

The Child Nutrition Promotion and School Lunch Protection Act of 2006

BACKGROUND

- School meals must meet nutrition standards (limits on fat and saturated fat and requirements for protein, vitamins, and minerals) in order for a school food service program to receive federal subsidies. In contrast, **foods sold individually outside the meal programs (through vending machines, school snack bars, a la carte lines, etc.) are not required by the USDA to meet comparable nutrition standards.** The USDA has limited authority to set meaningful nutrition standards for these foods.
- Unhealthy foods are available for sale to students in most schools. According to GAO, 99 percent of high schools, 97 percent of middle schools, and 83 percent of elementary schools have vending machines, school stores, or snack bars.
- The most common items sold out of school vending machines, school stores, and snack bars include soft drinks, sports drinks, fruit drinks, salty snacks, candy, and high-fat baked goods.
- The nutritional quality of the meals served in the National School Lunch Program and School Breakfast Program significantly improved between 1992 and 1998. **The sale of unhealthy snack foods and sodas in schools undermines the federal \$8.5 billion annual investment in these programs.**
- **Current regulations.** Current USDA regulations limiting the sale of junk food in schools are very narrow and have not been updated in almost 30 years, despite major changes in nutritional science as well as changes in food consumption patterns and growth in childhood overweight over that period of time.
- Current regulations prohibit the sale of a narrow category of foods in areas of the school where USDA school meals are sold or eaten. However, **the prohibited foods can be sold anywhere else on-campus -- including just outside the cafeteria -- at any time.** As a result, children who receive a nutritionally sound meal through the school lunch program can simply walk into the hallway to purchase junk food or sodas.
- Many low-nutrition foods are not prohibited under current USDA regulations despite their high contents of saturated fat, salt, or added sugars, and thus can be sold anywhere on school campus anytime during the school day. The list below indicates which foods are covered by current USDA regulations, as well as many that are not, many of which are just as detrimental to child nutrition and health.

Foods Allowed and Not Allowed for Sale under Current USDA Standards

Allowed:

Fruitopia
French fries
Ice cream
Snickers candy bars
Oreos cookies
Pizza
Whole milk
Cheetos
Cheese danish
Donuts

Not Allowed:

Coca-Cola, Sprite
Cracker Jacks
Popsicles (without fruit/fruit juice)
Jelly beans
Chewing gum
Lollipops
Breath mints
Licorice
Cotton candy
Cough drops

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The Child Nutrition Promotion and School Lunch Protection Act of 2006 seeks to update USDA nutrition standards so that they conform with current nutrition science and address threats to child health and nutrition at school. Under the proposed Act:

- Within 180 days of enactment, the Secretary of Agriculture is required to promulgate proposed regulations to update USDA nutrition standards.
- In doing so, the Secretary is required to,
 - Consider the positive and negative contributions of nutrients, ingredients, and foods to the diets of children (including calories, portion size, saturated fat, trans fat, sodium, and added sugars),
 - Consider evidence concerning the relationship between consumption of certain nutrients, ingredients, and foods to overweight, obesity, and chronic illnesses,
 - Consider recommendations made by authoritative scientific organizations concerning appropriate nutritional guidelines for foods sold in schools.
- The regulations promulgated by the Secretary must effectively cover all foods sold in schools outside of federally-reimbursed school meals, including a la carte lines, vending machines, and school snack bars and must encompass all foods made available on school grounds throughout the entire school day.
- The proposed legislation does not affect school parties and classroom celebrations and also provide exemptions for school fundraisers.

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