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Tina Namian
Director
School Meals Policy Division
USDA Food, Nutrition, & Consumer Services
Washington D.C.

April 13, 2023

Dear Tina,

The Urban School Food Alliance supports strong nutrition standards, and we appreciate the USDA's continued work to ensure students have the opportunity to access the healthiest meals possible in their schools. Representing 18 of the largest districts in the country the Urban School Food Alliance would like to submit the following suggestions to the proposed rule "Child Nutrition Programs: Revisions to meal patterns consistent with the 2020 Dietary Guidelines for Americans".

Working in these programs every day, we see the benefit of healthier meals, but we also see the need to make sure the rules are feasible in a variety of settings and encourage balanced meal consumption by the students we serve. With all the supply chain and staffing challenges school districts are still facing, these proposed changes feel aspirational, something to work toward achieving but without additional funding they may not be obtainable. The Urban School Food Alliance believes that technical assistance is important, but it should not be prioritized over funding needs.

We appreciate the ability to comment on the proposals as well as give overall suggestions. The members of the Urban School Food Alliance look forward to working with USDA to find rules that are practical, affordable, and acceptable.

Our comments are as follows:

Section 2: Added Sugars

We support working to limit sugar in school meals with the following suggestions: a) It is more feasible to start with implementing the no more than 10% calories from added sugars, averaged over a week, rather than identifying individual food items first and adding the percentage later. Having both rules combined will cause a lot of confusion and be

difficult to manage and document. b). Return to past breakfast menu planning options of two grains or one grain and one protein, or two proteins. Adding protein to breakfast menus will help to reduce sugar significantly and protein is critical for longer lasting energy in the morning c). In the spirit of continuing to simplify menu requirements we agree with using the same rule for breakfast as we have for lunch with the limit of 2 oz grain-based desserts at breakfast, over the course of one week. The more we can move towards a single meal pattern across the programs the better d). We agree with the language of “added” sugars. For example, milk has sugar and sodium that is naturally occurring and should not be considered in the weekly average e). We support sugar standards starting in 2025-2026 school year. This will give districts a chance to review menus, get food items in the bid cycle and train staff.

Across the country, breakfast participation lags behind lunch participation and the more flexibility we can give districts, while still reducing sugar in meals will be critical for increasing participation based on local preferences.

Section 3: Milk

The Urban School Food Alliance does not support any changes to the type of milk allowed or changes in the grade levels that flavored, low fat milk is allowed. Milk contains essential nutrients, particularly protein and with so many districts having meatless days, the protein in milk may become even more essential. The dairy processors have worked diligently to reduce the added sugars in their flavored milks and if we move forward with no more than 10% calories from added sugars, milk will be added into that calculation. Also, experience has shown that taking flavored milk out of the school meals program simply reduces the consumption of milk, causing an increase in food waste and dollars spent on unconsumed items.

Section 4: Whole Grains

The Urban School Food Alliance supports the 80% whole grain rich requirement, over the course of the week. We do not support the idea of 100% whole grain rich for 4 days with 1 day of enriched. This would be exceedingly difficult to document and if school is cancelled for weather or other emergency means. It would be very confusing if a finding would occur if you had the one day of enriched and were not able to serve the other 4 days. Keeping it as simple and consistent as possible is the best way for success. We also support removing the whole grain rich requirement from the definition of “entrée” when considering what can be sold in ala carte. If the entrée is part of the 20% enriched grain that is allowable, then it is very confusing for students as to why it cannot be sold that day and the day after service on the ala carte line. This will once again simplify the rules and make things more consistent and easier for staff to stay in compliance.

Section 5: Sodium

Sodium limits need to hit a number and stay consistent until the commercial palate changes. The Urban School Food Alliance supports starting at Target 1a and then use a per meal incentive for districts that meet Target 2 from the HHFKA before the 2028-2029 school year. Meeting Target 2 from the HHFKA in the school year 2028-2029 can be achievable if state agencies use a supportive rather than punitive approach and food manufacturers know what to target to work towards. Having moving

levels and decreases in lunch but not breakfast makes things very complicated to plan, monitor, and document. Before the pandemic, industry had many products available that would assist in meeting Target 2 from HHKFA but many of those products are not as easy to obtain at this time. Industry needs to catch up with an endpoint to strive for. An incentive for districts if they meet Target 2 prior to the 28-29 school year will be a positive encouragement to move in that direction and it would encourage districts to push manufacturers for those products. We understand that sodium (and sugar) consumption is too high in children, but the school nutrition program cannot be responsible to take on the entire issue. In the proposal it mentions the FDA voluntary standards for reducing sodium. That is a great concept, but they are only voluntary. Many of the food students consume in the commercial marketplace have a different flavor profile than in school meals. Manufacturers also struggle with foods made for schools that are not saleable in the commercial marketplace. **One idea we have had for many years is to talk about “added sodium” as you have done with sugar.** Why are we required to include the sodium in milk in this calculation when it is naturally occurring, and milk is required to be offered. It is the same with whole grain breads, sodium is required to be used in bread dough. Without sodium you do not have bread, you have crackers. The Urban School Food Alliance encourages USDA to have a conversation about this issue with regards to naturally occurring or what is required for food standards and food safety. We do not support going any further than Target 2 listed in the HHFKA for this rulemaking.

Section 6: Menu Planning Options for American Indian and Alaska Native Students

While we support the proposed changes in this section the question is “Why is the allowable vegetable in place of grain for breakfast” proposal for only Native Students? Vegetable consumption is lacking in all children, from all communities. Allowing vegetables to be substituted for grains in breakfast would lower the sugar content of school breakfast while encouraging students to eat more vegetables. We highly encourage USDA to allow all breakfast programs to engage in this proposal.

Section 7: Traditional Foods

We support this proposal to allow tribes to use their native foods.

Section 8: Afterschool Snacks

The Urban School Food Alliance supports aligning NSLP snack standards with CACFP snack requirements. This is another step toward single meal patterns, simplifying the requirements. With a single pattern of requirements, districts that operate multiple programs can use the same products for all snack programs.

Section 9: Substituting Vegetables for Fruits at Breakfast

We support the proposal in this section. It will eliminate confusion.

Section 10: Nuts and Seeds

We support allowing seeds and nuts to credit for full protein source in all Child Nutrition Programs and Meals and remove the 50% crediting limit. With a diverse population in our schools, nuts and seeds can play a critical role in acquiring complete proteins in our meals. This change can also assist with meal planning when shelf stable meals are required.

Section 11: Competitive Foods – Hummus Exemption

We support adding hummus to the exemption list exempt from the fat standard in competitive food/smart snack regulations.

Section 12: Professional Standards

As the directors in the largest school districts across the country, the Urban School Food Alliance is concerned over this proposal. Ten years or more of school nutrition program experience needs to be better defined. These programs are complicated to run, and the director of larger districts has many different responsibilities. We would recommend that a certain number of technical school or college credits be required in certain areas, particularly budgeting, procurement, and food safety. We recommend that the 10 years of experience include being in a supervisory role and experience in counting, claiming, menu development and other compliance issues. Obtaining the professional standard requirements was a difficult road. Part of the work was for the purpose of raising the bar in the way this profession is viewed. At this level, districts may need to consider equal pay to director of custodial services or teachers.

Section 13: Buy American

The Urban School Food Alliance supports the idea of procuring as much as feasibly possible from our American farmers, ranchers, fishers, and producers but there needs to be an easier way to obtain this ideal. Our suggestions include a) USDA to immediately publish an exemption list for school meals – there are many spices and food items that are simply not produced in the U.S. The idea that we need to document these items every time they are purchased, is an administrative burden. We recommend an exemption list that is simply that – those items are exempt from documentation and tracking b). We do not support the idea of the % total dollars spent due to the administrative burden that would require to calculate and track c) USDA needs to be more proactive with educating business officials about the Buy American issue – many times it is not in the food service departments discretion to choose what wins on a bid d). Developing an incentive to limit non-domestic products purchased. For every AR without any findings with Buy American or if a district is lower than a certain percentage of foreign food purchased, an incentive it given to the district e). define “significantly” in the significantly higher costs provision (f). Place some of the burden on the supplier that delivers foreign product without notifying the district. When a large warehouse is checking in semi-loads of food, foreign product can be mixed in the delivery without notification on an invoice. It is not until the time of service that this is first noticed. Some burden should be placed on that supplier.

We support the requirement to include the Buy American provision in documented procurement procedures, solicitations, and contracts for foods and food products procured using informal and formal

procurement methods and in awarded contracts. This should be required and audited in for profit management contracts as well.

We support the codifying of the term substantially as proposed.

Section 14: Geographic Preference Expansion

We support the proposed changes in this section. This will make it much easier for districts to support local economies and small producers.

Section 15: Miscellaneous Changes

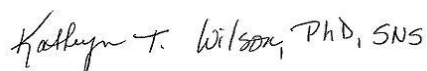
We strongly support all the changes in this section. Terminology has changed and many of these suggested changes will make things easier to understand for school nutrition professionals as well as the public.

Section 17: Proposals from Prior USDA Rulemaking

The Urban School Food Alliance supports all items listed in this section of the proposal. These are sensible proposals that help to update our rules for school meal service.

This concludes our comments on the proposed rules. Once again, we appreciate the ability to share our thoughts, concerns, and ideas. As we move forward with this rule making process, the Urban School Food Alliance will continue to share our best practices and solutions in meeting stronger nutrition standards. We fully support moving forward but with the cautionary idea that we cannot change all the issues with the American diet with school meals and since our programs are based on a per meal reimbursement rate, it is essential that we serve food children will accept. We fully accept the responsibility to be a critical part of educating students to make healthier choices by offering healthier options but until the commercial marketplace comes along with those same changes we need to make sure school meals do not take the responsibility of the need for change on their own and get too far ahead of the nutrition education that also needs to take place. One idea our members shared was the possibility that in order for name brand food items to become eligible for school meal components (such as Lunchables, Dominos, etc) than they should be required to sell the same items commercially. We look forward to further conversations and working with USDA to serve American produced, healthy food in our schools nationwide.

Sincerely,



Dr. Kathryn Wilson, SNS



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Executive Director

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