

## How a Public Health Goal Became a National Law: The Healthy-Hunger Free Kids Act of 2010

A case study published in *Nutrition Today* provides insights into policy strategy and advocacy best practices that resulted in passage of the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), a public health law that removed soda and other junk food from schools and resulted in unprecedented improvements to school meals with more whole grains, fruits and vegetables, and less salt and trans fat. The case study outlines key lessons to help inform nutrition and public health policy initiatives, as well as continued implementation and defense of school nutrition. It describes how advocates used research to develop and advocate for policy change, compromises that were needed to advance the policies, changes in attitudes about school food policy over time, framing and messaging, the role of state and local policy that laid the groundwork for national change, and how challenges were resolved between stakeholders.



**Methods:** The Center for Science in the Public Interest (CSPI) conducted over 20 in-depth interviews in October and November of 2016 with key stakeholders from Congress, United States Department of Agriculture, administration officials under both the George W. Bush and Barack Obama Administrations, researchers, and health and anti-hunger organizations, in addition to reviewing legislative and regulatory history, and peer-reviewed research and advocates' files. While HHFKA included many important improvements, this case study focuses on the provisions that address the nutritional quality of school meals, snacks, and beverages and covers the period from 2004 to 2016.

**Outcome:** Harvard researchers concluded that the improvements in school foods make HHFKA, "one of the most important national obesity prevention policy achievements in recent decades." They estimate the improvements to school meals could prevent up to 2 million cases of childhood obesity, and the improvements to snacks and beverages could prevent up to 345,000 cases of childhood obesity and save up to \$792 million over ten years. Virtually all school districts now serve healthier lunches. Prior to the updated school nutrition standards, only 14 percent did.

HHFKA also helps reduce health disparities and stigma for low-income children. The vast majority of children who participate in the National School Lunch Program are low income (about 73 percent of school lunch participants received free or reduced-price meals in 2017) and participation increased from 15.5 million in 2010 to 22 million children in 2017. Prior to the updated national school nutrition standards, students in more affluent and large schools were more likely to have access to healthier foods than those in poorer and small schools.

## *Policy*

- National policy change often takes time. HHFKA is the culmination of over 20 years of advocacy. Stepwise change occurred from local to state to national, and from weaker to stronger school food standards.
- Passing legislation was only one step of the process: implementation and defense of the law were, and continue to be, essential.
- Timing (and luck) plays a role. Interviewees for this case study mentioned the factors that contributed to passage of HHFKA as “all the stars aligning,” referring to a confluence of factors such as concern about childhood obesity, state and local momentum, effective coalitions, support of nontraditional partners, and a favorable political climate.

## *Advocacy*

- Parents, concerned citizens, health professionals, and local leaders have power, but do not always realize it; grassroots involvement was essential to passing state and local school food policies, securing cosponsors for the national competitive foods bill (competitive foods are school foods and beverages sold out of vending machines, school stores, fundraisers, *a la carte*, and venues outside of the school meal programs), and passing HHFKA.
- Research and real-life success stories provide key support for the adoption and defense of policy; however personal experiences of constituents, legislators, and their staff can trump research.
- Advocates can help make up for limited resources by forming coalitions that capitalize on different organizations’ connections and expertise. Alone, most non-profits do not have the staff or resources to persuade Congress to pass monumental policies or oppose well-funded industries. Creative advocacy can also help make up for limited resources: for instance, school food advocates used messaging on school lunch trays and dressed children up as vegetables, which caught the attention of legislators and their staff.
- Differences of opinion between allies can be as much of a barrier to policy change as opposition from legislators, industry, and expected opponents. For instance, stumbling blocks to achieving updated national competitive foods standards included: different priorities between anti-hunger and nutrition groups in HHFKA, opposition from some Democrats in the House of Representatives that the level of funding was too low and the funding mechanism for HHFKA, and the pushback from nutrition groups about preemption in the national competitive foods amendment to the 2007 farm bill.

## *Industry*

- Policy can drive changes to products and the marketplace. As schools demand more whole-grain and lower-sodium products, industry is developing a greater variety of good-tasting products.
- The food industry is not monolithic. Advocates may find sympathetic companies even if other companies or influential trade associations are not supportive, as advocates did for the national competitive foods law.
- Public health organizations can have different motives than industry, yet still find ways to work together on common goals.
- National nutrition policy can be easier and less expensive for industry to implement than a variety of policies in different states and localities (not only with HHFKA, but also the national menu labeling law and the Nutrition Facts Label on packaged foods). National uniformity can be a powerful driver for industry support