



## **Society for Nutrition Education Public Policy Legislative & Regulatory Bulletin March 2003**

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.

### **Debate On Child Nutrition Reauthorization Begins in Washington**

#### **Senate Agriculture Committee Holds Hearing on Federal Nutrition Programs**

On March 4, 2003, the Senate Agriculture, Nutrition and Forestry Committee held its first hearing of the 108<sup>th</sup> Congress, and the upcoming reauthorization of federal child nutrition programs was the topic of discussion. The full committee hearing reviewed the federal government's initiatives in support of the National School Lunch Program and School Breakfast Program.

At the hearing, the American School Food Service Association (ASFSFA) told the Senate Agriculture Committee that the federal government should provide free lunches to all children now paying reduced prices for lunches and raise the federal reimbursement rate to schools for all meals. School officials from Alabama, Maryland and Iowa, meanwhile, offered ideas on how the federal government can counter obesity among children.

The Center on Budget and Policy Priorities (CBPP), a nonpartisan research organization that conducts research and analysis on a range of government policies and programs with an emphasis on low- and moderate-income people, also testified at the hearing. CBPP Executive Director Robert Greenstein told the committee they should not expand verification requirements without undertaking research to find out how to do that without discouraging poor, hungry children from applying for the School Lunch Program.

The American Dietetic Association's past president was also a witness and said that the most effective strategy in addressing obesity through the school nutrition programs is a three pronged approach: placing trained professionals in decision-making roles, implementing nutrition standards with accountability and providing nutrition education that is evaluated and complements the ability to select a healthful diet with foods that are served in the school nutrition programs.

According to committee staff, this hearing was the first of many platforms for discussion on the reauthorization of the 1966 Child Nutrition Act and the National School Lunch Act. The committee will continue the examination and discussion of child nutrition reauthorization when they hold another full-committee hearing on March 26. Witnesses are expected to include officials who administer the child nutrition programs. Among the federal nutrition programs to be examined are School Lunch Program, School Breakfast Program, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, and Special Supplemental Nutrition Program for Women, Infants and Children (WIC).

#### **29 Senators Sign Bipartisan Letter Urging Increased Child Nutrition Funding**

In addition to the hearing, other efforts to sway Congress on the issue of increasing nutritional aid to children have been under way this month, including a bipartisan letter urging increased child nutrition funding. The ranking member of the Senate Agriculture Committee, Tom Harkin (D-IA) and the ranking

member of the Senate Judiciary Committee, Patrick Leahy (D-VT), as well as a bipartisan group of 27 other senators wrote a letter to Budget Committee Chairman Don Nickles (R-OK) and ranking member Kent Conrad, (D-ND) on March 5, 2003.

The letter asks for an increase in funding for child nutrition programs by \$1 billion per year over the next five years. Specifically, the senators requested these additional funds to allow more children to receive school meal, to promote healthier foods in schools, and to increase nutrition education. The letter emphasizes the "huge return on a very moderate investment" that improving child nutrition programs would represent.

In addition, the request includes a list of specific actions that would improve several child nutrition programs. One of the recommendations would eliminate the reduced-price school meal category by making more meals free, thereby allowing the children of the working poor Americans more access to high-quality, healthy meals at school. During the current economic downturn, even the 40 cents charged for reduced-price meals can be too costly for those needing this help, Harkin and Leahy said.

#### **House and Senate Budget Resolutions Propose Cuts to Domestic Spending Programs**

Both the House and Senate were scheduled the week of March 17 to take up budget blueprints that would establish limits on federal spending for 2004 and beyond. Once House and Senate negotiators establish a joint budget resolution, the tax-writing committees would begin crafting tax cuts, and the spending committees would have to accommodate the budget cuts forced on them by the budget resolution's limits.

For nutrition programs, the House Budget Committee passed a harmful budget resolution which included deep cuts to programs that support low-income children and families. The resolution contains \$19 billion in program cuts under the jurisdiction of the House Agriculture Committee (over ten years), of which as much as \$12 billion could come out of the food stamp program. The House Education and the Workforce Committee, which has jurisdiction over education and child nutrition program, was handed a \$9.7 billion cut (over the next ten years).

The Senate Budget Committee's budget resolution capped spending levels for food stamps and child nutrition programs at current funding levels, without any program expansion.

#### **Agriculture Secretary Makes Comments Regarding Vending Machines**

Agriculture Secretary Ann Veneman appeared on NBC's "Today" show early in the month in a segment on the nutritional content of the school lunch program. On the show, Veneman said the question of whether schools should provide vending machines that offer food and sodas to students should be left up to local officials, and added that the Bush administration is considering supporting "incentives" to schools to make more fruits and vegetables available to students. Veneman has also said the Bush administration wants increased accountability.

#### **Dr. Eric Hentges Chosen as New Director for USDA's Center for Nutrition Policy and Promotion**

The U.S. Department of Agriculture (USDA) recently appointed Dr. Eric Hentges as the director of the USDA's Center for Nutrition Policy and Promotion (CNPP). Dr. Hentges will oversee the development of nutrition guidance, particularly the reassessment of the Food Guide Pyramid.

Hentges has over 20 years experience in nutrition education and nutrition research. Prior to joining the USDA, Hentges was vice president of Applied Technology and Education Services for the National Pork Board, where he administered competitive research grant programs and directed the human nutrition research program. He also served as the director of Consumer Nutrition and Health Research with the

National Pork Producers Council. He was also the director of Human Nutrition Research with the National Livestock and Meat Board.

### **Legislation to Prevent Abusive Lawsuits Against Food Industry Introduced**

Legislation was introduced in the House by Rep. Ric Keller (R-FL-8) on behalf of the restaurant industry to address the recent trend of lawsuits blaming the food industry for the nation's obesity problems. The measure, "The Personal Responsibility in Food Consumption Act" H.R. 339, has 48 House cosponsors -- all Republicans but one. The bill would provide for the dismissal of a federal or state civil action involving an alleged injury caused by the consumption of a food or non-alcoholic beverage product, provided that the product in question complied with applicable federal and state requirements.

The filing of H.R. 339 came after a federal judge in New York threw out a class action lawsuit that blamed McDonald's food for children's health problems. H.R. 339 will not stop lawsuits in cases where restaurants or food manufacturers fail to comply with regulatory requirements or cause illnesses such as E. coli. Rep. Keller's office said Sen. Mitch McConnell (R-KY) plans to introduce a similar bill in the Senate in the near future.

In a statement, Rep. Keller said that the obesity lawsuits are misguided and that he believes "there should be common sense in a food court, not blaming other people in a legal court whenever there is an excessive consumption of fast food."

The country's top health advocate, Health and Human Services Secretary Tommy Thompson, further agreed that we will not "win this fight just by bludgeoning the fast-food companies, and there's not much of a flavor in Washington, D.C., for tax increases. We're not talking about government regulating what you produce or how you sell it."

H.R. 339 was referred to the House Judiciary Committee, where Rep. Keller sits. No hearings on the bill have been announced.

### **USDA hosts Nutrition Education Conference in Washington, D.C.**

The U.S. Department of Agriculture (USDA) hosted the first national nutrition education conference, "Nutrition Connections: People, Programs and Science." The three-day event (February 24-26) attended by over 550 people was a forum for discussing and developing science-based, nutrition education initiatives aimed at promoting positive eating and health habits among those served by USDA's nutrition assistance programs.

Agriculture Secretary Ann Veneman was the keynote speaker at the event. Some of the nation's leading nutrition experts also addressed a multitude of nutrition-related health problems including obesity, overweight and related public health concerns. Over 160 expert presentations on nutrition education and 36 exhibitors highlighted the event.

Various SNE members participated in the conference as well as Sarah Starr of Waterman & Associates, SNE's public policy consultant.

### **March is National Nutrition Month!**

Every year since 1973, the American Dietetic Association (ADA) sponsors National Nutrition Month®, a nutrition education and information campaign. The campaign is designed to focus attention on the importance of making informed food choices and developing sound eating and physical activity habits. This ADA campaign initially began as a week-long event and in response to growing public interest, the campaign became month-long in 1980.

The National Nutrition Month's® campaign messages are:

- ü Healthy eating helps you get the most out of life. A healthy lifestyle is the key to looking good, feeling great and being your best at work and play. It all starts with a healthy eating plan.
- ü Individual needs and preferences determine your personal food choices. Match your food choices to your lifestyle and individual requirements, choosing enough to achieve and maintain a healthy weight.
- ü Actively pursue variety. Expand your range of choices and explore new tastes, within and among food groups. Eating a wide variety of foods not only promotes optimal nutrition, it provides the pleasurable aspects of eating.
- ü Make moderation your goal -- you decide how much and how often. Healthy eating doesn't mean feeling deprived or guilty. Look at the big picture, what you eat over several days -- not just one day or one meal -- that's important.
- ü Develop a personal fitness plan that fits your lifestyle. The key is to find a variety of activities you enjoy. You don't need expensive equipment or complicated fitness programs.

*"National Nutrition Month®" is a registered service mark of the American Dietetic Association (ADA).*

