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Food and Nutrition Service, Department of Agriculture
Post Office Box 66874
St. Louis, Missouri 63166

Docket ID: FNS-2011-0029

Re: Support Nutrition in the Child and Adult Care Food Program Meal Pattern Revisions

Dear Ms. Namian:

California Food Policy Advocates (CFPA) commends Secretary Vilsack and the Food and Nutrition Service (FNS) for their efforts to improve the health and well-being of children served through the Child and Adult Care Food Program (CACFP). Thank you for this opportunity to provide comments on the United States Department of Agriculture's (USDA) proposed rule on the CACFP Meal Pattern Revisions.

CFPA is a statewide organization whose mission is to improve the health and well being of low-income Californians by increasing their access to nutritious, affordable food. CFPA has worked to strengthen the federal nutrition programs for over 20 years by sponsoring state legislation, conducting research, and working with communities across California to create environments that support optimal nutrition. One of CFPA's main areas of focus is early childhood nutrition. We've lead pioneering efforts to: establish the most health-promoting policy standard across the nation for beverages in child care;ⁱ require a statewide training dedicated to early childhood nutrition and the benefits of CACFP;ⁱⁱ and establish nutrition standards for all licensed family child care homes in California.ⁱⁱⁱ Given our experience in child care nutrition policy, we firmly believe that you can raise expectations for the nutritional quality of foods and beverages served in child care, without damaging access to child care or the viability of the child care workforce. CFPA is in a unique position to provide USDA with useful insights from California's experience using policy to improve the nutrition environments in child care settings.

Early childhood is a critical time of development; nutrition habits and preferences are developed within the first five years of life. California has more than three million children between the ages of zero and five, of which more than 25 percent live in poverty.^{iv} Young children are especially vulnerable to the impacts of food insecurity, with poor nutrition affecting a young child's ability to learn and grow. CACFP is a critical component of our child care system; not only does the program ensure young children in child care receive healthy foods, but it also supports the overall quality of child care.^{v, vi}

We strongly endorse the proposed changes to better align the CACFP meal pattern with the most current dietary guidelines. While you may hear that these proposed changes are not worth the additional efforts, we refute that notion. Grounding the nutrition standards in science and

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supporting their implementation with technical assistance and guidance from USDA will not only establish healthful eating habits and practices for our nation's youngest and most vulnerable children, but it will also advance high-quality child care and afterschool programs. We respectfully submit the following comments.

Infant Meal Pattern

- 1) **Recommendation:** Maintain the science-based revision in the infant meal pattern that delays the introduction of solid foods until age six months. (7 CFR 226.20(b)(3))
- 2) **Recommendation:** Adopt the proposed restriction of serving juice to infants. (7 CFR 226.20(b)(4))
- 3) **Recommendation:** Clarify that child care providers can be reimbursed when a mother breastfeeds her child on site, regardless of age. (7 CFR 226.20(b)(2))

Thank you for adjusting the infant meal pattern to be science-based and aligned with American Academy of Pediatrics infant food and feeding guidelines,^{vii} including supporting breastfeeding, introducing solid foods at six months of age, prohibiting fruit juice, and requiring the service of fruits or vegetables. It is important that USDA provides an expanded definition of "developmentally appropriate" introduction of solid foods. Technical assistance will be needed to support thoughtful observation and assessment of infant readiness for solid foods in collaboration with the parent(s) and/or guardian(s).

CFPA supports USDA's proposal to require a fruit or vegetable serving in the snack meal pattern for the six through 11 month age group and to eliminate fruit juice from the meal pattern for infants. Evidence shows that fruit juice is a top contributor to children's calorie intake.^{viii, ix} This proposal would help to ensure that infants are provided more access to a variety of fruits and vegetables, helping to set the stage for better acceptance later in life.

We applaud USDA for including provisions in the proposed rule to promote breastfeeding in CACFP, as the benefits of breastfeeding to mothers and babies are well established.^x Additionally, please ensure the final rule clarifies that child care providers can be reimbursed when a mother breastfeeds her child on site, regardless of age.

Child Meal Pattern

- 4) **Recommendation:** Align CACFP and other federal nutrition programs to increase efficiencies and support healthful nutrition. (7 CFR 210.10(o)(3)), (7 CFR 210.10(p)), and (7 CFR 220.8(o))

We commend USDA for aligning the nutrition standards for preschool-aged children served by the Women, Children and Infant (WIC) program, the National School Lunch Program (NSLP), the School Breakfast Program, the Special Milk Program, and CACFP. These changes will ensure that many more preschool-age children will benefit from the developmentally appropriate changes proposed in this rule.

Utilizing resources from other programs, such as WIC, can support the implementation of healthy foods and beverages and help control costs for states, sponsors, sites, and providers. For example, aligning the CACFP breakfast cereal sugar standard with WIC will help providers

to identify allowable cereals. Most states have lists of cereals that meet the WIC standards. Those resources should be shared with CACFP providers through technical assistance and trainings.

- 5) Recommendation:** Establish evidence-based nutrition standards for all the beverages being served through CACFP. (7 CFR 226.20(a)(1)) and (7 CFR 226.20(a)(2))

CFPA does not support allowing fruit or vegetable juice to comprise the entire fruit or vegetable component for all meals and snacks. Studies show that people who eat whole fruits have a lower risk for type 2 diabetes compared to those who consume fruit juice.^{xii} Juice intake has increased overall among children five years and younger compared to three decades ago.^{xiii} Evidence suggests that fruit juice is one of the top contributors to children's calorie intake.^{xiv} Further, fruit juice has several nutritional disadvantages compared to whole fruit and should not be served in place of whole fruits or vegetables.^{xv,xvi,xvii,xviii,xix} If fruit or vegetable juice is creditable as an entire fruit or vegetable meal component, we recommend USDA limit reimbursement of 100 percent juice (no sugars added) to once a day in age-appropriate portion sizes, as was recommended by the IOM committee.^{xx}

We encourage USDA to establish health-focused standards for milk. We applaud the Healthy, Hunger-Free Kids Act for requiring low-fat or fat-free milk for children ages two and above, and commend FNS for quickly issuing guidance to states. USDA requested feedback on flavored milk; consuming flavored milk contributes to increased sugar consumption. Compared to children who do not consume flavored milk, flavored-milk consumers have lower intakes of folate, vitamin A, and vitamin C, and higher intakes of total calories and percent of energy from saturated fat.^{xxi,xxii,xxiii} In order to establish life-long healthy habits and for simplicity of implementation across the different types of CACFP program sites, we recommend prohibiting the service of flavored milk to all CACFP participants.

CFPA supports the proposed requirement that providers make drinking water available to children throughout the day. USDA should, however, clarify that safe, fresh drinking water should be available and accessible for children to serve themselves at all times, both indoors and outdoors. Children should not have to request water from the provider; water should be freely available and children should be encouraged to drink it. As a best practice, providers should be encouraged to serve as role models, drinking water throughout the day instead of drinking beverages such as soda, fruit drinks, and sports drinks that are high in added sugars in front of children.

To support healthy beverage consumption in CACFP, USDA should adopt California's tested and fully implemented Healthy Beverages in Child Care Law, which limits full strength (100 percent) juice to one age-appropriate serving per day; ensures clean, safe drinking water is readily available and accessible throughout the day; requires only fat-free or low-fat (1%) unsweetened, plain milk be served to children ages two and older; and prohibits beverages with added sweeteners, either natural or artificial.^{xxiv} Over the past three years since implementation of the Healthy Beverages in Child Care Law, CFPA has observed no adverse impact on access, availability, or affordability of child care.

- 6) Recommendation:** Adopt the proposed restriction on grain-based desserts. (7 CFR 226.20(a)(4))

- 7) Recommendation:** Maintain the proposed sugar standards for breakfast cereals. (7 CFR 226.20(a)(4))

8) Recommendation: Establish required sugar standards for yogurts. (7 CFR 226.20(a)(5)(iii))

In addition to healthy beverages, CACFP can help decrease the amount of added sugar consumed by young children by establishing some simple and cost-neutral sugar standards. Added sugars are empty calories that put kids at risk of obesity and long-term health problems. The Dietary Guidelines Advisory Committee recently recommended that Americans reduce their consumption of added sugars to no more than 10 percent of calories.^{xxv}

CFPA supports the adoption of the WIC standard of six grams of total sugars per serving for breakfast cereal. Limiting sugars in breakfast cereals will help to reduce overall added sugars in the diets of CACFP participants. Aligning the CACFP breakfast cereal sugar standard with WIC will help providers to identify allowable cereals, as most states have lists of WIC-approved cereals. Those resources should be shared with CACFP providers through technical assistance and trainings.

We recommend USDA require that yogurt served through CACFP contain 23 grams or less of sugar per six ounces. This standard would disallow the yogurts with candy, cookies, and other flavored yogurts with high sugar content, while allowing flavored yogurts with a more reasonable amount of sugar. Many yogurts on the market today meet the 23 grams per six ounce standard. In addition, Dannon, a nationally available producer of yogurt, has committed to decrease their entire line of kid yogurts to 23 gram or less of sugar per six ounces by 2016.^{xxvi}

We fully support the proposed revision to disallow grain-based desserts from counting towards the grain component. Grain-based desserts are major sources of extra calories, added sugars, saturated fat and trans fat, and they are generally low in nutritional value. According to the National Health and Nutrition Examination Survey (NHANES) grain-based desserts contribute 12.9% of calories from total added sugars and 10.8% of calories from solid fat.^{xxvii}

9) Recommendation: Allow the option to serve two reimbursable vegetables for lunch and supper. (7 CFR 226.20(c)(2))

Separating fruits and vegetables is a step in the right direction, as it would allow for greater opportunities for fruit and vegetable consumption and it aligns with NSLP. We recommend strengthening the proposed change by allowing providers to be reimbursed for either (a) a fruit and a vegetable, or (b) two servings of vegetables. This would better align the proposed change with the IOM Committee's recommendation and USDA's expressed intent to increase vegetable consumption and it would also allow flexibility for providers to take advantage of local and seasonal availability of vegetables.

10) Recommendation: Maintain the whole-grain/whole-grain rich requirement, but only make it applicable when a grain is served during the day. (7 CFR 226.20(a)(4))

As a first step toward increasing whole grains in CACFP, CFPA supports the requirement to make at least one of the grain servings whole grain-rich each day across all eating occasions. This requirement should be applicable only when a grain is served during the day. For example, afterschool programs serving only a snack might not have a grain component each day and thus would not need to serve a whole grain product. The health benefits of eating whole grains are well known and it is important to teach our young children that eating whole grains is part of a healthy diet. In the future, when direct costs to providers decrease, CFPA would like to see more whole grains served through CACFP. Identifying and purchasing whole grain products can

be complicated and confusing; providing tools and phased-in requirements would facilitate the process. We also recommend adjusting the proposed best practice to “all grain products be whole grain-rich.”

11) Recommendation: Clarify and strengthen the proposed on-site frying rule in order to simplify implementation and decrease the level of saturated fats in the diets of CACFP participants. (7 CFR 226.20(d))

CFPA supports the proposed disallowance of frying as an on-site food preparation technique. USDA should establish a definition for frying that is based on prohibiting deep-fried foods. A definition for deep fat frying should be simple and easy to follow for the wide range of CACFP providers. We support the intention to decrease saturated fats in the diets of CACFP participants. As such, USDA should modify the proposed rule to disallow deep-fried foods from vendors, caterers, restaurants, or carry-out facilities. Additionally, USDA should provide guidance on alternative and healthy cooking methods, such as baking, sautéing, broiling, searing, and stir-frying.

12) Recommendation: Continue to work with sponsors and sites to better understand how we can support and strengthen CACFP for at-risk afterschool participants. (7 CFR 226.20(c))

CFPA commends USDA for updating the age group for older children and youth served by CACFP, which is primarily through the at-risk afterschool program. We urge USDA to reach out to sponsors and site staff to understand whether the portions in the meals pattern for this age group are sufficient to meet the nutritional needs of teens.

We encourage USDA to provide strong guidance and training if the offer versus serve (OVS) service model becomes an available option for all at-risk afterschool programs. OVS is an existing option for school district sponsors, and there are many benefits when it is operated well. Sponsors can save money and reduce food waste, and students can choose the foods they like and try out different food items if they are given a variety of foods from which to select. However, technical assistance for sponsors and site staff who are not experienced in operating OVS will be needed to ensure this service model is beneficial for both students and staff by offering a wider variety and selection of foods to choose from, not merely a cost saving tool.

Given that many CACFP at-risk afterschool meals are served by afterschool program site staff, and not by food service professionals, sponsors utilizing the OVS option should ensure that all staff, including food service and afterschool site staff, are able to provide a variety of meal component choices, inform students of all choices through signage or verbal prompts, and reinforce nutrition education messages about the components of the reimbursable meal. It is also critical that site staff is able to identify the required food components and items in the quantities needed for reimbursable suppers and snacks.

We encourage USDA to explicitly encourage the use of the NSLP meal pattern for school food authorities operating CACFP at-risk afterschool suppers as a best practice. The NSLP meal pattern more closely adheres to the IOM Committee’s recommendations and dietary guidelines than the proposed CACFP pattern, and NSLP offers more nutritional variety. The quality of the NSLP meal pattern is nutritionally superior, and while it may have increased food costs, many school districts that operate both programs find efficiency in not having to train staff to comply with many different meal patterns.

Training and Technical Assistance

13) Recommendation: Develop new resources that assist with implementation of the healthier standards and allow states and providers adequate implementation time.

CFPA thanks USDA for the time and resources FNS has dedicated to CACFP technical assistance to date. We encourage USDA to release new resources that address issues of food purchasing, menu planning, healthy recipes, and healthy food preparation. In particular, there will need to be technical assistance and training related to flavored milk, yogurt, frying, whole grains, juice, accessible drinking water, and OVS.

There are different challenges that home-based child care sites face in comparison to center-based sites. However, we urge USDA to keep the standards consistent across sites to ensure children are receiving nutritious meals and snacks regardless of the type of setting. Home-based sites may require additional technical assistance and training to support their efforts.

Implementation of the CACFP final rule will require ample lead time, phased-in changes, and grace periods. Strategic implementation including strong technical assistance and training support will help sustain the participation of child care centers, family child care home providers, and afterschool programs in CACFP. We recommend that implementation occur in phases over the course of several years. This will help to ensure that there is enough time for providers to be trained and that providers will not be overburdened by the introduction of too many changes simultaneously.

Thank you for developing this much-needed update to the CACFP meal pattern. CFPA urges USDA to build upon this proposed rule to ensure that nutrition-focused and feasible standards are put in place to safeguard and support the health of all CACFP participants. If we can provide additional information, please contact Elyse Homel Vitale at 510.433.1122 ext. 206.

Respectfully,



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