

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Agriculture Committee

BILL: CS/SB 254

INTRODUCER: Education Pre-K - 12 Committee and Senator Siplin

SUBJECT: School Food Service Programs

DATE: April 6, 2009 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carrouth</u>	<u>Matthews</u>	<u>ED</u>	Fav/CS
2.	<u>Leal</u>	<u>Poole</u>	<u>AG</u>	Favorable
3.	_____	_____	<u>GO</u>	_____
4.	_____	_____	<u>GA</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes
 B. AMENDMENTS..... Technical amendments were recommended
 Amendments were recommended
 Significant amendments were recommended

I. Summary:

The bill creates the Florida Farm Fresh Schools Program within the Department of Education (DOE) and requires the DOE to work with the Department of Agriculture and Consumer Services (DACs) to recommend policies to the State Board of Education which include encouraging schools to purchase fresh foods grown in Florida.

Under the bill, DOE would be required to collaborate with DACs to provide outreach, guidance, and training relating to the benefits of fresh food products from farms within the state. In addition, the bill requires the program to maintain compliance with the rules and regulations of the National School Lunch Program.

This bill substantially amends section 1006.06 of the Florida Statutes.

II. Present Situation:

Schools generally purchase fresh fruits and vegetables from a distributor that may be local or part of a cooperative buying group. There has been a nationwide movement of instituting farm to school programs to supply locally grown fresh fruits and vegetables to schools.

The Fresh Fruit and Vegetable Program

The U.S. Congress recently enacted the Food, Conservation, and Energy Act of 2008 which amended the National School Lunch Act to require the U.S. Secretary of Agriculture to encourage institutions operating Child Nutrition Programs to purchase unprocessed locally-grown and locally-raised agricultural products. This law also authorized the Fresh Fruit and Vegetable Program (FFVP) nationwide.

The FFVP provides all children in participating schools with a variety of free fresh fruits and vegetables, served between meals as a snack. The FFVP's goal is to increase children's fruit and vegetable consumption, expand the variety of fruits and vegetables children experience, create healthier school environments, and make a difference in children's diets to influence their present and future health.

The United States Department of Agriculture (USDA) administers the FFVP at the national level. Within the participating States, the FFVP is administered through the State Departments of Education, except Texas and New Jersey where the FFVP is administered by the State Department of Agriculture. In 2008, Florida received \$1.4 million in federal funding for the FFVP. A total of 36 schools in six school districts met the eligibility criteria and are participating in the 2008-09 program. The school districts currently participating in the program are Indian River, Manatee, Marion, Martin, Orange, and Santa Rosa.

The DOE provides technical assistance, training, and outreach to districts and schools participating in the FFVP to encourage the purchase of locally-grown produce and increase students' consumption of fresh fruits and vegetables. The DOE also produces a variety of brochures and informational materials for schools, districts, parents, students, and the community about the availability and value of fresh Florida produce. A link on the DOE website is maintained to provide information about the availability of fresh Florida produce, the fruit and vegetable needs of schools, and contact information for both schools and growers.

The USDA notified states that effective October 1, 2008, institutions receiving funds through the Child Nutrition Program are allowed to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

Farm to School Programs

Farm to school programs connect schools with local farms with the objectives of serving healthy meals in school cafeterias, improving student nutrition, providing health and nutrition education opportunities, and supporting local small farmers. The USDA has developed a step-by-step resource guide for groups to use in planning and conducting local activities that encourage farm to school initiatives.

Florida's farm to school program was initiated by a group of innovative African-American farmers who formed the New North Florida Cooperative Association in 1995. The goal of the cooperative was to provide marketing services to the participating farmers, and provide training and education in marketing options such as farmers' markets, roadside stands, and selling to local school districts.

The cooperative began by selling farm fresh produce to thirteen schools in Gadsden County, Florida. The cooperative has expanded its operation to encompass fifteen school districts in Florida, Georgia and Alabama with a total enrollment of approximately 300,000 students. The farmers focus on a few products grown on a seasonal basis and sell to schools year round. The items are incorporated into menu planning, generally as a side dish or with fresh fruit for dessert.

Other entities are involved in Florida's farm to school program. The USDA Agricultural Marketing Service, through the USDA Child Feeding Program and the US Department of Defense (DoD), through its National School Lunch Program allows the cooperative to produce and market fresh fruits and vegetables to area school districts. The DoD provides payment flow as part of the DoD Fresh program. Furthermore, the Florida Agriculture and Mechanical University Cooperative Extension Program provide assistance through its Marketing and Small Farm Outreach Program.

III. Effect of Proposed Changes:

This bill creates the Florida Farm Fresh Schools Program within the DOE. The DOE is the lead agency for the administration of the program. This bill requires DOE to work with DACS to recommend policies and rules to the State Board of Education pertaining to school food services which:

- Encourage support of Florida farmers by requiring schools to buy fresh foods grown in the state, when feasible;
- Encourage farmers in the state to sell their products directly to school districts;
- Require schools to make reasonable efforts to select foods based on a preference for those that have maximum nutritional content; and
- Encourage schools to demonstrate a preference for competitively-priced organic food products.

This bill requires that DOE collaborate with DACS to provide outreach, guidance, and training relating to the benefits of fresh food products from farms within the state. In addition, the bill requires the program to maintain compliance with the rules and regulations of the National School Lunch Program.

This bill shall take effect July 1, 2009.

Other Potential Implications:

Under the bill, schools and school districts would be encouraged, but not be required, to select fresh, local, and organic products purchased directly from farmers. There may be some implementation issues that need to be resolved in order for the farm to school program to take place:

- Organic food may not be available in sufficient quantities for school food services.
- Purchasing directly from farmers requires making arrangements for product safety inspections.
- Some produce requires processing which may require additional costs to process and deliver the produce to schools.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Revenues may increase for local farmers and producers who sell more fresh fruits and vegetables to school districts and schools.

C. Government Sector Impact:

The costs associated with requirements in the bill for DOE to collaborate with DACS in order to provide outreach, guidance and training regarding the benefits of fresh Florida food products will be paid from existing resources (federal administrative funds).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Education Pre-K-12 on March 26, 2009:**

The committee substitute:

- Creates the Florida Farm Fresh Schools Program within the Department of Education: and
- Removes the \$25,000 competitive bidding exemption from the bill, as the exemption cap is currently at \$50,000.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
