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TO: Members, House Health and Human Services Committee

FROM: Beth L. Winters, Director of Legislative Services, PSBA
Jennifer Hoover-Vogel, Legislative & Research Coordinator, PASBO

SUBJECT: Opposition to HB 1572 (Gerber)

DATE: June 22, 2009

We have reviewed House Bill 1572 and while we appreciate the efforts to address child nutrition, we have several significant concerns. Given the short time since the bill has been introduced, we hope there will be a delay in consideration of the bill by the Health and Human Services Committee this week to allow our concerns to be heard, perhaps via a public hearing.

Our concerns are as follows:

- House Bill 1572 fails to recognize the significant efforts by many stakeholders, including our two associations and the Administration, to develop nutrition standards for school food service (see attached Nutrition Standards for Competitive Foods in Pennsylvania Schools for the School Nutrition Incentive). These standards were adopted with strong bi-partisan support in Act 45 of 2007. House Bill 1572 fails to recognize the existence of these standards. In some cases, the bill would conflict with the standards and in other cases would appear to be less stringent than the existing standards.
- The current nutrition standards in the School Code under Act 45 also carried with them significant public input through mandatory wellness committees. These committees provided opportunity for stakeholder involvement prior to the adoption of Wellness Policies that require periodic update. We believe this collaborative effort produces much greater benefits to schools, students and parents than a new state mandate without funding.
- The cost of implementation of House Bill 1572 is not provided in the bill. The current state nutrition standards provide a small incentive to help schools offset the costs of providing healthier meal options. Will House Bill 1572 remove the incentive for schools? With or without the current incentive, we believe the cost of school meals will increase. The bill provides no option for addressing the cost increase. As a result, the cost of school lunches will increase.

- The potential for cost increases combined with the unreasonable calorie limitation will increase the likelihood of meals purchased outside of the school or brought from home. In either case, the effort to impose nutrition standards is negated. A large banana or a cup of raisins will exceed the 100 calorie per serving limit in House Bill 1572.
- This bill can not be implemented for the 2009 school year. Schools are already preparing bids for food supplies for the next school year. This bill would require immediate changes in purchasing that can not be accomplished before the start of the next school year. Additionally, all schools that contract with food service management companies have just been required to bid under a U.S. Department of Agriculture requirement. These bids did not take into consideration the cost of impact of House Bill 1572.

We hope more time will be provided to address these concerns. Thank you for your consideration. Please contact us if you need more information or have additional questions.

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