

School Food Environments – If Not Evidence, Then Ethics?

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The Healthy, Hunger-Free Kids Act of 2010 (P.L.111-296) authorized the United States Department of Agriculture (USDA) to mandate school snack guidelines, with an aim of improving the quality of school food environments. Remarkably, the baseline standards issued by the USDA reflect the evidence-based standards outlined by the Institute of Medicine (IOM) (2007). This mandate marked the first time in over 30 years that the federal government comprehensively addressed items available that fall outside of the school meal program. These items, called competitive foods and beverages, are found typically in vending machines, *à la carte* lines in the cafeteria, and school stores. By July 1, 2014, school districts nationwide were mandated to implement these evidence-based snack standards.

In the midst of this school snacks reform, however, promising advances towards improving school meals are now being stalled. On May 19, 2014, the House Appropriations Committee passed a budget bill allowing waivers to opt out of these new school meal guidelines. The waiver is supported by the School Nutrition Association (SNA), an organization with a strong food service director membership that originally advocated *for* more stringent school meal guidelines (Evich, 2014). Meanwhile, Michelle Obama – who championed the “*Let’s Move!*” initiative – publicly requested support from advocates “fighting” for school meal reform (Obama, 2014). Supporters of the provision argue that the waiver will provide schools with time to handle implementation issues (e.g., loss of revenues and product availability/acceptability), while opponents assert that it is a strategy to weaken the mandate and appease the food industry (CSPI, 2014). Despite a recent national study

supporting the positive reception of new school meal guidelines (Terry-McElrath *et al.*, 2014), politics is jeopardizing school food reform.

Such heightened controversy and the mixing of politics, the food industry, and school food is not new. In 1978, when the USDA attempted to regulate school snacks, the National Soft Drink Association sued and eventually won in 1983, significantly weakening the federal mandate that banned Foods of Minimal Nutritional Value. In the absence of a strong federal law, school snacks have been regulated by a patchwork of state and local district laws (Chriqui *et al.*, 2014). Consequently, studies document that while school food environments have slowly improved over time, highly processed foods and beverages remain abundant (USDA, 2012; CDC, 2013; Johnston *et al.*, 2014).

A growing, and increasingly cogent body of evidence links highly processed, fatty, sugary foods and beverages with chronic disease. Specifically related to school food environments, the research literature also supports the positive impact of junk food restrictions on food environments and student intakes (RWJF, 2012; Chriqui, 2012). Common reasons for discordance between evidence-based research and public policy include poor timing, ambiguous results, lack of relevant data, and challenges with linking randomized findings to specific problems (Brownson *et al.*, 2006). The reasons for poor translation of science into effective policy are myriad; however, knowing what we do now about the link between junk foods, school food environments, and child health elicits an important question for policymakers and stakeholders: what are the ethical implications of failing to act on improving the quality of school food environments?

Inevitably, school food policies evoke ideological debates about public health and government (over)reach (ICF Incorporated, 2013). Scholars have employed a bioethics framework to argue that schools have an ethical obligation to “serve the common good” despite the perceived conflict with “freedom of choice for children, parents, and school staff, or the interests of food and beverage companies” (Crawford et al., 2011).

More recently, Kass *et al.*'s (2014) public health ethics framework focuses on policies with an additional emphasis on the moral duties of governments. It highlights the symbolic relevance of schools as public institutions that serve a specially valued population. In such cases, it is argued that the public holds the institution to higher moral expectations than they would, for example, with their own personal health practices. Thus, it may be extended that society would support more stringent nutrition standards in schools than they would follow at home because of the population served: children.

The crux of Kass *et al.*'s (2014) argument is that school food reform is morally defensible because we are a society that *values children as a special and vulnerable population*. This is demonstrated in laws that restrict children and adolescents from tobacco, alcohol, firearms, and other potentially harmful substances and behaviors. One notable example during a time of limited evidence is Quebec's ban on commercial advertising to children under the age of 13 years old. This policy remains one of the most stringent in the world and was upheld by the Supreme Court of Canada in the case of *Irwin Toy v. Quebec* (1989). Interestingly, the decision was

based upon the recognition that children are vulnerable to advertising, and less so on the nascent body of evidence at that time. Since then, evidence has shown the pervasive nature of food marketing and its adverse impact on children and adolescents (IOM, 2005).

In the school food context, children and adolescents must legally attend schools for a majority of the week and thus are essentially captive in these less than optimal food environments (IOM, 2007). This raises the question of whether school food environments that are abundant in junk foods and marketing truly represent a setting where children can freely make dietary choices, given what we know about the influence of junk food availability on intakes (RWJF, 2012). Is restricting junk foods stripping children from their freedoms? From a market-based perspective, children are typically considered ‘naïve’ consumers who are not capable of making purchasing decisions with the same cognitive capacity of adults. Moreover, if one considers the over 30 million children receiving free or reduced price meals and who may not have access to adequate and/or healthful foods at home (USDA, 2014), the argument for viewing this group as vulnerable is strengthened.

In this time of political strife over school food guidelines, we acknowledge that scientific evidence alone has been insufficient to sustain these federal initiatives to improve the food environment. However, it is now that advocates must employ ethical arguments to remind the public what this “political food fight” should truly be about: protecting the health and well-being of our children and adolescents.

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Kimberly Garza is a doctoral student in the Department of Anthropology within the Anthropology and Global Health Program at the University of Illinois at Chicago. A former chef and food service provider, Kimberly brings her experience with implementing food policy within an educational setting to this work. Kim has a Masters of Arts in Anthropology and a Masters in Public Health, both from the University of Illinois at Chicago. Her dissertation research focuses on the discourse of stress in middle school children and the association with chronic disease.