

Legislative Analysis



FARM-TO-SCHOOL PROCUREMENT ACT

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House Bill 6368 without amendment

Sponsor: Rep. Jeff Mayes

Committee: Agriculture

First Analysis (9-16-08)

BRIEF SUMMARY: The bill would create the "Farm-to-School Procurement Act" to promote the purchase of local farm products by schools. The act would be implemented by the Departments of Education and Agriculture under a memorandum of understanding.

FISCAL IMPACT: A fiscal analysis is in process.

THE APPARENT PROBLEM:

Until recently, federal school lunch procurement policies discouraged schools from purchasing local food for school lunches and many schools have gotten away from scratch cooking and rely primarily on heat and serve meals, such as frozen chicken nuggets and frozen pizza.

Currently, however, many initiatives exist on the federal, state, and local levels to promote serving more fresh and local food in schools, often referred to as "farm-to-school" programs. The potential benefits of serving more fresh and local foods in schools include having fresher, more nutritious food in schools thereby improving children's health; farmland preservation; using less fuel for transporting food long distances; as well as providing economic benefits to local farmers. Purchasing food locally would funnel school food dollars back into local economies.

Many states have already enacted legislation to support and promote farm-to-school initiatives and successful programs already exist in Traverse City, Springport, and other parts of Michigan. A 2004 survey conducted by the C.S. Mott Group for Sustainable Food Systems at Michigan State University and the Michigan Department of Education identified significant interest among Michigan schools in purchasing Michigan-grown products; 73 percent of 383 survey respondents reported interest in acquiring food from local producers.

This bill would add Michigan to the list of states with legislation fostering "farm-to-school" programs and would encourage additional school districts to adopt these programs.

THE CONTENT OF THE BILL:

The bill would create the "Farm-to-School Procurement Act" to promote the purchase of local farm products by school food products. The act would be implemented by the

Departments of Education and Agriculture under a memorandum of understanding. The departments could accept funds from any federal, state, or private source for this purpose.

Department of Education's duties. The Department of Education would have to do the following:

- Research procurement methods and tools (such as staying under the small purchase threshold or using multiple or line-item awards within larger food contracts) that school food authorities could use to purchase local farm products while abiding by federal regulations.
- Educate food service directors about appropriate procurement methods and promote using such methods to implement farm-to-school initiatives.
- Train food service staff on how to acquire local and fresh foods.
- Encourage school food directors to take bids from local farmers, processors, and suppliers for farm product purchases falling under the small purchase threshold.
- Encourage all new school construction projects to consider including kitchen facilities for producing fresh and healthy school meals and providing opportunities for hands-on learning.

Department of Agriculture's duties. The Department of Agriculture would have to do the following:

- "House a point person" to coordinate efforts among the Departments of Education, Agriculture, and Community Health. This coordinator would be responsible for (1) identifying local farmers, processors, and suppliers; (2) working with the Department of Education to make that information available to school food service directors; and (3) creating and disseminating information to farmers, processors, and suppliers about the school procurement process.
- Promote job creation through farm-to-school initiatives.
- In cooperation with commodity groups and growers' associations, adopt a voluntary web-based directory of farmers searchable by location (or use an existing web-based tool), and keep the directory updated and usable.
- Investigate opportunities for farmers to supply their products to commercial distributors.

BACKGROUND INFORMATION:

According to the National Farm to School Program website, the U.S. Secretary of Agriculture has been required since 2002 to encourage schools to purchase from local farmers. However, until recently, schools could purchase from local producers, but were not allowed to specify a "local," or a geographic preference, in their bid. For example, the bid language could not specify "apples grown in Michigan." However, language in the 2008 Farm Bill, effective October 1, 2008, now allows schools to specify preference for the procurement of unprocessed agricultural products, both locally grown and locally raised. The 2008 Farm Bill also requires the Secretary to encourage schools to purchase unprocessed agricultural products "to the maximum extent practicable and appropriate."

The Farm Bill language also allows states to pass legislation encouraging, but not mandating, the purchase of local products. For more information, see:

National Farm to School Program Fact Sheet, "*Bid Local--Local Farm Products Allowed in School Bids*": http://www.farmtoschool.org/files/publications_179.pdf.

USDA Memorandum, July 9, 2008, entitled, "*Applying Geographic Preferences in Procurements for the Child Nutrition Program*."
http://www.farmtoschool.org/files/publications_178.pdf.

Related bills, House Bill 6365 and 6366, would raise Michigan's small purchase threshold to the federal level of \$100,000, making it easier for schools to purchase locally-grown food for meal programs.

ARGUMENTS:

For:

The bill would help increase the freshness and quality of food served to schoolchildren, with potential positive benefits for their health and learning.

Farm-to-school programs help schoolchildren become more aware of where food comes from as well as providing opportunities for hands-on learning.

Farm-to-school program would provide many positive benefits for Michigan growers and agri-businesses, giving them more stable or expanded markets and funneling school lunch dollars back into local communities.

Farm-to-school programs have many environmental benefits such as reducing the use of fossil fuels to transport food long distances as well as helping to preserve farmland for agricultural use.

The provision of assistance to school districts at the state level will make it easier for schools to adopt this type of program.

Against:

While no testimony was presented against the bill, some expressed concern that no additional funding is provided for either the Department of Agriculture or the Department of Education to carry out their additional duties.

POSITIONS:

The Department of Agriculture testified in support of the bill. (9-10-08)

The Food Bank Council of Michigan testified in support of the bill. (9-10-08)

The Food System Economic Partnership (FSEP) testified in support of the bill. (9-10-08)

The Grand Traverse Area Catholic Schools testified in support of the bill. (9-10-08)

Michael W. Hamm, Ph.D., C.S. Mott Professor of Sustainable Agriculture, Michigan State University, testified in support of the bill. (9-10-08)

The Michigan Catholic Conference testified in support of the bill. (9-10-08)

The Michigan Environmental Council indicated support of the bill. (9-10-08)

The Michigan Farm Bureau indicated support of the bill's concept. (9-10-08)

The Michigan Food Policy Council indicated support of the bill's concept. (9-10-08)

The Michigan Land Use Institute testified in support of the bill. (9-10-08)

Springport High School testified in support of the bill. (9-10-08).

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.