



Guide to Competitive Foods

The USDA will soon propose national nutrition-related restrictions on “competitive foods” sold in schools. The USDA defines “competitive foods” as foods offered at school that are not part of federally-reimbursable school meal programs. Therefore, “competitive foods” are foods and drinks bought from vending machines, à la carte cafeteria items and foods sold in student stores, which do not get reimbursed by a federal meal program.

A Brief History

- 1979 – The USDA passes competitive food rules for the first time. Regulations only limit the sale of foods of minimal nutritional value (FMNV). FMNV are defined in federal regulations as having less than 5 percent of the RDA per serving for eight key nutrients and include soft drinks, water ices, chewing gum and certain sugar-based candies (such as jelly beans). FMNV cannot be sold in foodservice areas during meal periods but may be sold anywhere else in a school at any time. (Source: School Foods Sold Outside of Meals Research Brief, May 2007, Prepared by Nicole Larson, M.P.H., R.D., and Mary Story, Ph.D., R.D., University of Minnesota).
- 2010 – The Healthy Hunger Free Kids Act comes in to revise the aforementioned guidelines and requires the USDA to establish national nutrition standards for all food sold and served in schools at any time during the school day. It allows for exemptions for school-sponsored fundraisers if the fundraisers are approved by the school and are infrequent.
- 2012 – The USDA will propose revisions to its competitive foods policy.

Once the suggested restrictions have been published, there is a 90-day comment period during which time the USDA reads and organizes all suggestions (there were 130,000 comments during the review period for the school lunch revisions suggested in 2011!).

The rules will be finalized in 2013 and schools will begin implementing them in spring/summer 2014.

Where are we now?

- According to the Government Accountability Office (GAO), approximately 90 percent of U.S. schools sold competitive foods to students in the 2003–04 school year, with middle and high schools significantly more likely to do so than elementary schools (Source: School Foods Sold Outside of Meals Research Brief, May 2007, Prepared by Nicole Larson, M.P.H., R.D., and Mary Story, Ph.D., R.D., University of Minnesota)
- 50% of public elementary school students have competitive foods on campus (Source: Turner & Chaloupka, Arch Ped & Adol Med, Feb 2012)
- Only 1-2% of high schools restrict sugar-sweetened beverages (SSBs) (Source: Bridging the Gap Research)
- 36 states have implemented voluntary enhancements to their competitive food provisions (not necessarily strong requirements) at the ES level, 35 at the MS level, and 32 at the HS level. These numbers are as of the beginning of SY 10-11 (Source: Bridging the Gap Research)

What to expect?

The USDA will be releasing its suggested restrictions in early 2012. We can only make an educated guess as to what the restrictions will entail based on the 2012 revisions to the federal school lunch program. We expect that the USDA will suggest setting “minimum” standards, such as calorie limits, fat and trans fat limits, and will encourage fruit and low-fat dairy consumption. School districts will be able to enhance these restrictions.

Quick Facts

- High school students in CA reported less in-school intake of fat, sugar, and total calories compared to students in states that do not regulate competitive food nutritional content (Source: Taber, Chriqui, and Chaloupka, *Arch Ped and Adol Med*, 2012)
- Students gain less weight if they are in states with strong, specific competitive food nutrition standards (Source: Taber, Chriqui, Powell, Perna, and Chaloupka, under review, *Pediatrics*)
- About \$2.3 billion worth of snack foods and beverages are sold annually in schools nationwide (source: The National Academy of Sciences)
- Children consume 19-50% of their daily food intake at school (Source: The U.S. Department of Agriculture, Food and Nutrition Service)
- 80% percent of American voters favored national standards that would limit calories, fat, and sodium in snack and à la carte foods sold in U.S. schools and encourage the consumption of fruits, vegetables and low fat dairy items (Source: Kids' Safe and Healthful Foods Project, 2012)
- 83% of American voters think that what is sold in vending machines is not healthy or only somewhat healthy (Source: Kids' Safe and Healthful Foods Project, 2012)
- 68% of voters think what is sold in a la carte is not healthy or only somewhat healthy; 21% think it's mostly healthy (Source: Kids' Safe and Healthful Foods Project, 2012)
- About one in every five children is obese (Source: The CDC)

Need a Subject Matter Expert?

Please meet Sean Kelly, CEO and Co-Founder of HUMAN Healthy Vending



As a biomedical engineer and entrepreneur, Sean Kelly has always been fascinated with how things work and how they could work better, especially for the betterment of society. That's why he co-founded HUMAN Healthy Vending in 2008 with Andy Mackensen: to make healthful food more convenient than junk-food while revolutionizing the vending industry. He has recently founded a non-profit charity called HUMAN Everywhere, which empowers students in underserved areas to become social entrepreneurs and to solve the nation's most pressing health crises.

Sean's entrepreneurial tenacity has landed him on coveted lists, such as CNN Money's Top 10 Generation Next Entrepreneurs list, Business Week Magazine's Top 25 Young Entrepreneurs and Mother Nature Network's, "Innovation Generation: 30 Fresh Thinkers Helping Humanity Adapt to What's Next." HUMAN Healthy Vending is ranked by *Entrepreneur Magazine* as a "Top 100 Brilliant Company" and ranked by *Forbes Magazine* as one of "America's Most Promising Companies."

Previous to HUMAN, Sean founded Fit Fuel, LLC, the country's first 100% healthy vending company, which he helped grow to \$4 million in sales. Sean has a biomedical engineering degree with a specialization in biomechanics from Columbia University and a passion for living an active life. He holds two national championship medals in freestyle snowboarding and was one of 20 people in the world to compete in two 10K races on two different continents (Australia and North America) during the same day for the worldwide Nike Human Race.

Please contact your local HUMAN Healthy Vending operator, or email Annabel Adams at annabela@healthyvending.com.