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April 2004

## **SCHOOL MEAL PROGRAMS**

**Competitive Foods  
Are Available in Many  
Schools; Actions  
Taken to Restrict  
Them Differ by State  
and Locality**



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# Contents

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<b>Letter</b>	1
<b>Appendix I</b>	<b>Briefing Slides</b>
	4

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## Abbreviations

CDC	Centers for Disease Control and Prevention
FMNV	foods of minimal nutritional value
FNS	Food and Nutrition Service
SHPPS	School Health Policies and Programs Study
SMI	School Meals Implementation
SNDA-II	School Nutrition Dietary Assessment Study-II
USDA	United States Department of Agriculture

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**United States General Accounting Office**  
**Washington, DC 20548**

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April 23, 2004

The Honorable Tom Harkin  
Ranking Member  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate

The Honorable Patrick J. Leahy  
Ranking Member  
Subcommittee on Research, Nutrition, and General Legislation  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate

The Honorable George Miller  
Ranking Member  
Committee on Education and the Workforce  
House of Representatives

The Honorable Lynn Woolsey  
Ranking Member  
Subcommittee on Education Reform  
Committee on Education and the Workforce  
House of Representatives

The nation faces a complex challenge in addressing recent trends in children's health and eating habits. Data from the U.S. Centers for Disease Control and Prevention (CDC) have shown that over 15 percent of children and adolescents ages 6 to 19 are overweight, a proportion that has significantly increased since the 1960s. In addition, CDC has also reported an increase in the frequency of type 2 diabetes in U.S. children and adolescents over the last two decades. Trends in obesity and a low level of physical activity among children and adolescents may be a major contributor to this increase.

To address these trends, in 2001, the U.S. Surgeon General issued a call to action to prevent and decrease overweight and obesity among all Americans, especially children. In this statement, schools were identified as one of the key settings for public health strategies to address these issues. Since a large portion of a child's day is spent in school, providing children with healthy food options throughout the school day can be an important step toward good child nutrition. The National School Lunch

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and School Breakfast Programs provide millions of children with nutritious meals each school day. The United States Department of Agriculture's (USDA) Food and Nutrition Service (FNS) administers these programs at the federal level, and FNS subsidizes the meals served through these programs in local schools as long as the meals meet certain nutritional guidelines. In the last decade, these nutritional guidelines were amended to require schools to serve meals that adhere to the Dietary Guidelines for Americans, which limit total and saturated fat and provide specific minimum levels of vitamins and nutrients. Despite these efforts to improve the nutritional quality of meals offered through the school meal programs, other foods not provided through these programs are often available to children at school through a la carte lines in the cafeteria where individual foods and beverages can be purchased, snack shops, school stores, vending machines, and other venues. The nutritional value of these foods, often referred to as competitive foods, is largely unregulated by the federal government.

Because of your concern about the trends in children's health and eating habits and your interest in further understanding issues related to competitive foods in schools, you asked us to answer the following questions: (1) Which foods and school food practices fall under the term *competitive foods*, and what federal restrictions exist on their sale? (2) What is currently known about the types of competitive foods and their availability and prevalence in schools? (3) What is currently known about additional steps that are being taken on the state and local levels to curtail the sale of competitive foods?

To answer your questions, we reviewed a variety of data sources, including legislation, policies, and studies that address competitive foods in schools. From these sources, we gathered information on federal and state competitive foods laws and regulations. In addition, we analyzed data on the availability, prevalence, and types of competitive foods in schools provided in three national studies—the School Nutrition Dietary Assessment Study-II, the School Health Policies and Programs Study of 2000, and the Third Year Report of the School Meals Initiative Implementation Study. We also reviewed several smaller-scale studies that address the association between competitive foods in schools and child nutrition. We examined each study to assess the adequacy of the samples and measures employed, the reasonableness and rigor of the statistical techniques, and the validity of the results that were drawn from the analyses. To supplement the information collected from these sources and to gather information on steps that have been taken at the local level to restrict competitive foods in schools, we conducted interviews with

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several professional organizations, advocacy groups, and other stakeholders. We conducted our review from January through March 2004 in accordance with generally accepted government auditing standards.

On April 12, 2004, we briefed interested Senate staff on the results of our analysis. This report formally conveys the information provided during that briefing. In summary, we reported that

- Competitive foods include all foods and beverages sold in schools except for meals provided through the School Lunch and School Breakfast Programs. Current federal regulations restrict only a subset of competitive foods, foods of minimal nutritional value, from being sold during mealtimes in food service areas.
- Competitive foods are sold in a variety of locations on a majority of school campuses nationwide. The types of competitive foods available often differ by location where they are sold, with healthy foods more often sold in a la carte lines in the cafeteria and less healthy foods more often sold through vending machines, school stores, canteens, and snack bars.
- Several states, school districts, and individual schools have enacted competitive foods policies that are more restrictive than federal regulations. These policies differ widely in the types of restrictions they apply.

We provided a draft of this briefing to officials at FNS for their technical comments and incorporated their comments where appropriate.

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We are sending copies of this report to relevant congressional committees and other interested parties and will make copies available to others upon request. In addition, this report will be available on GAO's Web site at <http://www.gao.gov>. If you or your staff have any questions about this report, please contact me at (415) 904-2272 or Kay E. Brown at (202) 512-3674. Rachel Weber, Kevin Jackson, and Dan Schwimer also made significant contributions to this report.



David D. Bellis  
Director, Education, Workforce,  
and Income Security Issues

# Appendix I: Briefing Slides



## School Meal Programs: Competitive Foods Are Available in Many Schools; Actions Taken to Restrict Them Differ by State and Locality

Requested by

Senator Tom Harkin, Ranking Member

U.S. Senate Committee on Agriculture, Nutrition, and Forestry

Senator Patrick Leahy, Ranking Member

Subcommittee on Research, Nutrition, and General Legislation

Representative George Miller, Ranking Member

U.S. House Committee on Education and the Workforce

Representative Lynn Woolsey, Ranking Member

Subcommittee on Education Reform

April 12, 2004



## Objectives

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We were asked to determine:

- Which foods and school food practices fall under the term *competitive foods*, and what federal restrictions exist on their sale?
- What is currently known about the types of competitive foods and their availability and prevalence in schools?
- What is currently known about additional steps that are being taken at the state and local levels to curtail the sale of competitive foods?



## Scope and Methodology

- Federal definition and restrictions: We reviewed laws, regulations, and court opinions related to USDA's authority.
- Availability, prevalence, and types: We reviewed three national studies that collected data on these factors.<sup>1</sup> We also reviewed studies that discuss the association between competitive foods in schools and child nutrition.
- State and local efforts: We reviewed state codes and regulations, national databases of proposed state legislation, and recently published news articles. We also interviewed several professional organizations, trade associations, and advocacy groups.

This review was conducted in accordance with generally accepted government auditing standards.

<sup>1</sup> We reviewed the Department of Agriculture's *School Meals Implementation Study—Third Year Report (SMI)* (Washington, D.C.: 2002); the Department of Agriculture's *School Nutrition Dietary Assessment Study—II (SNDA-II)* (Washington, D.C.: 2001); and the Department of Health and Human Services, Centers for Disease Control and Prevention's *School Health Policies and Programs Study (SHPPS)* (Washington, D.C.: 2001).



## Summary of Results

- USDA defines competitive foods broadly to include all foods that are offered for sale at school, with the exception of meals served through the federal school meal programs. Current federal regulations restrict a small subset of competitive foods in schools by prohibiting the sale of foods of minimal nutritional value (FMNV) in the food service areas during mealtimes.
- Competitive foods are available from various sources on many school campuses. The types of competitive foods in schools differ by location where they are sold, with healthy foods more often sold in a la carte lines and less healthy foods more often sold in vending machines, school stores, canteens, and snack bars.<sup>2</sup>
- Several states and localities have enacted competitive foods policies that are more restrictive than federal regulations. These differ widely in the restrictions they apply.

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<sup>2</sup> Healthy foods are those classified as “low in fat” by SHPPS, while less healthy foods are those classified as “high in fat, sodium, or added sugars” by SHPPS.



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## Background

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In recent years, both government and public attention have become focused on the increasing incidence of overweight and obesity among the US population.

- Data from the Centers for Disease Control show that the percentage of children and adolescents (ages 6 to 19) who are overweight has tripled since the 1960s to more than 15 percent in 1999-2000.
  - To address this trend, in 2001, the Surgeon General issued a call to action to prevent and decrease overweight and obesity. In this statement, schools were identified as a key setting for public health strategies to address these issues. Specific school actions identified included adopting policies that ensure all foods and beverages available on school campuses contribute toward healthy eating patterns.
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## Background (cont'd)

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Two federal programs provide meals to students—the National School Lunch Program (1946) and the School Breakfast Program (1966).

- These programs provide nutritionally balanced low-cost or free meals to schoolchildren.
- The National School Lunch Program also provides snacks for eligible students in after-school-care programs.
- USDA administers the school meal programs at the federal level.
- Schools are required to serve meals that meet the Dietary Guidelines for Americans, which include limits on total fat and saturated fat. School meals must also meet other nutritional standards (e.g., lunches must provide one-third of the recommended daily allowances for calories and nutrients).



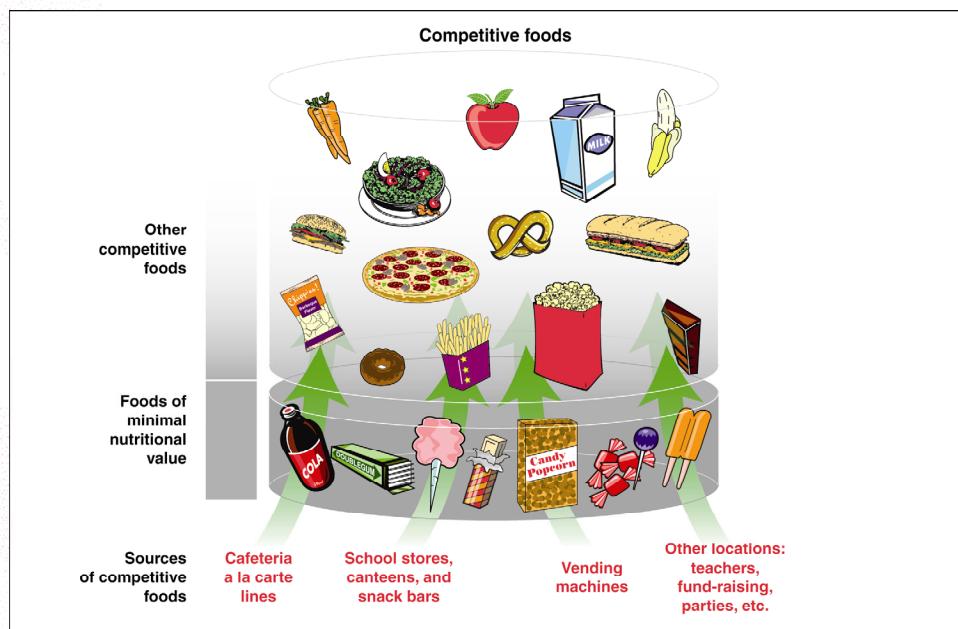
## Federal Definition and Restrictions: Competitive Foods Include All Foods Offered in Schools except School Meals

USDA defines competitive foods as any foods offered at school, both those that are healthy as well as less healthy, other than meals served through the federal school meal programs. USDA further defines two categories of competitive foods—foods of minimal nutritional value (FMNV) and all other foods offered for individual sale.

- FMNV are identified as carbonated beverages, water ices, chewing gum, hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy-coated popcorn.
- Other competitive foods offered for sale in schools include any foods purchased through a la carte sales in the cafeteria, vending machines, school stores, canteens, and snack bars. Fund-raisers for various clubs and organizations sometimes offer other foods for sale in schools.



## Federal Definition and Restrictions: Competitive Foods Include All Foods Offered in Schools except School Meals (cont'd)





## Federal Definition and Restrictions: Federal Restrictions on Competitive Foods in Schools Are Limited

USDA regulations for the federal school meal programs require that states and school food authorities prohibit the sale of FMNV in the cafeteria and other food service areas during the school meal periods.

- In 1983, the District of Columbia Federal Court of Appeals struck down USDA regulations prohibiting the sale of FMNV anywhere on school grounds until the last lunch period ends. The court interpreted USDA's regulatory authority as extending only to those foods sold in the cafeteria and other food service areas during school meal periods.<sup>3</sup>

According to USDA officials, though the agency cannot regulate competitive foods beyond the scope of its authority, it has tried to influence school policy on competitive foods by providing information on how to create a healthy school nutrition environment.

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<sup>3</sup> See [National Soft Drink Association v. Block](#), 721 F.2d 1348 (D.C. Cir. 1983).



## Availability, Prevalence, and Types: Competitive Foods Are Widely Available through A La Carte Lines in Many Schools

According to national studies, competitive foods are available in several locations on school campuses, including cafeteria a la carte lines.

- In 2000, 83.4 percent of all schools offered food or beverages other than milk a la carte.<sup>4</sup>
- A la carte sales have increased in many schools, with the largest increases reported by middle and secondary schools. Over 80 percent of school districts reported offering a la carte sales in their middle and secondary schools in the 1999-2000 school year.<sup>5</sup>
- School food authority officials told us that financial pressures have led them to serve less healthful a la carte items because these items generate needed revenue.<sup>6</sup>

<sup>4</sup> These data were reported in SHPPS. Similar data were reported for the 1998-1999 school year in SNDA-II.

<sup>5</sup> These data were reported in SMI.

<sup>6</sup> U.S. General Accounting Office, *School Lunch Program: Efforts Needed to Improve Nutrition and Encourage Healthy Eating*, GAO-03-506 (Washington, D.C.: May 9, 2003).



## Availability, Prevalence, and Types: The Types of Competitive Foods Provided through A La Carte Lines Are Often Healthy Foods

According to SHPPS, in 2000, many of the foods and beverages most commonly provided through school a la carte lines were healthy foods.

Percentage of schools offering selected foods and beverages through school a la carte lines in 2000

Type of food/ beverage	Elementary	Middle/junior high	High
Fruits or vegetables	68.1	74.0	90.4
100% fruit or vegetable juice	57.8	63.9	77.4
Baked goods (not low in fat)	48.8	66.8	79.9
Pizza, hamburgers, sandwiches	46.1	63.7	76.2
Lettuce, vegetable, or bean salads	42.0	56.6	79.5
Bread products	40.9	55.9	73.8
Low-fat baked goods	36.1	40.8	48.0
Low-fat or nonfat yogurt	31.0	33.1	47.9
French-fried potatoes	30.1	45.7	61.8
Low-fat salty snacks	29.5	42.6	58.3
Ice cream/frozen yogurt (not low in fat)	26.3	48.4	54.5

Healthy foods, defined as "low in fat" by SHPPS

Less healthy foods, defined as "high in fat, sodium, or added sugar" by SHPPS

Source: SHPPS, 2000.



## Availability, Prevalence, and Types: Competitive Foods Are Available through Other Locations In a Significant Proportion of Schools

National studies show that competitive foods are available in a variety of locations in schools.

- A significant proportion of U.S. schools provided competitive foods through either a vending machine or a school store, canteen, or snack bar in 2000.<sup>7</sup>

Type of school	Percentage with a vending machine	Percentage with a school store, canteen, or snack bar	Percentage with both a vending machine and a school store, canteen or snack bar	Percentage with either a vending machine or a school store, canteen, or snack bar
Elementary school	26.3	26.8	10.1	43.0
Middle/junior high	62.0	39.4	27.4	73.9
High	94.9	59.3	56.0	98.2

Source: SHPPS, 2000.

- Approximately 25 percent of all schools had vending machines located in or near the cafeteria in school year 1998/1999.<sup>8</sup>

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<sup>7</sup> These data were reported in SHPPS.

<sup>8</sup> These data were reported in SNDA-II.



## Availability, Prevalence, and Types: The Types of Competitive Foods Provided through Other Locations Are Often Less Healthy Foods

According to SHPPS, in 2000, many of the foods and beverages most commonly provided through school vending machines, school stores, canteens, or snack bars were less healthy foods.

Percentage of schools offering selected foods and beverages through school vending machines, school stores, canteens, or snack bars in 2000

Type of food/ beverage	Elementary	Middle/junior high	High
Soft drinks, sports drinks, or fruit drinks that are not 100% juice	58.1	83.5	93.6
Salty snacks (not low in fat)	51.0	62.4	83.0
Baked goods (not low in fat)	52.6	61.2	80.7
100% fruit or vegetable juice	49.4	53.1	65.0
Low-fat salty snacks	44.5	54.5	65.0
Non-chocolate candy	35.5	52.6	75.0
Ice cream/frozen yogurt (not low in fat)	31.1	33.8	42.5
Chocolate candy	29.2	46.6	72.2
Low-fat baked goods	26.4	37.7	49.6
Fruits or vegetables	20.0	11.8	22.0
Bread products	14.6	16.8	29.6

Healthy foods, defined as "low in fat" by SHPPS

Less healthy foods, defined as "high in fat, sodium, or added sugar" by SHPPS

Source: SHPPS, 2000.



## Availability, Prevalence, and Types: Officials Provided Additional Information on Vending Machines in Schools

- Trade associations representing vending operators told us that they prefer to focus on per student consumption rather than on the number of vending machines available in the schools.
- Vending association officials told us that they encourage operators to work with schools to increase the availability of healthier options in vending machines.
- School officials told us that they rely on revenue generated by vending and other sales to fund special projects. These funds can be used at the discretion of the principal or other school officials.<sup>9</sup>
- USDA officials believe vending machines found in cafeterias or under the control of school food authorities offer healthier foods than those sold elsewhere in schools.

<sup>9</sup> See GAO-03-506.



## Availability, Prevalence, and Types: Competitive Foods Are Also Available through Fund-raising and Other Sources

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Fund-raising: In 82.4 percent of schools, organizations such as student clubs and sports teams sold food at school or in the community to raise money.<sup>10</sup> The foods most commonly sold tended to be less healthy.<sup>11</sup>

Food sold through fund-raising	Percentage of schools with fund-raising activities where food was sold
Chocolate candy	76.4
Cookies, crackers, cakes, pastries, or other baked goods not low in fat	67.3
Other candy	63.2
Soft drinks, sports drinks, or fruit drinks that are not 100% juice	36.9
Fruits or vegetables	27.8

Source: SHPPS, 2000.

Other sources: In addition, national data show that 6 percent of elementary schools, 10.6 percent of middle/junior high schools, and 26.6 percent of high schools have open-campus policies, which allow students to leave the school campus during mealtimes.<sup>12</sup>

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10 These data were reported in SHPPS.

11 Foods characterized as less healthy are those defined as "high in fat, sodium, or added sugars" by SHPPS.

12 These data were reported in SHPPS.



## **Availability, Prevalence, and Types: We Found Limited Research on the Association between Competitive Foods in Schools and Child Nutrition**

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- We did not find national data on the link between competitive foods in schools and child nutrition.
- Limited small-scale studies have examined these issues in various localities across the country, and these studies have shown evidence of the association between competitive foods and child nutrition.



## Availability, Prevalence, and Types: Research Suggests Competitive Foods Are Associated with a Decreased Consumption of Healthy Foods

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Preliminary small-scale research suggests that the presence of competitive foods in schools is related to a decrease in fruit and vegetable consumption and an increase in calories obtained from fat.

- In a small study that examined the behaviors of 598 seventh-grade students in the St. Paul/Minneapolis, Minnesota, area:<sup>13</sup>
  - On average, students in schools with a la carte programs consumed fewer fruits and vegetables than students in schools without a la carte programs.
  - Further, students in schools with a la carte programs obtained more of their daily calories from total fat and saturated fat than did students in schools without a la carte programs.

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<sup>13</sup> Martha Y. Kubik, PhD, Leslie A. Lytle, PhD, Peter J. Hannan, MStat, Cheryl L. Perry, PhD, and Mary Story, PhD, "The Association of the School Food Environment With Dietary Behaviors of Young Adolescents," *American Journal of Public Health*, vol. 93, no. 7, (July 2003).



## Availability, Prevalence, and Types: Research Suggests Competitive Foods Are Associated with a Decreased Consumption of Healthy Foods (cont'd)

- A second study examined the a la carte offerings at 12 suburban junior and 7 senior high schools from 6 school districts in the St. Paul/Minneapolis, Minnesota, area:<sup>14</sup>
  - A la carte sales were highest for foods in the cookie, nondairy drink, vegetable, milk, and entree categories.
  - Overall, 48 percent of a la carte items met the FDA dietary fat criteria (for entrees, this requires 3 grams of fat or fewer per 100 grams, for other foods, 3 grams of fat or fewer per serving).
  - Less than 10 percent of the items in the cookie and entree categories met FDA dietary fat criteria.
  - In the vegetable category, mean sales were higher for french fries than for all other vegetables, and in the entree category, sales were highest for hamburgers and pizza.

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<sup>14</sup> Lisa Harnack, PhD, Pat Snyder, MS, Mary Story, PhD, Roseanna Holliday, MPH, Leslie Lytle, PhD, Dianne Neumark-Sztainer, PhD, "Availability of A La Carte Food Items in Junior and Senior High Schools: A Needs Assessment," *Journal of the American Dietetic Association*, vol. 100, no. 6 (June 2000).



## Availability, Prevalence, and Types: Research Suggests Competitive Foods Are Associated with a Decreased Consumption of Healthy Foods (cont'd)

- A third study examined changes in food and beverage consumption over time for two student cohorts: fourth graders who only had access to the school lunch program in year 1 and gained snack bar access in year 2, when they transitioned to the fifth grade, and a comparison group of fifth- to sixth-graders.<sup>15</sup>
  - For students who moved from fourth to fifth grade, average consumption of fruits, regular vegetables, and milk decreased, and average consumption of high-fat vegetables and sweetened beverages increased.
  - Snack bar access may have played a partial role in some of the observed changes, but factors other than snack bar access may also have been influential.
- Research would be helpful in understanding how competitive foods affect overall child health. Both dietary intake and physical activity are relevant factors.

<sup>15</sup> Karen Weber Cullen and Issa Zakeri, "Fruits, Vegetables, Milk, and Sweetened Beverages Consumption and Access to à la Carte/Snack Bar Meals at School," *American Journal of Public Health*, vol. 94, no. 3 (March 2004). It is important to note that this study used a select sample of students from a single Texas school district, and it did not use a true control group.



## State and Local Efforts: Some States and Localities Have Exercised Their Authority to Further Restrict Competitive Foods in Schools

- According to USDA regulations for the federal school meal programs, state agencies and local school food authorities may impose additional restrictions on the sale of all foods sold at any time throughout schools participating in the programs.
- In recent years, some states, local school districts, and individual schools have implemented competitive foods policies that are more restrictive than USDA regulations though they differ in the type and extent of restrictions.



## State and Local Efforts: 23 States Have Made Efforts to Further Restrict Competitive Foods in Schools as of March 2004





## State and Local Efforts: States Policies Restrict Competitive Foods in Schools in Several Ways

- Two of the 23 states, Washington and New Mexico, recently passed legislation creating committees to develop policies concerning competitive foods in schools.<sup>16</sup>
- In the 21 states that restrict competitive foods in schools beyond USDA regulations, policies typically restrict competitive foods by limiting the times and types of competitive foods available.
  - Times—A majority of these states (14) restrict access to competitive foods at times associated with school meal periods. Some states (5) restrict access to competitive foods during the entire school day, and in the remaining 2 states, time restrictions vary by type of school.
  - Types—Six of the 21 states restrict access to all competitive foods, and 8 states restrict access to FMNV. The remaining 7 states restrict access to certain competitive foods.

<sup>16</sup> In addition, one state, Montana, passed a resolution in 2003 urging school districts to offer nutritious food and beverage choices.



## State and Local Efforts: State Policies Restrict Competitive Foods in Schools in Several Ways (cont'd)

Most state competitive foods policies restrict all competitive foods or FMNV at times associated with school meal periods.<sup>17</sup>

**Number of states with competitive foods policies that restrict the times and types of competitive foods available**

	All competitive foods	FMNV	Other <sup>a</sup>
Entire school day	0	1	4
School meal period	5	6	3
Times vary by type of school	1	0	1

Source: GAO

<sup>a</sup> In the Other category, several states specifically restrict access to competitive foods in vending machines; several states restrict access to competitive foods that do not meet certain nutritional criteria set by the state; and several states restrict most competitive foods but make exceptions for specific foods and beverages.

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<sup>17</sup> For example, some states restrict competitive foods for one half hour before and after each school meal period, 23 while others restrict competitive foods from the start of the school day until the end of the last lunch period.



## State and Local Efforts: States Policies Restrict Competitive Foods in Schools in Several Ways (cont'd)

- Most of these states (17) restrict access to competitive foods in some way in all schools, including elementary, middle, and high schools, though 4 states' policies only restrict access to competitive foods in selected schools.
- All 21 states restrict access to competitive foods on the entire school campus rather than only in the food service areas.
- Of the 21 states, policies in 6 states restrict access to certain types of beverages differently than access to all other competitive foods. For example, West Virginia restricts the sale of competitive foods that do not meet specific nutritional criteria in schools during the entire school day, though county boards may waive this restriction for carbonated drinks in high schools during non-mealtimes.



## State and Local Efforts: Since 2002, Many States That Had Not Already Made Efforts to Restrict Competitive Foods Have Proposed Bills to Do So





## State and Local Efforts: Several Large School Districts Have Enacted Policies to Restrict Competitive Foods

More than half of the 10 largest school districts in the United States have policies that restrict competitive foods in schools beyond federal and state regulations.

- The New York City Public School District, the largest school district in the country, eliminated candy, soda, and other snack foods from all vending machines, starting in the fall of 2003. Vending machines on school grounds are now limited to selling water, low-fat snacks, and 100 percent fruit juices.
- The Los Angeles Board of Education, representing the second largest school district in the country, passed a soda vending ban that went into effect January 1, 2004. In addition, the board passed a ban on fried chips, candy, and other snack foods in school vending machines and school stores that will go into effect July 1, 2004.



## State and Local Efforts: Some Local Schools Have Also Taken Actions to Restrict Competitive Foods in Schools

In recent years, several individual schools across the United States have taken actions to restrict competitive foods in schools beyond federal, state, and school board regulations.

- In Pennsylvania, the Vineland High School South principal removed vending machines from schools in January 2004, substituting machines that sell only water and juice.
- In Lake County, Illinois, Mundelein High School removed soda and candy from vending machines in August 2003 and replaced them with juices and cereal bars.
- In Pierre, South Dakota, Riggs High School removed all vending machines selling soda and snack food over the 2003-2004 holiday break.
- In Utah, Syracuse Junior High started removing sodas and other FMNV items from vending machines in 2001.



## State and Local Efforts: Efforts to Monitor Compliance with Competitive Food Policies Are Unclear

From a review of laws and policies on competitive foods, it is unclear how and to what extent states and localities are monitoring compliance with restrictions on competitive foods in schools.

- Though federal regulations require state agencies and local school food authorities to establish rules and regulations that control the sale of FMNV during school meal periods, in instances of noncompliance, the regulations do not require state agencies to take fiscal actions against the school.
- USDA has encouraged states to take action to enforce these requirements.
- In a brief review of state competitive foods policies that are more restrictive than federal regulations, for most of these states, it was unclear what methods they use to monitor compliance with their policies.



## Preliminary Observations

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- There is growing concern about the nutritional content of competitive foods in schools among school districts, states, federal officials, and various stakeholder groups.
  - Schools are well positioned to positively influence what children eat and what they know about good nutrition, and there is growing support for actions to restrict the availability and prevalence of competitive foods in schools.
  - However, restrictions range from minimal, or those that place additional restrictions on FMNV, to more extensive, or those that place restrictions on all competitive foods for longer periods of time during the school day.
  - The challenges in implementing and monitoring state and local efforts have yet to be determined.
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# Related GAO Products

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*School Lunch Program: Efforts Needed to Improve Nutrition and Encourage Healthy Eating.* [GAO-03-506](#). Washington, D.C.: May 9, 2003.

*School Meal Programs: Revenue and Expense Information from Selected States.* [GAO-03-569](#). Washington, D.C.: May 9, 2003.

*Public Education: Commercial Activities in Schools.* [GAO/HEHS-00-156](#). Washington, D.C.: September 8, 2000.

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Automated answering system: (800) 424-5454 or (202) 512-7470

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## Public Affairs

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