



Comments of the Regulatory Action Center

Re: Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs

Docket ID: FNS-2019-0007-0001

March 23, 2020

The Regulatory Action Center at FreedomWorks Foundation is dedicated to educating Americans about the impact of government regulations on economic prosperity and individual liberty. FreedomWorks Foundation is committed to lowering the barrier between millions of FreedomWorks citizen activists and the rule-making process of government bureaus to which they are entitled to contribute.

On behalf of over 5.7 million activists nationwide, FreedomWorks Foundation appreciates the opportunity to offer these comments regarding the notice and request for comments on Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs (FNS-2019-0007-0001). This notice seeks comment on the proposed changes to meal patterns in the National School Lunch and Breakfast Programs.

Among the Regulatory Action Center's core goals is to repeal unnecessary government regulations from prior administrations. We are pleased that the administration, for the better part of the last three years, has shared in this pursuit. For too long, federal regulators have inserted themselves into aspects of American life in which it has no business. The National School Lunch and Breakfast Programs are just a couple of examples of this phenomenon. We applaud FNS (henceforth "the Service") for taking the initiative to ensure localities have more flexibility for their own schoolchildren.

As the Service has pointed out, this proposal was not made out of spite, nor was it done in a vacuum. This arises out of concerns raised by states and localities about food waste and about needlessly complicated meal plans. Any argument to the contrary is not one made in good faith. Only schools with excess resources and innovative abilities will be able to fully comply with the existing rules. On the other hand, middle to lower income school districts have to bear the brunt of the current regulations, as is the case with most all government red tape. It is inherently regressive.

It is hardly a secret that school-aged children don't like vegetables. Sure, there may be an outlier or two here and there, but - outside of parental guilt and supervision - kids won't gravitate



towards vegetables if they absolutely don't have to. It is one of the basic conditions of youth. Vegetables just don't taste good.

As if this self-evident truth weren't enough for government regulators, the U.S. Department of Agriculture (USDA) actually conducted a study in 2015 to get to the bottom of this issue. Surprising absolutely no one, they found it would essentially take forcing children to stay at the table until the vegetables were finished to get them to eat them. Nothing less would do. Appropriately, this study was conducted in response to the Obama-era changes to the School Lunch Program that are now called into question.

According to USDA's lead author of the study, "The basic question we wanted to explore was: 'Does requiring a child to select a fruit or vegetable actually correspond with consumption?' The answer was clearly 'no.'" In short, despite Michelle Obama's best efforts to the contrary, you cannot force kids to like vegetables and you cannot force them to eat them. The study also found that 29 percent more kids took vegetables with their lunches as a result of the change. However, there was a 13 percent *decrease* in actual consumption. Waste, on the other hand, rose by 56 percent. This is disgracefully inefficient and any parent who spends even a modicum of time with their children could have predicted such results.

There is actually scientific evidence that demonstrates vegetables (particularly of the green variety) may be unnecessary in a daily diet. According to Charlotte Stirling-Reed of the Nutrition Society, an independent organization that promotes and disseminates nutritional science:

If you still eat a wide variety of different foods you will get those nutrients elsewhere. Most of the vitamins and nutrients in green vegetables can easily be found from other sources – in meat and fish and lentils and beans, in other fruit and vegetables. As long as you are getting variety and the right amount of food every day you will be OK. Everybody is individual and very different.

So, while most would turn up their nose and look down upon those who would dare to suggest pizza or pasta be considered by the U.S. government as a potential substitute for vegetables, that is in fact a valid argument. This science gets at the heart of the Service's proposed rulemaking. Localities should be able more flexibly define vegetables for the purpose of meeting federal standards (that should probably not exist in the first place, if we're being honest). As long as children are getting the comparable nutrients from other sources, the meal can be just as healthy. More so, if you consider the fact the nutrients will come from something they will actually eat, a necessary prerequisite to actually getting said nutrients.



There is also another psychological consideration. Vegetables of the traditional variety stress kids out, especially if there is the perception they are being forced into it. Psychotherapist Susie Orbach writes:

As long as we make 'healthy' or 'good' food an issue, we are going to produce anxiety. We should just eat well when we are hungry. We need to be relaxed about it. When nourishment is labelled 'bad' or 'good', it becomes part of an emotional language and therefore problematic.

Kids these days are inundated with all sorts of stresses. Anxiety is on the rise. Lunch break is supposed to be the one time of the day when they can decompress to some extent. Forcing unwanted food choices on them adds another layer - however inconsequential it may seem - of stress on the backs of our nation's future.

If parents want to mandate that their children eat mountains of green vegetables, let that be their decision around their own dinner table. That mandate should not come from the federal government. Nor should the federal government rely on the antiquated junk science that green vegetables are the only way to sustain a healthy lifestyle. That is not the role of our government.

We applaud the Service for refusing to play the role of overbearing parent any longer in this space. This rule change, if implemented, will save school districts millions in wasted or discarded food. It will still ensure that kids can get a nutritious lunch while also being one that they enjoy. It will also take some measure of stress off our kids' backs. We urge swift adoption of this proposal so we can finally make school lunches great again.

Sincerely,

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FreedomWorks Foundation