

# Policy At A Glance:

## New Standards for the National School Lunch Program (NSLP) and the School Breakfast Program (SBP)

*Recent proposal seeks to modify nutrition requirements for the NSLP and the SBP established under the Healthy, Hunger-Free Kids Act of 2010.*

### What is the *Healthy, Hunger-Free Kids Act of 2010*?

The *Child Nutrition and WIC Reauthorization Act* authorized all federal school meal and child nutrition programs. The *Healthy, Hunger-Free Kids Act (HHFKA) of 2010* reauthorized this law, creating funding and updating nutrition standards for U.S. Department of Agriculture's (USDA) core child meal programs including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Summer Food Service Program, the Child and Adult Care Food Program (CACFP), and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).<sup>1</sup>

For the NSLP and the SBP, HHFKA increased the per meal reimbursement by six cents for the first time in 15 years.<sup>2</sup> In return, HHFKA required schools to meet new nutrition standards.

### *History*

- |            |  |
|------------|--|
| 6/30/2004  | The <i>Child Nutrition and WIC Reauthorization Act</i> is signed into law  |
| 12/13/2010 | The <i>Healthy, Hunger-Free Kids Act (HHFKA) of 2010</i> is enacted into law, reauthorizing the 2004 Child Nutrition law |
| 7/1/2012   | HHFKA nutrition standards go into effect   |
| 9/30/2015  | Many provisions of HHFKA expires   |
| 1/23/2020  | USDA releases new proposed rule  |
| 3/23/2020  | Deadline to submit public comments   |

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# The National School Lunch Program (NSLP)

The USDA began providing funds and foods for student meals during World War II. In 1946, the *Richard B. Russell National School Lunch Act* officially created the NSLP and provided permanent federal funding for the school lunch program. Open to all children, the NSLP has a dual mission – to provide a nutrition safety net for schoolchildren and to support American agricultural markets by using USDA foods in school lunches.<sup>3</sup> As such, the USDA supplies schools with USDA foods and provides cash payments based on the number of meals served. Needy children can also receive a free or reduced price meal based on family income and size.

NSLP participation has been growing since the program's inception in 1946. In 2018, the NSLP operated in roughly 100,000 schools and residential childcare programs, providing low-cost or free lunch to nearly 30 million children.<sup>4</sup>



On an average day, USDA foods make up between 15 and 20 percent of products served as part of the school lunch.<sup>3</sup>

## The School Breakfast Program (SBP)

The SBP began as a two-year pilot project in 1966. After several extensions, the SBP received permanent authorization in 1975. While school breakfasts must meet federal nutrition standards, local school food authorities determine specific foods and how they are prepared.

The SBP is similar to the NSLP in many ways; if a child qualifies for free or reduced price lunches, the child would also qualify for free or reduced price breakfasts. While eligibility criteria are the same for both SBP and NSLP, only 48 percent of students who participate in NSLP participate in SBP.<sup>5</sup> Boys, ethnic minorities, students eligible for free meals, and students living in rural areas are more likely to participate in the SBP than girls, non-Hispanic whites, higher-income children and students living in urban areas.<sup>5</sup> In the 2018-2019 school year, 14.6 million children participated in the SBP.<sup>4</sup>

# Nutrition Standards Under HHFKA

The NSLP and the SBP began as initiatives to address malnourishment and hunger. Almost 65 years later, the HHFKA of 2010 aimed to modify their nutrition standards to address a more contemporary problem – childhood obesity.

Recognizing the importance of the NSLP and the SBP in supporting the health of American children, the USDA commissioned the Institute of Medicine (IOM) to revise school meal standards so they are healthier. As a result, the IOM Food and Nutrition Board released *School Meals: Building Blocks for Healthy Children* in 2009. The new nutrition standards under HHFKA are based on the recommendations made in this report and aligns with the Dietary Guidelines for Americans.<sup>6</sup>

The HHFKA standards require<sup>7</sup>:

- Increasing the amount and variety of fruits, vegetables, and whole grains
- Setting a minimum and maximum level of calories
- Focusing more on reducing saturated fats and sodium

Specifically, for every lunch, vegetables must include weekly offering of legumes, dark

green and red/orange vegetables. For every breakfast, a full cup of fruits or vegetables must be offered. Snack-type fruit or vegetable products do not count as fruits or vegetables. Also, at least half of the grains offered with school meals must be whole grain-rich (at least 51 percent whole grain).

In addition, school meals must 1) meet age-appropriate calorie minimums and maximums, 2) gradually reduce sodium levels to meet sodium targets based on age, 3) exclude all trans fat while only 10 percent of calories can come from saturated fat, 4) offer one cup of fat-free or 1 percent milk, and 5) provide free drinking water in the cafeteria during lunch and breakfast.

Harvard researchers found that children ate 16 percent more vegetables and 23 percent more fruits through school lunches meeting the HHFKA nutrition standards.<sup>8</sup> The same study found that the standards did not increase waste.<sup>8</sup> Another research looking at school lunches before and after HHFKA implementation found reduced sodium intake, decreased percentage of calories from saturated fat, and a significant increase in fiber after HHFKA.<sup>9</sup> According to the USDA, over 90 percent of schools reported successful implementation of HHFKA nutrition standards as well as increased school lunch revenue.<sup>10</sup>

However, critics of the HHFKA's nutrition

## New Proposed Nutrition Standards for NSLP and SBP

On January 23, the USDA published a set of proposed rules, revising the existing HHFKA nutrition standards (or “meal patterns”) for the NSLP and the SBP.

For the NSLP, the proposed rule would change the vegetable subgroups requirements. For example, the red/orange vegetables requirement would be decreased from 1.25 cups to 0.5 cups.<sup>13</sup> If legumes are served as a meat alternative, it can also be counted as the legume serving for that week; pasta made from vegetable flour can count as a vegetable serving; and potatoes can be served in place of fruit.<sup>13</sup>

For the SBP, the proposed rule would make it easier for menu planners to offer meats/meat alternates and grains interchangeably. That is, the proposed rule would remove the minimum grain requirement and allow meat or meat alternative to be served instead.<sup>13</sup> The rule would also allow schools to offer a ½ cup of fruit in breakfasts, rather than a full cup, when served outside the cafeteria to reduce food waste. SBP meals served outside the cafeteria are often pre-packaged for

standards, including the School Nutrition Association, cite implementation challenges, higher meal costs, lost revenue, increased waste, and dissatisfaction with the taste of healthier meals as reasons to relax some of the standards.<sup>4,11</sup> Many believe that one cup of fruit at breakfast is too much for young children to consume at one time and can result in significant waste. In 2018, the *Local Control of School Lunch Act* (H.R. 6541) sought to remove or modify HHFKA’s calorie limits, sodium restrictions, and whole grains requirements. H.R. 6541 supporters argued that it would “provide students and school lunch workers relief from rigid federal school lunch requirements that are causing large amounts of food waste and diminished use of the school lunch program.”<sup>12</sup> The bill was not enacted.

Many provisions of the HHFKA expired in 2015. Although there have been many efforts in both the Senate and House, reauthorization efforts have stalled since 2015.





convenience. The USDA believes that this move will help reduce food waste and encourage breakfast service outside the cafeteria.<sup>13</sup>

Nutrition standards under the HHFKA prohibits synthetic trans fats in the NSLP, the SBP, and in all foods sold to the students on campus during the school day.<sup>13</sup> The new proposed rules would remove this prohibition as the U.S. Food and Drug Administration (FDA) eliminated partially hydrogenated oils from the U.S. food supply, effectively eliminating synthetic trans fats by January 1, 2021.<sup>13</sup>

Nutrition standards ensure that children have balanced and healthy meals at school. The USDA will accept public comments on the above proposed rule until the end of March (visit [www.regulations.gov](http://www.regulations.gov) to submit comments).

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## Did you know?

For fiscal years 2019 and 2020, the USDA appropriated \$7.5 million for the Farm to School grant, helping communities incorporate local products into the school meal programs and expanding school gardens.<sup>14</sup>



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#### Questions?

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