



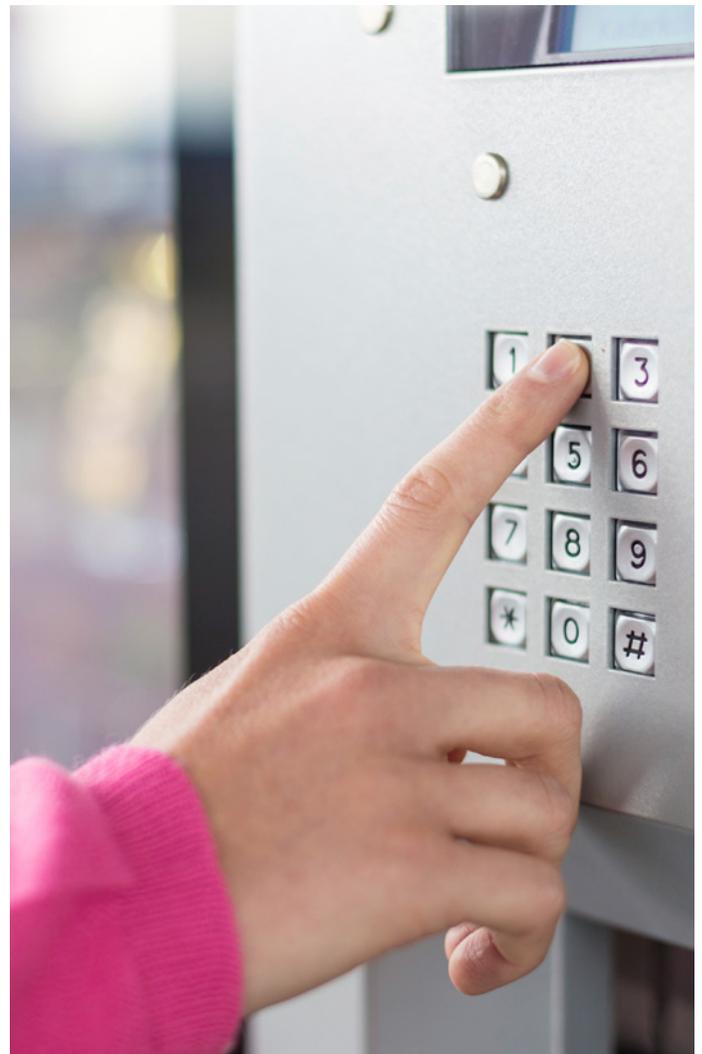
Key Components of Food Procurement & Vending Policies

Drafting an Effective Policy

Vending machines, snack stands, and cafeterias can be found in many places in a community, including worksites, parks, government buildings, and other public spaces. All too often, these outlets sell snacks and beverages that are high in calories, added sugars, and salt and have little nutritional value. For example, a recent report found that only 5% of food vending options on public property are healthy. (See *Vending Contradictions: Snack and Beverage Options on Public Property*.¹)

Government facilities, businesses, and organizations can promote easier access to healthy foods and beverages for their employees, guests, and community members by establishing food vending and procurement policies that include evidence-based nutrition standards, and by making sure that these policies are incorporated into their food vendor contracts and bids.

This fact sheet outlines the key components of a food vending or procurement policy and identifies resources to help government and private organizations develop and implement these policies for their buildings and



campuses. Well-drafted food vending or procurement policies will typically include the following components:

- Statement of purpose
- Explanation of what the policy covers (scope)
- Evidence-based nutrition standards
- The “4Ps” of marketing: product, pricing, placement, and promotion
- Implementation
- Enforcement
- Evaluation

1. Statement of Purpose

A statement about the purpose or goal of the policy helps readers understand what the policy is meant to do, and why it is necessary. A purpose statement also provides an important educational opportunity.



Examples of purpose statements

Lawrence, Kansas In the interest of public health the Lawrence Parks & Recreation Department has created the following product placement requirements, pricing components and nutrition standards. The implementation of this policy will promote good nutrition and create a positive environment to foster healthy eating habits for the community, staff, and others who use Lawrence Parks and Recreation facilities.³

Bloomington, Minnesota The City is committed to the health and well-being of our residents, employees and visitors. The strong relationship between diet and health and the increasing rates of obesity and resulting chronic diseases make supporting nutritious choices in the community part of our commitment to health.⁴

KEY TERMS

POLICY

Any written plan or course of action designed to influence and determine decisions.

CONTRACT

A legally binding agreement that creates mutual obligations for those who sign the contract.

BID

A proposal to enter into an agreement.

PROCUREMENT

The process of purchasing or leasing supplies or services through a contract. Procurement “includes the description of requirements, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.”²



- Sold on government or company property;
- Served at government or company-sponsored meetings and events, including both on-campus or off-campus events;
- Marketed or promoted on vending machines, coolers, and other equipment, or through promotions or special events.

The policy should be as comprehensive as possible, ideally covering all the ways that food and beverages are purchased, sold, or provided by the organization or within its property, as well as at events or meetings sponsored by the organization whether they are on-site or off-site. As with any policy, any exceptions should be as narrow as possible and carefully thought out because exceptions can undermine a policy's credibility and effectiveness. For example, a healthy meeting policy that is limited to meetings that serve outside organizations only rather than all meetings, internal and external, may have limited impact and undermine the credibility of the policy.

2. Scope

A well-written policy should clearly specify what it covers — its scope. For example, procurement guidelines could address food and beverages:

- Purchased with government or company funds;

Why put it in writing?

Written policies are more likely to weather changes in organizational leadership or priorities, compared to informal, unwritten policies or practices. Putting a policy in writing also facilitates consistent implementation. Having a written policy also can promote education and awareness, and makes it easier to incorporate the policy into requests-for-bid and vendor contracts. Contracts trump internal policies, unless those policies are expressly included in the contracts.

An example of scope language

Liberal, Kansas

Section 1. Purpose and intent. ... The purpose and intent of this code of regulations is to set nutrition standards for the concessions and vending machines at Parks and Recreation Facilities of the City of Liberal ...

Section 2. Requirements for Vending Machines include: A minimum of 50% of all food and beverage items offered shall meet the nutrition standards listed below ...

Section 3. Requirements for Concession Stands include: Vendors shall offer at least one fresh fruit and vegetable.⁷

EFFORTS TO SUPPORT THE POLICY

Using assessments to inform policy development and track progress

An assessment of the existing food and beverage environment can provide helpful baseline data, which can be used both to inform the development of the policy and also to track changes once the policy is in place. An assessment can provide helpful material for educational messages about why a policy is a good idea. (E.g., Did you know that we sold over 20,000 pounds of sugar to our employees last year in the form of sugary soda?) An assessment can be used as a tool for community and/or staff engagement to increase readiness to change. Even just the activity of carrying out the assessment can help raise awareness and interest in healthy vending or procurement initiatives (see *Efforts to Support the Policy: Education* box on page 6).

Assessments can be simple or more complicated, depending on capacity and need, and how many food outlets are involved. Assessments can be used to collect information about:

- The current food and beverage environment within the facility or organization — including information about what choices are being offered, the type of outlets, and even pricing information
- Existing contracts — what do they say about product options? When do they expire or renew?
- The food and beverage distribution system — what other options might be available, and how to obtain them
- Employee and visitor preferences and perceptions about existing and/or potential product choices, and demand for healthier options

Assessment resources

The [Nutrition Environment Measures Survey-Vending \(NEMS-V\) Tools webpage](#) provides a set of survey instruments that can be used to measure the availability of food choices in a variety of environments.⁵

The Lawrence-Douglas County Health Department in Kansas completed a NEMS-V assessment of the vending machine and discovered there were few healthy options. The Health Department shared its results by creating a game for staff to play by having staff members identify the healthy vending options. This process proved to be a tool for engagement.

The [Center for Science in the Public Interest has a survey tool](#) designed to assess employee attitudes and perceptions that includes both pre- and post-implementation questions.⁶ For more resources, visit <http://cspinet.org/nutritionpolicy/foodstandards.html>.

3. Evidence-Based Nutrition Standards

A key purpose of a food vending or procurement policy is to define a set of nutrition standards for the food and beverages served or sold by the organization or on its property. Ideally, the same or similar standards should be applied across all outlets (e.g., cafeterias, catered meetings, and vending machines), but sometimes, nutrition standards may need to be tailored to fit a specific outlet. For example, it may be easier to create side dishes in a cafeteria with healthier levels of sodium than to find a wide array of low sodium packaged foods for vending machines.

Many groups, including food vendor special interest groups, have put out models and sets of nutrition standards. Some are definitely stronger than others when it comes to promoting healthy food. Good standards are ones that are evidence-based, but also that are attainable.

Considerations for setting nutrition standards:

- What products are currently available? How many already meet the nutrition standards you are considering?
- Are vendors currently utilizing some form of nutrition standards?
- Will all food and beverage options be required to meet the nutrition standards? Or just 75%? 50%? If a percentage is used, the percentage could vary depending on the type of outlet or product.

- What will be the process for updating the standards?
- What will be the process for making sure the standards are being followed, particularly if not all of the products have to meet the nutrition standards?

Examples of evidence-based nutrition standards

A **collaborative team** from the U.S. Department of Health and Human Services and the General Services Administration developed the [Health and Sustainability Guidelines for Federal Concessions and Vending Operations](#), which includes nutrition standards and other guidelines to support healthier, sustainable food service and vending policies. These Guidelines have been implemented by over 20 federal departments.⁸

Healthy Kids Challenge developed a set of [recommended vending and concessions standards](#) for Kansas communities.⁹

The National Alliance for Nutrition & Activity has developed [Model Food and Beverage Vending Machine Standards](#).¹⁰

The American Heart Association has a set of [recommended nutrition standards](#) for workplace food procurement.¹¹



EFFORTS TO SUPPORT THE POLICY

Education

Educating staff and the public about how the food and beverage environment is going to change and why is a process, and can require anywhere from a few weeks to several months. Educational materials can take the form of posters, flyers, table tents, buttons, newsletter stories, blogs, emails, Facebook postings, and other announcements. Educational messages should help staff, customers, and visitors understand that the policy is designed to promote choice by helping to ensure that more healthy options will be accessible.

4. Address the 4Ps: Product, Pricing, Placement, and Promotion

The policy should address the 4 Ps of food marketing — product, pricing, placement, and promotion.

THE 4PS: PRODUCT, PRICING, PLACEMENT, AND PROMOTION	
Concept	Strategy
Product	<ul style="list-style-type: none"> ■ Provide a range of product offerings that meet the nutrition standards so that customers have several products to choose from ■ Reduce access to products that don't meet the standards by reducing or eliminating their availability ■ Offer healthier portion sizes ■ Increase access to drinking water
Pricing	<ul style="list-style-type: none"> ■ Ensure that the products that meet the nutrition standards are affordable ■ Increase the prices for products that don't meet the standards, and/or lower prices of products that do meet the standards ■ Offer discounts and promotions on products that meet the nutrition standards
Placement	<ul style="list-style-type: none"> ■ Put the products that meet the nutrition standards in places that are easy to see and easy to grab — such as checkout lanes, at eye level on shelves and in vending machines, in slots by the selection buttons in machines ■ Re-arrange beverage cooler plan-a-grams to give favorable placement to beverages that meet the nutrition standards
Promotion	<ul style="list-style-type: none"> ■ Use signs, shelf tags, and other educational materials to draw attention to the products that meet the nutritional standards ■ Provide free taste tests and sampling opportunities to build customer awareness and appreciation for new products that meet the nutritional standards ■ Ask or require vendors through the contracts to remove advertisements for products that don't meet the standards, including on vending machine facades, or only allow advertisements for products that meet the standards.

5. Implementation

A vending or procurement policy should include language that explains how it will be implemented, by when, and by whom. For maximum effectiveness, it should be expressly incorporated into vendor contracts, and also into the bidding process (if applicable).

Existing food and beverage contracts can present both challenges and opportunities in transitioning to a new policy. An existing contract could dictate the timeframe for implementing a new policy, depending on when the contract expires and whether the contract allows flexibility to change product specifications. An organization could choose to negotiate with current vendors to phase in healthier options before the contract ends. In recognition of the fact that market demand for healthier food products has been growing significantly, more and more vendors have both the capacity and willingness to work with customers who wish to offer healthier product mixes. If contracts are short-term or ending soon, an organization may decide to wait

to negotiate new contracts incorporating the policy language, or request bids that incorporate the new policy, until the contracts are up for renewal. Just remember that contracts trump internal policies, unless those policies are expressly incorporated into the contracts.

An example of implementation efforts

Riley County, Kansas

The Riley County Fair Board incorporated food standards as part of its [Request for Proposals for the Riley County Fair Food Stand Manager](#). Specifically, the RFP calls for “an assortment of foods and beverages, including healthier food choices with more fruits, vegetables, whole grains, and fat-free/low-fat dairy products, and lower amounts of saturated and trans fats, added sugars, and sodium.”



EFFORTS TO SUPPORT THE POLICY

Transitions

Implementation of a vending policy should factor in adequate time for vendors to transition their products and acclimate customers to the changes. Marketing strategies that encourage people to purchase the healthier options, including pricing, product placement, and promotional materials, should be included in policies and guidelines. Vendors should be supported through communications and outreach activities, such as newsletter items, signs, surveys, and taste-tests, to promote customer buy-in and support.

6. Enforcement

Enforcement can be a nuanced process, which is why a well-drafted policy should also explain how the policy will be enforced, including identifying the specific department or position responsible for enforcing the policy. Again, for maximum effectiveness, enforcement provisions should be expressly incorporated into vendor contracts, and also into the bidding process (if applicable). Enforcement provisions could include record-keeping and reporting requirements for vendors, and requirements that vendor contracts include clauses to address compliance problems. Considerations for the enforcement provisions include:

- What is the organization's expectations for timelines?
- How will the organization work with new and old vendors to implement the policy?

7. Evaluation

Evaluation is an important component of implementing a vending or procurement policy. Organizations should evaluate the policy to track progress toward goals; understand changes in purchasing behaviors and sales; report on successes to upper management, staff, and the community; and recognize the policy's impact.

The evaluation process can be used as a tool for engagement by providing another opportunity to educate staff and the community about the purpose of the policy and the organization's goal of promoting a healthy environment. Concurrently, the evaluation process is strengthened by seeking feedback about the policy's successes, weaknesses, and value. This engagement reiterates the fact that in the development and implementation of this policy organizational leaders have listened to feedback and have been responsive.

Considerations for evaluating the food vending or procurement policy include:

- Are vendors supplying the food and beverage products agreed upon in the contract or request for bid?
- Is the organization following the policy in its food and beverage purchasing decisions?
- How have purchasing patterns changed across or between the various food and beverage outlets?
- Do staff and community members show increased understanding of what is a healthier food or beverage choice?
- Do staff and community members know who to go to with questions about the policy?

Getting started

The first step to enacting a food procurement or vending policy is to brainstorm ideas of what this policy could look like. This document serves as a guide to develop a policy that fits the needs of a workplace and/or community.

Additional Resources

- This fact sheet can be found on the Public Health Law Center’s website at www.publichealthlawcenter.org. The Public Health Law Center also has developed several resources to support efforts to improve the food and beverage environments in worksites, hospitals, parks, government buildings, and other public spaces, including:
 - *Five Steps for Food & Beverage Success*¹²
 - *Healthy Vending and the Randolph–Sheppard Act*¹³
 - *Tips for Better Vending*¹⁴
 - *Healthy Beverage Policies — Key Definitions and Sample Standards*¹⁵
- The Center for Science in Public Interest has several resources on its [Healthier Food Choices for Public Places webpage](#) to support development of food and nutrition guidelines for government, worksites, hospitals, and organizations, including a fact sheet on “How to Choose Nutrition Standards.”¹⁶
- The American Heart Association (AHA) has developed a [Healthy Workplace Food and Beverage Toolkit](#) to help organizations address the food and beverages available to their employees.¹⁷

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Endnotes

- ¹ KATHERINE BISHOP, ERICA FRIEDMAN, MARGO G. WOOTAN, VENDING CONTRADICTIONS: SNACK AND BEVERAGE OPTIONS ON PUBLIC PROPERTY (Center for Science in the Public Interest: Oct. 2014), <http://cspinet.org/vending-contradictions.pdf>.
- ² *Glossary*, “GPO Printing Procurement and Collaborative Contract Administration,” U.S. GOV. PRINTING OFFICE, <https://govprint.access.gpo.gov/procglos.pdf>.
- ³ City of Lawrence, KS, Parks and Recreation, Request for Proposal No. R1328 at 5 (Jan. 2014). Copy on file with the Public Health Law Center.
- ⁴ City of Bloomington, MN, Administrative Policy Statement, Nutrition Policy at 1 (Jan. 2015). Copy on file with the Public Health Law Center.
- ⁵ This webpage can be found at <http://www.nems-v.com/NEMS-VTools.html> (last visited April 13, 2015).
- ⁶ CENTER FOR SCIENCE IN THE PUBLIC INTEREST, HEALTHIER FOOD CHOICES FOR PUBLIC PLACES SURVEY, <http://cspinet.org/images/hfcpp-survey.pdf>.
- ⁷ City of Liberal, Kan., Resolution No. 2201 (Oct. 28, 2014). Copy on file with the Public Health Law Center.
- ⁸ THE HEALTH AND SUSTAINABILITY GUIDELINES FOR FEDERAL CONCESSIONS AND VENDING OPERATIONS (April 2012) and other pertinent information can be found at <http://www.gsa.gov/portal/content/104429>.
- ⁹ HEALTHY KIDS CHALLENGE, NUTRITION STANDARDS FOR KANSAS COMMUNITIES (2014), available at <http://www.publichealthlawcenter.org/sites/default/files/resources/Nutrition%20Standards%20for%20Kansas%20Communities%20%202014.pdf>.
- ¹⁰ NATIONAL ALLIANCE FOR NUTRITION & ACTIVITY, MODEL BEVERAGE AND FOOD VENDING MACHINE STANDARDS, available at <http://cspinet.org/new/pdf/final-model-vending-standards.pdf>.
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- ¹⁴ PUBLIC HEALTH LAW CENTER, TIPS FOR BETTER VENDING (Nov. 2013), <http://bit.ly/1uPneJ0>.
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- ¹⁶ CENTER FOR SCIENCE IN THE PUBLIC INTEREST, HOW TO CHOOSE NUTRITION STANDARDS FOR YOUR STATE/LOCALITY, available at <http://www.cspinet.org/nutritionpolicy/How-to-Choose-Nutrition-Standards.pdf>.
- ¹⁷ AMERICAN HEART ASSOCIATION, HEALTHY WORKPLACE FOOD AND BEVERAGE TOOLKIT, http://www.heart.org/HEARTORG/GettingHealthy/WorkplaceWellness/WorkplaceWellnessResources/Healthy-Workplace-Food-and-Beverage-Toolkit_UCM_465195_Article.jsp (last visited January 23, 2015).