

THE U.S. DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION SERVICE

Request for Information: Grain-Based 89 FR 104965
Desserts and High-Protein Yogurt
Crediting in Child Nutrition Programs

COMMENTS OF THE
CENTER FOR SCIENCE IN THE PUBLIC INTEREST

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The Center for Science in the Public Interest (CSPI) submits these comments in response to the U.S. Department of Agriculture's (USDA) Request for Information: Grain-Based Desserts and High-Protein Yogurt Crediting in Child Nutrition Programs. CSPI has worked since 1971 to improve the public's health through better nutrition and safer food. We are an independent, non-profit consumer education and advocacy organization and a longstanding advocate for healthier school foods. We convene the National Alliance for Nutrition and Activity, the nation's largest nutrition advocacy coalition, which successfully advocated for updating the science-based nutrition standards following the passage of the 2010 Healthy, Hunger-Free Kids Act. CSPI appreciates the USDA's commitment to supporting school food authorities (SFAs) in aligning meals served with the Dietary Guidelines for Americans (DGA).

The School Breakfast Program (SBP) and National School Lunch Program (NSLP) administered by the USDA are cornerstone federal nutrition assistance programs. School meals contribute up to half of children's daily calories and are one of the healthiest sources of foods for school-age children^{1,2}.

CSPI strongly supports the 2024 rule, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans*³ which, for the first time, established added sugars limits for school meals programs using a two-step approach, implementing product-based limits for certain foods followed by a limit on the overall percentage of calories from added sugars. Among children, intake of added sugars has been associated with increased adiposity, dental decay, and an increase in risk factors for cardiovascular disease.^{4,5} Since 2015, the DGA have recommended limiting added sugars to less than 10 percent of total daily caloric intake,^{6,7} yet children and adults of all ages exceed this daily limit. The two-step approach to reducing added sugars, when fully implemented, will align school meals with the quantitative added sugar

¹ Liu J, Micha R, Li Y, Mozaffarian D. Trends in Food Sources and Diet Quality Among US Children and Adults, 2003-2018. *JAMA Netw Open*. 2021;4(4):e215262.

² Centers for Disease Control and Prevention. *School Nutrition*. July 22, 2024. <https://www.cdc.gov/school-nutrition/about/index.html>. Accessed March 13, 2025.

³ 89 FR 31962

⁴ Vos MB, et al. Added Sugars and Cardiovascular Disease Risk in Children: A Scientific Statement From the American Heart Association. *Circulation*. 2017 May 9; 135(19):e1017-e1034.

⁵ Moynihan PJ, Kelly SA. Effect on caries of restricting sugars intake: systematic review to inform WHO guidelines. *J Dent Res*. 2014 Jan;93(1):8-18.

⁶ U.S. Department of Health and Human Services and U.S. Department of Agriculture. *2015 – 2020 Dietary Guidelines for Americans*. 8th Edition. December 2015. Available at https://odphp.health.gov/sites/default/files/2019-09/2015-2020_Dietary_Guidelines.pdf. Accessed March 23, 2025.

⁷ U.S. Department of Agriculture & U.S. Department of Health and Human Services. *Dietary Guidelines for Americans, 2020-2025*. December 2020. https://www.dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf. Accessed March 23, 2025.

intake recommendations of the 2020-2025 DGA while providing targets for industry to reformulate, ensuring product availability to help SFAs provide balanced meals.

CSPI thanks the USDA for seeking additional information on grain-based desserts and high-protein yogurts and has responded to the select questions in this Request for Information.

In summary, CSPI recommends the USDA to maintain the two-step approach to limiting added sugars within the 2024 rule; rename the grain-based dessert category “sweetened grains,” including all products in Grain Requirements for Child Nutrition Programs Groups C-F; apply a “high in added sugars” limit, consistent with <20% daily value (DV) added sugars; and work with SFAs to identify barriers to serving low in added sugars yogurt and adjust crediting accordingly.

These recommendations are in response to the following select questions:

Grain-Based Desserts

- Is the current NSLP policy that permits up to two-ounce equivalents of grain-based desserts per week effective at reducing added sugars in school lunches?
- The weekly added sugars limit for NSLP will be implemented by July 1, 2027. Will the current grain-based dessert limit for NSLP lunch still be helpful for menu planning purposes, once the weekly added sugars limit is implemented?
- Should FNS adjust its current grain-based desserts policies, such as changing which grain products are categorized as grain-based desserts?
- If FNS were to establish limits for “grains high in added sugars,” how should the limits be established?
- Should FNS adopt FDA's definition for “high” for nutrient content claims used on food labels to define “grains high in added sugars”? What are the benefits or limitations of this approach?
- What additional resources from FNS could help Program operators reduce added sugars in CNP menus, including breakfast? Resources could include marketing ideas/materials, menu planners, online trainings and courses, and others.

High-Protein Yogurt

- Should FNS create a separate crediting standard for high-protein yogurt that is different than the crediting standard for regular yogurt? Why or why not?

Detailed comments are provided below.

Grain-Based Desserts

The School Nutrition and Meal Cost Study (SNMCS) is the sole nationally representative study of the school meal environment published by the USDA following the phasing in of updated

nutrition standards.⁸ SNMCS data was collected in School Year 2014-2015; a 6th grader consuming the school meals represented in this study would now be approximately 21 years old. Analysis of the effectiveness of the current NSLP policy is therefore hampered by the lack of up-to-date information on nutritional quality of school meals. To adequately assess the nutritional quality of school meals and the efficacy of the nutrition standards, it is imperative that the USDA continue to collect and promptly publish data on school meals (i.e., SNMCS II).

Using the most recent nationally representative information available, it appears that the current NSLP policy, which allows up to two-ounce equivalents of grain-based desserts per week, has limited effectiveness at reducing added sugars in school lunches.⁹

Two recent studies using data from the SNMCS assessed the availability and consumption of added sugars during the school day.^{10,11} These studies found that 92 percent of school breakfasts prepared contained 10 percent or more of calories from added sugars, as did 69 percent of lunches.

Additionally, both studies found that, in the aggregate, the main source of added sugars in both school breakfasts and school lunches was flavored fat-free milk. Flavored fat-free milk contributed 29 percent of the added sugars in school breakfasts and almost half (47 percent) of the added sugars in school lunches.¹² Fox and colleagues conducted 24-hour dietary recall interviews with 2,165 students and found that over 24 hours on a school day, 63 percent of children exceeded the DGA recommended limit for added sugars.¹³

It is challenging to decipher whether the 2 oz equivalent limit at lunch is limiting added sugars, or if this is a result of more sweet products being traditionally considered “breakfast foods”. For instance, “Muffins and sweet/quick breads”, “Granola bars and breakfast bars” (all classified as grain-based desserts) are among the top ten sources of added sugars in school breakfast, but not at lunch.¹⁴ This is also true for “Toaster pastries”, “Pancakes waffles, and French toast”, and “Cinnamon buns,” but they are not classified as grain-based desserts.

CSPI defers to operators with respect to whether the current grain-based dessert limit for NSLP lunch remains helpful for menu planning. From a nutritional quality perspective, the weekly added sugars limit, not the grain content, is key to maintaining alignment with the DGA. Further,

⁸ U.S. Department of Agriculture. *School Nutrition and Meal Cost Study: Summary of Findings*. 2019. https://fns-prod.azureedge.us/sites/default/files/resource-files/SNMCS_Summary-Findings.pdf. Accessed March 17, 2025.

⁹ U.S. Department of Agriculture. National School Lunch Program Meal Pattern. Updated December 04, 2024. <https://www.fns.usda.gov/nslp/national-school-lunch-program-meal-pattern-chart>. Accessed on March 26, 2025.

¹⁰ Added Sugars in School Meals and Competitive Foods: A Report to Congress. U.S. Department of Agriculture, Food and Nutrition Service. 2022.

¹¹ Fox MK, Gearan EC, Schwartz C. Added Sugars in School Meals and the Diets of School-Age Children. *Nutrients*. 2021;13(2). Epub 20210130.

¹² Fox MK, Gearan EC, Schwartz C. 2021.

¹³ Fox MK, Gearan EC, Schwartz C. 2021.

¹⁴ Fox MK, Gearan EC, Schwartz C. 2021.

product-specific limits help provide targets for industry reformulation to ensure sufficient product availability.

Revisions to Grain-Based Dessert Categorization

CSPI recommends renaming the grain-based dessert category “sweetened grains,” including all products in Exhibit A: Grain Requirements for Child Nutrition Programs Groups C-F,¹⁵ and establishing an added sugar limit for the entire category (more details below).

The name “grain-based dessert” is not consistent with current cultural understanding of what a “dessert” is and is also at odds with the practical implications of categorizing breakfast and lunch items in school meals. Further, it is inconsistent to limit SFAs to serving 2 oz equivalent of granola bars but not limit other items with similar added sugars contents. In CSPI’s 2021 School Meals Report Card, the median added sugars content of both Granola bars and breakfast bars (grain-based desserts) and Cold cereal (subject to product-specific added sugars limit of no more than 6 grams per dry ounce starting July 1, 2025) was 9 grams. Starting July 1, 2027, maximum added sugars allowance at lunch, based on actual calories offered, will be 16 grams (grades K-5), 17.5 grams (grades 6-8), and 21 grams (grades 9-12).

Meanwhile, other items not classified as grain-based desserts (e.g., Muffins and sweet/quick breads, Pancakes, waffles, and French toast) are among the top sources of added sugars at school breakfast, and have no serving limits, nor product-specific limits to guide industry reformulation.¹⁶ Our 2021 report found muffins and mini pancakes with as much as 14 grams of added sugars per serving).¹⁷

Input on Grains High in Added Sugars

CSPI recommends requiring all “sweetened grains” meet a product-specific limit, equivalent to FDA’s definition for “high” for nutrient content claims used on food labels.¹⁸ As noted in the RFI, this would equate to containing 10 or more grams of added sugars per reference amounts customarily consumed (RACC) for adults and children ages four and older.

¹⁵ US Department of Agriculture. USDA Food Buying Guide for Child Nutrition Programs: Grains. September 2024. https://foodbuyingguide.fns.usda.gov/Content/TablesFBG/USDA_FBG_Section4_Grains.pdf. Accessed March 23, 2025.

¹⁶ Fox MK, Gearan EC, Schwartz C. 2021.

¹⁷ Schwartz C, Maroney M. 2021 School Meals Corporate Report Card. November 2021. <https://www.cspinet.org/resource/school-meals-corporate-report-card-2021>. Accessed March, 17, 2025.

¹⁸ U.S. Food & Drug Administration. The Lows and Highs of Percent Daily Value on the Nutrition Facts Label. March 5, 2024. <https://www.fda.gov/food/nutrition-facts-label/low-and-high-percent-daily-value-nutrition-facts-label>. Accessed March 17, 2025.

A product-based limit for the category provides a target for industry reformulation while providing flexibility to still serve popular breakfast items like toaster pastries, breakfast bars, and granola bars, which are especially popular in grab-and-go and breakfast in the classroom. This provides a more targeted approach to reducing the added sugar content of all products within the category, whereas a weekly limit on the number of ounce equivalents served or the number of times products can be served does not account for the differences in added sugars content between products in a category. Weekly limits treat all products equally when there are vast differences in the nutritional quality of, and amount of added sugars within, grain-based desserts served at breakfast.

CSPI's reports demonstrate that products have already been made available to the K-12 market that meet these requirements. For instance, in our analysis of the 2021 sample of school meal products we found doughnuts with as little as 2 grams of added sugar, cinnamon rolls with 3 grams, French toast and sticks with 5 grams, waffles and pancakes with 5 grams, and granola and breakfast bars with 4 grams.¹⁹ Additionally, in our 2023 analysis of Smart Snacks sold to schools nationally, we identified 89 cereals, bars, and breakfast items, with a median added sugar content of 8 grams.²⁰ Cookies and baked sweets similarly had a median added sugar content of 8 grams.

Strategies To Reduce Added Sugars at School Breakfast

CSPI appreciates the USDA's recent updates to its training guide, "Reducing Added Sugars at School Breakfast" to reflect the 2024 rule.²¹ These best practices combined with the USDA's per-product standards will help schools limit added sugars to within science-based limits.

We encourage the USDA to actively engage the food industry in innovative solutions to reducing added sugars while avoiding potentially harmful substitutions like artificial sweeteners. Industry engagement is critical to SFAs' ability to reduce added sugars at breakfast. The role of industry is even more critical for SFAs without the resources, infrastructure, or technical skills to scratch cook.

Lastly, we strongly encourage the USDA to maintain and extend the Healthy Meals Incentives Initiative, which seeks to "improve the nutritional quality of school meals through food systems transformation, school food authority (SFA) recognition and technical assistance, the generation and sharing of innovative ideas and tested practices, and grants."²² Consistent commitment from

¹⁹ Schwartz C, Maroney M, 2021.

²⁰ Hahn S, Dimond E, Hill A, Maroney M. Smart Snacks: Graded. 2023 Competitive Foods in School Report. 2023. <https://www.cspinet.org/resource/smart-snacks-graded>. Accessed March 17, 2025.

²¹ U.S. Department of Agriculture. Best Practices for Reducing Added Sugars at School Breakfast. March 2025. <https://www.fns.usda.gov/tn/sbp/reducing-added-sugars>. Accessed March 19, 2025.

²² USDA Food and Nutrition Service. *Healthy Meals Incentives for Schools*. October 2024. <https://www.fns.usda.gov/schoolmeals/hmi>. Accessed March, 17, 2025.

the USDA on the importance of healthy school meals and food system transformation throughout Administration changes is critical to long-term food system change.

High-Protein Yogurt

CSPI encourages the USDA to consider the feedback of SFAs regarding their challenges and barriers to providing high-protein and plant-based yogurts (that are low in added sugars), and, if appropriate, update crediting guidance accordingly to facilitate serving a variety of yogurt products. High-protein yogurt, regular yogurt, and plant-based yogurts can all have a place in a healthy diet and meet children's unique taste preferences and dietary needs.