



## **Society for Nutrition Education Public Policy Legislative & Regulatory Bulletin September 16, 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.

### **REGULATORY FRONT**

#### **SNE Submits Comments to USDA on the Food Guidance System**

On August 27, 2004, SNE submitted comments to the U.S. Department of Agriculture's (USDA) Center for Nutrition Policy and Promotion (CNPP). The submission was in response to the Federal Register notice soliciting comments on the nation's Food Guidance System, also known as the graphic presentation and education material phase of the Food Guide Pyramid reassessment. The overall reassessment of the Pyramid has involved a broad-based review to update the guide on food intake patterns, its graphic presentation, and new education materials.

The Food Guide Pyramid Reassessment Team at CNPP wants to use the most recent public comments to develop a new presentation and materials in order to help motivate consumers to put the food intake patterns into practice and improve their food choices. CNPP also plans to develop and implement a food guidance system that includes focused messages and individualized education tools.

SNE's comments support the "use of a government-endorsed graphic to communicate nutrition guidelines and advocate a continued reliance on a generalized graphic to serve as an educational tool that provides an overview of healthful eating." SNE also emphasized that it, "does not support a graphic that solely 'brands' the national food guidance system without it being an educational tool. A symbol only, without the educational message to complement it, would necessitate the development of multiple approaches and applications by state and/or other federal agencies, which would open the door for public confusion, misuse and misinterpretation."

In summary, SNE's specific recommendations include:

- Consistency among the food guidance system, the *Dietary Guidelines for Americans*, and FDA's Nutrition Facts system.
- Integration of a range of successful behavior modification and learning theories to form the basis for an effective food guidance system.
- A holistic approach with an emphasis on wellness and wholeness, living actively, eating in normal, balanced and nutritious ways and feeling good about oneself and others, rather than use of approaches primarily advocating calorie restriction, which usually leads to unhealthy attitudes regarding food.
- A qualitative food-based graphic to continue communication of the basic nutrition concepts of variety, proportionality, and moderation and to serve as a basis for goal definition.
- A graphic based on the minimum level of caloric intake used on the Nutrition Facts label in order to be consistent with food labels (currently 2,000 kcal). The amounts of each food group recommendation should be scaled up or down from this level for different caloric intakes.
- A separate or companion physical activity graphic that replicates the shape of the food guide graphic to emphasize the complementary nature of the two concepts.

- Core messages that are actionable and translatable to other languages frequently spoken in the United States and that are appropriate to those cultures;
- A well planned introduction of the new system, targeting principle nutrition educators within all major federal nutrition mission areas and leading nutrition-related professional organizations, including, but not limited to:
  - U.S. Department of Agriculture's (USDA) Center for Nutrition Policy and Promotion (CNPP), Food and Nutrition Service (FNS), and Cooperative State Research, Education and Extension Service (CSREES);
  - U.S. Department of Health and Human Services' (DHHS) Administration on Aging (AOA), the Food and Drug Administration (FDA), the Health Resources and Services Administration (HRSA), the Centers for Disease Control (CDC);
  - U.S. Department of Education (DOE) Office of Elementary and Secondary Education (OESE).
  - Society for Nutrition Education (SNE), American Dietetic Association (ADA), and others.
- An ongoing evaluation of the Food Guidance System to measure effectiveness of the graphic, the messages, the distribution system, and the reach to consumers.

These comments were the result of considerable time and effort on the part of SNE leaders and volunteers. The chairs of the Advisory Committee on Public Policy (ACPP) Food Guide Pyramid Subcommittee Ann Macpherson and Elizabeth Marr worked for several months to ensure full input from SNE members and to craft a well-thought document for submission. SNE members contributed their suggestions by email and additional comments were gathered during a special Food Guide Pyramid forum held in conjunction with the SNE annual conference in Salt Lake City in July 2004. The final comments were reviewed and approved by the ACPP and the SNE Board prior to submission.

The public comment period for the graphic and educational materials was the final phase of the Food Guide Pyramid reassessment. USDA expects to release the new Food Guidance System in early 2005. SNE's comments can be accessed at [www.sne.org](http://www.sne.org), under the "SNE Public Policy" section.

## LEGISLATIVE FRONT

### SNE Sends IMPACT Position Paper to House Energy and Commerce Committee

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. In the Spring of 2004, the SNE Board approved the IMPACT position paper, which outlines the organization's recommendations on the legislation. The IMPACT initiative was launched under the leadership of SNE's Advisory Committee on Public Policy (ACPP), Immediate Past Chair Christine McCullum and the IMPACT Subcommittee's Chairs Robin Orr and Paulette Thompson. McCullum and the Subcommittee chairs devoted a great deal of focus and attention as well as a significant number of hours drafting and finalizing SNE's IMPACT position and accompanying materials.

The U.S. Senate passed the IMPACT legislation (S. 1172) in December 2003. Since the U.S. House has yet to pass their companion bill (H.R. 716), SNE took action to communicate the organization's position and urge the House Energy and Commerce Health Subcommittee to move the bill forward. The ACPP sent the IMPACT position paper to members of the Health Subcommittee as well as the full committee's Chair and Ranking Member. The SNE cover letter, signed by President Elizabeth Crockett and President-Elect Patricia Kendall, states:

"SNE specifically supports the following key provisions addressed in the Senate IMPACT legislation (S.1172), and we encourage the House to do likewise:

- Assisting local communities to promote good nutrition and increased levels of physical activity among their citizens through community interventions, school-based activities, and health care delivery programs;
- Establishing grants for training of health professionals and health science students to identify those at risk for obesity and to provide health services for prevention and treatment of these conditions;
- Summarizing what research on overweight and obesity has revealed to date and to design a future research agenda in Health and Human Services and other relevant agencies;
- Collecting and analyzing data as part of the National Health and Nutrition Examination Survey (NHANES) and other data sources;
- Authorizing funds through the Centers for Disease Control and Prevention, in coordination with other health-related agencies, for grants to programs providing nutrition education and promoting increased physical activity at the local level through schools, health departments and partnerships."

Currently, the House IMPACT bill is stalled in the Energy and Commerce Health Subcommittee where subcommittee staff are considering various options to move the legislation forward. However, with few working days left in the 108<sup>th</sup> Congress, IMPACT will not likely be passed by the House this year. If the legislation is not enacted into law by the end of this Congress, proponents will most certainly reintroduce an IMPACT bill in the new Congress, which begins in January 2005. SNE will be prepared to advocate for passage of serious IMPACT legislation at that time.

The SNE IMPACT position paper as well as the one-page IMPACT fact sheet can be found on SNE's Web site at [www.sne.org](http://www.sne.org) under the "SNE Public Policy" section.

## **OTHER PUBLIC POLICY NEWS & ANNOUNCEMENTS**

### **SNE Annual Conference Showcases ACPP Activities and Encourages Participation**

The July SNE annual conference in Salt Lake City offered an outstanding forum to put the society's public policy initiatives front and center. The SNE Advisory Committee on Public Policy (ACPP) seized the opportunity by hosting four different events. These events were designed to actively communicate the public policy priority issues, educate SNE members on grassroots, solicit input on the Food Guide Pyramid, and encourage participation in the public policy process. Among the sessions focusing on public policy during the week were the following:

***Plenary Session on "Policy Options for Promoting Healthy Environments to Address the Global Obesity Epidemic"*** The ACPP and the SNE Public Health Nutrition Division planned this final plenary of the conference. The informative session focused on the prevalence of the global obesity epidemic and its consequences; the World Health Organization and Food and Agriculture Organization (WHO/FAO) report on Diet, Nutrition and the Prevention of Chronic Disease; opportunities and barriers in the food industry; and policy options for promoting healthy environments to address the global obesity epidemic. Speakers for the final plenary session included Philip James, MD, DSc, International Obesity Task Force; Susan Finn, PhD, RD, American Council for Fitness and Nutrition; Susan Roberts, JD, MS, RD, Drake University Law School, Agricultural Law Center, and Iowa Food Policy Council, and Food and Society Policy Fellowship Program; and Jan Dodds, EdD, RD, reporting on initiatives in U.S. Departments of Agriculture and Health and Human Services.

***"Grassroots Advocacy: The What, Why, How, When and Where"*** This fast-paced and fun three-hour training program was organized and conducted by current SNE Board member and past ACPP member Robin Orr. Karen Ensle and Christine McCullum, both past ACPP chairs, discussed the ACPP priority issues and provided an excellent overview of what the committee had accomplished over the year. Diana Waterman and Sarah Starr of Waterman & Associates spoke about the SNE members' role in grassroots advocacy, how the federal legislative

process works, and how to use SNE resources and publications to convey a message to Members of Congress. Ms. Orr then facilitated hands-on training with audience participation. She had created an effective grassroots toolbox to assist participants in communicating SNE's position on an issue and she incorporated role-playing as a final exercise. Those SNE members attending the session left with a better understanding of the legislative process and useful guidance in advocating key nutrition education issues.

**ACPP Committee Meetings** The ACPP formally met twice during the conference. The first meeting welcomed and oriented new ACPP members. New members joining the ACPP are Pat Hammerschmidt, Michigan State Extension; Sally Swartz, Tri County Health Department, Colorado; and Joanne Guthrie, USDA, ERS.

In July, Chris McCullum from the University of Texas – Houston, a strong and dynamic chair for the last year, assumed a role as a member on the committee. McCullum was commended for her leadership in laying a solid foundation for growth and instituting important policies and processes that have strengthened the SNE public policy program. Jan Dodds, University of North Carolina – Chapel Hill, became the Chair and Fern Estrow, a private nutrition consultant, educator and speaker in New York City, the Co-Chair. These seasoned committee members will ably lead the ACPP into the new year with a new Congress and quite possibly a new Administration. Three members rotated off the ACPP and were recognized for their commitment to SNE. Beth Hartell, Campbell Soup Company; Judy Schure, Colorado Department of Education; and Robin Orr, Extension Specialist/EFNEP/FNP, were all active contributors to the efforts of the ACPP.

The ACPP continues to operate with subcommittee working-groups which correspond to the organization's priority issues. The subcommittees and chairs are as follows:

1. Federal Child Nutrition Reauthorization: Fern Estrow and Sally Swartz
2. Improved Nutrition and Physical Activity: Paulette Thompson and Christine McCullum
3. Food Guide Pyramid / Dietary Guidelines: Ann Macpherson and Elizabeth Marr
4. Food Stamp Program, Expanded Food and Nutrition Education Program (EFNEP)  
Women, Infants and Children (WIC): Bob Earl and Pat Hammerschmidt
5. Food Assistance and Nutrition Research Program [FANRP]: Joanne Guthrie and Jan Dodds
6. Older Adults Nutrition Issues: Carlene Russell

A second ACPP meeting was held on the last day of the conference when Chris McCullum, outgoing ACPP chair, provided an overview of SNE's public policy priority issues and reported on progress and accomplishments for the year. Countless volunteer hours were devoted to the following initiatives:

- Improved Nutrition and Physical Activity Act (IMPACT) ...SNE position paper developed and distributed to Congress
- Child Nutrition Reauthorization (CNR)...SNE policy statement developed and distributed to Congress
- SNE developed and submitted regulatory comments/letters to:
  - Senate Agriculture Committee on the Senate CNR Bill
  - 2005 DHHS/USDA Dietary Guidelines Advisory Committee
  - U.S. DHHS Secretary regarding the WHO Coalition Letter
  - USDA on vision of the Food Guide Pyramid's daily food intake patterns
- SNE signed on to five joint letters on various issues including USDA Fruit and Vegetable Pilot Program and Safe Routes to School

**Food Guide Pyramid Forum.** The ACPP Food Guide Pyramid Subcommittee organized a working session at the annual conference that was attended by over 40 people. The USDA comment guidelines for the Food Guide Pyramid were divided into several topic areas and in turn, the group divided into discussion groups for each topic. The attendees reported out to each other and the co-chairs, Ann McPherson and Elizabeth Marr, compiled the suggestions and distributed it first to the group leaders and then to the entire group. After further review by the ACPP and the SNE Board, the Food Guide Pyramid comments were submitted to USDA and are posted on SNE's Web site, [www.sne.org](http://www.sne.org).

The SNE ACCP is looking forward to another positive year expanding SNE input in the legislative and regulatory process; enhancing our credibility as a knowledgeable source on nutrition education; and advancing key public policy initiatives.

