

# Fact Sheet: The Healthy Food for [STATE] Kids Act

Note: Highlighted fields are intended to be customized

[INSERT DATE]

Today, [INSERT BILL SPONSOR/LEGISLATURE NAME] introduced the **Healthy Food for [STATE] Kids Act**, to ensure that students in [STATE] receive the fuel they need to thrive at school.

## *Nutrition Standards*

The bill ensures that meals and snacks offered at school meet science-based nutrition standards aligned with the Dietary Guidelines for Americans (DGA). Political opposition has threatened federal school nutrition standards in recent years.<sup>1,2</sup> **The Healthy Food for [STATE] Kids Act** ensures that [STATE] nutrition standards are consistent with age-appropriate expert recommendations, even if nutrition standards are weakened at the federal level.

Each of the below standards will remain in effect until stronger state or federal requirements aligned with the DGAs are established.

### *Sodium*

Federal sodium reduction targets for school meals do not align with the 2020 DGA recommendations for safe sodium consumption for younger children.<sup>3,4</sup> The targets were also weakened by the previous Administration and, despite being reinstated,<sup>5</sup> remain a target of political opposition. **The Healthy Food for [STATE] Kids Act** sets a timeline to align [STATE] school meals with the science.

### *Whole Grains*

To align school meals with the DGA recommendations, grains offered in school must be whole grain-rich (made with at least 51 percent whole grains).<sup>6</sup> This requirement was halved by the previous Administration and, like the sodium standards, remains a target of opposition. **The Healthy Food for [STATE] Kids Act** ensures that all grains offered in [STATE] school meals will be consistent with the DGA.

### *Added Sugars*

The 2020 DGA recommends no more than 10 percent of daily calories come from added sugars.<sup>7</sup> Federal school meal standards do not address added sugars, and the standard for competitive foods is outdated (it is based on total sugar by weight rather than added sugars).<sup>8</sup> **The Healthy Food for [STATE] Kids Act** establishes a timeline to align meals and snacks in [STATE] with the DGA recommendation for added sugars.

### *Monitoring Compliance*

Transparency is essential to ensure progress and identify potential opportunities to course correct. **The Healthy Food for [STATE] Kids Act** requires school food authorities to produce a baseline compliance report on the nutrition standards to the [STATE AGENCY] and a publicly available annual compliance report every year after.

### **[Optional Provisions]**

#### *Expanding Access to Free Meals*

After pandemic waivers expire, many children will stop receiving free meals at school.<sup>9</sup> The **Healthy Food for [STATE] Kids Act** expands access to free meals by [CHOOSE ONE BASED ON BILL TEXT]:

- [Option 1]: Covering the difference in reimbursement for all meals, while encouraging schools to use Community Eligibility Provision (CEP);
- [Option 2]: Providing financial support to make CEP financially viable for all eligible schools and districts and providing free meals up to 300% of the Federal Poverty Level for non-CEP schools; or
- [Option 3]: Providing financial support to make CEP financially viable for all eligible schools and districts.

#### *Increased Reimbursement and Technical Assistance on Nutrition Standards*

School food authorities (SFAs) receive increased performance-based reimbursements for meeting the meal pattern requirements.<sup>10</sup> The **Healthy Food for [STATE] Kids Act** provides an additional reimbursement of X cents per meal.

#### *Technical Assistance*

School foodservice staff, many of whom are new hires as a result of the pandemic, need ongoing support and technical assistance to provide healthy, appealing meals on a tight budget. **The Healthy Food for [STATE] Kids Act** ensures that all SFAs in the state receive technical assistance from the [STATE AGENCY] on implementing nutrition standards.

#### *Seat Time/Mealtime Requirements*

Without sufficient time to eat and appropriately scheduled meal periods, healthy food and beverages will go to waste. The **Healthy Food for [STATE] Kids Act** ensures that students have sufficient time to eat their meals, and that lunch periods are scheduled at appropriate lunch times (between 11:00 a.m. and 2:00 p.m.).

#### *Eliminate Artificial Sweeteners*

Some artificial sweeteners are harmful to health and should be avoided. The **Healthy Food for [STATE] Kids Act** sets a timetable to eliminate artificial sweeteners from food and beverage products offered at school.

### *Eliminate Synthetic Food Dyes*

Synthetic food dyes have been shown to cause adverse behavioral effects in some children. The **Healthy Food for [STATE] Kids Act** sets a timetable to eliminate synthetic food dyes from food and beverage products offered at school.

### *Provide Kitchen Equipment Funding*

Sufficient kitchen equipment is critical to an SFA's ability to prepare healthy, appealing meals. The **Healthy Food for [STATE] Kids Act** provides funding for SFAs to construct, renovate, or acquire kitchen facilities and equipment to provide meals to students.

### *Align Summer Meals with Meals Offered During the School Year*

Federal nutrition standards for summer meals are less rigorous than the standards for meals offered during the school year. The **Healthy Food for [STATE] Kids Act** requires all meals, regardless of the month in which they are offered, to meet the same, science-based nutrition standards.

### *Resources*

#### [Model State School Foods Bill](#)

*For more information, please contact the Center for Science in the Public Interest at [policy@cspinet.org](mailto:policy@cspinet.org).*

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<sup>1</sup> Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements, 83 Fed. Reg. 63775 [Dec. 12, 2018]

<sup>2</sup> Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs, 85 Fed. Reg. 4094 [January 23, 2020]

<sup>3</sup> Nutrition Standards in the National School Lunch and School Breakfast Programs, 7 CFR Parts 210 and 220; Final Rule [January 26, 2012]

<sup>4</sup> US Department of Health and Human Services and US Department of Agriculture. *2020-2025 Dietary Guidelines for Americans*. 2020. [https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary\\_Guidelines\\_for\\_Americans\\_2020-2025.pdf](https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf).

<sup>5</sup> *Ctr. for Sci. in the Pub. Interest v. Perdue*, 438 F. Supp. 3d 546 (D. Md. 2020). [https://cspinet.org/sites/default/files/CSPI\\_v\\_USDA\\_Opinion\\_4.13.2020.pdf](https://cspinet.org/sites/default/files/CSPI_v_USDA_Opinion_4.13.2020.pdf)

<sup>6</sup> US Department of Health and Human Services and US Department of Agriculture. *2020-2025 Dietary Guidelines for Americans*.

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<sup>7</sup> US Department of Health and Human Services and US Department of Agriculture. *2020-2025 Dietary Guidelines for Americans*.

<sup>8</sup> National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010, 81 FR 50131; Final Rule [July 29, 2016]

<sup>9</sup> United States Department of Agriculture. Nationwide Waiver to Allow the Seamless Summer Option through School Year 2021-2022. April 20, 2021. Accessed September 21, 2022.

<sup>10</sup> Healthy Hunger Free Kids Act. P.L. 111-296.