



Society for Nutrition Education Public Policy Legislative & Regulatory Bulletin July 5, 2004

This newsletter highlights key legislative and regulatory news about nutrition education issues in Washington, D.C. This report is prepared by SNE's Public Policy Consultant, Waterman & Associates in consultation with SNE's Advisory Committee on Public Policy.

Legislative Front

Child Nutrition Reauthorization Passes in U.S. House and Senate

After almost two years of Congress working on Child Nutrition and Women Infants and Children (WIC) Reauthorization, the U.S. House and Senate passed comprehensive bipartisan legislation just days before Congress adjourned for the Independence Day recess. The legislation renews and strengthens federal child nutrition programs, school lunch programs and helps communities work with families to fight the ever-increasing overweight/obesity problem in the United States. The bill ensures that resources dedicated to children and families through WIC programs actually reach those it is intended to serve.

Child Nutrition Reauthorization (CNR), SNE's number one public policy priority issue, was passed in the U.S. Senate by unanimous consent the evening of Wednesday, June 23. The Senate bill was then sent to the U.S. House where it was passed the following day on Thursday, June 24, also by unanimous consent. Passage of S. 2507 in both chambers came right under the June 30th expiration of the continuing resolution that kept child nutrition programs running while Congress continued work on the reauthorization. President Bush signed the legislation and it became public law on June 30th.

The Child Nutrition and WIC Reauthorization Act calls for several key nutrition education improvements within the federal nutrition programs. Those provisions that specifically target nutrition education efforts include:

- Adds six new states (Colorado, Louisiana, Michigan, Mississippi, Oregon, and Ohio) to the expanded Summer Food Program, also known as the [Sen. Richard] Lugar pilots;
- Expands to three more states and two more Indian reservations the fresh fruit and vegetable pilots (currently in Indiana, Iowa, Michigan, Mississippi, Ohio and the Zuni Pueblo tribe in New Mexico) with special emphasis on serving children in low-income areas;
- Strengthens partnerships between local farms, school gardens, and child nutrition programs to ensure fresh, local produce can go from the farms to schools; and
- Creates new approaches to improve the nutrition environment in schools by establishing local Wellness Councils and funding efforts to provide technical assistance and best practices to schools and states. Schools will have two years to write the wellness policies and guidelines, but there is no penalty if they do not.

In addition to the nutrition education provisions, the CNR Act also includes other wide-ranging improvements, such as:

- Makes it possible for more children from low-income military families to receive free and reduced price school meals;
- Establishes a three-year summer food rural transportation pilot for 60 sponsors in five states;

- Provides vendor management cost containment requirements for WIC-Only stores in order to reduce higher prices charged by many of these stores which, if unaddressed, could lead to fewer WIC participants;
- Allows for-profit child care centers that serve significant numbers of low-income children to feed children using the Child and Adult Care Food Program;
- Makes it possible for up to five states to offer free school meals to households with incomes up to 185 percent of poverty (this provision is subject to future Congressional funding through upcoming appropriations);
- Extends eligibility for snacks and meals for children in homeless and domestic violence shelters up to the age of 18 (the current age cut-off is 12);
- Makes the application process for school meals easier for many low-income families by making eligibility year-round and improving cross-program eligibility without duplicative applications;
- Provides for a Nebraska Child and Adult Care Food Program pilot for family child care homes and a Pennsylvania summer food pilot, each of which lowers the area eligibility threshold in rural areas from 50 to 40 percent low-income families in the area;
- Provides migrant children with automatic eligibility for free school meals; and
- Expands to private non-profit sponsors the successful paperwork reduction pilots in the Summer Food Program (or Lugar Pilots) that have already resulted in thousands more low-income children receiving nutritious meals during the summer months in 13 states (the pilot currently only applies to public sponsors).

This newly approved reauthorization will extend the child nutrition and WIC programs for five years, jointly costing about \$16 million per year. The bill provides only a modest increase in child nutrition spending, which will amount to approximately \$232 million until 2009. The slight increase was due to the compounding federal budget deficit, which was also the reason for the expanded timeframe in order to complete passage of the reauthorization.

SNE's Action on CNR

Through the hard work of the members of SNE's Advisory Committee on Public Policy (ACPP) and many other society members, SNE kept CNR at the forefront throughout the two years of congressional action. The ACPP encouraged and facilitated grassroots efforts, wrote letters and signed coalition letters. Most recently, the ACPP sent a letter with the SNE CNR position paper to all members of the Senate Agriculture Committee urging immediate action on the issue.

The letter sent to the Senate committee in May 2004 can be found on SNE's Web site at www.sne.org. More information on SNE's additional CNR actions, correspondence and position, can also be found under the "SNE Public Policy" section of the Web site.

IMPACT Legislation Stalled in the U.S. House

The Improved Nutrition and Physical Activity (IMPACT) Act, SNE's number two public policy priority issue, is designed to address the growing obesity epidemic in America. The U.S. Senate took decisive action back in December 2003 when the chamber passed by voice vote the IMPACT Act (S. 1172). However, the U.S. House has yet to act on the companion bill, H.R. 716, since February 2003.

The House legislation remains in the Energy and Commerce Committee where committee staff are considering alternative options for moving forward on IMPACT. The Senate has made it clear that the original House language would not gain Senate approval if it were considered in that chamber. The House is now at a crossroads where they can either amend H.R. 716 during committee markup or they can take up the Senate-passed version of the legislation. House staff have not revealed which alternative will be pursued or the timeframe for action.

SNE Action on IMPACT

The SNE Board approved in February 2004 the SNE IMPACT position paper and a one-page executive summary. While the House contemplates the next steps for IMPACT, the SNE ACPP IMPACT Subcommittee

considered this a prime time for the organization to press for passage of the legislation. The SNE position paper addresses key provisions of the bill supported by SNE and outlines existing government nutrition programs that have authority over “improved lifestyles in individuals by learning to eat healthier foods and exercise regularly.”

The IMPACT Subcommittee is currently working on a cover letter to accompany the position paper and where the one-pager serves as an executive summary to the paper. The letter and paper will be sent to every member of the Energy and Commerce’s Health Subcommittee as well as the full committee’s Chair and Ranking Minority Member. SNE’s IMPACT position paper can be found on the organization’s Web site under the public policy link at www.sne.org. Also, it will be published in the July/August 2004 issue of the Journal of Nutrition Education and Behavior. Once the cover letter is finalized and approved by the SNE Board, it too will be posted on SNE’s Web site.

Expanded information on the IMPACT legislation’s provisions can be found on SNE’s Web site under SNE Public Policy, Legislative and Regulatory Bulletins, March 2004.

Regulatory Front

SNE Continues Work on Food Guide Pyramid Graphic Comments

SNE’s ACPP Food Guide Pyramid (FGP) Subcommittee is currently preparing comments to respond to the anticipated third and final phase of the FGP reassessment, which covers the graphic portion of the nutrition education tool. The Center for Nutrition Policy and Promotion (CNPP) is slated to open the third-phase comment period sometime during July 2004. In preparation of the Federal Register notice announcing the request for comments and deadline for response, SNE began collecting comments from the membership on ideas to amend the graphic that portrays the nutrition guidelines. The SNE subcommittee has already compiled many comments received to date and is now working to finalize the document and prepare for SNE Board review. If any SNE member would like to assist or serve on the FGP subcommittee, please contact the subcommittee’s chair Ann Macpherson at fgpdg@hotmail.com.

The Food Guide Pyramid was originally developed in 1992 to help individuals implement the Dietary Guidelines for Americans. USDA is reassessing the pyramid to ensure that it continues to be based on the most current, sound, and comprehensive science to help Americans make better food choices. The Food Guide Pyramid reassessment and updating process has three phases: (1) gathering information through technical research, professional and public input, and consumer research; (2) updating of the Pyramid’s daily food intake patterns to meet current nutritional standards; and (3) developing new graphic and educational materials that communicate Pyramid messages in ways consumers can more easily understand and put into practice.

SNE Action on the Food Guide Pyramid Reassessment

SNE has already engaged in revisions to the Food Guide Pyramid (FGP) through comments on the daily food intake patterns. For more information on SNE’s past action on the FGP revision process, go to SNE’s Web site, www.sne.org and view the Nov. 2003 Public Policy Bulletin or the document submitted to CNPP on recommendations to the daily food intake patterns.

Other Public Policy News & Announcements:

Grassroots Session to Train SNE Members on How to Engage Federal Lawmakers

New this year at the SNE Annual Conference is a grassroots training session. Please join us on Sunday July 18, 2004 in Salt Lake City from 1:00 - 4:00 pm. ACPP Grassroots Chair Robin Orr, Former ACPP Chair Karen Ensle, Current ACPP Chair Christine McCullum and SNE Public Policy Consultants from Waterman & Associates, Diana Waterman and Sarah Starr will present a fast-paced session that will encourage nutrition education professionals to become advocates on the issues, urge them to provide their expertise to Members of Congress

and train them to use the tools and resources to take action. The use of role playing will be used at the end of the session in order to demonstrate effective correspondence and in-person meetings.

Attend the Plenary and Open ACPP Sessions at the SNE Annual Conference!

All SNE Annual Conference attendees are encouraged to attend the 2004 SNE Public Policy Plenary Session on Wednesday, July 21 from 10:30 am – 12:30 pm and the Open ACPP session on Wednesday, July 21 from 7:00 - 8:30 am during the upcoming SNE conference in Salt Lake City.

The Public Policy Plenary Session, entitled “Policy Options for Promoting Healthy Environments to Address the Global Obesity Epidemic,” will be a thought-provoking assembly in which renowned speakers will address the obesity epidemic confronting Americans and consumers worldwide. Approaches from multiple perspectives are necessary in order to have an impact on the obesity problem. The speakers will explore a range of diverse policy options from these different perspectives. Discussion will include background on the prevalence of the global obesity epidemic and its consequences, the WHO/FAO report on Diet, Nutrition, and the Prevention of Chronic Diseases, the official U.S. position on the WHO Global Strategy on Diet, Physical Activity and Health, opportunities and barriers in the food industry, and policy options for promoting healthy environments to address the global obesity epidemic. There will be an opportunity to purchase a ticket for a luncheon following the session to interact with all four speakers and continue the discussion in an informal setting.

Speakers at the session cover a wide variety of nutrition professionals who share expertise in the area. Those speakers include: Christine McCullum, PhD, RD (Moderator), Chair, SNE Advisory Committee on Public Policy; Philip James, MD, DSc, Director, Public Policy Health Unit/Chairman, International Obesity Task Force; Ms. Lou Valdez (invited), Associate Director, Multinational Affairs, U.S. Department of Health and Human Services; Susan Finn, PhD, RD - Chair, American Council for Fitness and Nutrition; and Susan Roberts, JD, MS, RD, Legal Research Associate, Drake University Law School, Agricultural Law Center, Iowa Food Policy Council, and Food and Society Policy Fellowship Program.

The plenary session is being sponsored by the SNE Advisory Committee on Public Policy (ACPP) and the SNE Public Health Nutrition Division. The ACPP open session is being sponsored by the members of the SNE ACPP.

SNE Works With Food and Nutrition Science Alliance to Collaborate on Nutrition Issues

FANSA, the Food and Nutrition Science Alliance, is a collaboration of professional societies who have joined forces to speak with one voice on food and nutrition issues and to facilitate communication on these issues between the societies. Originally, FANSA had four societies. In 2003, the focus of FANSA was revisited. The partnership decided to continue with FANSA, invite new organizations to participate, such as SNE, with the primary goal to facilitate communication between the groups, which was the main topic of discussion at the May meeting. The ultimate goal is to minimize duplication of efforts and ask alliance members to sign onto and support each other's public policy efforts.

Member organizations are The Society for Nutrition Education, The American Dietetic Association (ADA), The American Society for Clinical Nutrition (ASCN), The American Society for Nutritional Sciences (ASNS), the Institute of Food Technologists (IFT), The American College of Nutrition (ACN), and The American Society for Parenteral and Enteral Nutrition (ASPEN).

On May 25, 2004, SNE's President Jane Voichick and Executive Director MaryAnn Passi joined representatives from FANSA as well as other nutrition related organizations to meet and discuss each group's efforts in the public policy arena.

