



Curbing Marketing to Students: What the Final Wellness Policy Rule Means for Schools



April 11, 2017
**NOPREN School Wellness
Committee Working Group**

Healthy communities
for all through better
laws & policies



ChangeLab Solutions

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Agenda

- What is food marketing and why is it a concern in schools?
- What is the Final Rule?
- What else can schools do?
- Resources
- Questions?



A photograph of four children playing outdoors in a grassy area with trees in the background. The children are smiling and appear to be in motion. A purple banner is overlaid across the middle of the image, containing the text 'What is food marketing?'.

What *is* food marketing?

Louisiana's Ragin' Cajuns

HOME

T.O.L

15:00

T.O.L

GUEST

0 3

3 0

DOWN TO GO

BALL ON QTR

CAJUN
HARLEY-DAVIDSON

www.cajunhd.com



**MARTIN &
CASTILLE**



Coca-Cola



TACO BELL

Teche
FEDERAL BANK

RaginCajuns.com

Marketing to Children

- \$1.8 billion spent on marketing to children and youth
 - \$149 million spent on in-school marketing
- Disproportionately targets Latino and African American youth



The problem



conversations with Tribal officials or their designees. The most recent specific discussion of the Nutrition Standards for All Foods Sold in Schools rule was included in the consultation conducted on August 19, 2015. No questions or comments were raised specific to this rulemaking at that time.

Reports from these consultations are part of the USDA annual reporting on Tribal consultation and collaboration. FNS will respond in a timely and meaningful manner to Tribal government requests for consultation concerning this rule.

List of Subjects

7 CFR Part 210

Grant programs-education; Grant programs-health; Infants and children; Nutrition; Reporting and recordkeeping requirements; School breakfast and lunch programs; Surplus agricultural commodities.

7 CFR Part 220

Grant programs-education; Grant programs-health; Infants and children; Nutrition; Reporting and recordkeeping requirements; School breakfast and lunch programs.

Accordingly, for the reasons set forth in the preamble, 7 CFR parts 210 and 220 are amended as follows:

PART 210—NATIONAL SCHOOL LUNCH PROGRAM

■ 1. The authority citation for 7 CFR part 210 continues to read as follows:

Authority: 42 U.S.C. 1751–1760, 1779.

■ 2. In § 210.11:

- a. Revise paragraph (a)(3);
- b. Add paragraph (a)(6);
- c. Remove paragraph (c)(2)(v);
- d. Paragraph (c)(2)(vi) is redesignated

as dried beef jerky); or

(iv) A grain only, whole-grain rich entrée that is served as the main dish of the School Breakfast Program reimbursable meal.

* * * * *

(6) *Paired exempt foods* mean food items that have been designated as exempt from one or more of the nutrient requirements individually which are packaged together without any additional ingredients. Such “paired exempt foods” retain their individually designated exemption for total fat, saturated fat, and/or sugar when packaged together and sold but are required to meet the designated calorie and sodium standards specified in §§ 210.11(i) and (j) at all times.

* * * * *

(d) *Fruits and vegetables.* (1) Fresh, frozen, and canned fruits with no added ingredients except water and no added preservatives are exempt from the 100 percent fruit juice or light syrup or extra light syrup are exempt from the nutrient standards included in this section.

(2) Fresh and frozen vegetables with no added ingredients except water and canned vegetables that are low sodium or no salt added that contain no added fat are exempt from the nutrient standards included in this section.

* * * * *

(f) * * *

(3) * * *

(iv) Whole eggs with no added fat are exempt from the total fat and saturated fat standards but are subject to the trans fat, calorie and sodium standards.

* * * * *

(i) *Calorie and sodium content for snack items and side dishes sold as competitive foods.* Snack items and side dishes sold as competitive foods must

§ 210.11a [Removed]

■ 3. Section 210.11a is removed.

Appendix B to Part 210 [Removed]

■ 4. Appendix B to part 210 is removed.

PART 220—SCHOOL BREAKFAST PROGRAM

■ 5. The authority citation for 7 CFR part 220 continues to read as follows:

Authority: 42 U.S.C. 1773, 1779, unless otherwise noted.

§ 220.12a [Removed]

■ 6. Remove § 220.12a.

Appendix B to Part 220 [Removed and Reserved]

■ 7. Remove and reserve Appendix B to part 220.

Kevin W. Concannon,

Under Secretary, Food, Nutrition, and

Consumer Services.

[FR Doc. 2016–17227 Filed 7–28–16; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Parts 210 and 220

[FNS–2014–0010]

RIN 0584–AE25

Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

USDA Final Rule

Food and Beverage Marketing *Requirements*

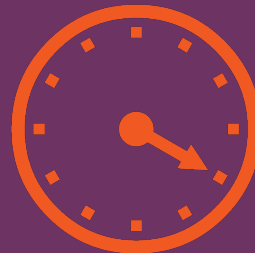
- Must meet Smart Snacks standards to be marketed on school campus



Smart Snacks standards



School campus



School day

Exceptions



- Educational tools



- Personal opinions, expressions, products



- Permanent fixtures

What can *schools* do?

- USDA rule provides minimum standard
- Districts are free to go above and beyond
- Filling in the details will likely be where schools need the most help from a policy perspective





What *else* can schools do?

Defining *Marketing* Broadly



Brand Marketing



Look-alike snacks

Look-alike Smart Snacks	Repackaged Smart Snacks	Store versions	Consistent brands
			
			
			
			
			



Resources

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Thank you!

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