



Dr. John D. Barge, State School Superintendent
"Making Education Work for All Georgians"

School Nutrition Program

April 11, 2011

Ms. Julie Brewer, Chief
Policy and Program Development Branch
Child Nutrition Division
Food and Nutrition Service
Department of Agriculture
3101 Park Center Drive, Room 640
Alexandria, Virginia 22302-1594

RE: RIN 0584-AD59, Nutrition Standards in the National School Lunch and School Breakfast Programs

Dear Ms. Brewer:

Thank you for the opportunity to submit comments on this proposed rule. School Nutrition Programs in Georgia have an enduring history of serving nutritious meals to its students and exemplary participation rates. Collectively our programs comprise the largest foodservice operation in the state and serve more than 1.5 million meals daily in more than 2,250 schools. Our programs have much at stake when new requirements are implemented. The Georgia Department of Education School Nutrition Program is pleased to submit these comments on behalf of our stakeholders and customers.

Proposed meal requirements for NSLP and SBP – fluid milk

School Food Authorities (SFAs) should be allowed to serve both flavored and unflavored low-fat and fat-free fluid milk. There should not be a restriction to allow only fat-free flavored milk. Therefore, it is our recommendation the proposed rule regarding fluid milk be modified to allow SFA menu planners the flexibility to offer varieties of flavored and unflavored low-fat and fat-free fluid milk and limit saturated fat in other menu items as needed. The rule states the intent is to reduce the saturated fat and calorie content of school meals. Prohibiting low-fat flavored milk is a misplaced approach to reduce saturated fat in school meals and children's diets. Low-fat fluid milk (½% and 1% milk fat) provides 0.5 grams to 1.5 grams saturated fat per cup (1; data from local labels). Evidence shows other food sources contribute more saturated fat to children's diets than low-fat milk. Consider these data:

- The School Nutrition Dietary Assessment Study (III) showed students who consumed school meals obtained a greater share of their saturated fat intakes from pizza, pizza products, milk

- (1% flavored, 2% flavored, 2 % unflavored) and salad dressings (2). Pizza and reduced fat milk seemed to contribute more to saturated fat intake than low-fat milk.
- The Report of the 2010 Dietary Guidelines Advisory Committee's section on Fatty Acids and Cholesterol highlights national consumption data that showed the top food sources of saturated fat were regular cheese, pizza and desserts. Whole and reduced fat milk are the only fluid milks listed and are listed 12th and 10th, respectively (3). No low-fat milk is listed.
 - The Report of the 2010 Dietary Guidelines Advisory Committee Supplemental Report on Children's Dietary Intake stated the top sources of solid fats in children's diets were pizza, grain desserts, whole milk, regular cheese and fatty meats (4).
 - Replacing saturated fat with carbohydrate can have less desirable impacts on diabetes and cardiovascular risks than when replacing with unsaturated fatty acids (3).

It is our observation, when comparing product labels/formulations, fat-free flavored milks can contain more total carbohydrates and/or added sugars than low-fat flavored milks. The net result is a zero, or nearly zero, calorie savings with undesirable ingredients (more added sugar, added starches/thickeners) present to enhance the mouth feel and palatability of fat-free milk.

A more prudent approach would be to focus training, technical assistance and menu planning resources on ways to minimize saturated fat by moderating the quantities, serving sizes and frequencies of foods that are greater contributors of saturated fat in children's diets, such as cheeses, meats, desserts and salad dressings. Our examination of menu analyses for SMI reviews shows the primary contributor of saturated fat in most menus is indeed beef dishes, cheese products, and reduced-fat and whole milk. An evaluation of the saturated fat content of USDA Foods is also advisable given that no cheeses and beef available, even reduced-fat and lean varieties, are low in saturated fat (5).

Whole grains

It is timely and appropriate to require whole grains in school meals. Schools should be allowed the flexibility, however, to achieve this with a variety of 100% whole grain products, made with whole grain products and/or other whole grain-rich products along with a select few enriched-grain products that round out menu planning needs.

The requirement that, two years post-implementation, all grains be whole-grain rich (when and if this term is finally defined) could feasibly limit the use of good 100% whole grain products (whole wheat breads, whole wheat rolls, brown rice, corn tortillas, quinoa, etc.), in favor of those that are 51 percent whole grain or more. Schools should be allowed the flexibility to plan and offer more than half of grains as whole grains in a variety of methods as originally described in the Institute of Medicine's (IOM) school meals report (6).

For example, it seems reasonable for a menu planner to use 100% whole grain breads, buns, rolls and brown rice in mixed dishes and rely on enriched pasta and enriched rice at other times. This flexibility to balance 100% whole grain items with some refined grains can help menu planners determine which breads and grains

have significant cost benefit and when a whole grain rich item is not as palatable as other 100% whole grain items on the menu.

Additionally, relying on using only whole-grain rich foods (when/if a definition is finalized) may increase the use of foods made with whole grain ingredients that are not necessarily wholesome but confer a “health halo effect” by virtue of whole grain ingredients (7). Schools are already prodded by manufacturers to serve cookies, pastries, brownies and similar desserts made with whole grain ingredients. Since grain based desserts are proposed to count as one serving of grain requirements daily, it is likely these foods will be used more often than desired to meet whole grain requirements.

Whole grains and meal pattern exception for outlying areas

Because of the diverse cultures in the United States and projections for even more diverse populations, yams, plantains and sweet potatoes should be allowed to meet the grain requirement for more than students in American Samoa, Puerto Rico and the Virgin Islands. Incorporating more foods such as these high in potassium may help offset the effects of higher sodium foods. In the least, schools serving diverse populations could be allowed to request approval to use these foods to meet the grain requirement.

Meat and meat alternate at breakfast

We do support the proposed requirement for one ounce of meat or meat alternate offered daily at breakfast. Protein is an important component of a filling, nutritious breakfast that has been lacking in many schools that choose to offer two breads under the present food-based meal patterns. Schools may need guidance and creative ideas on meat and meat alternate foods to offer that are not cost prohibitive and not too high in sodium.

Fruits at breakfast

It is admirable to require actual fruit at breakfast. Clarification is needed for the requirement for one cup of fruit at breakfast and how much of the one cup a student is required to take for a breakfast to be reimbursable. We recommend the rules be written to allow the one cup of fruit be offered in two or more ½ cup servings and that only a single ½ cup serving be required for a breakfast to be reimbursable. If the requirement is interpreted as a full cup is required on the tray for breakfast to reimbursable, it will then be difficult to offer and account for fresh fruit choices. It will take more than two tangerines or at least two bananas, for example, to provide a full cup of fruit. The cost and confusion could lead to fewer fresh fruit choices at breakfast and increased reliance on canned fruit.

Fruits and vegetables

It is appropriate that all forms of fruit will be allowed to meet requirements. Consider, however, the impact of not allowing frozen fruit with sugar to meet some of the requirement. The apricot, peach and strawberry fruit cups are popular and are sweetened. Frozen fruit, when not individually quick frozen, can have serious texture and quality declines during frozen storage. The rule could be modified to allow sweetened, frozen

fruit, even with limits per week like starchy vegetables, and work with manufacturers and food scientists to devise the minimum sugar levels required to maintain quality and acceptability.

It is admirable to limit starchy vegetables (e.g., white potatoes, corn, lima beans and green peas) in order to encourage using more dark green and orange vegetables on menus. Menu planners may need time to adjust to this provision and may need concessions. It is suggested, for flexibility and to not exclude nutrient dense foods, to allow whole, fresh white or red potatoes (or other colors) with skins intact, be excluded from this limit (e.g., baked potatoes, fresh roasted potatoes with skins, fresh steamed “new” potatoes with skin, etc.). This could also allow the continued use of any fresh potatoes obtained through Farm to School efforts.

Sodium

Our office recognizes the sodium recommendations cannot be ignored even if the changes needed to reduce sodium in lunches and breakfasts seem insurmountable. State Agencies (SAs) and SFAs will need appropriate and timely guidance over the ten years of implementation to be successful. In particular, benchmarks for food items/food groups should be developed to ensure success. For example, what are appropriate sodium targets for entrees and breads on menus to help ensure sodium levels are not exceeded? What is the appropriate amount of salt that can be added to plain vegetables (fresh or frozen) to enhance tastes without resulting in neither a predominately salty taste nor a bland taste? How can a menu planner balance a higher sodium food with other menu items to achieve balance and retain pleasing menus? Additionally, progress should be evaluated at each of the target steps to determine if SFAs are indeed successful at reducing sodium or if more assistance and market options are needed to achieve the remaining goals.

Crediting and fortification

Our office agrees it is appropriate to not allow snack-type fruit or vegetable items to be creditable food items. It is also appropriate to credit all fruits and vegetables based on actual volume as serve (with exceptions for dried fruit and leafy greens). Clarification may be necessary on how to credit vegetable purees, such as pumpkin, sweet potato and winter squash, that may be incorporated into breads (e.g., muffins, cornbread, biscuits), sauces (e.g., white sauce/cheese sauce in macaroni and cheese or lasagna), and soups. It seems these should still be credited as vegetables, in general, and dark orange vegetables, in particular, and increase their use and acceptance in menus.

It is also appropriate to eliminate the use of formulated grain-fruit products since, as described, they do not support the Dietary Guidelines’ recommendations to consume fruits as an important food group. On the other hand, if grain based desserts can count toward the grain requirement, fruit based desserts, such as cobblers and crisps, should be counted toward the fruit requirement when the fruit used is otherwise creditable.

Change to single meal pattern

A single meal pattern, as the rule proposes, will be easier to administer by SFAs and to monitor by SAs. The final rule should maintain the proposed discontinuance of Nutrient Standard Menu Planning. It is our office’s observation that menu analyses submitted for this are highly error-prone and require extensive corrections to

be accepted. The large costs to maintain continual menu analyses are better directed to procuring nutritious foods.

Monitoring

The requirement for monitoring for compliance to rely on an analysis to evaluate saturated fat, trans fat, sodium and calorie levels does not agree with the IOM report's original recommendations. The report recommended monitoring menus and production records for meal pattern requirements rather than analysis and set parameters for sodium and saturated fat for entrees, for example (8). Compliance should focus on foods planned, offered and selected. Students, after all, consume foods, not nutrients.

Recipe analyses have their place in local schools to assist with menu planning and provide appropriate information for students with special dietary needs and should still be encouraged and supported when qualified staff performs the analyses. Menu analyses as a means of demonstrating compliance with nutrient standards has proven to be a costly approach and has, in nearly all schools, resulted in menus that rely on packaged, processed foods with nutrients obtained from labels. It has, in fact, probably been one of the primary causes of the decline in scratch cooking in schools. While these were probably not intended consequences, these are reality in schools.

If nutrient targets are to be assessed with menu analyses by SAs, then USDA should evaluate the cost effectiveness of this approach, including but not limited to evaluating the cost of software and training to use the software, the staff time required to be devoted to each menu analysis, and the actual results compared to the menu pattern to determine if the structured menu pattern does result in meeting targets a majority of the time. The assessment should also examine if the costs associated with menu analyses could be better directed to purchasing the required foods and paying labor to be in compliance with the meal pattern.

If monitoring proceeds to rely on menu analyses, the method needs to be clarified. The proposed rule appears to not be clear on whether the requirement is for analyses of meals as planned or as selected by students. It is clear, however, the analyses will be weighted. If retained, the requirement for menu analyses for compliance should remain based on a single week instead of two weeks.

The requirements for fiscal action needed to address non-compliance with the proposed meal pattern and nutrient targets need to be very specific. State offices have been reluctant to support fiscal action by SAs against SFAs when the action is discretionary and subjective.

Costs

Full costs accrued at all levels, including all local costs incurred to meet the meal pattern and record keeping requirements, state administrative costs for monitoring and providing training and technical assistance in a three-year review cycle, normal peaks in foods costs, product reformulations, costs of hiring/retaining staff with higher professional and training credentials, and even nutrition education efforts to promote healthier

menus, need to be adequately examined before and during implementation. Funding should be adjusted appropriately and/or criteria updated to remain fiscally realistic.

Paperwork

Our office disagrees with the statement the proposed rule would not increase the reporting and/or recordkeeping burden on SFAs and SAs. The proposed meal pattern will seemingly require more detailed recordkeeping. A large amount of paperwork is generated for each administrative review, even with measures in recent years to move to electronic records, and these reviews will be more frequent. The two-week menu analysis requirement will also double the paperwork generated to conduct and/or validate menu analyses. Training materials will need to be replaced and/or revised. All of this needs to be considered.

Finally, it may be prudent to consider the significance of many of the proposed changes and consider a phased-in implementation of the final meal pattern. This could allow increased costs to be managed singly for each section of menu changes, training materials to be developed over time and staff training to occur before full implementation.

Our state is unique with a group of SFAs implementing a state-approved alternate menu planning approach (Pyramid Partners based on MyPyramid and 2005 Dietary Guidelines) that mirrors the proposed new meal pattern and nutrient targets. The group has been quite successful in offering whole grains, legumes, dark green/orange vegetables, fresh fruit and low-fat milk. All have had successful SMI reviews during this time. Keys to their success have been their flexibility to modify their own implementation timelines to allow student palates to adjust, to help achieve staff, teacher and community acceptance, and their consistent promotion of nutrition education. They have shown, indeed, the prudence of phasing in new menu requirements instead of adhering to a strict regimen of change.

Thank you for your consideration. We look forward to working with all officials during future implementation steps.

Sincerely,

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References

1. USDA National Nutrient Database for Standard Reference.
<http://www.nal.usda.gov/fnic/foodcomp/search/>. Accessed February 28, 2011.
2. School Nutrition Dietary Assessment Study-III, vol II: Student Participation and Dietary Intakes, by Anne Gordon, et al. Project officer: Patricia McKinney. U.S. Department of Agriculture, Food and Nutrition Service, Office of Research, Nutrition, and Analysis. Alexandria, VA: 2007.
<http://www.fns.usda.gov/ora/MENU/Published/CNP/FILES/SNDAIII-Vol2.pdf>. Accessed February 23, 2011.
3. Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010. To the Secretary of Agriculture and the Secretary of Health and Human Services: Fatty Acids and Cholesterol. U.S. Department of Agriculture, Agriculture Research Service. Washington, DC: 2010.
<http://www.cnpp.usda.gov/DGAs2010-DGACReport.htm>. Accessed February 18, 2011.
4. Report of the Dietary Guidelines Advisory Committee on the Dietary Guidelines for Americans, 2010. To the Secretary of Agriculture and the Secretary of Health and Human Services: Supplemental Information Related to the Report - Children's Dietary Intake. U.S. Department of Agriculture, Agriculture Research Service. Washington, DC: 2010. <http://www.cnpp.usda.gov/DGAs2010-DGACReport.htm>. Accessed February 18, 2011.
5. NLSP Commodity Fact Sheets, Meat/Meat Alternates.
http://www.fns.usda.gov/fdd/schfacts/singfacts_tables_bytitle.htm. Accessed February 25, 2011.
6. Implementation, Evaluation and Research. In: Stallings, VA, Suitor, CW, Taylor, CL, eds. School Meals – Building Blocks for Healthy Children. Washington, DC: National Academies Press; 2010: 199-200.
7. The Free Dictionary. <http://www.thefreedictionary.com>. Accessed February 25, 2011.
8. Implementation, Evaluation and Research. In: Stallings, VA, Suitor, CW, Taylor, CL, eds. School Meals – Building Blocks for Healthy Children. Washington, DC: National Academies Press; 2010: 193-195.