

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 Education Pre-K - 12 Committee

BILL: CS/SB 254

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

SUBJECT: School Food Service Programs

DATE: March 26, 2009 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carrouth	Matthews	ED	Fav/CS
2.	_____	_____	AG	_____
3.	_____	_____	GO	_____
4.	_____	_____	GA	_____
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). The department must work with the Department of Agriculture and Consumer Services (ACS) to:

- Encourage patronization 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.

Under the bill, DOE would be required to provide outreach, guidance, and training relating to the benefits of fresh food products from farms within the state.

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.

The recently enacted Food, Conservation, and Energy Act of 2008 (Public Law 110-246) amended the National School Lunch Act (NSLA) to require the Secretary of Agriculture to encourage institutions operating Child Nutrition Programs to purchase unprocessed locally-grown and locally-raised agricultural products. This law authorized the Fresh Fruit and Vegetable Program (FFVP) nationwide.

In 2008, Florida received \$1.4 million in federal funding for the Fresh Fruit and Vegetable Program (FFVP). A total of 36 schools in six school districts met the eligibility criteria and are participating in the 2008-09 program.¹ The program provides all children in participating schools with a variety of free fresh fruits and vegetables, served between meals as a snack. The program'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.²

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.³

The United States Department of Agriculture (USDA) notified states that effective October 1, 2008, institutions receiving funds through the Child Nutrition Program (CNP) are allowed to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.⁴

III. Effect of Proposed Changes:

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 purchase to take place:

¹ The school districts currently participating in the program are Indian River, Manatee, Marion, Martin, Orange, and Santa Rosa.

² Department of Education, bill analysis, December 29, 2008.

³ *Id.*

⁴ Department of Agriculture and Consumer Services, bill analysis, December 15, 2008

- Organic food may not be available in sufficient quantities for school food services.
- Purchasing directly from farmers requires making arrangements for product safety inspections. Transportation would be necessary to move food from farmers to schools.
- Produce requiring processing would need to be transported to a processing plant, and additional costs may be incurred to process and deliver the produce to schools.

Farm to school programs can produce new markets for local producers. Options may include one farm supplying regional schools; farmers' cooperatives working with school food cooperatives; schools pre-ordering produce at regional markets; or schools ordering from a traditional wholesaler.

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:

None.

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.