

## MEMORANDUM

TO: Vermont School Food Authorities  
FROM: Rosie Krueger, Director of Child Nutrition Programs  
SUBJECT: Whole Grain-Rich Requirements for the NSLP & SBP  
DATE: February 20, 2019

---

### Policy

As the State Agency responsible for implementing the National School Lunch Program and School Breakfast Program in Vermont, Child Nutrition Programs at the Vermont Agency of Education will continue to require that all grains served as part of a reimbursable lunch or breakfast be whole grain-rich for School Year 19-20 and beyond. This continues the federal requirements that went into effect in School Year 2014-2015, which were weakened by USDA's [final rule on Flexibilities for Milk, Whole Grains and Sodium Requirements](#), published December 12, 2018. The State Agency is not implementing any additional requirements at this time for either sodium or flavored milk, which were also addressed in the Final Rule.

### Background

In 2012, USDA implemented new requirements for the nutritional value of foods served through the National School Lunch Program (NSLP) and School Breakfast Program (SBP). One of the changes to the "Meal Pattern" was a requirement that all grain items offered in the NSLP and SBP be whole grain-rich. This means that the grain item contains at least 50 percent whole grains, and the remaining grain content comes from enriched flour. The requirement was phased-in. In the first years of implementation, only ½ of the grain items served had to be whole grain-rich. Starting in 2014-2015, all grains were required to be whole grain-rich.

Implementation of the whole grain-rich requirement was initially challenging. Students were used to white flour products, and the food industry had not yet innovated to supply a wide variety of high-quality items that met the requirements. Items like whole grain-rich pasta required new preparation methods, which took additional training. However, these requirements have now been in effect for five years, and in Vermont we see very high rates of compliance. Food service managers have developed the recipes and skills to meet the new requirements. The food industry has developed a wide variety of quality whole grain-rich products. Local Vermont companies have been especially innovative and numerous Vermont bakeries produce bread, bagel and pizza items that meet the requirements. The Vermont New



School Cuisine Cookbook includes kid-tested foodservice recipes for whole grain-rich biscuits, muffins, pancakes, pizza-dough, corn bread and many whole grain-based salads. In addition to publishing the cookbook, Vermont Child Nutrition Programs has provided numerous trainings on cooking with whole grains at our annual Summer Institute trainings and our annual TriState conference. Students are now familiar with the whole grain-rich products and we see high rates of student acceptance with the new products. For students in grades PreK-4, whole grain rich products are the only grain items they've ever seen on their trays. Over the period since the new meal pattern went into effect, the overall number of lunches served in Vermont has decreased slightly, but the overall number of breakfasts has increased. During this same time period student population was declining, and we have not analyzed the data to see if the decline in enrollment accounts for some or all of the decline in number of lunches served.

Nationally, the reception has been different. Schools in other states have provided feedback to USDA that they are unable to find acceptable substitute products and have seen participation decrease. USDA reacted to this by allowing state agencies to grant waivers for several years. The Vermont State Agency decided not to grant waivers because we were already seeing high levels of compliance. In December 2018, USDA published the final rule regarding Flexibilities for Milk, Whole Grains and Sodium Requirements, which rolled back the whole grain-rich requirement to only require that half of the grains offered be whole grain-rich.

## **Authority**

7CFR 210.19(e) allows State Agencies to impose additional requirements for participating in the National School Lunch Program. The final rule issued by USDA on December 12, 2018 regarding the new meal pattern flexibilities further clarifies that State Agencies may use this authority to set additional meal pattern requirements that are not inconsistent with the minimum nutritional standards.

## **Rationale**

The Dietary Guidelines for Americans 2015-2020 recommends consuming a healthy eating pattern to help people achieve and maintain good health and reduce the risk of chronic disease throughout all stages of the lifespan. Specifically, the Dietary Guidelines recommend that at least 50% of grains consumed be whole grains, and that intake of refined grains be limited. The most direct way to meet the whole grain recommendation is to choose 100% whole-grain foods. However, consuming foods made with both whole-grains and refined grains is also an acceptable way to meet these recommendations. Maintaining the NSLP and SBP whole grain rich requirement is consistent with the recommendations made by the Dietary Guidelines for Americans.

USDA acknowledges that the stricter whole grain-rich requirement does provide a more nutritious meal for students. Because implementation of the whole grain-rich requirement has been relatively successful in Vermont, the State Agency does not see a good reason to reduce

the nutritional quality of the meals served in our state. At least one other state in the Northeast Region has decided to stick with the stricter requirement, using student health and nutrition as their rationale.

Implementing a lower level requirement would pose difficulty for State Agency staff in conducting the Administrative Reviews required by USDA, as identifying whether enough whole grain rich items are being served will be more complicated. In addition, changing the requirements now will add additional confusion for program operators who have adapted to the requirements over the last five years.

Anecdotally, we believe that parent and public perception of the programs and the nutritional value of the meals is positively impacted by the whole grain-rich requirement, and that this positive perception of the programs from parents increases student participation.