

June 16, 2023

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Re: Child Nutrition Programs (Docket No. FNS-2022-0043)

Dear Secretary Vilsack:

We write regarding the school milk provisions in the U.S. Department of Agriculture's (USDA) proposed rule, "Child Nutrition Programs: Revisions to Meal Patterns Consistent With the 2020 Dietary Guidelines for Americans," published by the Food and Nutrition Service (FNS) on February 7, 2023. We urge the Department to continue the allowance of non-fat and low-fat flavored milk at all grade levels in its final rule.

Dairy products are foundational for a healthy diet, with milk being the leading source of calcium, potassium, phosphorus, and vitamin D—all essential nutrients that contribute to healthier bones, lower blood pressure, and reduced risk of cardiovascular disease.¹ However, the 2020 Dietary Guidelines Advisory Committee reported that between 68% and 76.2% of school age males and between 77.4% and 94.3% of school age females fail to meet recommended levels of dairy consumption.² Further underscoring these figures, the 2020-2025 Dietary Guidelines for Americans revealed that children and adolescents ages 2-18 typically do not meet their dairy intake recommendations.³

School meals often contain the healthiest foods and beverages a child will receive throughout the week. Looking to beverages specifically, access to a variety of milk options supports higher consumption rates as children have the ability to choose the milk of their liking.⁴ In line with this understanding, the USDA currently allows schools to offer fat-free and low-fat unflavored milk along with fat-free or low-fat flavored milk as part of school breakfasts and lunches. However, under this newly proposed rule, flavored milk could no longer be available for elementary and middle school aged (K-8) children. We have significant concerns with this proposal and the negative impacts it will have on our children's health.

Each day during the academic year, over 15.5 million kids receive breakfast and another 29.9 million take lunch at school.⁵ A decision to remove flavored milk from both of these meals for grades K-8 could have devastating

¹ U.S. National Institute of Health, National Library of Medicine, November 2016, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5122229/>.

² U.S. Department of Agriculture and U.S. Department of Health and Human Services, Dietary Guidelines for Americans, July 2020, https://www.dietaryguidelines.gov/sites/default/files/2020-07/ScientificReport_of_the_2020DietaryGuidelinesAdvisoryCommittee_first-print.pdf.

³ U.S. Department of Agriculture and U.S. Department of Health and Human Services, Dietary Guidelines for Americans, December 2020, https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf.

⁴ U.S. National Institute of Health, National Library of Medicine, May 2019, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6710101/>.

⁵ Food Research and Action Center, 2021-2022 The Reach of Breakfast and Lunch, March 2023, https://frac.org/wp-content/uploads/The-Reach-of-School-Breakfast-and-Lunch_2023_0308-1.pdf.

effects on students' consumption of essential nutrients and their ability to learn in the classroom. Studies show that when low-fat or fat-free flavored milk was removed from the cooler, milk consumption went down. Likewise, when these options were again provided, milk consumption rebounded.⁶ By offering children additional milk options, schools can encourage more dairy intake and work towards closing nutrition gaps.

We look forward to continuing to work with the Department to strengthen school meal programs and to ensure students have access to the nutrients they need for successful learning.

Sincerely,



Tina Smith
United States Senator



Joni K. Ernst
United States Senator

⁶ U.S. National Institute of Health, National Library of Medicine, April 2014, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3989166/>.