

Model Comment: USDA Child Nutrition Standards 2023 Durable Rule

Tina Namian, Director, School Meals Policy Division
Food and Nutrition Service
1320 Braddock Place
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<Date>

Re: Docket No. FNS-2022-0043-0001; Child Nutrition Programs: Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans

<Your Organization Name> appreciates the opportunity to submit comments regarding the proposed durable rule for USDA Child Nutrition Programs. As a <share background on your organization and its stakeholders>, our perspective on these programs is <include details about why your stakeholders have an interest in these proposed updates, and their first-hand experience with them>.

Geographic Preference Expansion

We applaud USDA for removing administrative barriers to local purchasing in the proposed rule. Current regulations on geographic preference can be complicated and burdensome for both purchasers and vendors to navigate. As a <PRODUCER, FOOD SERVICE DIRECTOR, EDUCATOR, ETC>, we support this provision and agree that it would result in more local market opportunities. Simplifying geographic preference to allow it as a product specification would remove uncertainties from the buying process for purchasers.

<Insert information illustrating how the current process creates barriers to local purchasing, such as:

Example SFA perspective: “Our small district would like to purchase more local, fresh products, but using geography as one of many preference factors in our competitive bid process is not something our district business office is familiar with and they are unsure whether it is allowed. This change would create clarity so that we can confidently allocate money to local purchasing.”

Example food hub perspective: “Our food hub would love to work with more school food buyers, but the current geographic preference process creates uncertainty about whether local products will be undercut by the cheapest competitors. Clarification to allow “local” as a product specification will let us confidently grow our business relationships with local producers to provide fresh food to our community’s children.”

Example producer perspective: “Entering the competitive bid process is time-consuming for small producers like us. With this change, producers in my community will have a level playing field as purchasers choose a responsive and responsible vendor.”

This change would allow child nutrition program operators to better meet the directive in the Food, Conservation, and Energy Act of 2008 for the Secretary of Agriculture to encourage child

nutrition programs to purchase locally grown and locally raised products “to the maximum extent practicable and appropriate.” This change will let programs that wish to buy local products to do so more easily and with greater confidence, and aligns with the programs’ dual goals of nourishing children and supporting the agricultural sector.

Professional Educational Standards

We also agree that the proposed change to educational requirements for hiring standards will allow for greater equity in career pathways in child nutrition programs.

<Insert your perspective on the need for career pathways in child nutrition programs, and any examples to illustrate the barriers currently in place.>

Obtaining the degree currently required can be expensive and time consuming for many, and places an inequitable barrier to advancement in school nutrition. The same report also noted that median annual earnings among full-time school food service workers (30 or more hours per week) were only \$18,773. Along with the proposed change in professional qualifications, we urge USDA to examine and act on any other levers to support greater economic opportunity for the full school food workforce, such as <Skilled professional development through scratch cooking, greater oversight of labor practices in school food service management companies, or other needs that USDA should act on>.

Traditional Foods and Menu Planning Options

We deeply appreciate USDA’s efforts to improve menu planning equity in child nutrition programs through the proposed rule and its request for additional public feedback on these topics. As a federal program serving many diverse communities across the country, child nutrition program standards should do everything within its authority to allow and encourage culturally responsive meal patterns and menu planning for all students, including programs serving Native American and Alaskan Native students.

<Insert illustrative example of why it is important for students to experience culturally responsive menu planning, based on your own perspective and experience.>

<Your organization> agrees with the proposed change to allow more programs to substitute vegetables for the grain component of meal patterns. Additionally, we thank USDA for the proposed clarification that traditional Tribal foods are explicitly reimbursable under child nutrition program regulations.

We ask USDA to remove any grain component replacement limits, and train state agencies accordingly, for programs serving American Indian and Alaska Native Students, as well as those American Samoa, Puerto Rico, and the U.S. Virgin Islands. This would allow programs to serve traditional foods, such as breadfruit or taro in Hawai’i or Pacific Island Territories. We also ask USDA to ensure that traditional foods are readily available in USDA Foods, particularly through contracting with Tribal producers, and to ensure that all vendors contracted with USDA can provide the desired selection of traditional and culturally appropriate foods.

<If you have experienced difficulties obtaining products, through USDA or the vendors you work with, please add those examples here.>

We encourage USDA to grant maximum flexibility for programs serving American Indian and Alaska Native Students, as well as those American Samoa, Puerto Rico, and the U.S. Virgin Islands, to tailor their procurement and menu planning to incorporate traditional and culturally important foods. We also ask USDA to use its platform to encourage child nutrition program meals that celebrate students' cultures and divest from the cultural assumption of a single Eurocentric model for a healthy diet.

<Insert your own perspective here on the need for diversity in the models of "healthy meal" patterns that USDA represents, and models that USDA should elevate to address this.>

Additionally, the difficulty of accomplishing this within the parameters of the current crediting model point to the need for innovation toward simplified compliance that incentivizes scratch cooking and procurement of unprocessed or minimally processed products.

<If you have experienced difficulty incorporating traditional or culturally important foods, or tailoring culturally appropriate meal options for your student population within the current crediting system, please add those examples here.>

Added Sugars and Other Nutrient Standards

<Your organization> commend USDA for spurring progress toward aligning with the Dietary Guidelines for Americans. In particular, the inclusion of a rule regarding added sugars is a crucial component of improving child nutrition. For the first time, this standard will recognize a distinction between an item with naturally occurring nutrients and one to which sugar has been added, creating a useful incentive toward reducing the added sugars in hyper-processed products. This change will also create an incentive for increased use of unprocessed or minimally processed products that can appeal to students without added sugars. We also appreciate the proposed changes to allow full crediting of nuts and seeds for protein, the language on whole grains, and the inclusion of hummus as a Smart Snack.

<Insert any additional perspective here on other nutrient targets presented in the rule:

- Sodium
- Whole grains
- Flavored milk
- Substituting vegetables for fruits at breakfast
- NSLP Afterschool Snacks

With the right supports to connect SFAs and producers, the local food system can play a significant role in meeting the new standards. We urge USDA to invest resources in helping SFAs meet any challenges posed by the final rule, particularly through <insert your perspective here on the most necessary supports from USDA to enable compliance with more stringent nutrition standards; examples may be to have more training and menu planning resources available, or more investment in cold storage infrastructure to use ingredients such as frozen fruits>.

Buy American Regulations

We appreciate USDA's initiative to propose an approach to strengthen the Buy American regulations in school food programs. We agree with the inclusion of Buy American provisions in

vendor solicitations and contracts, and request that this requirement also extend to privately owned food service management companies contracting with federally reimbursed child nutrition programs. Child nutrition program operators commonly find that major vendors are not always transparent or aware of product origins, even when they are supposed to be. Any influence that USDA can exert to enforce this contract provision without penalizing child nutrition program operators would be welcome.

<Insert your perspective here, if applicable, on USDA's proposed 5% limit on non-domestic food purchases, and whether the documentation requirements they propose are feasible.>

Additionally, USDA should do all it can to improve transparency and traceability in the school food supply chain without placing undue burden on child nutrition program operators, including using its own contract requirements through USDA purchases to drive greater transparency.

Better implementation of this requirement will also rely on education of procurement officials in school districts and state agencies *other* than the School Nutrition Directors. Food procurement is a unique process and school nutrition professionals may find that district business offices or procurement officials are not knowledgeable about, nor prioritize improving, school food products. Successful implementation of this provision will require investment in menu planning and education for participants about *why* certain out-of-season products are limited, and the benefits of these changes. *<Insert your experience here, if applicable, with barriers to complying with the current or proposed Buy American regulations, such as difficulty obtaining certain products, menu planning resources needed, student or family expectations of year-round availability of products, etc.>*

Additional Supports for Implementation

<Please add your perspective here about any additional changes or supports that will be needed for USDA to craft and successfully implement their final rule, such as:

- *Financial pressure on school food to generate revenue*
- *Incorporating farm to school and scratch cooking as core aspects of school meals and student education*
- *Coordination required within and across federal agencies (such as, different offices within USDA that support child nutrition programs and producers, or across USDA and the federal Department of Education)*
- *Any other essential items that USDA needs to hear!>*

Thank you for the opportunity to submit these comments, and for your continued work to support the delivery of effective child nutrition programs.

Sincerely,

<Your organization's designated signers>