



April 24, 2012

Julie Brewer
Chief, Policy and Program Development Branch
Child Nutrition Division
Food and Nutrition Service
U.S. Department of Agriculture
3101 Park Center Drive, Room 634
Alexandria, VA 22302

Re: Fresh Fruit and Vegetable Program Proposed Rule (Docket ID: FNS-2009-0018; RIN 0584-AD96)

Dear Ms. Brewer:

The American Cancer Society Cancer Action Network (ACS CAN) is pleased to provide comments on the U.S. Department of Agriculture (USDA) Food and Nutrition Service's (FNS) proposed regulations to establish the basic requirements for the Fresh Fruit and Vegetable Program (FFVP) and set forth the administrative and operational requirements for program operators at the state and local levels. ACS CAN is the nonprofit, nonpartisan advocacy affiliate organization of the American Cancer Society dedicated to eliminating cancer as a major health problem. ACS CAN supports legislative, regulatory, and policy efforts that will make cancer a top national priority.

Summary of Comments on Proposed Rule

Overall, ACS CAN supports the FFVP and FNS' proposed rule. Interim evaluation results of the program have shown it to be effective in achieving one of its primary goals: increasing fruit and vegetable consumption to improve the diets of participating youth. Average fruit and vegetable consumption among students in participating schools on FFVP days increased approximately one-quarter of a cup per day, an increase of 14.6 percent, without a significant increase in calorie intake.¹ This means that not only are students participating in FFVP consuming more fruits and vegetables than other youth in similar schools, they are eating fresh fruits and vegetables instead of other more calorie dense, less healthy foods. Given the program's preliminary success, we recommend continuing to allow only fresh fruit and vegetables to be served, with low-calorie dips for vegetables permitted daily and cooked vegetables allowed to be served one day per week, and increasing the number of days per week the program operates to a minimum of four days and ideally every school day. We also support allowing, but not requiring, geographic preference for procurement of fresh fruits and vegetables.

ACS CAN also supports the second primary goal of the FFVP: helping children understand the relationship between proper eating and good health. To this end, we recommend that the service of fresh fruits and vegetables be incorporated as part of a larger nutrition education program, which includes both educational strategies and policy and environmental changes. A school's plan for implementing the FFVP and coordinating with other nutrition education programs and partners should be a part of the school selection criteria and their agreement with state child nutrition agencies. We are

¹ Abt Associates. *Food and Nutrition Service Evaluation of the Fresh Fruit and Vegetable Program (FFVP): Interim Evaluation Report*. September 2011. Available at <http://www.fns.usda.gov/ora/MENU/Published/CNP/cnp.htm>. Accessed March 30, 2012.

pleased that teachers are allowed to consume the fresh fruits and vegetables with their students in order to model healthy behaviors and also recommend that schools be able to use a small portion of their FFVP funds for nutrition education in coordination with the service of fresh fruits and vegetables.

We support the proposed plans for administration of the program and allocation of funds, with priority for participation given to the lowest income schools with the greatest need. However, we recommend that schools currently participating in the program be given priority to participate for up to three years and a school's proposed plans for program implementation and coordination with other nutrition education programs and partners should be considered when states are selecting among schools that all have a similarly high percentage of free and reduced price certified students. Among participating schools, training and technical assistance for appropriate school and SFA staff, accurate recordkeeping and timely reporting, and regular assessment are necessary to ensure the program is being implemented appropriately, can be evaluated thoroughly, and is likely to be successful in achieving positive public health outcomes.

The following sections first provide background on the importance of fruit and vegetable consumption for cancer prevention and general comments on the FFVP, followed by comments on specific components of the proposed rule.

Relationship Between Diet, Overweight and Obesity, and Cancer

Nutrition and physical activity factors, including overweight and obesity, contribute to one third of all cancer deaths.² For the majority of Americans who do not consume tobacco products, weight control, dietary choices, and physical activity are the most important determinants of cancer risk. Overweight and obesity are clearly associated with increased risk for many cancers, including cancer of the breast (postmenopausal), colon, rectum, endometrium, esophagus, kidney, and pancreas, and probably the gallbladder.³ There is also highly suggestive evidence of a link between overweight and obesity and cancers of the liver, ovary, and cervix, and for multiple myeloma, Hodgkin's lymphoma, and aggressive prostate cancer.⁴ Abdominal fatness is also associated with colorectal cancer and probably also increases the risk for cancers of the pancreas, endometrium, and breast (postmenopausal).⁵ Currently, 19.6 percent of children ages 6-11 and a similar percentage of adolescents are obese.⁶ Because overweight and obese children are much more likely to become overweight or obese adults, it is important to develop healthy dietary habits early in life.

To reduce the risk of cancer and other chronic diseases and to promote good health, the *Dietary Guidelines for Americans, 2010*⁷ and the *American Cancer Society Guidelines on Nutrition and Physical*

2 Kushi LH, Doyle C, McCullough M, et al. American Cancer Society Guidelines on Nutrition and Physical Activity for Cancer Prevention: Reducing the Risk of Cancer With Healthy Food Choices and Physical Activity. *CA Cancer J Clin* 2012; 62:30-67.

3 Ibid.

4 Ibid.

5 Ibid.

6 Ogden C and Carroll M. *NCHS Health E-Stat: Prevalence of Obesity Among Children and Adolescents: United States, Trends 1963-1965 Through 2007-2008*. National Center for Health Statistics, Centers for Disease Control and Prevention. June 4, 2010. Available at

http://www.cdc.gov/nchs/data/hestat/obesity_child_07_08/obesity_child_07_08.htm.

7 U.S. Department of Agriculture (USDA) and U.S. Department of Health and Human Services (HHS). *Dietary Guidelines for Americans, 2010*. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010.

*Activity for Cancer Prevention (ACS Guidelines)*⁸ recommend making healthy dietary choices to achieve and maintain a healthy weight and to increase fruit and vegetable intake. Consuming low-calorie, nutrient-dense foods and beverages, such as fruits and vegetables, in place of other high-calorie, low-nutrient foods and beverages is a key strategy for weight management.

The ACS Guidelines specifically recommends eating at least 2.5 cups of fruits and vegetables each day. Current evidence supports a reduced risk of cancers of the lung, mouth, pharynx, larynx, esophagus, stomach and colorectum associated with fruit and vegetable consumption.⁹ Fruit and vegetable consumption also reduces the risk of other chronic diseases, including cardiovascular disease, and is related to lower overall morbidity and mortality.^{10,11} Different types of fruits and vegetables provide different nutrients and potential health benefits. Foods and nutrients also interact in complex ways and may have an additive effect; therefore consuming a variety of fruits and vegetables is recommended.^{12,13}

As a result of this clear relationship diet and weight status have with certain types of cancer, ACS CAN supports multi-faceted population-based policy approaches to improving nutrition and weight management by increasing access to healthy foods, promoting consistent, comprehensible health messaging, and making policy, systems, and environmental changes.

General Purpose and Scope (§211.1)

ACS CAN supports the purposes of the FFVP: 1) Increase fresh fruit and vegetable consumption in elementary schools to improve the diets and long-term health of participating children; and 2) Help children understand the relationship between proper eating and good health.

As noted in the previous section, consuming recommended amounts of fruits and vegetables provides many health benefits, including reduced risk of overweight and obesity, some cancers, other chronic diseases, and death. Fruits and vegetables are underconsumed by both children and adults in the U.S. and increasing their contribution to the diet are objectives of Healthy People 2020. Making fresh fruits and vegetables available to elementary school students in schools at no cost to their families is an effective way to increase consumption of fruits and vegetables and prevent weight gain among participating students. In fact, the FFVP interim evaluation results show a 15 percent increase in fruit and vegetable intake without an increase in total calorie consumption among students participating in the program, compared with similar students whose schools do not participate in the FFVP.¹⁴ Therefore, fresh fruits and vegetables, and fruits and vegetables overall, make up a larger portion of the diets of children at schools participating in FFVP than children attending non-participating schools.

In addition to increasing fruit and vegetable consumption, the FFVP can also help children understand the relationship between consuming fresh fruits and vegetables and good health. Especially when supported by other nutrition education and promotion activities, FFVP can help children understand the contribution of fresh fruits and vegetables to a healthy diet. FFVP may also give children an opportunity to try, and develop a taste for, new fruits and vegetables that they otherwise may not have an opportunity to eat.

8 Kushi et al, 2012.

9 Kushi et al, 2012.

10 Kushi et al, 2012.

11 USDA and HHS, 2010.

12 Ibid.

13 Kushi et al, 2012.

14 Abt Associates, 2011.

Administration (§211.3)

ACS CAN agrees that the FFVP should be administered at the state level by the state educational agency or the agency responsible for administering the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) in that state (referred to in these comments as the state child nutrition agency), with the local school food authority (SFA) responsible for the administration of the program on the ground in selected schools. It makes sense for the program to be administered by the same agencies in charge of administering the NSLP and SBP. Administration of the FFVP requires similar skills and expertise as the administration of the other school meal programs and in many cases the same staff and equipment.

Funding (§211.4 and §211.5)

ACS CAN supports the funding structure for the program outlined in the proposed rule. We support maintaining the same funding levels in the future with annual increases based on the CPI-U. We are pleased that unobligated funds from a previous school year stay in the program and become available to FNS for future re-appropriation. We are also pleased that the funding structure for the program allows it to operate in all 50 states and the District of Columbia, with greater funding allocated to states with a larger population.

Use of Funds (§211.6)

ACS CAN strongly supports the intent of FNS that federal funds made available under the program be used primarily for the purchase of fresh fruits and vegetables served free to all students in participating elementary schools. Costs to administer the program at the federal, state, SFA, and school levels should be kept as low as possible. We agree that funding to SFAs and schools should be used primarily for the purchase of fresh fruits and vegetables. We also support allowing a small portion of funds to be used for non-food costs, including costs for planning, food preparation, delivery, and service, equipment and supplies, but these costs should be kept as low as possible.

We disagree, however, with the proposed prohibition on using program funds for nutrition education or promotion of the FFVP, and USDA should clarify what it means by the statement in the Educational Prohibitions section of the proposed rule (211.19) that says the “Department shall not impose any requirements with respect to teaching personnel, curriculum, instructions, methods of instruction, or materials of instruction in any school as a condition for participation in the program”. ACS CAN would not want to prohibit USDA from requiring, or even recommending, that schools participating in the program tie the FFVP to other nutrition education or promotion activities.

While the majority of the funds provided to SFAs and schools should be used for the provision of fresh fruits and vegetables to students, we recommend that a small percentage of a school’s funds be allowed to be used for nutrition education and promotion. One of the stated goals of the program is to help children understand the relationship between proper eating, including consumption of fruits and vegetables, and good health. Providing students with free fruits and vegetables by itself does not go far enough toward meeting that goal. The program would likely have a greater impact on children’s long-term health if the availability of fruits and vegetables was coupled with nutrition education and nutrition promotion activities. Teaching students is an important role for schools, and it is essential for students to learn the importance of, and strategies for, making lifelong healthy food choices.

Nutrition education can be defined as “any combination of educational strategies, accompanied by environmental supports, designed to facilitate voluntary adoption of food choices and other food- and nutrition-related behaviors conducive to health and well-being and delivered through multiple venues, involving activities at the individual, institutional, community and policy levels.”¹⁵ Nutrition education is an important complement to the provision of fresh fruits and vegetables as snacks in the FFVP. As this definition of nutrition education points out, both environmental changes, such as providing free fresh fruits and vegetable snacks to children in elementary schools, and educational strategies are necessary to facilitate healthy behaviors long-term. Many school districts do not currently include nutrition education in their curriculum, but it is vitally needed.

To leverage the investment of the FFVP and to achieve behavioral outcomes consistent with the 2010 Dietary Guidelines, state child nutrition agencies should be encouraged to collaborate with State SNAP-ED agencies, as well as with other state and community partners, to optimize nutrition education opportunities for FFVP schools, students, and their families. USDA should also encourage all state SNAP-ED agencies to include nutrition education and multi-level interventions for FFVP schools as part of their Nutrition Education and Obesity Prevention Grant Programs. The recently published *Supplemental Nutrition Assistance Program Education Plan Guidance* for FY 2013 recommends that State SNAP-Ed agencies work collaboratively across state agencies, especially those administering other FNS programs to promote healthy eating and active living among the SNAP-ED target populations.¹⁶ The FFVP and SNAP-ED have similar target populations; therefore, it makes sense for state SNAP-ED plans to include nutrition education and multi-level interventions for FFVP schools that will reinforce one of SNAP-ED’s key behavioral outcomes: Make half your plate fruits and vegetables. FFVP school implementation plans should be required to include nutrition education and describe how the school is going to build on this environmental change in their local wellness policy and other health promotion initiatives.

State Agency Outreach to Eligible Schools (§211.10(a))

ACS CAN supports requiring state child nutrition agencies to conduct outreach to eligible schools with the highest proportion of students certified for free or reduced price meals prior to selecting any schools to participate, and notifying them of their eligibility, program funding, and that they would likely be selected if they applied for the program. We agree that states should work with local SFAs in conducting this outreach to schools and recommend that SFAs also assist eligible schools in completing their applications.

We agree that program outreach should be allowed to be limited to only those elementary schools likely to be selected if they applied. It would be a waste of program resources for states and SFAs to provide information about and promote the program to schools very unlikely to be selected because there are many more interested schools given higher priority because they have a greater percentage of students certified to receive free or reduced price lunches. However, if the criteria for selecting schools to participate in the program are expanded to include other factors in addition to students’ families’ incomes, as ACS CAN recommends in the “Selection Criteria” section that follows, states will need to conduct outreach to a broader range of schools. It is essential that eligible schools know about the program and are encouraged to apply.

¹⁵ Contento I. *Nutrition Education: Linking Research, Theory, and Practice*. Second edition. Sudbury, MA: Jones and Bartlett Publishers, 2011.

¹⁶ U.S. Department of Agriculture, Food and Nutrition Service. *Supplemental Nutrition Assistance Program Education Guidance: Nutrition Education and Obesity Prevention Grant Program*. March 31, 2012. Available at <http://www.nal.usda.gov/fns/Guidance/FY2013SNAP-EdPlanGuidance.pdf>.

Per Student Allocation (§211.10(b))

ACS CAN supports the proposed per student allocation of \$50-75 per student per year, as required by the statute. The per student allocation should be enough for schools to operate the program a minimum of four days per week, and ideally five days per week. An allocation of \$50-75 per year, which averages to about \$1.25-\$2.00 per week depending on the number of weeks per school year, seems appropriate for this purpose.

We also agree that the per-student allocation should be allowed to vary from school to school within a state. Schools within a district that serve fresh fruits and vegetables five days per week should be given proportionately more funding than schools that serve them fewer days. Also food and non-food costs, such as labor, may vary from one part of the state to another. The state child nutrition agency should be allowed to adjust each school's per-student allocation based on these and other factors to allow funding to be used most effectively and efficiently.

Selection Criteria (§211.10(c))

ACS CAN supports giving schools with the highest percentage of free and reduced price certified students highest priority for selection among eligible schools that have applied for the program and are not deficient in managing and are free from violations from any FNS program. However, we believe that additional criteria should also be considered in selecting schools to participate in the program, including past-year participation in the program and plans to integrate the FFVP with other school-based efforts to promote good health and nutrition, reduce overweight and obesity, and promote physical activity. While the percentage of free and reduced price certified students in a school should still be the primary selection criteria, when selecting among schools with a similar percentage of free and reduced price certified students, a school's current school year participation in the FFVP and plans to integrate the program with other nutrition and health promotion programs should be given significant weight.

Schools that are participating in the program in the current school year and would like to participate again should be given first priority, as long as they have at least 50 percent of students free or reduced price certified and the percentage of students free or reduced price certified is close to the percentage of students that are free or reduced price certified in schools that apply to participate for the first time. However, once schools have participated in the program for three years, they should no longer be given priority, in order to give new schools the opportunity to participate. For example, if a participating school that has participated in the program for one or two years drops from having 92 percent of students free or reduced price lunch certified to having 90 percent of students free or reduced price certified, they should not be dropped from the program to allow a non-participating school with 91 percent of students free or reduced price certified to participate. However, if they have participated in the program for three years or more, the school with the higher percentage of free and reduced price certified students should be selected instead. Implementing the program takes more time, effort, and resources initially than it does in subsequent years, because of the administrative support and policy setting, SFA and school staff and school teacher training, and procurement of equipment and supplies that are needed to set up the program initially. Giving participating schools priority to participate in the program for two or three consecutive years allows them to take advantage of the human and capital investment that they have already made in the program for multiple years. In addition, the percentage of students who are free or reduced price eligible in a given school fluctuates with changes in the local economy. It doesn't make sense for schools to not be selected for participation in the program based on a change in income of a few students' families from one year to the next. Many students may expect

and look forward to the program from one year to the next, and this consistency is beneficial for achieving the program's intended public health outcomes.

ACS CAN also recommends that particular consideration for selection be given to schools with strong plans to integrate the FFVP with other school-based efforts to promote health and nutrition, reduce overweight and obesity, and promote physical activity. One of the two key goals of the FFVP is to help children understand the relationship between proper eating and good health. This requires nutrition education, which as noted previously in the "Use of Funds" section, involves a combination of educational strategies and environmental supports and can include individual behavior, institutional, community and policy change. Providing students with free fresh fruits and vegetables is a positive environmental change, but alone likely will not result in long-term behavior change outside of and beyond the duration of the program.

The Centers for Disease Control and Prevention (CDC) recommends in its 2011 *School Health Guidelines to Promote Healthy Eating and Physical Activity*¹⁷ using a coordinated approach to develop, implement, and evaluate healthy eating and physical activity policies and practices. The FFVP should ideally coordinate with, complement, and reinforce other school-based nutrition and physical activity programs, policies, and practices. Schools can integrate the FFVP with other USDA nutrition education programs, such as SNAP Ed, Team Nutrition and Farm-to-School, which provide funding and resources to achieve similar nutrition and public health goals in a similar population. FFVP schools should also partner with one or more entities that provide non-federal resources, as the statute recommends. As part of the application process, the proposed rule requires each school's application for participation to include a program implementation plan that includes efforts to integrate the program with other initiatives to promote health and nutrition, reduce overweight and obesity, or promote physical activity. The proposed rule also recommends that the implementation plan include a description of a partnership with one or more entities or organizations that will provide non-federal resources to the school in support of the program's goals. Specific types of organizations recommended as partners for schools include produce and fruit and vegetable industry groups, grocery stores, local colleges and universities, and other organizations. Local non-profit organizations should also be considered as potential partners. Schools should also be encouraged to involve parents and the broader community in activities that enhance the program and include these plans in their implementation plan. The strength of the school's proposed implementation plan and partnerships should play a role in state child nutrition agencies' school selection decisions.

Application Process (§211.10(d))

ACS CAN supports requiring interested schools to submit an application to their state child nutrition agency, which includes a statement of support from the school principal, school food manager, and district superintendent. We support requiring schools to work through their SFA to submit their application to the state. To reduce the administrative burden to SFAs of submitting a separate application for each school, FNS should consider allowing each SFA to submit one application on behalf of all interested schools within their jurisdiction, with a section for each school. The application would still have to include statements of support from each school's principal and school food manager and an implementation plan for each school. However, since the SFA is required to submit the applications on behalf of interested schools, this would allow each SFA to submit one application instead of dozens in some cases.

17 Centers for Disease Control and Prevention. School Health Guidelines to Promote Healthy Eating and Physical Activity. *MMWR* 2011; 60(5): 1-76.

As noted in the “Selection Criteria” section above, we support requiring schools to include in their application an implementation plan that includes efforts to integrate the FFVP with other school-based efforts to promote health and nutrition, reduce overweight and obesity, and promote physical activity. We recommend that state child nutrition agencies be able to use the strength of this implementation plan as a criterion in selecting schools to participate.

Procedures for Serving Fruits and Vegetables in Schools (§211.10(e))

ACS CAN agrees that the SFA should be responsible for the operation of the FFVP in the schools. They already operate the NSLP and SBP in the schools and have the necessary staff, skills, and equipment to operate the program with minimal training. We agree that as part of the administration of the program, the SFA should enter into a written agreement with the state child nutrition agency.

ACS CAN agrees that fresh fruits and vegetables should be offered to all children attending participating elementary schools and that the program should be offered during the school day and separately from meal times. FFVP provides an additional snack reimbursed separately from the NSLP and SBP and a distinct opportunity for nutrition education. It can also provide participating children with additional servings of fruits and vegetables, beyond those offered in the NSLP and SBP, at an additional time during the school day.

ACS CAN recommends requiring that participating schools serve fresh fruits and vegetables more than the proposed minimum of two days per week. Participating schools should ideally serve fresh fruits and vegetables every day that school is in session. However, we recognize that space, schedule, cost, and other logistical challenges or barriers may prevent some schools from being able to serve fresh fruits and vegetables each school day. We therefore recommend a minimum requirement of serving fresh fruits or vegetables four days per week. Schools proposing to serve fresh fruits and vegetables fewer than five days per week should justify their rationale in their application and subsequent agreement with their state child nutrition agency.

As noted in the FFVP evaluation, children with the lowest intake of fruits and vegetables are at the greatest risk of poor health outcomes and will receive the greatest benefit by increasing their intake of fruits and vegetables. Increasing fruit and vegetable intake in this population even by 15 percent is likely to confer important health benefits.

ACS CAN agrees that teachers in the classroom at the time the fruits and vegetables are served should be allowed to eat the fruits and vegetables with their students. Teachers can be important role models for students and their consumption and enjoyment of the fresh fruits or vegetables can positively influence their students to consume or try new fruits and vegetables. Classroom teachers can also reinforce learning by including nutrition education in the class curriculum and including cross curricular educational activities about taste, geography, art, writing, math, science and health.

ACS CAN agrees schools should be required to integrate program activities with other school efforts to promote health, nutrition, healthy weight, and physical activity. As noted in the preceding “Selection Criteria” and “Application Process” sections, we recommend that a school’s integration plans be included as part of the implementation plan in their application as well as a component of their written agreement. A school’s plans for partnerships and coordination in their implementation plan should be able to be considered by state agencies in selecting among schools with similar percentages of free and reduced price certified students.

ACS CAN agrees that participating schools should be required to participate in trainings offered by the state agency or SFA. The SFAs or state agency should also be required to conduct trainings for new schools and provide ongoing technical assistance to participating schools as necessary to ensure compliance with all requirements and facilitate coordination with other school-based efforts to promote health, nutrition, healthy weight, and physical activity and partnerships with relevant entities to increase the likelihood of meeting program goals and achieving a public health benefit.

Types of Fruits and Vegetables Served (§211.10(e))

ACS CAN supports the requirement that a variety of fresh fruits and vegetables to be served, the types and portion sizes of which reflect the ages and preferences of the students. Given that the program is called the “Fresh Fruit and Vegetable Program”, we support allowing only fresh fruits and vegetables to be served. The 2010 Dietary Guidelines for Americans recommends increasing fruit and vegetable intake and eating a variety of vegetables and fruits, especially dark-green and red and orange vegetables and beans and peas.¹⁸ Fruits and vegetables provide important nutrients that are underconsumed in the U.S., are relatively low in calories without added fats or sugars, and their consumption is associated with reduced risk of many chronic diseases, including cardiovascular disease and certain types of cancer.¹⁹ When fruits and vegetables are served in other forms (such as dried, canned, or juiced), water, fiber, and other nutrients are often lost and calories and/or sodium may be added.

The ACS Guidelines notes that fresh fruits and vegetables consumed soon after harvesting are usually considered to have the most nutritional value.²⁰ Eating raw vegetables preserves their nutritional content well. In contrast, canning can reduce the heat-sensitive and water-soluble nutrients in fruits and vegetables because of the high heating temperatures necessary in the canning process, and boiling vegetables, especially for long periods, can leach their content of water-soluble vitamins.²¹ While microwaving, steaming, and sautéing vegetables in oil are also healthy ways to prepare them, fruits and vegetables should be consumed in a variety of forms, and children already frequently have regular access to cooked vegetables, canned fruits and vegetables, and juice as part of the NSLP and SBP. For example, according to USDA FNS’ *School Nutrition Dietary Assessment Study – III*,²² while 55 percent of elementary school students participating in the NSLP consumed some type of fruit or juice at lunch on a given day, only 22 percent of students consumed fresh fruit. Consumption of green salads at lunch is even lower among students participating in the NSLP. While 51 percent of elementary school students participating in the NSLP consumed some type of vegetable during lunch on a given day, only 8 percent of students ate green salad, compared with 28 percent who ate white potatoes, French fries, or a similar potato product.²³ While the consumption of fruits and vegetables in all forms is below recommended levels, it is particularly low for fresh fruits and vegetables. The FFVP provides students with an opportunity to eat fresh fruits and vegetables that they do not have access to or are not consuming as part of the NSLP.

The FFVP also gives children an opportunity to try and learn about new fruits and vegetables that they may otherwise not have an opportunity to taste. The FFVP is more than a feeding program, since it is

18 USDA and HHS, 2010.

19 USDA and HHS, 2010.

20 Kushi et al, 2012.

21 Ibid.

22 U.S. Department of Agriculture, Food and Nutrition Service. *School Nutrition Dietary Assessment Study – III: Volume II: Student Participation and Dietary Intakes*. November 2007.

23 Ibid.

often served in the classroom and should be integrated with other nutrition and health education programs or curricula. As part of a broader nutrition education initiative, the FFVP provides students with an opportunity to learn about the fruits and vegetables they are consuming. Therefore, it is beneficial for the fruits and vegetables children are given to be in their original form. Often canned, cooked, or frozen fruits and vegetables do not closely resemble their fresh counterpart.

ACS CAN supports allowing small portions of dips for vegetables to be provided, but not dips for fruits. Dips can make certain types of raw vegetables more palatable. Instead of requiring that dips be low-fat or fat-free, FNS should set a calorie limit for dips. Some beans, nuts, and oils that are key ingredients in some vegetable dips contain healthy unsaturated fats, which in small portions provide health benefits. In addition to prohibiting these healthy foods from being included in dips, requiring dips to be fat-free or low-fat often means that they will instead be high in sugar, which provides excess calories without any nutritional benefits. An overall calorie limit on dips would allow schools to serve a broader range of healthy dips that are relatively low in both saturated fat and added sugars.

ACS CAN supports allowing cooked fresh vegetables to be served once per week. The Dietary Guidelines and the ACS Guidelines recommend consuming a variety of fruits and vegetables in different forms. Similar to our recommendation for low-calorie dips, other ingredients in the vegetable dish should be required to be low-calorie, rather than low-fat or fat-free, and they should also be allowed to be reimbursed. If small portions of dips that make fresh vegetables more palatable are allowed to be reimbursed, small portions of ingredients used in cooking fresh vegetables should be reimbursable as well. While we recommend that the service of fruits and vegetables through the FFVP regularly be incorporated into a nutrition education lesson, cooked vegetables should not be singled out for this requirement.

Reporting and Recordkeeping (§211.11)

ACS CAN supports the requirement for state child nutrition agencies to report annually to FNS on key program characteristics such as the number of schools eligible to participate, the number of schools that applied, the number of schools selected to participate, the total enrollment and percentage of students certified for free or reduced price meals at schools that were selected and not selected, and the per student funding allocation provided to the school. We recommend that states also be required to report to FNS on the number of times per week fruits and vegetables are served as part of the program and schools' breakdown of food versus non-food costs. This type of data is useful in justifying the need for the program and additional funding. We recommend FNS make the data that they collect on the FFVP publicly available. ACS CAN also supports the requirement for states and SFAs to maintain records that demonstrate compliance with program requirements.

Procurement Standards (§211.13)

ACS CAN supports allowing geographic preference for procurement of fresh fruits and vegetables, although it should not be a requirement. Geographic preference promotes access to fresh, local fruits and vegetables, while supporting local farmers and the local economy. In addition, fruits and vegetables contain the most nutrients when they are fresh picked. Local fruits and vegetables may arrive at schools and be able to be served to students more quickly than fruits and vegetables from traditional suppliers. When students are served local, fresh fruits and vegetables they are also provided with an opportunity to learn about the types of fruits and vegetables that grow in their area during different seasons.

Fresh fruits and vegetables served as part of the FFVP should be allowed to be cut, sliced, washed, bagged, or otherwise made into a size and form that allows them to be easily served and consumed by elementary school children as a snack in the classroom or another school setting.

Program Assistance and Monitoring (§211.14)

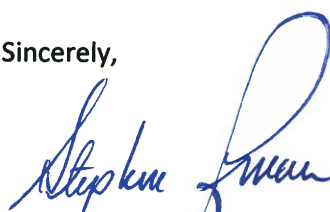
ACS CAN supports requiring state child nutrition agencies to provide technical assistance to SFAs to support them operating the program successfully. We also support requiring SFAs to conduct a review of each participating school within their first year of participation to ensure that the school is operating the program in compliance with all requirements. This general review will ensure that the school has the financial system in place for program, including an appropriate budget and timeline, and that they are using program funds appropriately. SFAs should also be required to conduct reviews of participating schools in continuing years as part of their review of other school nutrition programs, such as the NSLP and SBP. We agree that corrective action for schools not in compliance with program requirements should mainly include technical assistance and training unless there are repeated violations.

Conclusion

In conclusion, ACS CAN supports the implementation of the FFVP in low-income elementary schools across the U.S. as a way to increase consumption of fresh fruits and vegetables among low-income children in order to improve their long-term health, and as an opportunity to teach students about eating a nutritious diet and its relationship to health outcomes. We strongly recommend that the service of fresh fruits and vegetables through the FFVP be tied to a broader nutrition education initiative in schools, which should include both educational strategies and policy and environmental changes, and can be facilitated by external partnerships with relevant organizations. We are excited that initial evaluation results of the FFVP are promising, and we believe that the program can be even more effective in achieving positive health outcomes if our recommendations are incorporated in the final rule.

If you have any questions or we can provide any additional information, please contact Melissa Maitin-Shepard at melissa.maitin-shepard@cancer.org or 202-585-3205. We look forward to working with you in support of healthier children.

Sincerely,



Stephen Finan
Senior Director, Policy
American Cancer Society Cancer Action Network