



May 10, 2023

**Tina Namian
Director, School Meals Policy Division
4th floor, Food and Nutrition Service
1320 Braddock Place, Alexandria, VA 22314**

Re: SNI Global comments Docket No. FNS-2022-0043 Child Nutrition Programs: Revisions to meal patterns consistent with the Dietary Guidelines for Americans, 2020-2025

Dear Ms. Namian,

Soy Nutrition Institute Global (SNI Global) thanks the U.S. Department of Agriculture (USDA) for its proposed revisions to meal patterns for USDA's child nutrition programs. SNI Global is the leading voice representing soy industry producers, suppliers, and users up and down the soy value chain involved with soybeans or soy ingredients intended for human use. SNI Global is supportive of USDA's proposed changes to the school nutrition standards that are based on the latest nutrition science, are durable and built to last, and will result in meals children will enjoy.

Our members sell a variety of nutritious soy-based foods and beverages to the school meals program, which help meet children's dietary needs and preferences. These include soyfoods and beverages such as cereal, soy-based yogurt, soymilk, plant-based meat alternatives, and tofu. These products serve an important role in enabling nutrition operators to create menus that can help children shift towards a more plant-inclusive diet. SNI Global appreciates that USDA recognizes the important role of soy, and we are supportive of the proposal to change the term "meat/meat alternates" to "protein sources" to better reflect the variety of plant-based foods in this category.

To build upon agency efforts to improve the quality of school meals and further support the inclusion of nutritious soy-based products in school meals, SNI Global asks that USDA:

- Make soymilk and soy yogurt easier to access in school meals.
- Support total sugar for flavored soymilk and soy yogurts versus added sugar limits.
- Consider how the weekly sodium targets and current product crediting will impact plant-based meat alternatives.

Easier access to soymilk in school meals will improve nutrition security

Fortified soymilk and soy yogurt are a good source of protein and a good to excellent source of a variety of vitamins and minerals and has been deemed as "nutritionally equivalent" to cow's milk in the U.S. Dietary Guidelines for Americans, 2020-2025. However, as USDA noted, there are numerous barriers that exist in schools which limit access to soymilk and soy yogurt for students that are outlined in the current statutory requirements, including:

- The substitutions must be requested in writing by a medical authority or the student's parent or legal guardian ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(ii\)](#)).
- When providing fluid milk substitution, schools must cover costs in excess of program reimbursements ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(iii\)](#))



The first requirement that the substitution be requested in writing by a medical authority or the student's parents is burdensome. Sub-populations of children cannot consume, or have difficulty consuming cow's milk, either due to religious or health reasons. Lactose intolerance is particularly high among large numbers of minority children.¹ For example, according to the National Institutes of Health, in the United States, African Americans, American Indians, Asian Americans, and Hispanics/Latinos are more likely to have lactose malabsorption, and "lactose intolerance is least common among people who are from, or whose families are from Europe."² SNI Global recognizes that USDA does not have the authority to change these statutory requirements, but our members stand ready to support USDA to advocate for the removal of this specific requirement to ensure the foods and beverages in school meals serve all children.

Further, regarding the reimbursement of soymilk in school meals, schools currently interested in offering soymilk may be disincentivized to do so because they are only reimbursed by the USDA at the rate for cow's milk. Given the higher cost of soymilk and the current reimbursement amounts for schools, this can pose an economic burden. Because there are an increasing number of children who, for a variety of reasons, do not drink cow's milk, SNI Global supports USDA reimbursing schools at a level more commensurate with the higher cost of soymilk.

USDA should consider a total sugar limit for fortified soymilk and soy yogurt

As the Department considers product-based and weekly added sugar limits for flavored cow's milk and yogurt, SNI Global requests that USDA use a total sugar limit for soymilk and soy yogurt instead of added sugar limits.

In line with the Dietary Guidelines for Americans, SNI Global urges USDA to consider added sugar reduction in the context of the entire diet. The Dietary Guidelines look at the total diet and do not suggest a specific limit for individual foods. Like USDA's sodium reduction approach, the Department should consider implementing weekly sugar limits rather than targets on individual foods. By implementing the proposed 10% added sugar limit across the week, USDA will reduce added sugar in the program while maintaining options for nutrient-dense products and incentivizing lower sugar options. Importantly, regardless of the USDA's approach, **we urge the Department to consider total sugar limits for soymilk and soy yogurt instead of added sugar limits.**

Soymilk and soy yogurts are designed to be nutritionally comparable to unsweetened low-fat or skim milk products. Cow's milk contains 10-12 grams of lactose per 8/oz, that while not considered added sugar by the Food and Drug Administration's definition, contributes significantly to the sweetness of the product. On the other hand, soymilk and soy yogurt are made from ground soybeans that are strained to produce a protein-rich fluid with low levels of inherent sugars. To improve taste and texture, and achieve consumer acceptance, it is necessary for manufacturers to add a certain amount of sugar (sucrose) to the product. Most sweetened soymilks contain 5-8 grams of added sucrose and contain 6-8 grams of total sugar per 240ml.³ As sucrose is 2.5 sweetener than lactose,⁴ 5 g of added sucrose is equivalent to the 12 g of naturally occurring lactose that occurs in a 250 mL serving of cow's milk⁵.

By proposing to apply added sugar limits to soy products instead of those for total sugar, USDA arbitrarily limits options for students within the school meals program. Chocolate cow's milk and chocolate soymilk are largely equivalent in terms of total sugar levels (approx. 20 grams/8oz).



However, while these products have relatively the same total sugar levels, the chocolate soymilk would exceed the USDA's proposed 10-gram added sugar limits and be excluded from the program.

- Chocolate cow's milk contains 10 grams of added sugar and contains 10-12 grams of lactose.
- Chocolate soymilk contains 20 grams of added sugar because it does not contain lactose.

To address this concern, SNI Global urges USDA to utilize a threshold of 22 grams of total sugar/8 oz for chocolate soymilk to match the total sugar expectation of flavored cow's milk.

As SNI has noted above, soymilk plays an important role for children that are not able or elect not to consume fluid cow's milk. Utilizing total sugar requirements for soymilk and soy yogurt products would be a more appropriate threshold to help reduce overall sugar consumption while not limiting product options.

Sodium reduction targets and current product crediting will limit plant-based protein options

SNI Global supports USDA's efforts to reduce sodium in school meals, and our members are working to implement FDA's 2021 targets for short-term (2.5-year) voluntary sodium reduction that sets targets for processed, packaged, and prepared foods with the goal of a 12% reduction in sodium by 2024. Our members sell innovative plant protein-based products and meat alternatives into the school meal program that provide sources of protein for students with a wide range of needs, whether they select these foods for dietary, ethical or cultural reasons.

The Dietary Guidelines for Americans recommend an increased intake of plant-based foods, diversification of proteins, and increased fiber intake. While plant-based products may uniquely provide a source of both protein and vegetables, soy-based foods such as veggie crumbles, bean patties, and plant-based nuggets, burger, and sausage patties often have higher levels of sodium for palatability and to maintain shelf-life.

However, if the sodium targets USDA is proposing for SY2027 and SY2029 remain, none of these products will be able to be served under the targets without reformulation that would have a negative impact on taste and food quality, which could result in increased tray waste and limited food choices. Therefore, SNI Global asks that USDA re-evaluate the lowest proposed sodium reduction targets (SY2026-2027).

With adequate time the food industry can strengthen nutrition requirements while providing options students will enjoy

Manufacturers and schools need a practical and reasonable timeline to comply with meal pattern updates. To allow the necessary time for food innovation and account for the school meal bid process, SNI Global asks that any proposed changes to the school meal pattern requirements, especially for sodium, include a three-year lead time.

Manufacturers and schools are still working to implement the transitional sodium standards to be ready for the upcoming school year because they need time to find feasible solutions to accommodate all potential changes in food quality and safety when reducing functional ingredients like sodium. It takes, on average, three years for manufacturers to innovate and reformulate foods and participate in the school bidding process. With the current bidding process in schools, manufacturers must confirm the specifications of products (or the exact formula) at least 12 months in advance of when the items are sold in schools.



The proposed implementation timeframes do not provide nearly enough time to reformulate while ensuring product quality, safety, and student acceptance. The small amount of time allotted for reformulation could have the unintended consequence of increased tray waste, and a decline in meal participation. We believe that providing a three-year lead time will allow USDA, school meal operators, and manufacturers to work together to strengthen school nutrition requirements while providing options students will enjoy.

In addition, a simpler crediting process will increase School Food Authorities (SFA) access to plant-based meat alternatives. There is an increased demand for plant protein-based options in school meals; yet it is challenging for plant-based protein products to be offered through the programs. Some of this is rooted in supply chain disruptions. In fact, USDA's 2022 SFA Survey on Supply Chain Disruptions found that meat alternative products have been particularly challenging for SFAs to source during the COVID-19 pandemic.⁶ The other reason our members cannot meet the school demand for meat alternatives is because of complex product crediting. Simplifying the crediting process would increase SFAs' access to plant-based options in school meals.

We recommend simplifying the crediting process by determining whether the food meets the definition of a good (to achieve 1MA status) or an excellent source of protein (to achieve 2MA status). This method is simpler than using the Alternate Protein Product (APP) calculation which is redundant to the work manufacturers do to meet FDA criteria for labeling protein content in foods.

Overall, our members appreciate the opportunity to provide comments on USDA's proposed rule. Soyfoods and beverages in the school meal programs play an important role in ensuring school meal service operators can prepare protein-rich plant-based meal options that account for dietary preferences to meet all children where they are. We look forward to working with the department to further align the school meal standards with the current and future Dietary Guidelines for Americans. Should you have any questions, please contact me.

Respectfully,

Julie Ohmen
Chief Executive Officer
SNI Global

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Soy Nutrition Institute Global