



THE HEALTHY, HUNGER-FREE KIDS ACT OF 2010: FARM TO SCHOOL AND ORGANIC FOODS

April 2011

ON DECEMBER 13, 2010, President Barack Obama signed into law the Healthy, Hunger-Free Kids Act of 2010.¹ The Act strengthens school food nutrition standards, increases access to and funding for school meals, and increases technical assistance to schools. It also strengthens school wellness policies, improves farm to school programs, expands afterschool meals programs for at-risk children, and establishes certification standards for food service personnel. The Public Health Law Center has created a set of fact sheets outlining several key areas of the Act.²

Q What is Farm to School?

A Farm to School is a program that connects schools with local farms to provide healthy meals in school cafeterias using locally produced food. Farm to School programs are different in

each community but their key goals are to improve student nutrition, provide learning opportunities about agriculture, health and nutrition, and support local and regional farmers.

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Q What is the United States Department of Agriculture’s current involvement in Farm to School?

A Currently, the U.S. Department of Agriculture (USDA) promotes Farm to School through a number of initiatives including funding projects for

school gardens, an awareness program called “Know Your Farmer, Know Your Food” and a program that promotes fresh fruit and vegetables in schools.³

Q How does the Act improve Farm to School programs?

A The Act creates a grant program to help schools build or improve their Farm to School programs. The USDA will award \$5 million in grants annually starting October 1, 2012. The grants are for training, supporting operations, planning, purchasing equipment, developing school gardens, and implementing farm to school programs.

Q Who can apply for a grant?

A The USDA will release the details on how to apply for the competitive grants. The USDA may award grants to schools participating in lunch or break-

fast programs, state and local agencies, tribal organizations, agricultural producers and nonprofits.

Q What are the criteria for Farm to School grants?

A The Act instructs the USDA to give priority to schools with Farm to School programs that:

- » Make local food products available on school menus,
- » Serve a high proportion of children eligible for free or reduced price lunches,
- » Incorporate nutrition education curriculum with participation in school garden and farm-based agricultural education activities,
- » Demonstrate collaboration between schools, community-based organizations, agricultural producers, and other community partners,
- » Include evaluation measures, and
- » Demonstrate sustainability of the program.

Q What are the Farm to School grant restrictions?

A Each grant will be for a maximum of \$100,000 and may not provide more than 75 percent of the total cost of a project. Schools must provide matching support in the form of cash or in-kind contributions.

Q How does the Act impact organic foods in schools?

A The Act also creates a grant program for providing organic foods to public schools to improve the nutritional value of school lunches and to reduce the incidence of childhood obesity. The USDA will award up to 10 million dollars in grants between 2011 through 2015. (Sec. 210)

Q Who can apply for an organic foods grant and what are the selection criteria?

A The USDA will award organic food grants to school food authorities. A school food authority is the organization that operates the school meal programs and may be a school district, a group of school districts or an individual school. In selecting recipients, the USDA will consider the number of low income students in the district served by the school food authority. Other criteria include the school authority's commitment to improving the nutri-

tional value of meals and to creating programs that benefit health and wellness of schoolchildren.

Q What are the requirements for use of organic foods grants?

A The school food authority must use the grant to create a program that increases the quantity of organic foods provided to their schoolchildren.

Q How can I monitor what is happening with the USDA's implementation of the law?

A The USDA will release proposed rules, notes and "guidance documents" that describe the agency's thinking on regulatory issues. Following these documents is easy due to an electronic submission system on a federal website called Regulations.gov, which allows people to search, view and comment on rules quickly and efficiently. If the public is allowed to comment on a proposed rule or other guidance document, the agency will give a deadline for submitting a comment. For more information on how to comment, please refer to the Public Health Law Center's fact sheet, *Submitting Comments to the USDA*.⁴



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1 Healthy, Hunger-Free Kids Act of 2010, S. 3307, 111th Cong. (2010), available at <http://www.gpo.gov/fdsys/pkg/BILLS-111s3307enr/pdf/BILLS-111s3307enr.pdf>.

2 The fact sheets can be found at: <http://www.publichealthlawcenter.org/documents/publications/fact-sheets>.

3 U.S. DEP'T OF AGRICULTURE, *Farm to School*, <http://www.fns.usda.gov/cnd/F2S/about.htm#Initiative> (last visited April 29, 2011).

4 See also Tobacco Control Legal Consortium, *Submitting Comments on Tobacco Products to the FDA* (2010), available at <http://www.publichealthlawcenter.org/sites/default/files/resources/tclc-fs-submittingcomments-fda-2010.pdf>; Public Health Law Network, *Rulemaking Process and Steps to Comment*, (Feb. 2, 2011), <http://www.publichealthlawnetwork.org/rulemaking-process-and-steps-to-comment/>.