

April 13, 2011

Ms. Julie Brewer
Chief, Policy and Program Development Branch
Food and Nutrition Service
US Department of Agriculture
3101 Park Center Drive, Room 640
Alexandria, VA 22302-1594

Re: Nutrition Standards in the National School Lunch and School Breakfast Programs;
Notice of Proposed Rulemaking; Docket No: FNS 2007-0038; 76 Fed. Reg. 2494;
(January 13, 2011)

Dear Ms. Brewer:

On behalf of the partners in the grains industry: **American Bakers Association, American Institute of Baking, Grain Foods Foundation, Grains for Health Foundation, Independent Bakers Association, National Pasta Association, North American Millers' Association, USA Rice Federation, Wheat Foods Council, and Wheat Quality Council**, we thank you for the opportunity to submit comments regarding the proposed rule *Nutrition Standards in the National School Lunch and School Breakfast Programs* published January 13, 2011, in the *Federal Register*. As providers of grain products, both whole and enriched, to American consumers including school children, and as nutrition educators, we strongly support efforts by the US Department of Agriculture's Food and Nutrition Service (FNS) to achieve more nutritious and healthful school meals that improve the dietary habits of school children and protect their overall health. Our specific comments and recommendations on the proposed rule are as follows:

Consistency with 2005 Dietary Guidelines

In the *Federal Register* notice, FNS states that the proposed revisions in school meal patterns and nutrition requirements are aimed at aligning them with the 2005 Dietary Guidelines. We endorse this goal and believe that a key purpose of the Dietary Guidelines is to set science-based nutrition recommendations for government feeding programs, such as the School Lunch and Breakfast programs.

However, we note that the proposed rule does not follow the 2005 Guidelines, or even the 2010 Guidelines, in its treatment of grains. The 2005 and 2010 Guidelines continue to recommend that Americans make half their daily grain servings whole grains. Yet under the proposed rule, two years post-implementation, all grains offered during the school week must be "whole grain-rich."

We fully support increasing consumption of whole grains among school children. In fact, as a result of the efforts of several organizations within the Grain Chain working with USDA and members of Congress, funding was included in the last Farm Bill to authorize a one-year grain

purchase program resulting in increased whole grain products available for schools to offer at breakfast and lunch.

However, we feel it is important to remember that enriched grains have important health benefits as well. Since the 1940s, enriched grains have made significant contributions to the wellbeing of all Americans including eradication of the crippling diseases Pellagra and Beriberi. Of particular note for young women of childbearing age is that enriched grains contain twice as much folic acid as their whole grain counterparts. Statistics show that about 750,000 teens become pregnant annually and that babies born to teen mothers are at a higher risk of medical problems.

Since fortification of enriched grains with folic acid in 1996, there has been a 25-35 percent decrease in neural tube birth defects in the US – an amazing success story. Folic acid has also been linked to decreased risk of coronary heart disease, hypertension, and some cancers.

We realize that most consumers, including children, fall far short of the recommendation to make half their grain servings whole. Nonetheless, given the importance of enriched grains in the diet, and in particular in the diets young women, we urge FNS to maintain consistency with the Dietary Guidelines recommendation to make half your grain servings whole in its school meal nutrition standards.

Definitions of Whole Grains and Whole Grain-Rich

Under the proposed rule, the availability of whole grains in school meals would increase. However, with six different definitions for what constitutes a “whole grain” currently in use among various federal agencies, it is extremely difficult for school administrators and manufacturers to know what products comply and how they should be labeled.

Furthermore, there is no official definition for the term “whole grain-rich” as referenced in the proposed rule. FNS acknowledges this, stating that it will “provide support” to taking action to require labeling for the whole grain content of food products. FNS further states that, in the interim, “the criteria used to identify whole grain-rich foods served in school meals would be established in FNS guidance, and could be revised in policy as more information becomes available on the food label by the voluntary addition of whole grain information by industry or by FDA action to require labeling for the whole grain content of food products.”

The issue of a uniform definition for whole grains is one our organizations have been grappling with for a number of years and we urge USDA and FDA to work together to set policy establishing a consistent definition as soon as possible. We support defining “whole grains” as those foods containing a minimum 5 to 8 grams of whole grain ingredients per serving OR a product with whole grain as the first grain ingredient in the ingredient listing. Based on feedback from our members, this is a realistic and attainable amount that most, if not all, whole grain products currently available on the market can already achieve.

FNS should take action to establish this definition prior to finalizing the proposed rule to enable all those involved in the school meal program, from manufacturers to school foodservice personnel, to understand what products meet program requirements. Our industries are ready and willing to work with USDA and FDA on this issue and have a number of experts among our membership who could share their knowledge and experience.

Further, we concur with the School Nutrition Association (SNA) on its whole grain comments and its recommendation that implementation of the whole grain requirement be delayed until SY 13-14 based on the final rule including the whole grain-rich definition and any changes to the Grain/Bread Instructions. Future delayed implementation could be necessary if the final rule does not include the necessary guidance.

Serving Size

We strongly encourage FNS to retain the current portion size at 14.75 grams equating to one grain serving for the school lunch program. Increasing the serving size to 16 grams would mean reformulation, packaging and increased distribution costs to manufacturing participants in the school meals program without any real benefit to the key end user – school children. Since the stated goal of the proposed rule is to provide children with healthier, more nutritious meals, FNS needs to guard against taking actions that would put healthy ingredients even more out of reach of budget-strapped school systems.

A good example of the difficulties posed by increasing the serving size is RTE cereal. Cereal is unique in that one grains/breads serving is 3/4 cup or 1 ounce, whichever is less. Specifically, a shift in cereal to 16 grams would require changes operationally to manufacturing and packaging. Current bowlpak systems for school meals are designed to meet 3/4 cup or 1 ounce. In addition, a shift to MyPyramid ounce equivalent would lead to an increase in serving size due to varying cereal densities (this is also consistent in the retail setting where RTE cereals varying densities determine serving size); an increase in the grain amount and cost of a product that was specifically designed to meet current USDA requirements; and inconsistent serving size—all changes leading to a major capital investment and indeed not feasible under the proposed implementation period. Furthermore, the larger serving sizes may not be appropriate for small and younger students.

Partial vs. Full Serving

Under current school meal requirements, partial servings of foods can be combined to count as a full serving. For example, whole grain crackers accompanying soup; whole wheat pasta, brown rice, or barley contained in soup; or whole grain croutons served with a salad, would all be counted toward a full daily serving of whole grain. We urge FNS to continue to allow partial servings to count toward full servings. School foodservice administrators are familiar with this approach and support it. It is also a good approach to use when introducing new foods, such as new whole grains, to children. Smaller serving sizes allow them to “test” a food, while also counting toward intake goals. It further provides school menu planners with greater flexibility in developing and offering an array of healthy menu choices to students. If FNS proceeds with

increasing the serving sizes then the partial serving option would still be needed for grain products to preserve options for meals.

Daily vs. Weekly Nutrient Requirements

It is critical that revisions to the school lunch and breakfast programs take into account ease of implementation and adaptability for school foodservice administrators. Any changes to existing rules that are difficult to implement will not be helpful in achieving the overall goal of better school meal nutrition for our children. With that in mind, we support continued calculation of food/nutrient requirements on a weekly rather than a daily basis. It is difficult for anyone, adults or children, to manage their food consumption to ensure that all nutrient targets are met daily. An approach that looks at the whole week's worth of food is more practical, as well as being more workable for school menu planners.

Sodium

The grain chain supports a realistic approach to reducing sodium in the diet through a voluntary, incremental, and gradual reduction of sodium in foods. This gives school children time to adjust to taste changes while providing manufacturers time to develop products that deliver necessary functionality as well as palatability. For children, the issue of taste is essential and is a key factor in the successful introduction of such healthy foods as whole grains, fruits and vegetables. We commend the 2010 Dietary Guidelines for adjusting target sodium levels without mandating cuts and recommend that FNS seek a similar approach for the school meals programs.

Trans/Saturated Fats

We ask FNS for clarification of the proposed rule's trans fat requirement. Our organizations endorse the Food and Drug Administration's (FDA) current definition of zero trans fat per serving as less than 0.5 grams per serving.

We also support retaining the current standard of less than 10% of calories from saturated fat, as recommended by the Institute of Medicine (IOM), the 2005 *Dietary Guidelines for Americans*, and the 2010 *Dietary Guidelines for Americans*.

Formulated Grain-Fruit Products

In the proposed rule, use of formulated grain-fruit products would be eliminated as part of an effort to reduce schools' reliance on "highly fortified foods," as well as to promote consumption of naturally nutrient-dense foods.

While recognizing the value of consumption of nutrient-dense foods, we ask for clarification from FNS of its decision. Typically, these types of foods are popular with children and can provide a positive way to introduce grain foods into their diets. They also provide ease of preparation and quick consumption options for schools where breakfast and lunch time periods are extremely limited. By keeping them on the list of approved foods, schools can make the final say about whether these products make sense from both a cost and nutrition standpoint

for their students, ensuring that the school meal programs remain flexible and provide schools a wide variety of food choices.

Cost Concerns

Our organizations endorse SNA's comments on cost concern issues for schools raised by the proposed rule.

Timing

Timing for implementation of a final rule needs to factor in school and school foodservice suppliers' schedules and methods of doing business. Given that school foodservice supplier contracts are typically signed in the fall and in place by January at the latest, we ask that FNS seek full implementation of a final rule no earlier than fall 2013. This timing provides both schools and industry with ample time to make necessary operational, product formulation, packaging and distribution changes.

We also suggest that FNS consider initially publishing an interim final rule, as was done with changes to the Women, Infants and Children (WIC) program. This would enable all involved in the school meals programs to begin implementation while also providing a vehicle for feedback and comments regarding practical application of the new policy.

In conclusion, as representatives of the grain industry whose members support the school meals programs as suppliers of nutritious, good-tasting whole and enriched grain products, we appreciate the opportunity to provide our comments on ways to improve school meals and bring them into alignment with the Dietary Guidelines. If you have questions, feel free to contact one of the organizations listed below.

Sincerely,

American Bakers Association, Robb MacKie, President/CEO
American Institute of Baking, James Munyon, President
Grain Foods Foundation, Judi Adams, MS, RD, President/CEO
Grains for Health Foundation, Len Marquart, President
Independent Bakers Association, Nick Pyle, President
National Association of Wheat Growers, Dana Peterson, CEO
National Pasta Association, Carol Freysinger, Executive Director
North American Millers' Association, Mary Waters, President
USA Rice Federation, Elizabeth C. Ward, President/CEO
Wheat Foods Council, Judi Adams, President
Wheat Quality Council, Ben Handcock, Executive Director

American Bakers Association (ABA) is the Washington D.C.- based voice of the wholesale baking industry. Since 1897, ABA has represented the interests of bakers before the U.S. Congress, federal agencies, and international regulatory authorities. ABA advocates on behalf of more than 700 baking facilities and baking company suppliers. ABA members produce bread,

rolls, crackers, bagels, sweet goods, tortillas and many other wholesome, nutritious, baked products for America's families. The baking industry generates more than \$70 billion in economic activity annually and employs close to half a million highly skilled people.

RMackie@americanbakers.org

American Institute of Baking International (AIB) is a corporation founded by the North American wholesale and retail baking industries in 1919 as a technology transfer center for bakers and food processors. The original mission of the organization was to "put science to work for the baker," which is still central to all of the programs, products, and services provided by AIB to baking and general food production industries worldwide.

JMunyon@AIBonline.org

Grain Foods Foundation (GFF), a joint venture of members of the milling, baking and allied industries formed in 2004, is dedicated to advancing the public's understanding of the beneficial role grain-based foods play in the human diet. Directed by a board of trustees, funding for the Foundation is provided through voluntary donations from private grain-based food companies and is supplemented by industry associations.

Judi.Adams@grainsfoundation.org

Grains for Health Foundation (GFH) was founded in 2009 to increase the availability of affordable grain-based foods with health benefits to improve public health. Grains for Health forges partnerships with food and health leaders to develop evidence-based strategies that facilitate the development, delivery, and consumption of grain-based foods that promote public health, lower the incidence of diet related chronic disease, and curb health care costs.

LMarquart@umn.edu

Independent Bakers Association (IBA) The Independent Bakers Association is a Washington, D.C. based national trade association of over 400 mostly family owned wholesale bakeries and allied industry trades. The Association was founded in 1968 to protect the interests of independent wholesale bakers.

NPyle@attglobal.net

National Association of Wheat Growers (NAWG) is a federation of 21 state wheat grower associations that works to represent the needs and interests of wheat producers before Congress and federal agencies. Based in Washington, D.C., NAWG is grower-governed and grower-funded, and works in areas as diverse as federal farm policy, trade, environmental regulation, research and climate change.

dpeterson@wheatworld.org

National Pasta Association (NPA) was founded in 1904 and is an organization of pasta manufacturers, millers and suppliers to the US pasta industry which serves as a cohesive industry advocate, a promoter of pasta and a center of knowledge for its members.

CFreysinger@kellencompany.com

North American Millers' Association (NAMA) is the trade association representing 45 companies that operate 170 wheat, rye, oat and corn mills in 38 states and Canada. Their collective production capacity exceeds 160 million pounds of product each day, more than 95 percent of the total industry production.

MWaters@Namamillers.org

USA Rice Federation is the global advocate for all segments of the U.S. rice industry with a mission to promote and protect the interests of producers, millers, merchants and allied businesses. Over 20 billion pounds of long, medium, and short grain, and organic and specialty rices are grown and harvested each year by farmers in Arkansas, California, Louisiana, Texas, Mississippi and Missouri.

BWard@USARice.com

Wheat Foods Council (WFC) is a nonprofit organization formed in 1972 to help increase public awareness of grains, both whole and enriched, complex carbohydrates, and fiber as essential components of a healthful diet. The Council is supported voluntarily by wheat producers, millers, bakers, and related industries.

JAdams@wheatfoods.org

Wheat Quality Council (WQC) works to improve the value of all U.S. wheat classes for producers, millers, and processors of wheat. Founded in 1938, it has a long and distinguished history of evaluating wheat for milling and end-use quality. The Council also advocates the development of cultivars which enhance end-use quality of wheat and provides forums for breeders, producers and industry members to discuss desired characteristics and evaluation of wheat.

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