

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: HB 386

49th Legislature, 1st Session, 2009

Short Title: NM-Grown Fruits & Vegetables in School Lunch

Sponsor(s): Representative Rhonda S. King and Others

Analyst: James Ball

Date: February 5, 2009

Bill Summary:

HB 386 makes an appropriation to the New Mexico Department of Agriculture (NMDA) at the New Mexico State University (NMSU) to purchase New Mexico-grown fresh fruits and vegetables, when available, and to administer a program ensuring that this produce is delivered to school meal programs statewide.

Fiscal Impact:

\$3.3 million is appropriated from the General Fund to the Board of Regents at NMSU for NMDA for FY 10 and subsequent fiscal years.

Any unexpended or unencumbered funds do not revert to the General Fund.

Fiscal Issues:

According to the Legislative Finance Committee (LFC) Fiscal Impact Report, the LFC has concerns about the growth of research and public service projects within the higher education budget, as well as the alignment of these projects with state goals and strategic plans. The committee also continues to have significant concerns about accountability and performance outcomes for such projects.

In its analysis of HB 386 the Higher Education Department (HED) says that in 2007 the initiative to provide fresh fruits and vegetables in public schools began with a recurring legislative appropriation of \$85,000 to 12 Albuquerque schools serving 6,000 students in the North Valley area, although most of the funds were used to purchase fruits and vegetables from outside of New Mexico.

Issues:

According to NMDA:

- a business plan is not currently available to determine total usage and demand by the schools, purchasing criteria, availability of specific fruits and vegetables, or identification of suppliers, packaging, and distribution channels. As the program has grown, however, distribution systems are being developed to transport locally grown products to schools;
- more than 218,000 New Mexico school children are eligible for free or reduced-fee school lunches;

- New Mexico school food service directors have on average one dollar per child per school lunch that must meet US Department of Agriculture school nutrition standards to provide five food options, including milk. Food service directors report that this level of funding is inadequate to purchase fresh fruits and vegetables; and
- a study published in the journal of the American dietetic association in 2007 indicated the price of fresh fruits and vegetables has increased about 20 percent in just two years. HB 386 would provide 25 cents toward an additional serving of fresh fruits and vegetables per child statewide at least twice per week.

Background:

According to NMDA:

- New Mexico growers and shippers of fresh fruits and vegetables began supplying produce to one school district in 2001. They now supply eight school districts with sales in 2008 of approximately \$350,000.
- New Mexico producers are selling melons, apples, potatoes, tomatoes, carrots, peaches, pears, and salad greens seasonally. While some producers are able to sell products only from June to October, NMDA has seen a growth in sales into March and beyond due to improved storage and season extension techniques being utilized to meet school market demand.
- Most public and private schools in New Mexico require or will require good agricultural practices (GAP) certification for suppliers of fruits, vegetables, and food products. NMDA and NMSU offer GAP certification training to producers in the state.
- A 2007 study done by the NMDA, “Farm to Table” (a New Mexico nonprofit entity) and the Congressional Hunger Center surveyed 682 New Mexico farmers. Sixty-four percent of farmers who returned the survey indicated they would be interested in selling to local schools and institutions. Surveys also were sent to 175 food service directors in the state representing most of New Mexico’s public, private, charter, and Bureau of Indian Education schools. Fifty of the 60 respondents indicated that they would purchase from New Mexico farmers.

Finally, the Department of Health states that increased fresh fruit and vegetable intake is one of the key strategies that the department uses through its “Fruits & Veggies – More Matters” program to prevent chronic diseases such as coronary heart disease, some cancers, obesity, and osteoporosis. Therefore, serving more fresh fruits and vegetables to school-aged children is highly desirable.

Related Bills:

HB 171 *NM-Grown Produce for School Meals*
 SB 107 *Fresh Fruits & Vegetables in School Lunches*