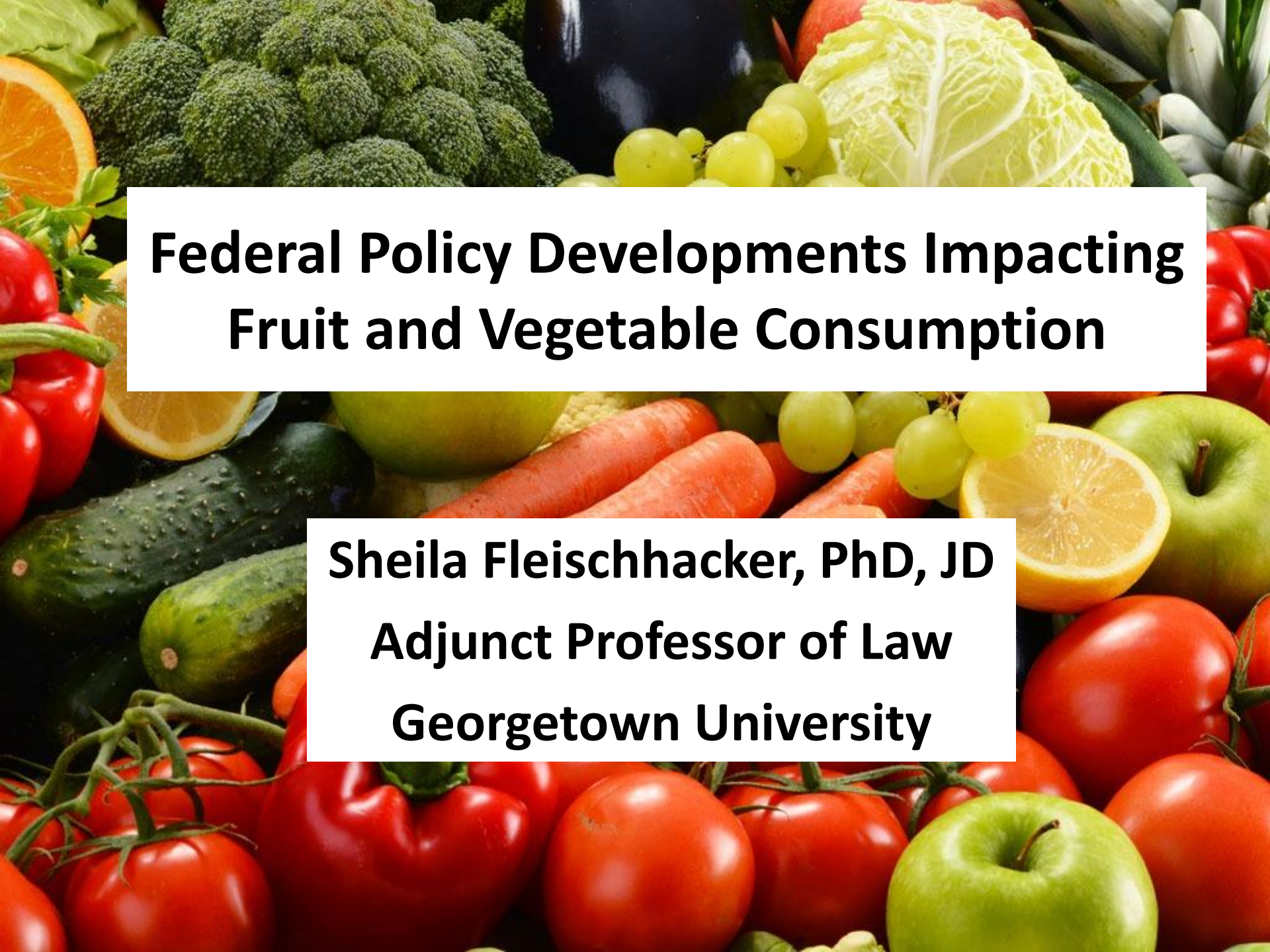


Federal Policy Developments Impacting Fruit and Vegetable Consumption

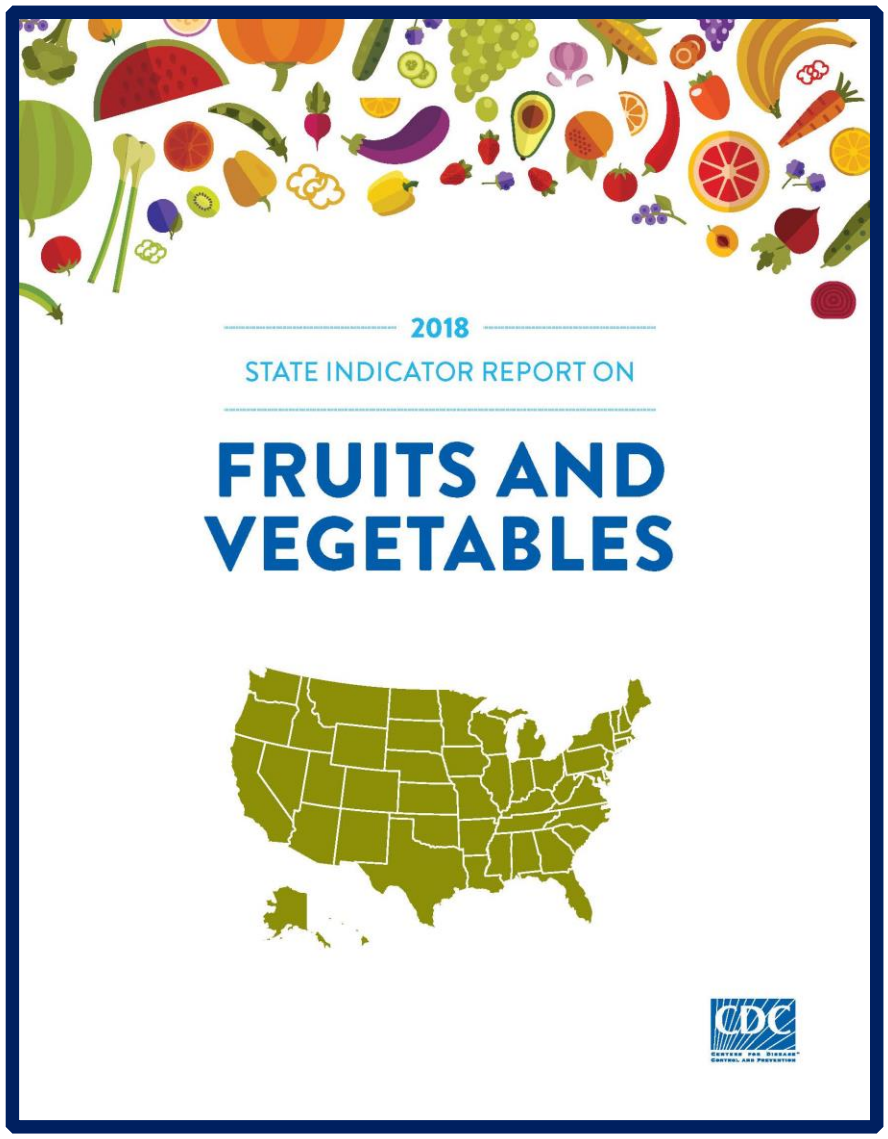
Sheila Fleischhacker, PhD, JD

Adjunct Professor of Law

Georgetown University

ASPHN Webinar Objectives

- Examine fruit and vegetable purchase and consumption trends and how these trends relate to or could be affected by policy developments impacting public health nutrition
- Determine practical ways ASPHN members can become involved in shaping policy that has the most impact on public health nutrition
- Identify how ASPHN is involved in policy and advocacy



US Adults Consumption

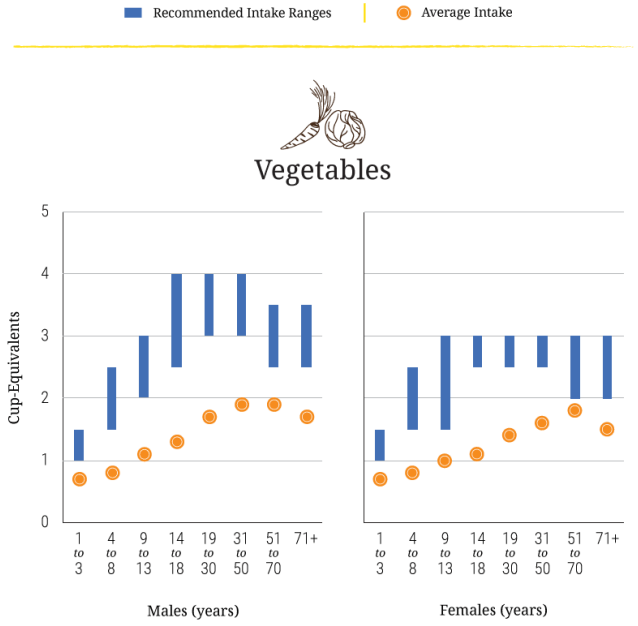
- 12.2% meet the daily fruit intake recommendation
- 9.3% meet the daily vegetable intake recommendation
- 7% who live at or below the poverty level meeting the daily vegetable intake recommendation, compared to 11.4% with the highest household incomes

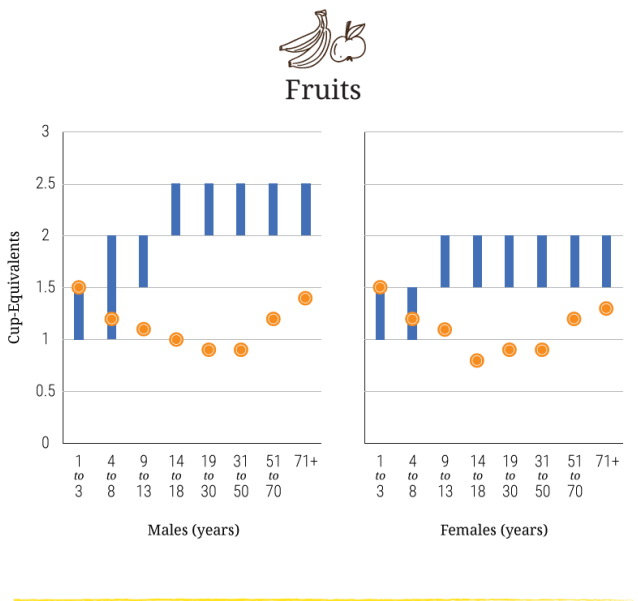
US High School Students Consumption

- 9% meet the daily fruit recommendation
- 2% meet the daily vegetable recommendation
- State estimates ranged from 5.3% to 8.9% for fruit and 1.% to 3.3% for vegetables

http://www.cdc.gov/nutrition/data-statistics/2018-state-indicator-report-fruits-vegetables.html
Lee-Kwan SH, et al. Disparities in state-specific adult fruit and vegetable consumption-United States, 2015. *MMWR*. 2017;66:1241-1247
Moore LV, et al. Percentage of youth meeting federal fruit and vegetable intake recommendations, Youth Risk Behavior Surveillance System, United States and 33 States, 2013. *J Acad Nutr Diet*. 2017;117(4):545-553

www.health.gov/dietaryguidelines/2015/guidelines/
https://health.gov/dietaryguidelines/2015/guidelines/chapter-1/a-closer-look-inside-healthy-eating-patterns/#food-groups
https://health.gov/dietaryguidelines/2015/guidelines/chapter-2/a-closer-look-at-current-intakes-and-recommended-shifts/#food-groups





Current intakes: Figure 2-3 shows the **low** average intakes of vegetables across age-sex groups in comparison to recommended intake levels. Vegetable consumption relative to recommendations is **lowest among boys ages 9 to 13 years and girls ages 14 to 18 years**. Vegetable intakes relative to recommendations are slightly higher during the adult years, but intakes are still below recommendations. In addition, with few exceptions, **the U.S. population does not meet intake recommendations for any of the vegetable subgroups** (Figure 2-4).

Current intakes: As shown in Figure 2-3, average intake of fruits is **below recommendations** for almost all age-sex groups. Children ages 1 to 8 years differ from the rest of the population in that many do meet recommended intakes for total fruit. Average intakes of fruits, including juice, are **lowest among girls ages 14 to 18 years and adults ages 19 to 50 years. Older women (ages 51 years and older) and young children consume fruits in amounts close to or meeting minimum recommended intakes** (Figure 2-3).

The Guidelines

1. **Follow a healthy eating pattern across the lifespan.** All food and beverage choices matter. Choose a healthy eating pattern at an appropriate calorie level to help achieve and maintain a healthy body weight, support nutrient adequacy, and reduce the risk of chronic disease.

2. **Focus on variety, nutrient density, and amount.** To meet nutrient needs within calorie limits, choose a variety of nutrient-dense foods across and within all food groups in recommended amounts.

3. **Limit calories from added sugars and saturated fats and reduce sodium intake.** Consume an eating pattern low in added sugars, saturated fats, and sodium. Cut back on foods and beverages higher in these components to amounts that fit within healthy eating patterns.

4. **Shift to healthier food and beverage choices.** Choose nutrient-dense foods and beverages across and within all food groups in place of less healthy choices. Consider cultural and personal preferences to make these shifts easier to accomplish and maintain.

5. **Support healthy eating patterns for all.** Everyone has a role in helping to create and support healthy eating patterns in multiple settings nationwide, from home to school to work to communities.

https://www.usda.gov/media/blog/2016/01/07/new-dietary-guidelines-support-healthy-choices-all-americans

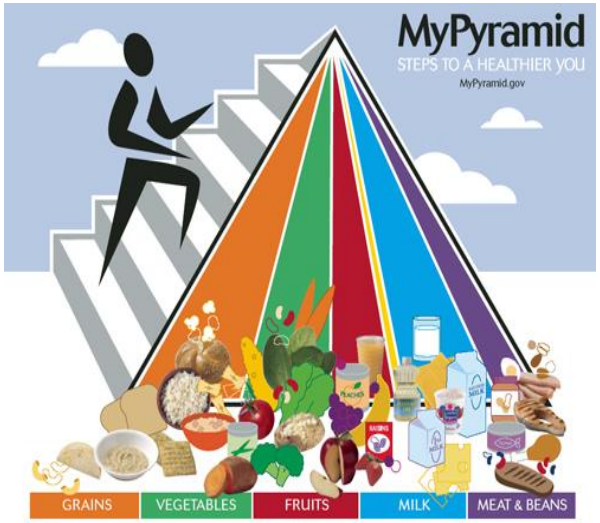
DIETARY GUIDELINES FOR AMERICANS

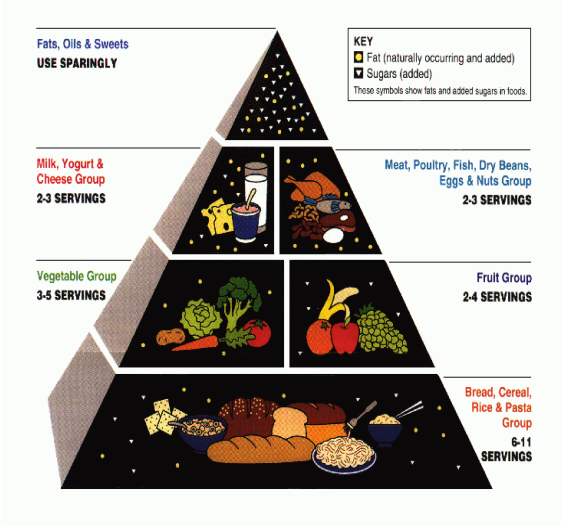
evolution over time

	1980	1985	1990	1995	2000	2005	2010	2015
Fruits & Vegetables	Eat a variety of foods, including fruits and vegetables		Eat 2-4 servings of fruit and 3-5 servings of vegetables daily			Eat 2 cups of fruit and 2½ cups of vegetables daily		
Grains	Eat a variety of foods, including whole-grain and enriched breads, cereals, and grain products		Eat 6+ servings of breads, cereals, rice, and pasta per day. Have several servings of whole-grain breads and cereals daily. One serving is about ½ cup of cooked pasta or rice, 1 slice of bread, or 1 oz of dry cereal			Eat 6 servings (6 oz-eq) of breads, cereals, rice, and pasta per day. At least half of the servings should be whole grains		
Protein Foods	To avoid too much fat, saturated fat, and cholesterol, choose lean meat, fish, poultry, dry beans, and peas as protein sources		Eat about 6 oz of meats, poultry, fish, dry beans and peas, eggs, and nuts per day. Trim fat from meat	Eat about 6 oz of fish, shellfish, lean poultry, other lean meats, beans, or nuts daily. Limit intake of high-fat processed meats		Eat 5.5 oz of protein foods, including lean meats, poultry, fish, eggs, nuts, or dry beans daily		Teen boys and men should eat less of meat, poultry, and eggs
Saturated Fat	Avoid too much saturated fat		Choose a diet low in saturated fat			Consume <10% of calories from saturated fatty acids	Replace with mono- and polyunsaturated fatty acids	
Cholesterol	Avoid too much cholesterol		Choose a diet low in cholesterol			Consume <300 mg of cholesterol per day		Eat as little as possible
Sodium	Avoid too much sodium		Choose a diet low in sodium	Choose and prepare foods with less salt		Consume <2,300 mg of sodium per day	<1,500 mg for people with increased risk	
Added Sugars	Avoid too much sugar		Choose a diet moderate in sugars			Choose and prepare foods and beverages with little added sugars or caloric sweeteners	Reduce intake of added sugars	Consume <10% of calories from added sugars

Note: specific recommendations are based on a 2,000-calorie diet.

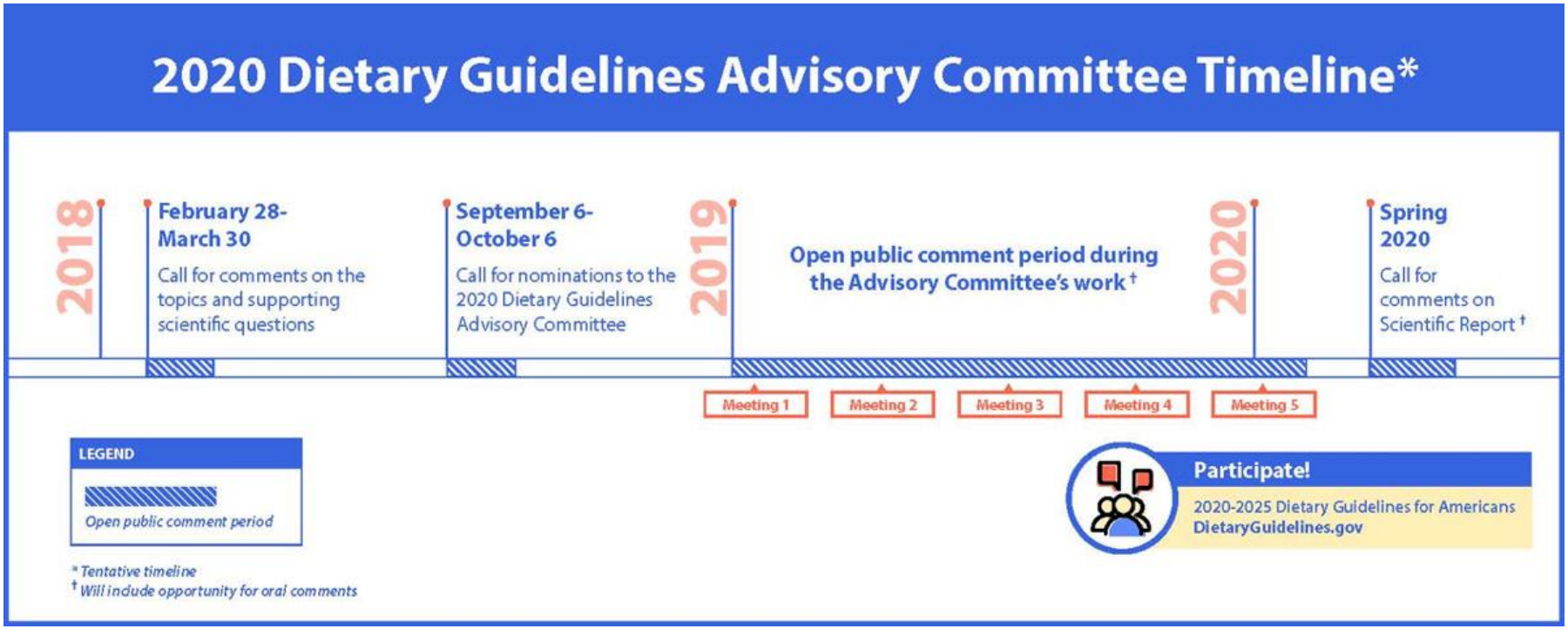
CENTER FOR Science IN THE Public Interest





www.choosemyplate.gov

https://www.usda.gov/media/blog/2019/03/13/start-simple-myplate-during-national-nutrition-month



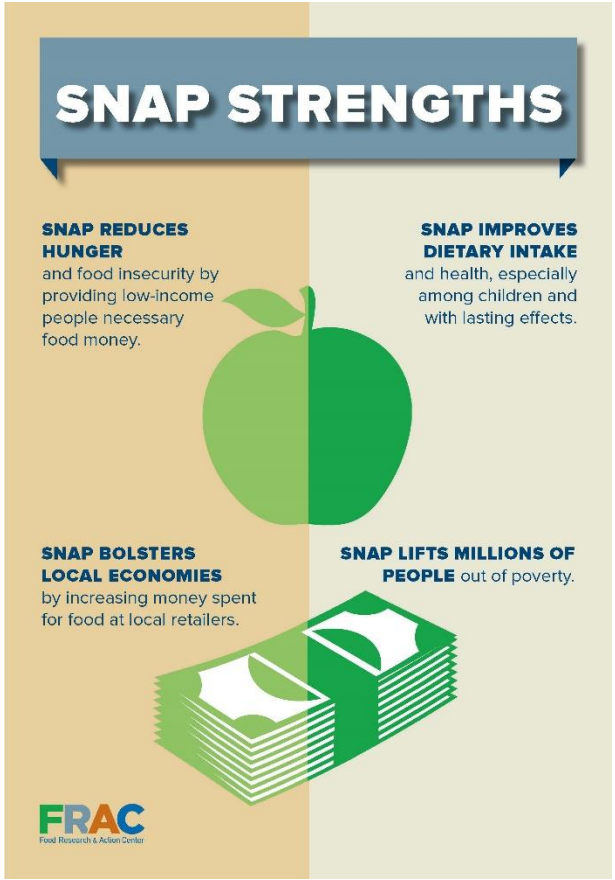
https://www.dietaryguidelines.gov/

Trump Administration SNAP Relevant Activities

- America's Harvest Box
- SNAP Budget Cuts
- Disaster Assistance
- Immigration
- Trade
- Administrative
  - Hiring Freeze
  - Nominations
  - Relocation to New Department of Health and Public Welfare
  - Reorganization of ERS and Proposed Relocations of ERS and NIFA
  - Reorganization of CNPP
  - Reorganization of USDA Civil Rights Activities

Fleischhacker S, et al. *J Food Policy Law*. 2019 (forthcoming)

SNAP & FV Consumption



- **Helps "put food on the table"**
- **Virtually no direct effect on diet quality**
- **No effect on body weight**

https://www.cbpp.org/research/food-assistance/snap-works-for-americas-children
https://www.ers.usda.gov/webdocs/publications/46295/10977_err85_1_.pdf?v=0
Mabli J & Worthington J. *Pediatrics*. 2014;133(4):610-619
T. Andreyeva, et al. *Am J Prev Med*. 2015;49:594-604
Bleich S, et al. *Annu Public Health* (forthcoming 2019)

Until recently, lawfully present noncitizens participating in the USDA SNAP faced no immigration consequences

But the public charge rule proposes the definition of dependence includes a more expansive list of public benefits and government assistance programs including SNAP

https://www.dhs.gov/publication/proposed-rule-inadmissibility-public-charge-grounds

Bleich SN & Fleischhacker S. *J Nutr Educ Behav*. 2019;51(4):505-509

America's Harvest Box Proposal

- **Combines traditional SNAP benefits with 100% American grown foods provided directly to households**
- **Proposed to replace approximately half of SNAP benefits for families receiving at least $90 in benefits with a curated assortment of shelf-stable, American commodity foods**

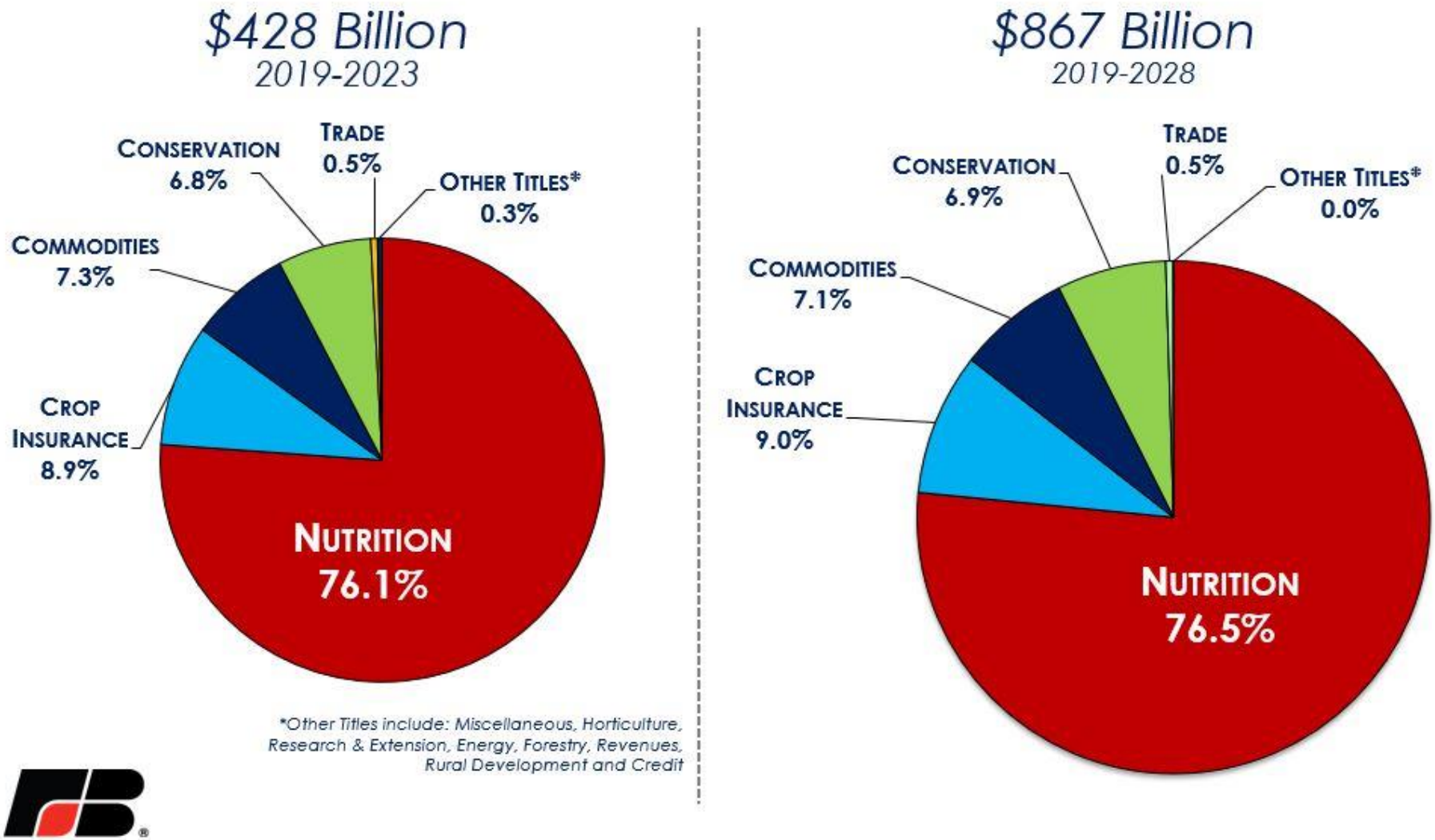
115th and 116th Congress SNAP Relevant Activities

- Block Grants
- Participant Eligibility
- Benefit Adequacy, Issuance and Redemption
- Appropriations
- Oversight
- Strengthening SNAP's Public Health Impacts
  - Restricting Product Eligibility
  - Incentivizing Fruit and Vegetable Purchases
  - Enhancing Minimum Stocking Standards
  - Expanding Access to Foods through a National Healthy Food Financing Initiative
  - Harvesting Health Pilot Projects
  - Supporting Nutrition Education and Promotion

Fleischhacker S, et al. *J Food Policy Law*. 2019 (forthcoming)

Figure 1. 2018 Farm Bill Spending

5- and 10-Year Baseline

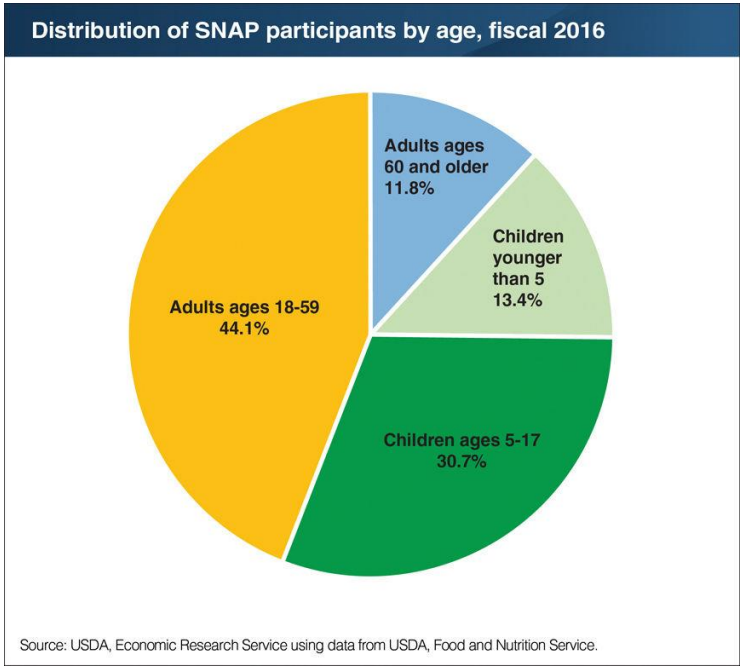


Source: Congressional Budget Office April 2018 Baseline, 2018 Farm Bill, Farm Bureau Analysis

Able-Bodied Adults Without Dependents (ABAWDs)

- About half of SNAP participants (43 percent) live in a household with earnings
  - Some of these working individuals are known as able-bodied adults without dependents (ABAWDs) or technically: a "person between the ages of 18 and 49 who has no dependents and is not disabled."

- ABAWDs can only receive SNAP benefits for three months in three years if they do not meet certain special work requirements.



Thrifty Food Plan

Cost to Feed a Family of Four:
USDA Cost of Food at Home at Four Levels

	Thrifty Plan	Low-cost plan	Moderate-cost plan	Liberal plan
Family members				
Dad	$181	$234	$292	$360
Mom	$161	$203	$251	$321
Son age 12	$163	$231	$288	$338
Daughter age 5	$105	$133	$164	$199
Family total monthly	$611	$801	$995	$1,217
Family total annual	$7,326	$9,611	$11,941	$14,604

* In addition to cost, differences among plans are in specific foods and quantities of foods.

FARMER'S MARKET
EBT
PROGRAM
EAT FRESH-HEALTHY-LOCAL

SNAP is Online (for Pilot Project)

- The 2014 Farm Bill mandated Online Purchasing Pilots
- FNS is administrating two-year pilot
- April 18, 2019 - New York started, other pilot sites to follow
- The 2018 Farm Bill authorizes Secretary of USDA to use mobile technologies after conducting no more than five demonstration projects to pilot such technologies

Food Insecurity Nutrition Incentive (FINI)

- **The 2014 Farm Bill provided $100 million in mandatory funding over 2014 to 2018 to establish the Food Insecurity Nutrition Incentive (FINI) grant program**
  - **FINI is administrated by FNS and the USDA National Institute of Food and Agriculture (NIFA) and aims to incentivize the purchase of fruits and vegetables by SNAP participants**
- **FINI findings are still emerging…**
  - **Operated in 27 states in rural and urban communities and at more than 900 farmers' markets, more than 50 grocery stores, and more than 70 farmer-to-consumer retailers.**
  - **"Cited that for every $1 spent with SNAP, $1.80 was generated in economic growth"**
  - **Incentives increased spending on fruits and vegetables, with larger relative effects among SNAP-eligible versus ineligible households**
  - **Might need complementary strategies to build in vegetable preparation skills**
  - **More work is needed to determine how best to target incentives to individuals and households that would most benefit**
  - **Additional work could help determine the optimal incentive amount and mix of eligible foods (e.g., fruits, vegetables, whole grains, healthy oils, etc.) that optimize diet quality while containing costs**
- **The 2018 Farm Bill**
  - **Increased mandatory commitments to the program over five years**
  - **Proposed to rename the program to Gus Schumacher Food Insecurity Nutrition Incentive Program in honor of an integral champion of this program who recently passed away**
  - **For retailer funded incentive programs,**
    - **Required the USDA Secretary to issue guidance clarifying the process for retailers to seek waivers to offer SNAP consumers incentives for purchasing SNAP-eligible staple foods.**

Enhancing SNAP Retailer Standards

The 2014 Farm Bill amended the Food and Nutrition Act of 2008 to increase the requirement that certain SNAP authorized retail food stores have available on a continual basis at least three varieties of items in each of four staple food categories, to a mandatory minimum of seven varieties.

USDA – 2016 Final Rule

https://www.fns.usda.gov/snap/fr-121516

https://www.fns.usda.gov/snap/my-store-eligible

https://www.fns.usda.gov/snap/enhancing-retailer-standards-snap-%E2%80%93-stocking-requirements

2019 Agricultural Appropriations prohibition, requiring amending term variety

- **On April 5, 2019, USDA published a proposed rule that would provide regulatory flexibility by only modifying the term variety**

Produce Prescription Program

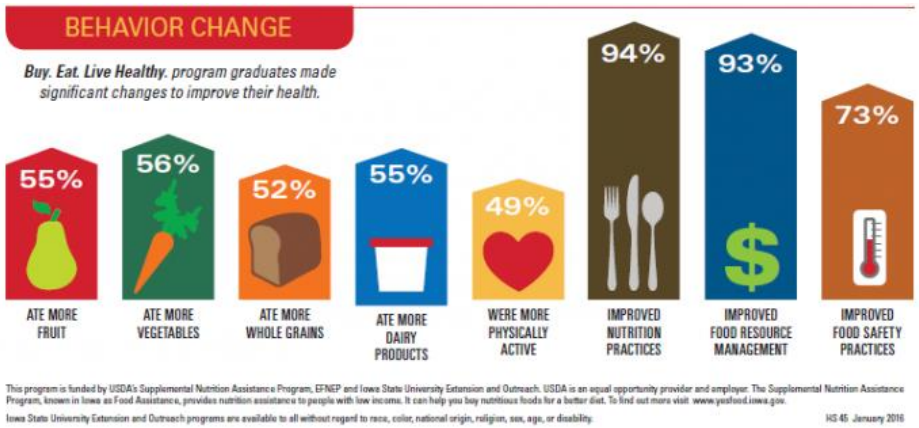
Congress established a pilot Produce Prescription Program in the 2018 Farm Bill (Sec. 4304)

- **The Secretary of Agriculture was granted authority to establish a grant program, in coordination with the Department of Health and Human Services, to award eligible entities such as federally qualified health centers to conduct pilot projects that demonstrate and evaluate the impacts of a produce prescription program.**
- **The Secretary of Agriculture was authorized to use $4,000,000 for each of fiscal years 2019 through 2023.**
- **But no funding was appropriated for this pilot program in fiscal year 2019 agricultural appropriations.**

PRODUCE PRESCRIPTION

Supplemental Nutrition Assistance Program-Education (SNAP-Ed)

- **2018 Farm Bill only made modest modifications**
  - **Encourages better coordination across SNAP-Ed and EFNEP, including an annual report to Congress**
  - **Requires SNAP-Ed programs to use electronic reporting systems to measure and evaluate projects and account for state administrative costs**
  - **Establishes online information clearinghouse to share best practices**
  - **Requires USDA to provide technical assistance to states in developing plans and requires state agencies to submit an annual SNAP-Ed report to USDA**
- **SNAP-Ed Plan Guidance for FY2020 has been posted**



Food Distribution Program on Indian Reservations (FDPIR)

Tribal Provisions in the 2018 Farm Bill

- Includes new $5 million demonstration project authorizing tribes to purchase food for FDPIR under “638” tribal self-determination contracts
- Adds “regionally grown” to the traditional foods provision

https://www.hklaw.com/NativeAmericanLawBlog/2018-Farm-Bill-is-Historic-for-Indian-Country-12-20-2018/

https://www.indian.senate.gov/news/press-release/udall-cortez-masto-smith-reintroduce-bill-increase-access-nutritious-meals-native

The Emergency Food Assistance Program (TEFAP)

- **Authority**
  - **First authorized in 1981**
  - **Then the Hunger Prevention Act of 1988 authorized funds to be appropriated for the purchase of USDA Foods specifically for TEFAP**
  - **Formally named the Emergency Food Assistance Program under the 1990 Farm Bill**
- **Helps supplement the diets of low-income Americans, including elderly people, by providing them with emergency food and nutrition assistance at no cost**
- **Provides food and administrative funds to States to supplement the diets of these groups**
- **Example – Hurricane Maria in Puerto Rico**

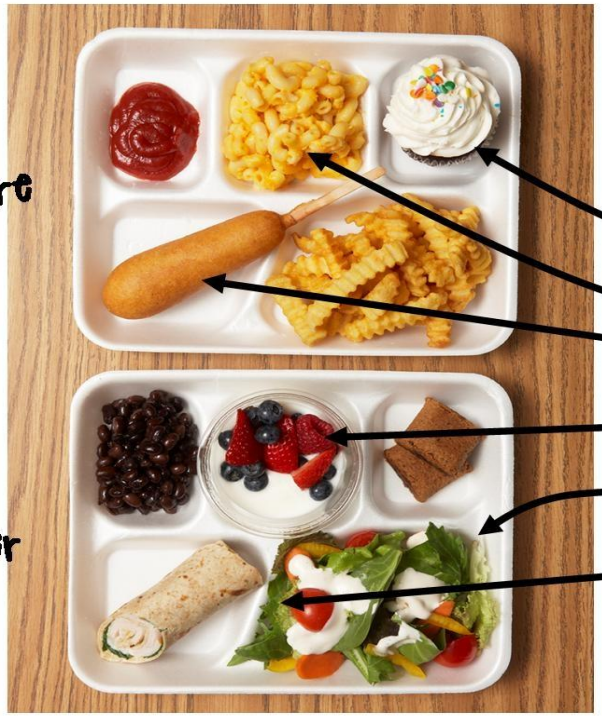
Child Nutrition Reauthorization

USDA Child Nutrition Programs

- The Special Supplemental Nutrition Program for Women, Infants, & Children (WIC)
- WIC Farmers Market Nutrition Program
- Child and Adult Care Food Program (CACFP)
- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Fresh Fruit and Vegetable Program
- Special Milk Program
- Summer Food Service Program (SFSP)

NSLP Nutrition Standards

The School Day Just Got Healthier!



Under the new nutrition standards, school lunches have:

- Less unhealthy fat
- Less salt
- Fewer calories
- Low and non fat dairy
- Double fruits and veggies
- More whole grains

Visit www.schoolfoods.org/back2school for more information.

USDA Provides Greater Flexibility in Nutrition Requirements

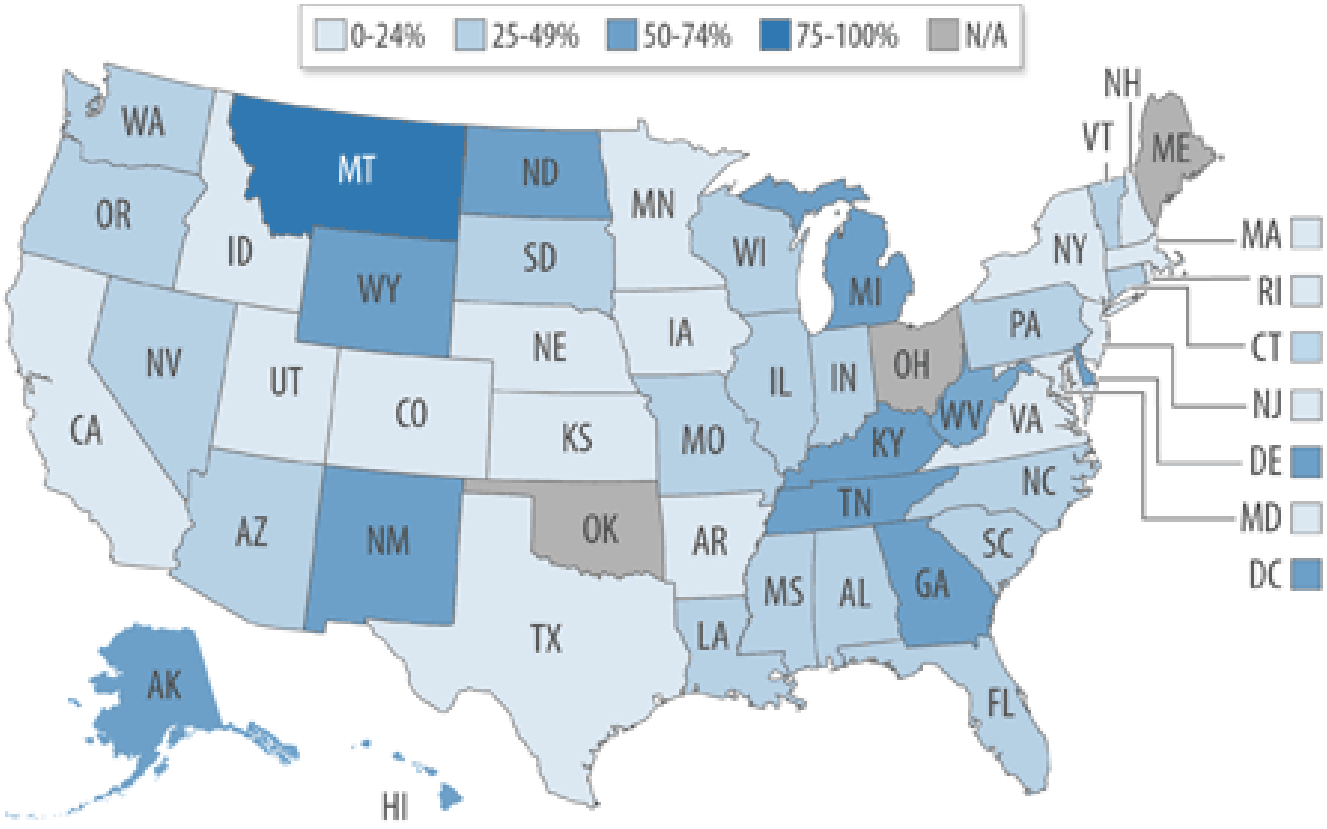
LUNCH
SODIUM REDUCTION TIMELINE

Grade Group	School Year 2014-2015 (mg)	School Year 2017-2018 (mg)	School Year 2022-2023 (mg)
K-5	≤1,230	≤935	≤640
6-8	≤1,360	≤1,035	≤710
9-12	≤1,420	≤1,080	≤740

6 States, Washington, D.C., sue Trump administration over ‘weakened’ school lunch standards

“The Trump administration has undermined key health benefits for our children,” New York’s attorney general said, “with deliberate disregard for science, expert opinion, and the law.”

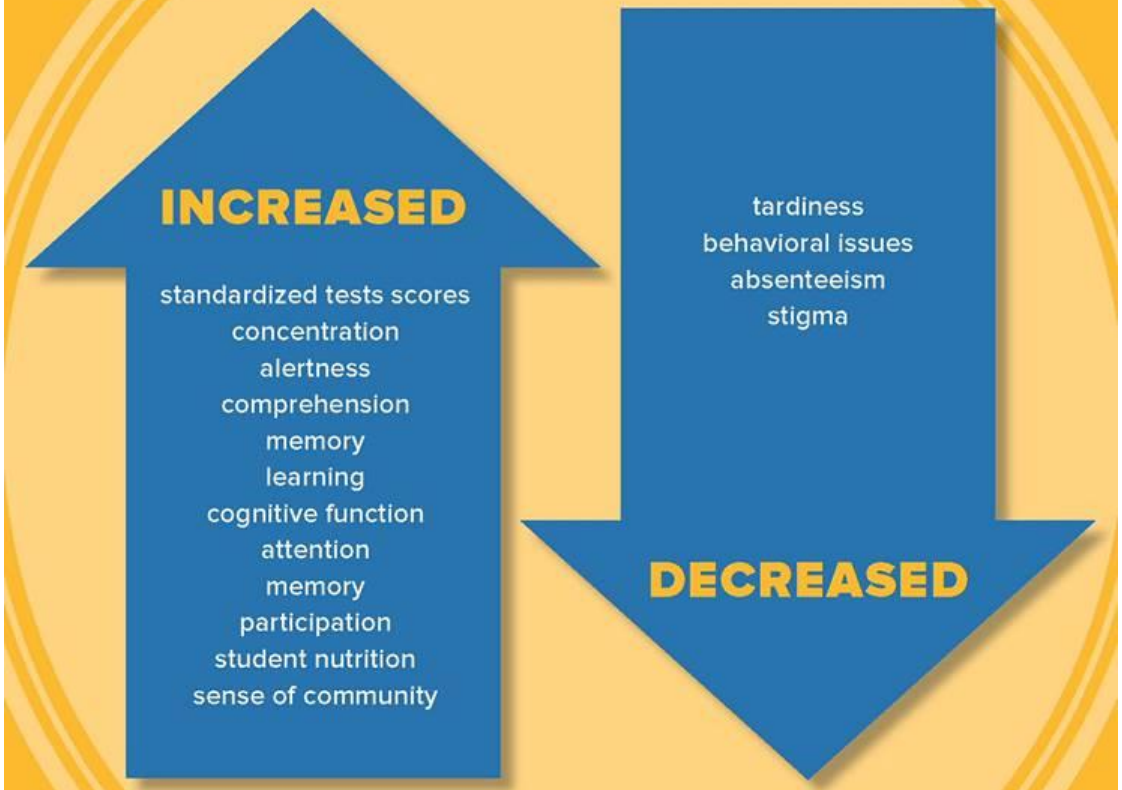
Percentage of Eligible School Districts Adopting Community Eligibility



Source: CBPP analysis of data on eligible schools published by state child nutrition agencies in May 2014 and data on schools districts adopting community eligibility collected directly from state child nutrition agencies September 2014–January 2015.

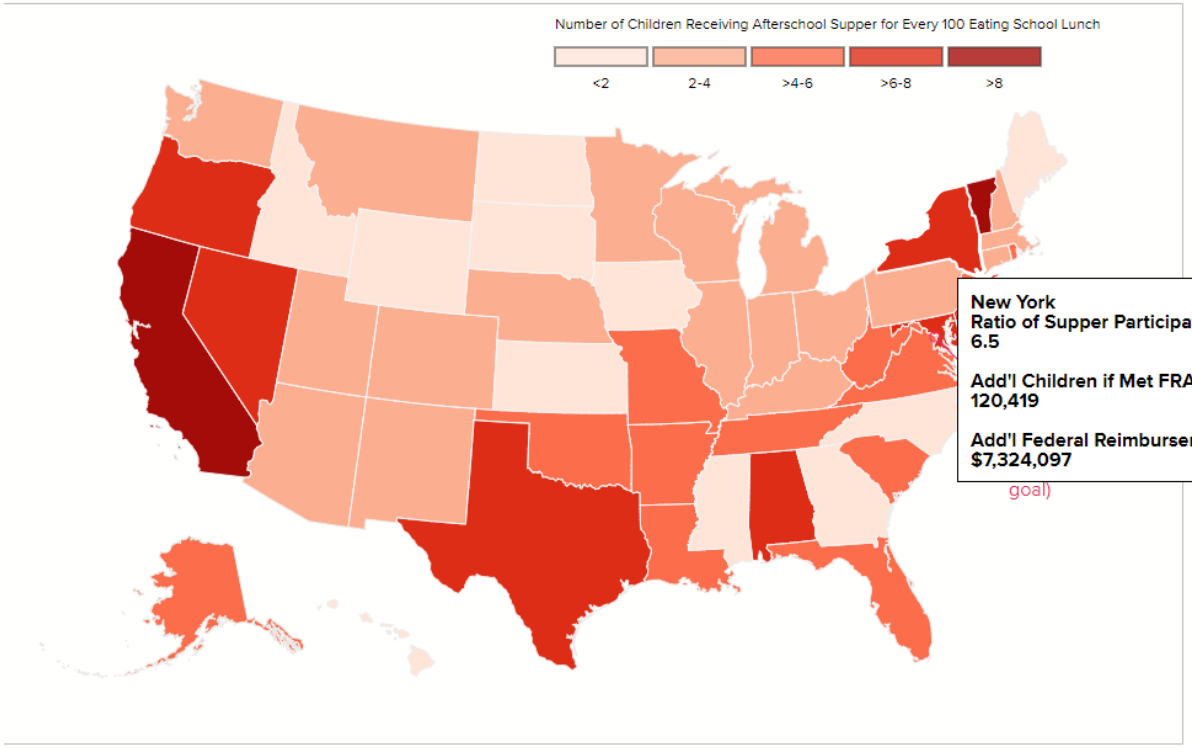
FRAC

BREAKFAST IN THE CLASSROOM



THE SCHOOL BREAKFAST PROGRAM IS A GREAT WAY TO START A SUCCESSFUL DAY

Participation in Afterschool Supper (2017)



AFTERSCHOOL MEAL PROGRAM

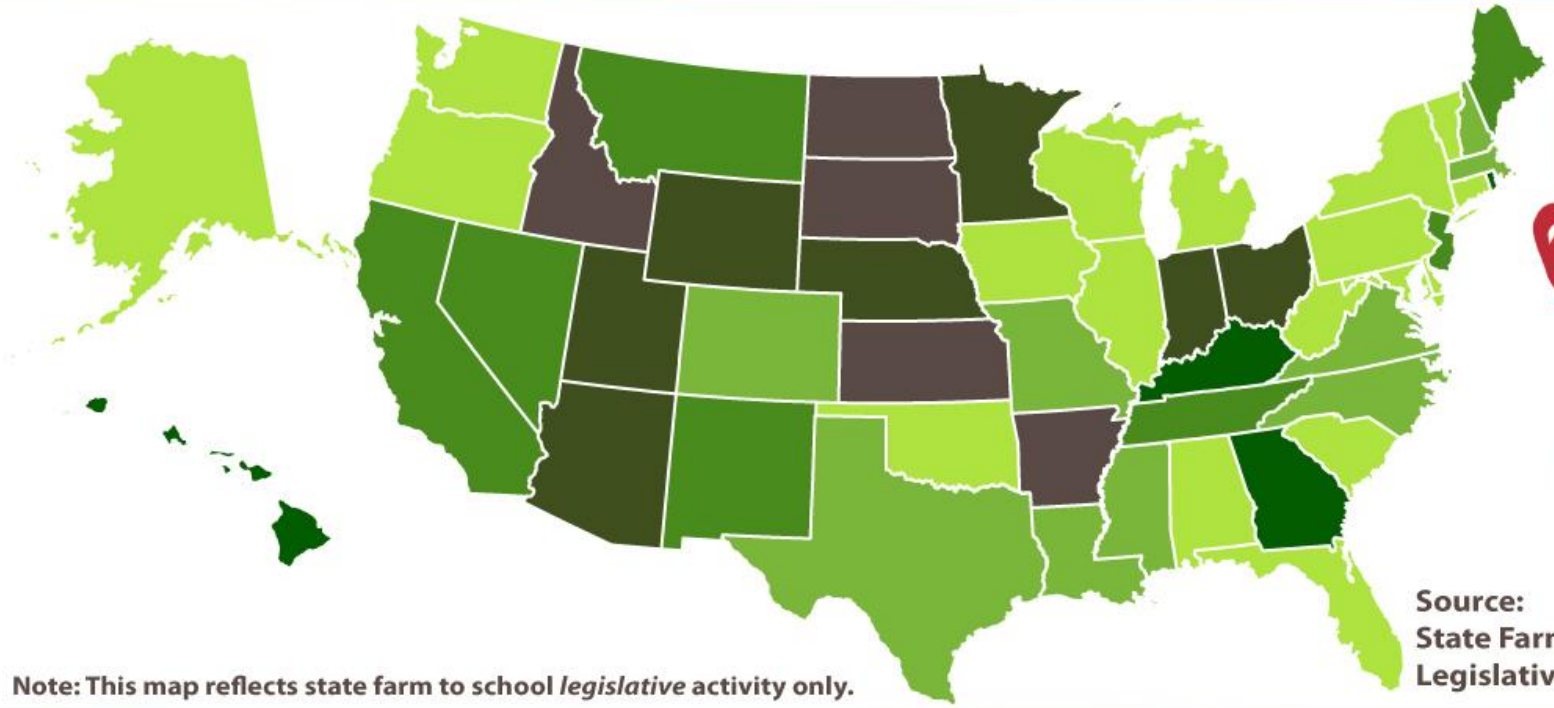
OKCPS is committed to providing our students a nutritious meals, including after the last bell.

Fresh Fruit and Vegetable Program (FFVP)

- Farm Security and Rural Investment Act of 2002, authorized the program pilot in 4 states and 1 Indian Tribal Organization
- Purpose was to determine the best practices for increasing fruit (both fresh and dried) and fresh vegetable consumption in schools
- CNR 2004 added 4 more states, 10 schools in Pine Ridge Reservation, and 8 schools in Arizona's Tribal Council
- FY 2006 Appropriations expanded program
- 2008 Farm Bill amended National School Lunch Act by adding section 19 and making significant changes to the program – laying foundation to make FFVP a nationwide program

7,600 SCHOOLS SERVING
fresh produce to
4 MILLION
low-income kids with the
FRESH FRUIT & VEGETABLE PROGRAM

FARM TO SCHOOL LEGISLATION 2002–2013



Source:
State Farm to School
Legislative Survey: 2002-2013

Note: This map reflects state farm to school *legislative* activity only.

Lack of legislation

Legislation introduced, not yet passed

Local purchasing preferences

Pilot programs, school gardens, or support for other local initiatives

Interagency task forces or advisory committees

Statewide Farm to School enabling legislation

Summer Food Service Program

- Allow summer food sponsors to feed kids year-round reducing administrative requirements
- Reduce eligibility requirement from 50 to 40 percent low-income kids
- Provide transportation funding
- Allow all sites to serve a third meal
- Mandatory funding expanding Summer Electronic Benefits Transfer for Children Program
- Summer EBT Demonstration Projects
- Non-congregate meals summer demonstration pilot

Child and Adult Care Food Program

- Reducing CACFP area eligibility test
- Increasing CACFP reimbursements
- Enhancing program reimbursements
- Providing implementation funds to State agencies
- Continuing funding for USDA's CACFP nutrition and wellness education and program efforts
- Allowing third meal service
- Streamlining program requirements
- Continuing the CACFP study

cacfp
child and adult care food program

WIC

- Support anticipated caseload and recognize declines in high risk groups
- Support WIC Breastfeeding Peer Counseling
- WIC MIS/EST Systems
- WIC infrastructure and technical assistance
- WIC program initiatives – optimizing shopping experience
- WIC Farmers' Market Nutrition Program
- WIC to 6
- WIC in Disasters

INDIANA WIC

MINNESOTA WIC
Women, Infants & Children Nutrition Program

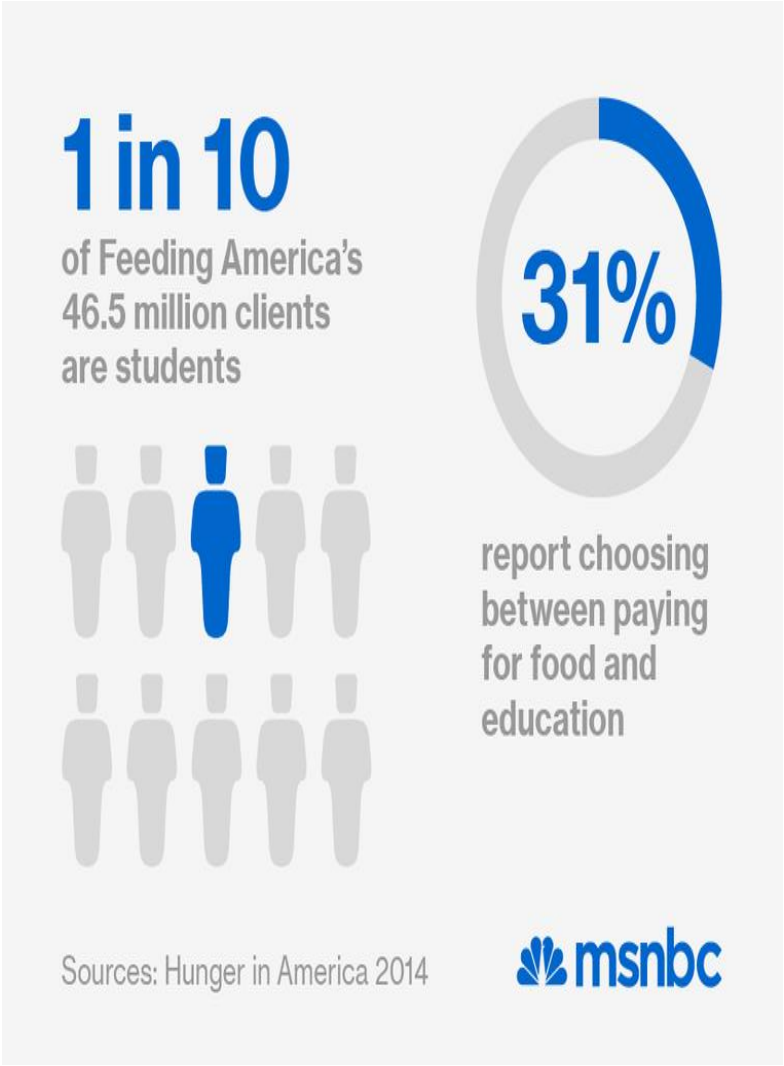
Connecticut WIC
NUTRITION IS JUST *the* BEGINNING.

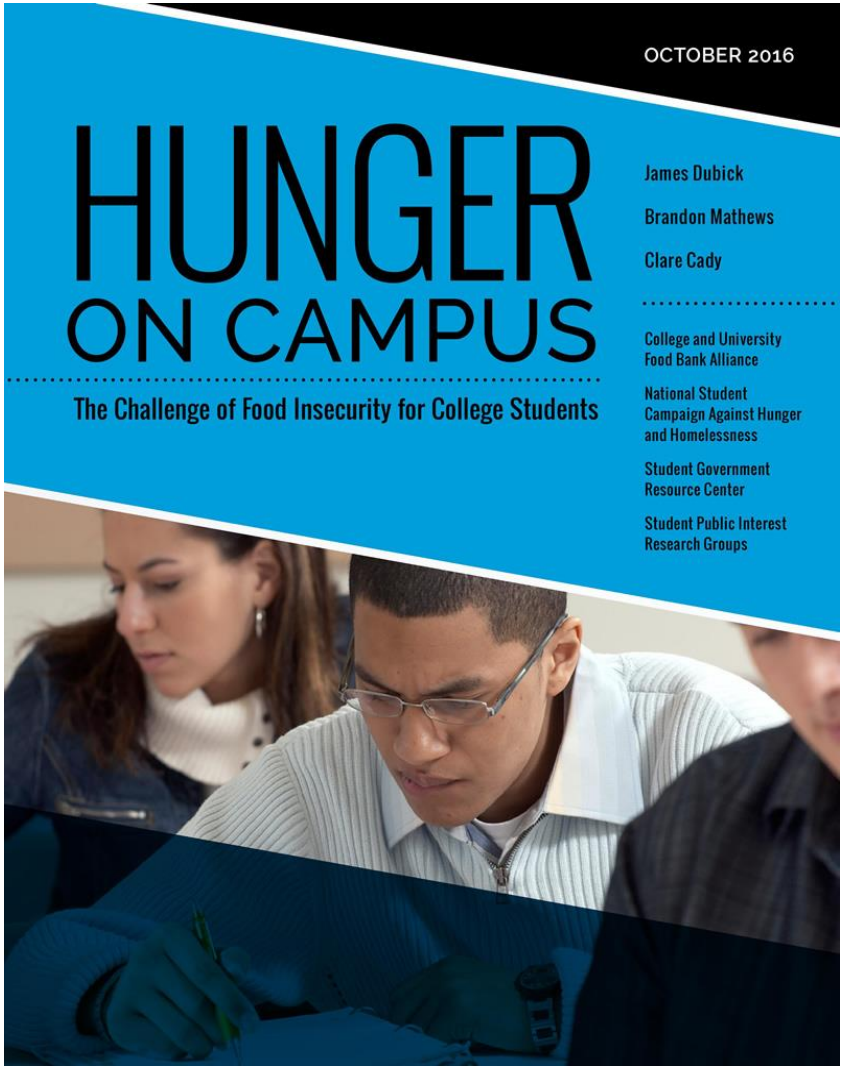
HEALTHY FOOD.
HEALTHY KID.
HAPPY FAMILY.

Healthy Aging

- WIC & Senior Farmers' Market
- CACFP
- SNAP
  - Restaurant and Online Redemption
- Older Americans Act
  - Congregate Nutrition Services
  - Home-Delivered Nutrition Services
  - Nutrition Services Incentive Program
  - Federal Grants for Nutrition Services
  - Nutrition Quality Standards

College Campuses





Federal Policy Developments Impacting Fruit and Vegetable Consumption

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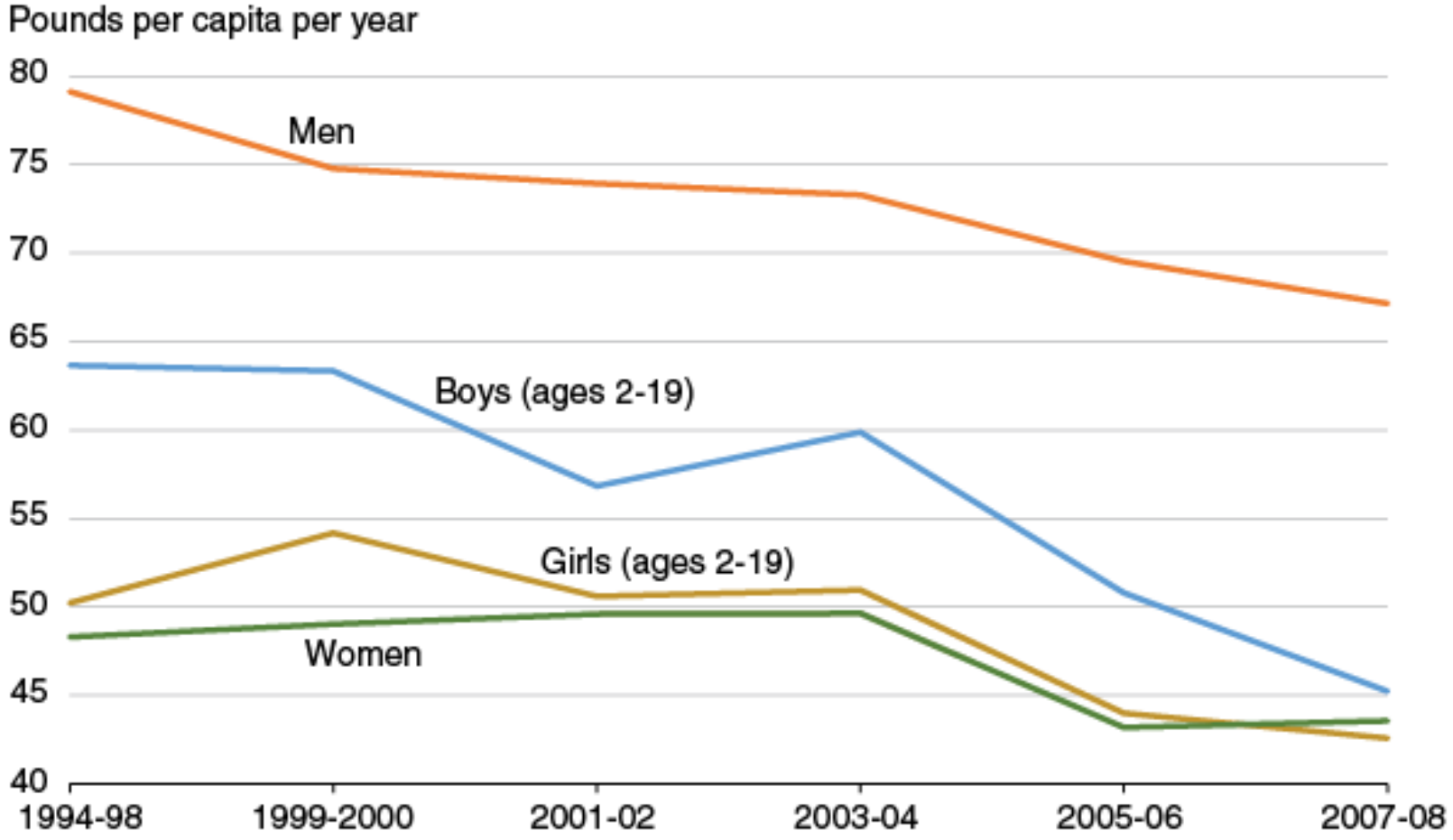
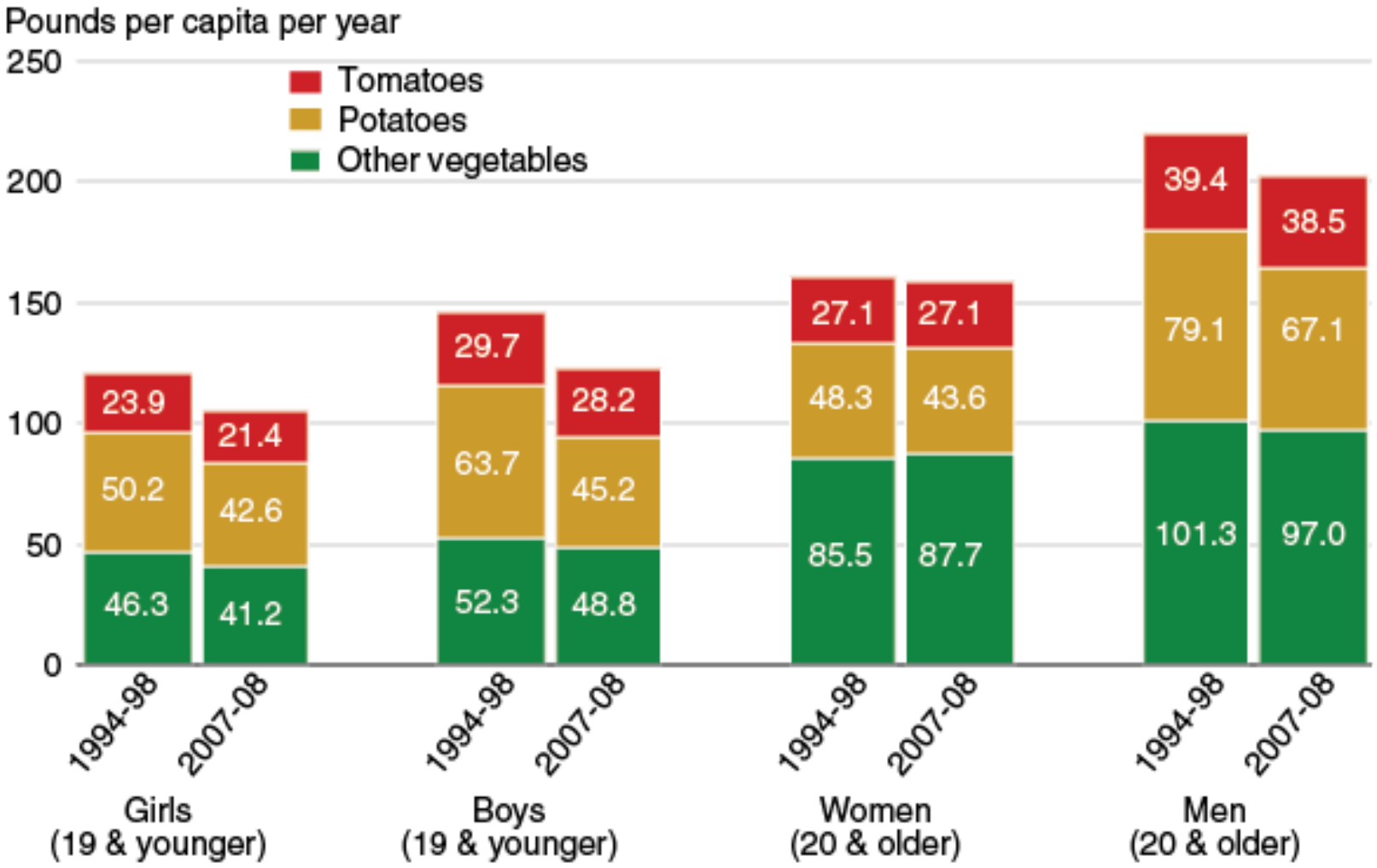
312-502-1060

Between 1994 and 2008, potato consumption declined for the four age and gender groups, with boys' consumption dropping the most



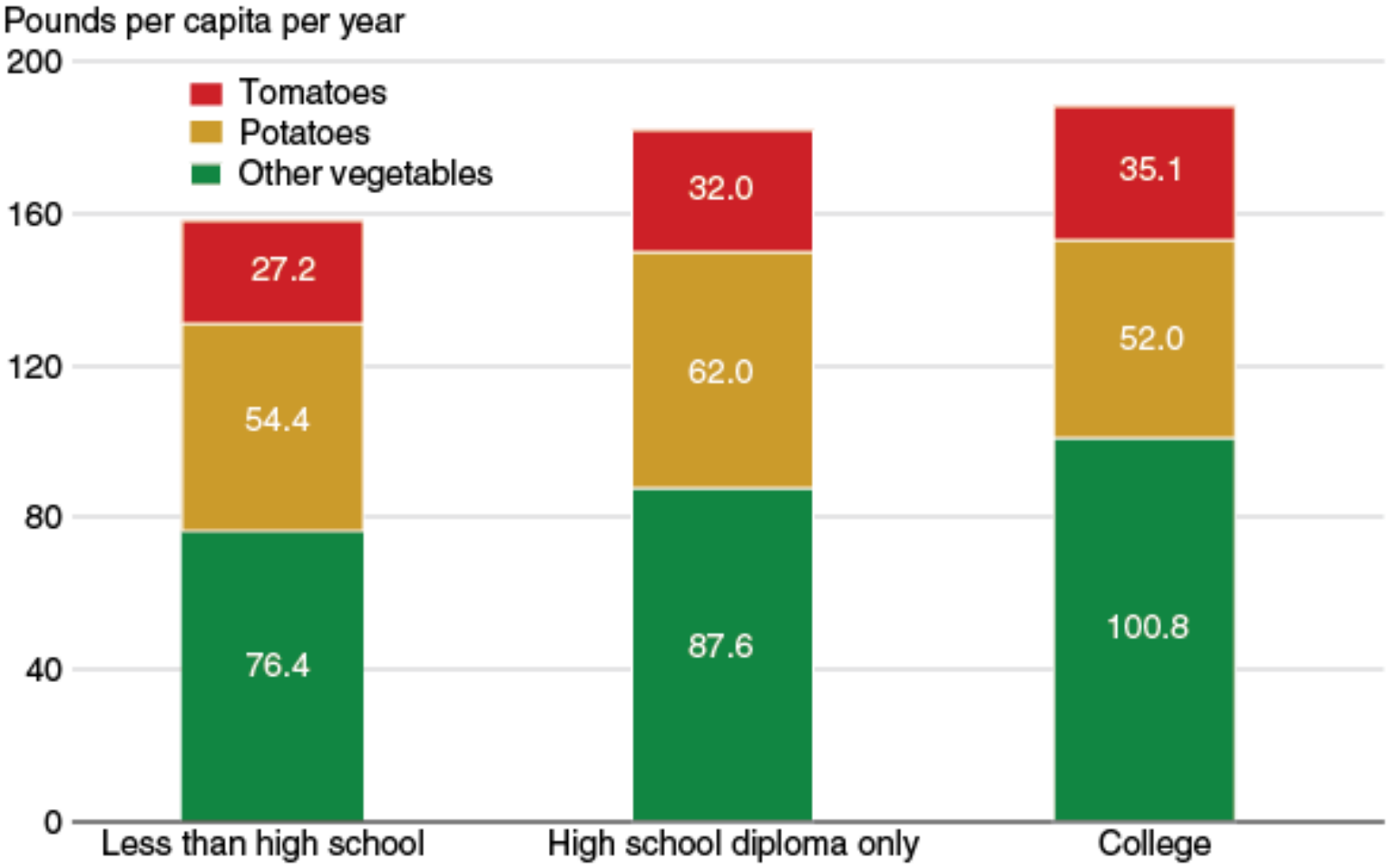
Source: USDA, Economic Research Service using data from 1994-96 and 1998 Continuing Survey of Food Intakes by Individuals; 1999-2000 National Health and Nutrition Examination Survey; 2001-02, 2003-04, 2005-06, and 2007-08 What We Eat in America; and ERS's Loss-Adjusted Food Availability data.

Unlike the other age and gender groups, women ate more nonpotato and nontomato vegetables in 2007-08 than in 1994-98



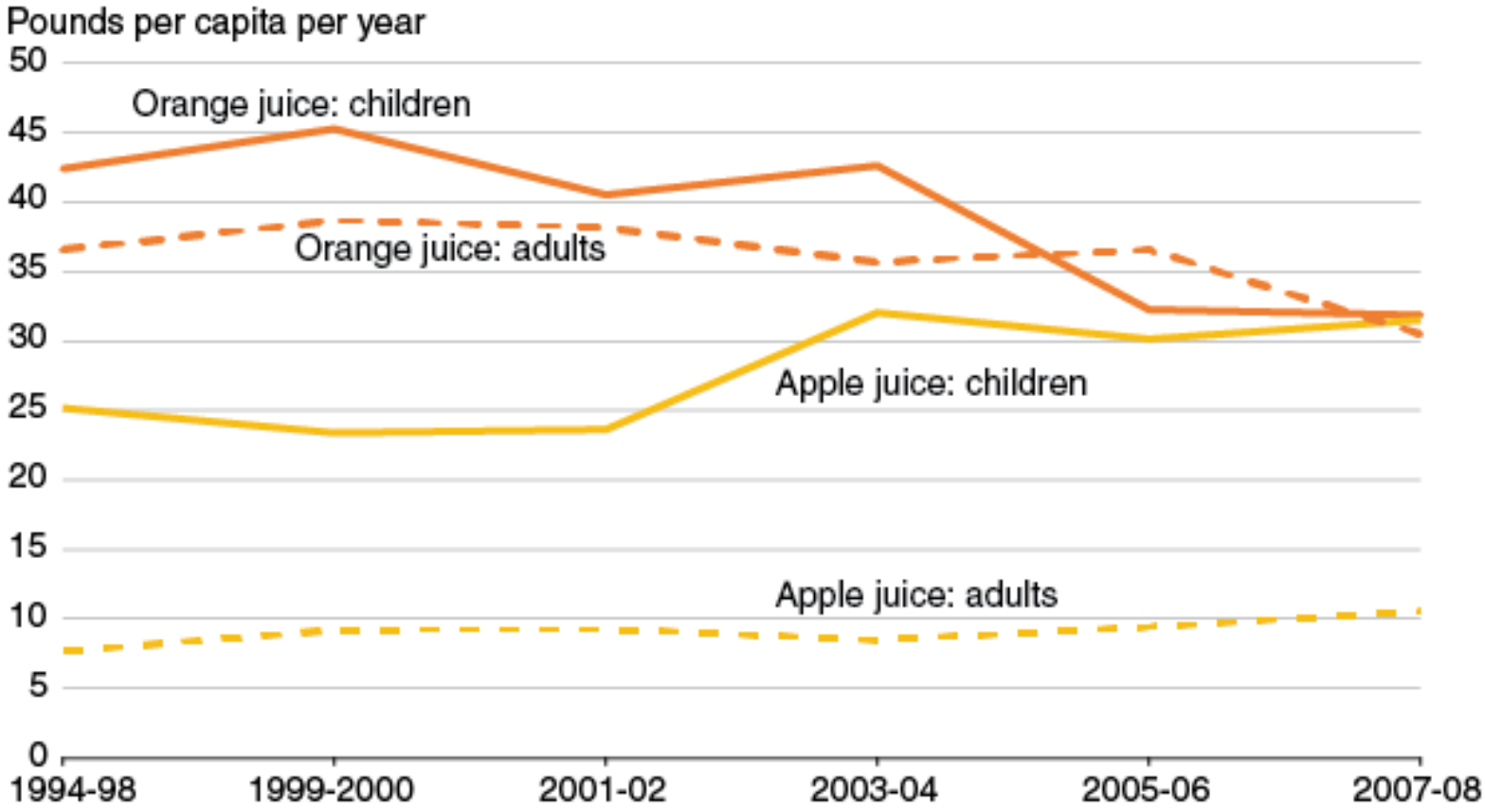
Source: USDA, Economic Research Service using data from 1994-96 and 1998 Continuing Survey of Food Intakes by Individuals; 2007-08 National Health and Nutrition Examination Survey, and ERS's Loss-Adjusted Food Availability data.

In 2007-08, college-educated adults consumed more tomatoes, more other vegetables, and less potatoes than adults with less formal education



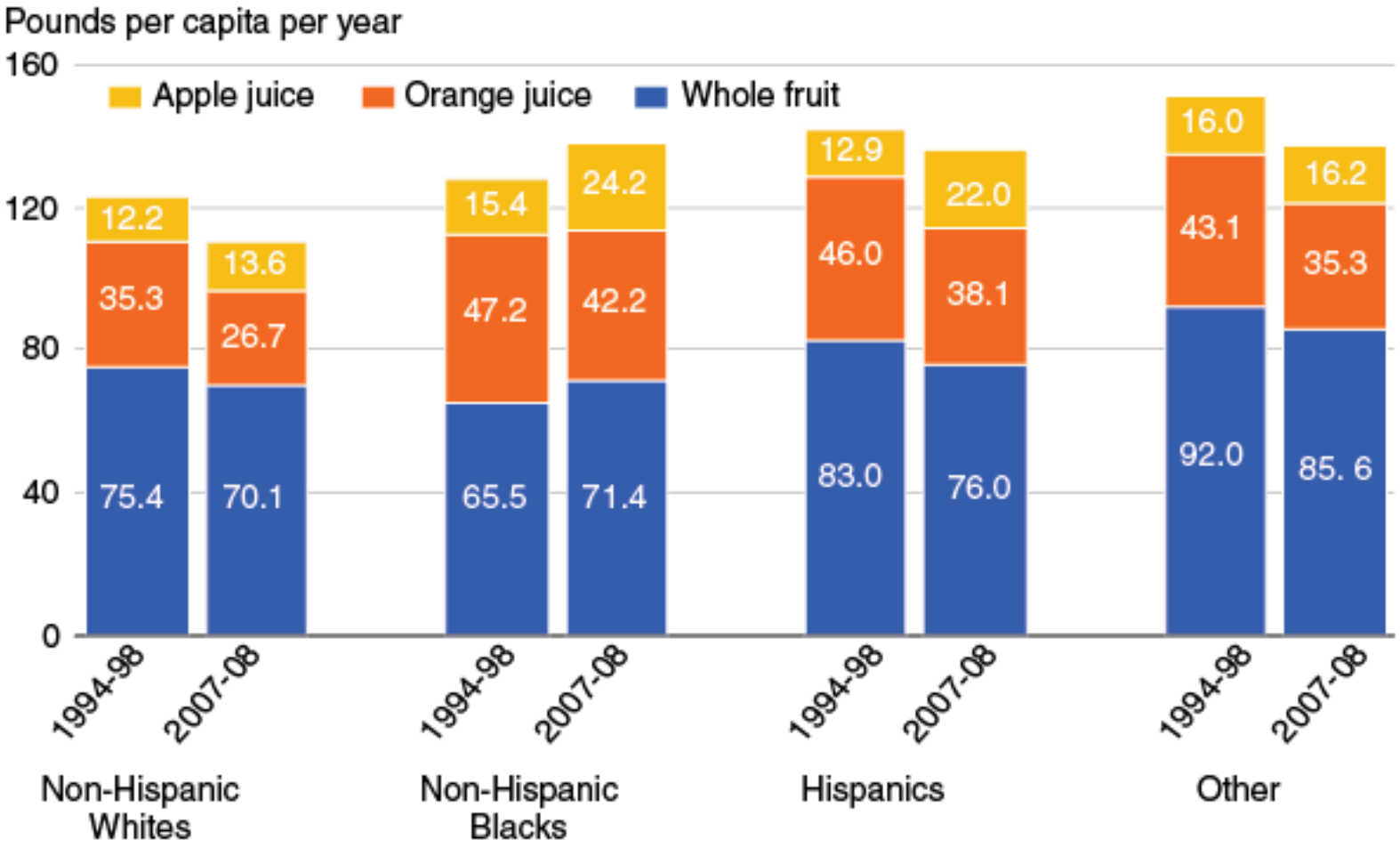
Note: Totals for each education level do not equal totals in the text due to rounding.
Source: USDA, Economic Research Service using data from 2007-08 National Health and Nutrition Examination Survey, and ERS's Loss-Adjusted Food Availability data.

Orange juice consumption fell between 1994 and 2008, while apple juice consumption rose among children

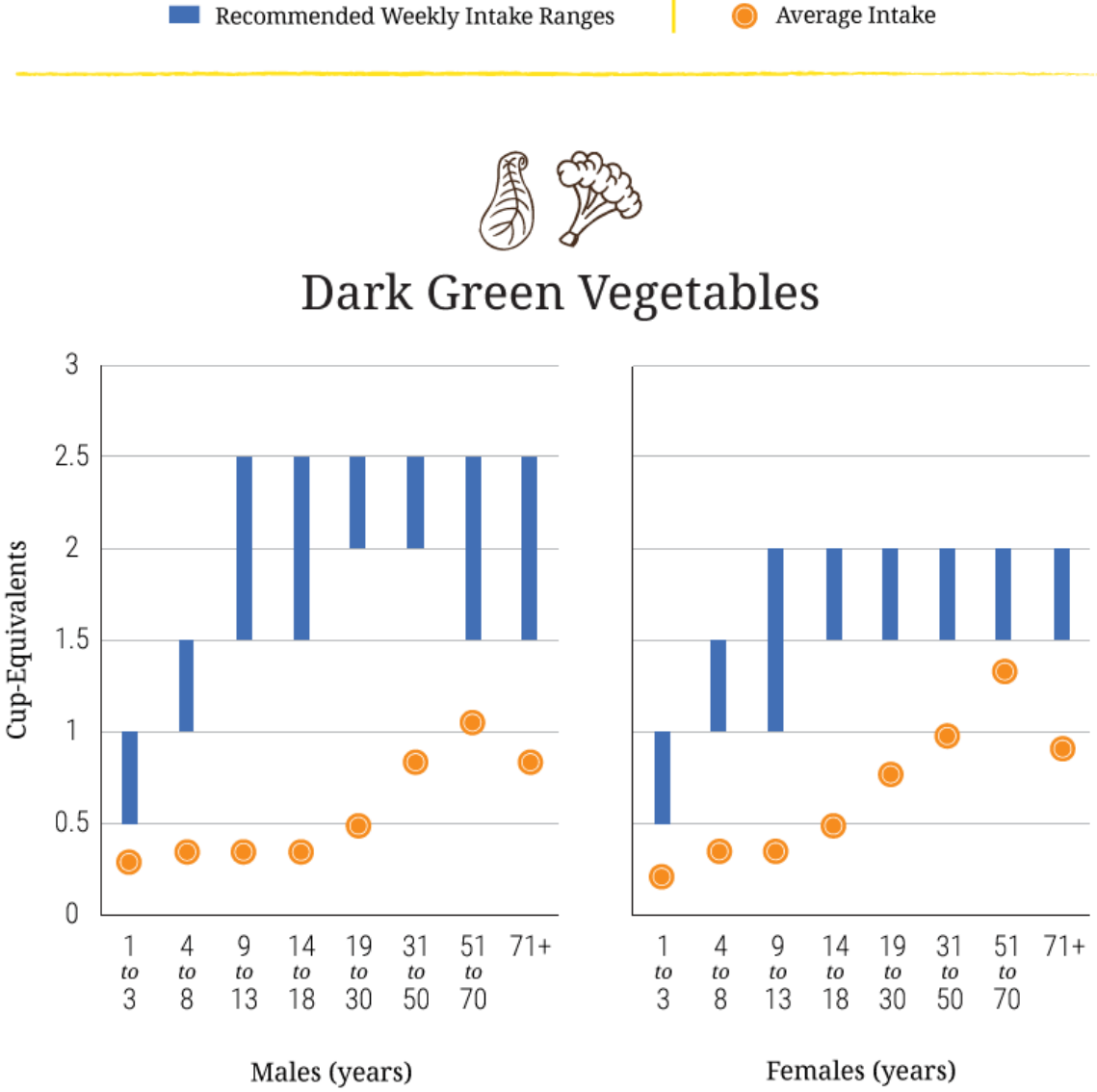


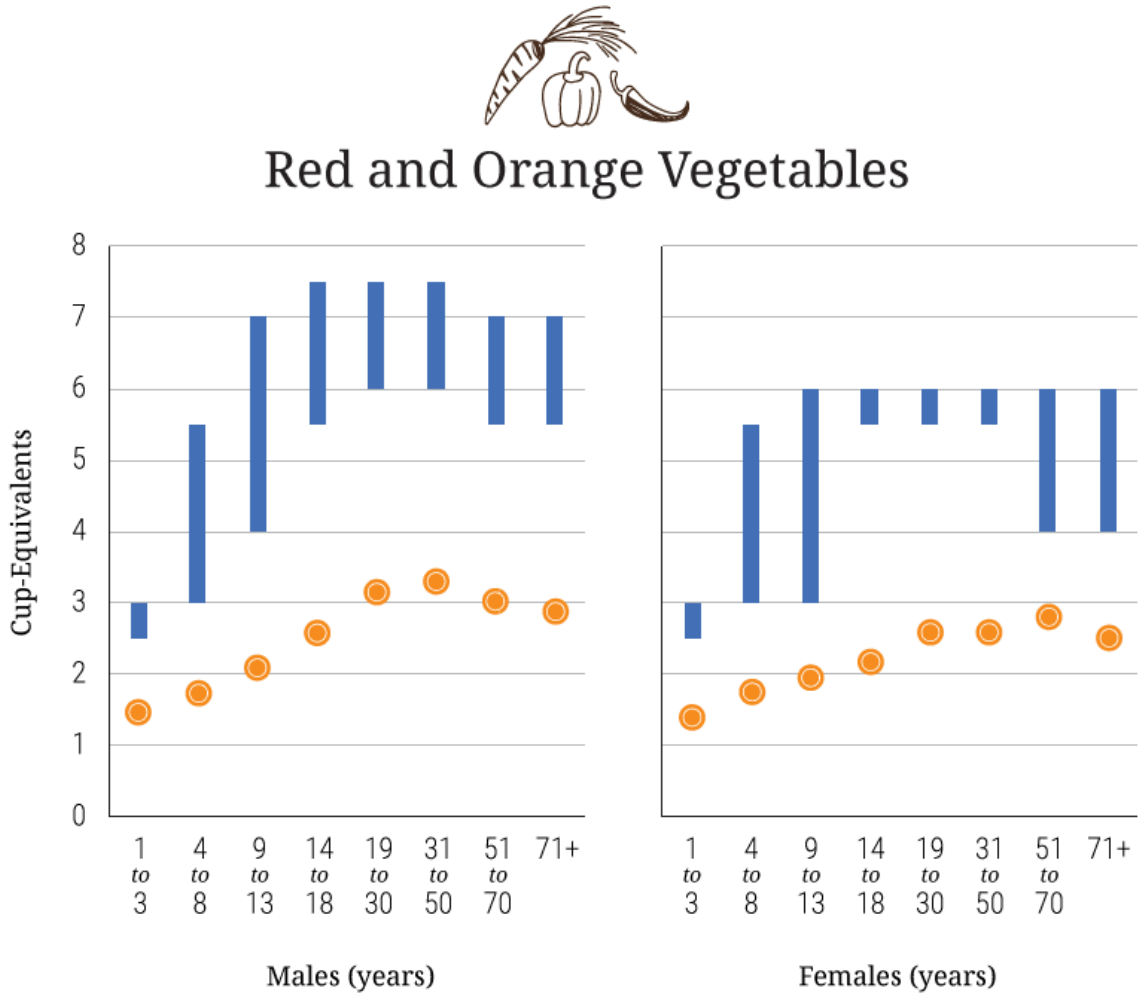
Note: Weights shown are for fresh orange and apple equivalents. One gallon of orange juice equals 8.7 pounds of oranges and 1 gallon of apple juice equals 8.8 pounds of apples.
Source: USDA, Economic Research Service calculations based on 1994-96 and 1988 Continuing Survey of Food Intakes by Individuals; 1999-2000 National Health and Nutrition Examination Survey; 2001-02, 2003-04, 2005-06,and 2007-08 What We Eat in America; and ERS's Loss-Adjusted Food Availability data.

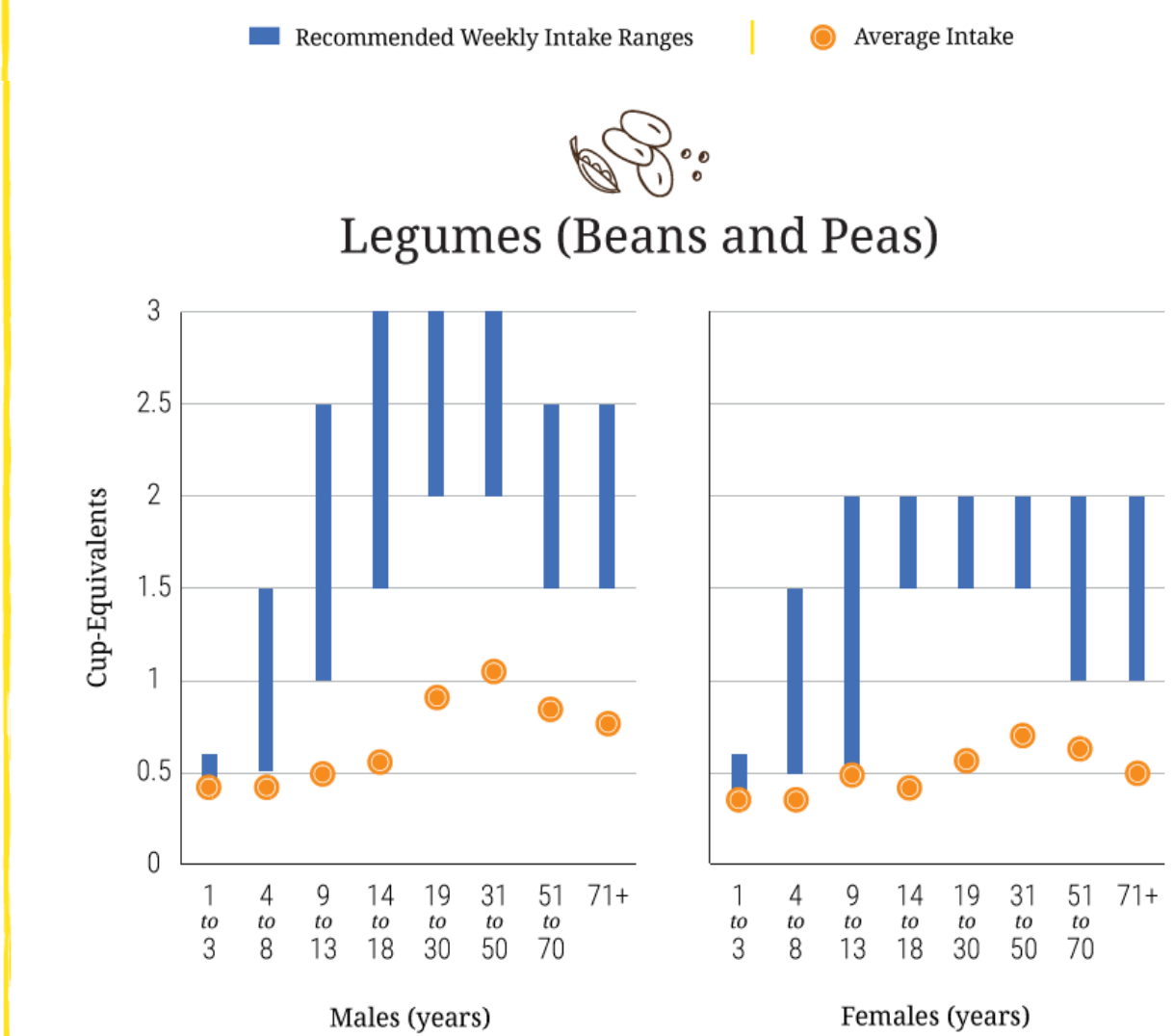
Non-Hispanic Blacks ate more whole fruit and apple juice in 2007-08 than in 1994-98

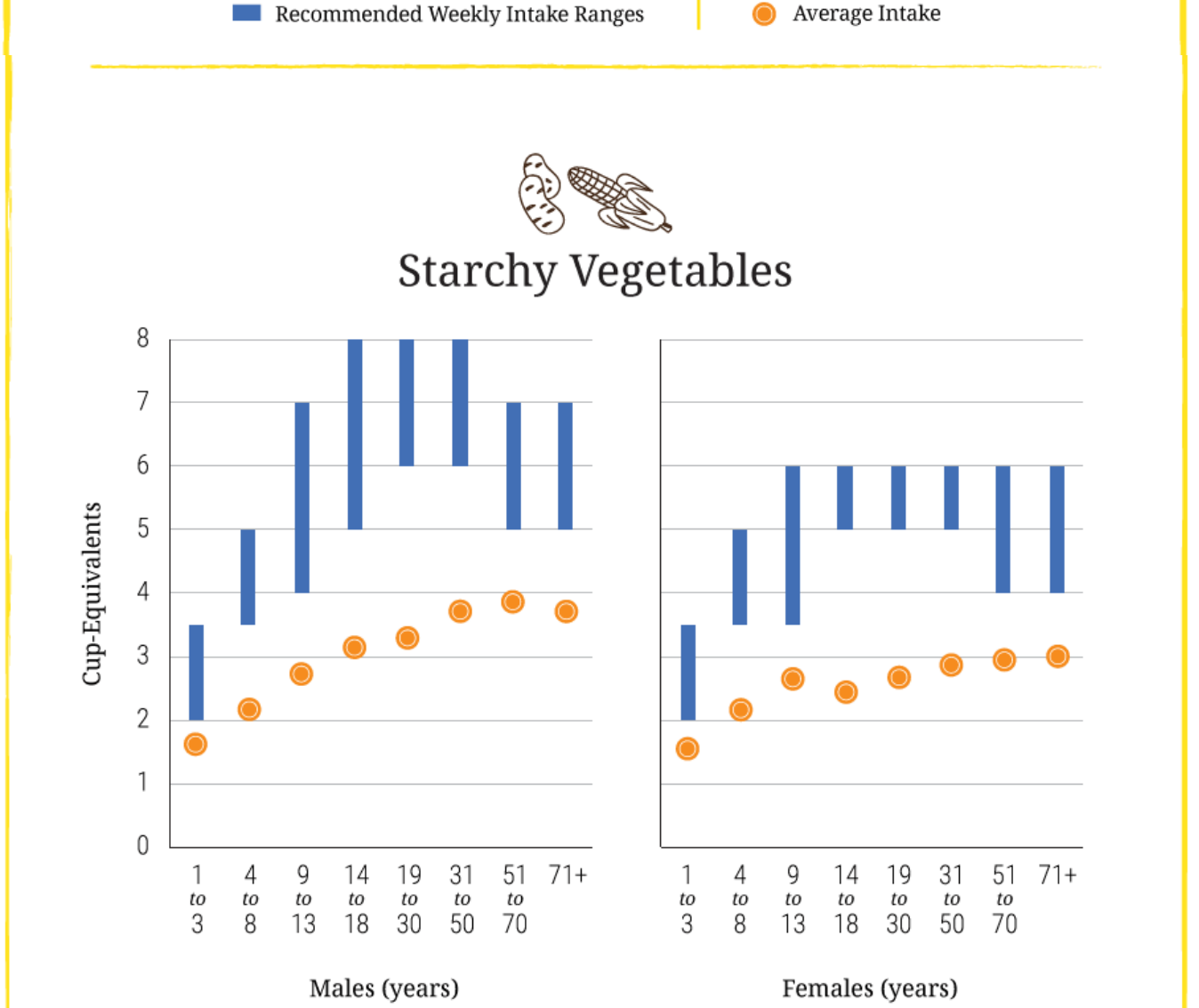


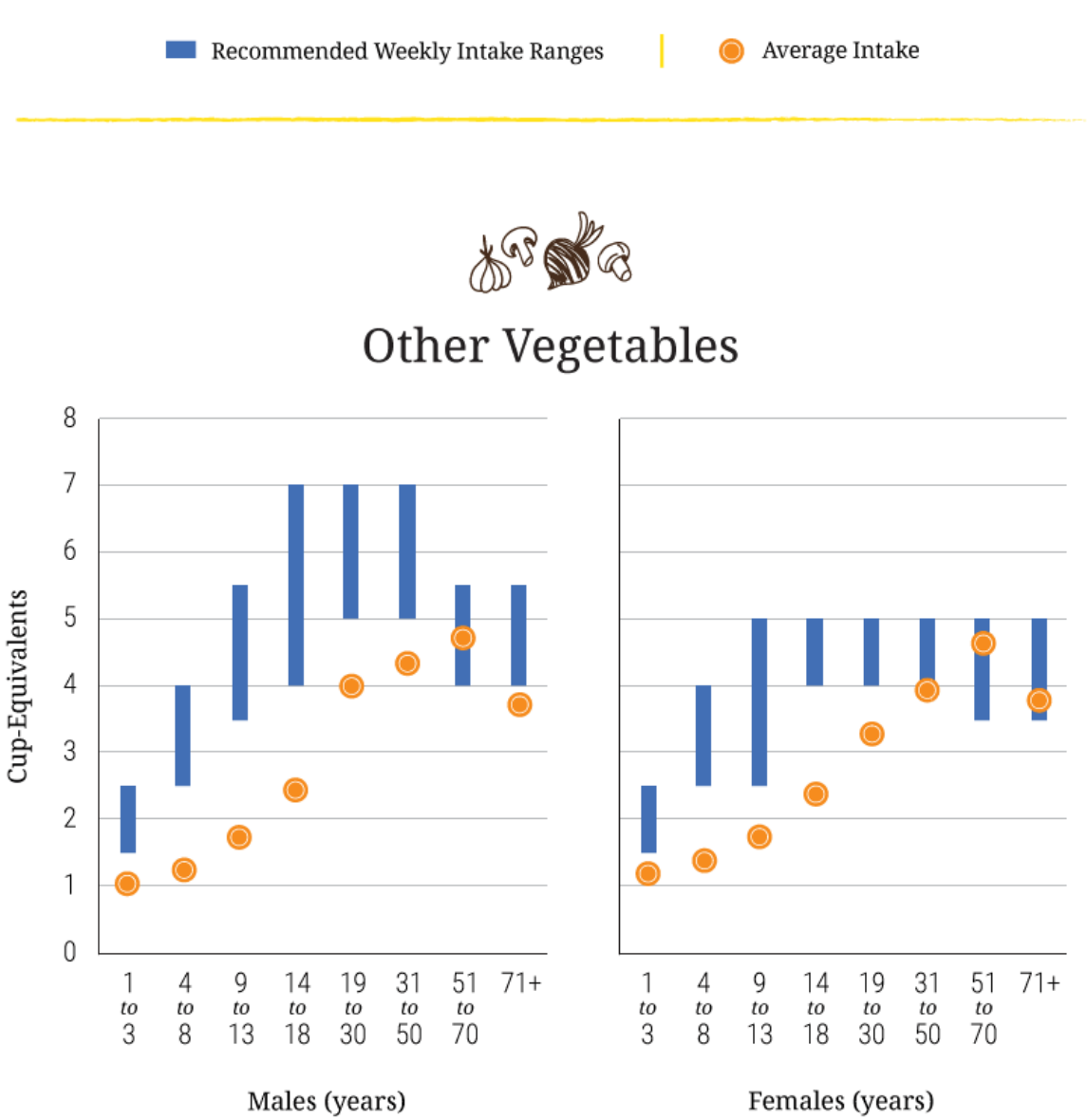
Note: Whole fruit comprises all fruits consumed, minus apple juice and orange juice, and thus includes relatively small amounts of juices from other fruits such as pineapple and grape juice.
Source: USDA, Economic Research Service calculations based on 1994-96 and 1988 Continuing Survey of Food Intakes by Individuals, 2007-08 National Health and Nutrition Examination Survey, and ERS's Loss-Adjusted Food Availability data.


Recommended Weekly Intake Ranges
Average Intake
Dark Green Vegetables
Cup-Equivalents
3
2.5
2
1.5
1
0.5
0
1 to 3
4 to 8
9 to 13
14 to 18
19 to 30
31 to 50
51 to 70
71+
Males (years)
Females (years)


Recommended Weekly Intake Ranges
Average Intake
Red and Orange Vegetables
Cup-Equivalents
0
1
2
3
4
5
6
7
8
1 to 3
4 to 8
9 to 13
14 to 18
19 to 30
31 to 50
51 to 70
71+
Males (years)
Females (years)


Recommended Weekly Intake Ranges
Average Intake
Legumes (Beans and Peas)
Cup-Equivalents
3
2.5
2
1.5
1
0.5
0
1 to 3
4 to 8
9 to 13
14 to 18
19 to 30
31 to 50
51 to 70
71+
Males (years)
Females (years)


Recommended Weekly Intake Ranges
Average Intake
Starchy Vegetables
Cup-Equivalents
0
1
2
3
4
5
6
7
8
1 to 3
4 to 8
9 to 13
14 to 18
19 to 30
31 to 50
51 to 70
71+
Males (years)
Females (years)


Recommended Weekly Intake Ranges
Average Intake
Other Vegetables
Cup-Equivalents
0
1
2
3
4
5
6
7
8
1 to 3
4 to 8
9 to 13
14 to 18
19 to 30
31 to 50
51 to 70
71+
Males (years)
Females (years)