whole grains and too many refined grains.[17]

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[16] Aune, D., Keum, N., Giovannucci, E. Fadnes, L.T., Boffetta, P., Greenwood, D.C., Tonstad, S., Vatten, L.J., Riboli, E., & Norat, T. (2016) Whole grain consumption and risk of cardiovascular disease, cancer, and all cause and cause specific mortality: systematic review and dose-response meta-analysis of prospective studies. *The BMJ.* 353. Doi: 10.1136/bmj.i2716.

[17] Center for Science in the Public Interest. (2021) *Protect Progress on School Meals.* https://www.cspinet.org/protecting-our-health/nutrition/protect-progress-school-meals#:~:text=Children%2C%20on%20average%2C%20consume%20too,a%20healthful%20source%20of%20fiber.

C. Milk

The 2020-25 *Dietary Guidelines* report 90% of the U.S. population does not meet dairy recommendations.[18] The majority of dairy intake in children and adolescents is from school meals. Increasing milk consumption by allowing flavor low-fat milk would increase the intake of essential nutrients found in milk often lacking in the diets of children and adolescents.[19]

Academy members working in school nutrition report serving flavored low-fat milk would increase milk consumption among their students. However, they acknowledge the need for sugar standards to limit the excess intake of added sugars during school breakfast and lunch.

> "I believe milk consumption would be higher with the 1% low-fat flavored milk option but support the introduction of a sugar standard." -North Dakota SNS DPG member
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> "The way the sodium standard was started was challenging, but manageable. I think going about it in a similar way with an added sugar standard would be wise, so finding out what the current sugar intake is and setting a reasonable goal based on that."- Washington SNS DPG member

The greatest contribution of added sugars in both school lunch and breakfast comes from flavored milk.[20] While not a major source of added sugars overall for children, flavored milk in schools still contributes to the overall excessive intake of added sugars in American children's diets. **Establishing a sugar standard going forward is critical to have meal patterns that align with the 2020-25 *Dietary Guidelines for Americans***. The Academy supports explicit calorie standards for low-fat flavored milk, which the Robert Wood Johnson Foundation's Healthier Beverage Guidelines recommends flavored low-fat milk contain no more than 130 calories per 8 ounces.[21] The Academy also supports continued research on the impact of low-fat or non-fat flavored milk on adiposity, specifically in children. Little evidence supports a conclusive recommendation for flavored milk intake and the impact of these added sugars.[22]

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[18] U.S. Department of Agriculture and U.S. Department of Health and Human Services (2020). *Dietary Guidelines for American*s, 2020-2025. 9th Edition.

[19] Sipple, L.R., Barbano, D.M., & Drake, M. (2020) Invited review: Maintaining and growing fluid milk consumption by children in school lunch programs in the United States. *J. Dairy Sci.* 1030, 7639–7654. https://doi.org/10.3168/jds.2020-18216.

[20] Fox, M.K., Gearan, E.C., & Schwartz, C. Added Sugars in School Meals and the Diets of School-Age Children. *Nutrients,* 13(2), doi: 10.3390/nu13020471.

[21] Robert Wood Foundation. (2013) *Healthy Eating Research.* https://www.rwjf.org/en/library/research/2013/03/recommendations-for-healthier-beverages.html

[22] Academy Comments to USDA and HHS - Re: Dietary Guidelines Advisory Committee's Scientific Report (2020). *Academy of Nutrition and Dietetics.* https://www.eatrightpro.org/-/media/eatrightpro-files/news-center/member-updates/dga/academy-comments-to-usda-and-hhs-re-scientific-report-of-the-dgac.pdf?la=en&hash=4164D3A0BD2324341BD3BE973065BDA0357FF2BC

D. Sodium

We appreciate USDA's efforts to decrease the sodium content of school meals and understand the many challenges faced by stakeholders and school nutrition professionals. **The Academy supports the current transitional standards for sodium but urges USDA to continue reduction of sodium consistent with the 2020-2025 *Dietary Guidelines for Americans*.** The current *Dietary Guidelines* recommend limiting sodium to less than 2,300 mg per day—and even less for children younger than age 14.[18] The Chronic Disease Risk Reduction (CDRR) levels defined by the National Academies of Sciences, Engineering, and Medicine are more stringent standards for those under 14 years of age with 1,200 mg/day for ages 1 through 3; 1,500 mg/day for ages 4 through 8; 1,800 mg/day for ages 9 through 13.[23] The CDRR for sodium was established using evidence of the benefit of reducing sodium intake on cardiovascular risk and hypertension risk. The 2020-2025 *Dietary Guidelines for Americans* highlight the needed reduction in sodium intake as excessive levels of sodium intake are related to increased chronic disease risk.[18]

The Academy and its members recognize the difficulty posed by sodium standards related to meal planning, especially with the current obstacles in school nutrition. Our members working in school nutrition report Target 1 levels are manageable and appreciate the grace of Target 1 and Target 1A for the transitional period. They note the main hurdles for meeting sodium standards come from working with manufacturers who continue to reduce sodium content of foods but can only do so much without compromising the quality of the product.

> "We cannot control sodium content of some items with manufacturers, and I'm worried aggressive standards during this difficult time will disincentivize manufacturers."-Indiana SNS DPG Member

> "Having small incremental steps to reach the goal helps make school districts successful in finding products that fit, while manufacturers slowly change what they are producing to meet the changing needs." -Washington SNS DPG Member

To help schools meet nutritional standards, the Academy encourages USDA to continue to support schools' efforts to work toward lowering sodium intake. **USDA should address remaining challenges through enhanced training and technical assistance.** Support of hands-on training and proper equipment is necessary to develop the school nutrition industry and improve nutritional quality of school meals.

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[23] National Academies for Sciences, Engineering, and Medicine. (2019) *Sodium and Potassium Dietary Reference Intake Values Updated in New Report; Introduces New Category for Sodium Based on Chronic Disease Risk Reduction.* https://www.nationalacademies.org/news/2019/03/sodium-and-potassium-dietary-reference-intake-values-updated-in-new-report#:~:text=Reductions%20in%20intakes%20that%20exceed,for%20children%20ages%201%2D13

> "The increase in staff confidence from participation in hands-on chef-based training was huge. Knife-in-hand has really increased our staff's comfort." -Maryland SNS DPG Member
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> "Our hands-on training in Texas was very effective, but I noticed coachability was affected when it was not done correctly. Staff need to be able to see instructors and vice versa to correct behaviors and train properly."- Texas SNS DPG Member

If additional resources are required to provide technical assistance to ensure students are receiving nutritious, appealing school meals, USDA should specify the amount and seek appropriations for this critical initiative. The Academy is committed to the gradual reduction of sodium in school meals and urges USDA to make clear its commitment to this shared endeavor.

E. Additional Resources

It cannot be overstated that strong nutrition standards are only one component of the equation to establishing healthy eating habits through the school nutrition programs. It is imperative that strong nutrition standards are coupled with school nutrition operator training and technical assistance, resources including adequate reimbursement rates and modernized equipment, comprehensive nutrition education for students, faculty, and staff as well as adequate time to eat for students. It is unfair to place the ultimate success of the programs solely on the nutrition standards without a proper and meaningful investment to these additional resources.

F. Conclusion

Together, we have made substantial progress in developing, testing and serving nutritious and appealing school meals that children want to buy and consume. Overcoming the challenges currently faced in school nutrition due to the pandemic will require continual efforts and investments from the USDA. These transitional standards are the first step in improving school nutrition going forward. The Academy looks forward to our continued partnership on the development of future standards.

The Academy appreciates the opportunity to comment on the final rule "Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium," which will help determine the future healthfulness of our children's school meals. Please contact either Jeanne Blankenship at jblankenship@eatright.org or Liz Campbell at ecampbell@eatright.org.

Sincerely,

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