July 27, 2022

The Honorable Robert C. Scott
Chair
U.S. House Education and Labor Committee
Washington, DC 20515

The Honorable Virginia Foxx
Ranking Member
House Education and Labor Committee
Washington, DC 20515

The Honorable Suzanne Bonamici
Chair
U.S. House Education and Labor Committee
Civil Rights and Human Services Subcommittee
Washington, DC 20515

The Honorable Russ Fulcher
Ranking Member
U.S. House Education and Labor Committee
Civil Rights and Human Services Subcommittee
Washington, DC 20515

Dear Chairs Scott and Bonamici and Ranking Members Foxx and Fulcher,

On behalf of the 15 undersigned organizations and our members and supporters, we applaud the House Committee on Education & Labor's introduction of the Healthy Meals, Healthy Kids Act and **we urge you to pass it expeditiously.**

The Healthy Meals, Healthy Kids Act, the 2022 Child Nutrition Reauthorization (CNR) bill, will reauthorize and update the school meals programs that impact 30 million children. CNR is a critical opportunity to introduce innovative improvements to child nutrition programs. The 2010 CNR, the Healthy, Hunger-Free Kids Act (HHFKA), was called "one of the most important national obesity prevention policy achievements in recent decades" by the Harvard University T.H. Chan School of Public Health[i], updating national nutrition standards for meals, snacks, and beverages to align with the most up-to-date version of the Dietary Guidelines for Americans (then, the 2010 edition); strengthening required policies at the local level (local wellness policies); increasing access to free meals; and improving meal financing and technical assistance. The Healthy Meals, Healthy Kids Act builds on the success of the HHFKA, bolstering the impact of the school meals programs.

In particular, we, the undersigned, enthusiastically support the bill's provision requiring a report from the National Academy of Sciences, Engineering, and Medicine (NASEM) to assess non-nutritive sweeteners, synthetic dyes, and other potentially harmful substances in school meals and for the ability for the USDA to issue subsequent regulations.

The safety of non-nutritive sweeteners (NNS) —sometimes referred to as low-calorie sweeteners (LCS) or high-intensity sweeteners—has been the subject of significant debate. The American Academy of Pediatrics (AAP) concludes that, "the long-term safety of NNS in childhood has not been assessed in humans."[i] In 2018, the American Heart Association (AHA) Scientific Advisory concluded, "it is prudent to advise against prolonged consumption of LCS beverages by children,"[ii] though these sweeteners are not only used in beverage products. Of the many NNS in use today, there are four in particular for which significant safety concerns have been raised; aspartame (NutraSweet® and Equal®), acesulfame-K (Sweet One®), saccharin (Sweet'N Low®), and sucralose (Splenda®) have been linked to cancer.[iii] There is especially compelling evidence that aspartame, a sweetener widely used in diet beverages, is a carcinogen,.[iv] and as such, it is scheduled to be evaluated by the International Agency for Research on Cancer (IARC) next year.[v] A NASEM study will help identify and mitigate the risks posed to children by the low- and no-calorie sweeteners used in foods and beverages served and sold in schools.

In April 2021, a systematic review of the evidence, including 27 human clinical trials as well as animal and in vitro studies, was completed by the California Office of Environmental Health Hazard Assessment (OEHHA), confirming the link between synthetic dyes and adverse neurobehavioral outcomes.[vi] In its final peer-reviewed report, OEHHA stated, "the scientific literature provides evidence in humans and animals, as well as mechanistic information, that synthetic food dyes can cause or exacerbate neurobehavioral problems in some children." This review is more comprehensive than any review to date and raises serious concerns about the safety of school foods formulated with dyes. The NASEM study can help characterize and address the risks posed by dye-containing school foods, specifically, to better protect children from the potentially damaging effects of synthetic dye consumption.

Low-calorie sweeteners and synthetic food dyes are not the only harmful chemicals in foods, and as such, the NASEM study should address other chemicals that may be present in school foods and harm children's health. In particular, NASEM should evaluate whether heavy metal contamination of school meals could pose a threat to children. The U.S. Food and Drug Administration and USDA are currently engaged in a multi-year effort to reduce the levels of toxic heavy metals in foods and beverages consumed by young children. This effort, called the Closer to Zero Action Plan,[vii] led by FDA with the USDA assisting, was initiated as a result of two 2021 congressional reports which found that baby foods sold in the US are sometimes contaminated with heavy metals, like lead, arsenic, cadmium, and mercury,[viii] that cause brain damage and other harm. Young children are especially susceptible to the toxic effects of heavy metals.[ix] Efforts should be made by the USDA to ensure that school foods are not contributing to children's dietary heavy metal exposures, paying particular attention to the foods identified by FDA to contribute most to dietary heavy metal exposures. A 2019 study by FDA reported that grains, fruits and fruit juices, dairy, and mixtures are the food groups that contribute most to dietary lead exposure among children aged 1-6 years old, whereas the primary sources of dietary cadmium exposure were grains, mixtures, and vegetables.[x] FDA testing recently found that vegetables often contain cadmium, with 93 percent of vegetable samples contaminated with detectable cadmium; cadmium was especially high in spinach.[xi] Certain kinds of seafood can be a source of dietary exposure to mercury and arsenic.[xii,xiii] Rice and some foods produced with rice can also contain high levels of arsenic, according to FDA's testing.[xiv] A study by NASEM could help determine the extent to which school foods contribute to children's dietary exposures to these toxic heavy metals.

Passing the Healthy Meals, Healthy Kids Act is a critical step toward ensuring that schools are not serving our children foods containing chemicals that cause harm, such as certain non-nutritive sweeteners, synthetic color additives, and heavy metals.

Thank you for your consideration.

Sincerely,

Academy of Nutrition and Dietetics

American Public Health Association

Balanced

Center for Science in the Public Interest

DC Greens

Environmental Working Group

First Focus Campaign for Children

Healthy School Food Maryland

Healthy Schools Campaign

Kentucky Youth Advocates

Laurie M. Tisch Center for Food, Education & Policy

Mamavation

Real Food for Kids

Society of Behavioral Medicine

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