



# From Policy to Plate: Increasing Fruit and Vegetable Intake Through Accessibility, Affordability, and Demand

Carter Blakey  
Deputy Director, Office of Disease Prevention and Health  
Promotion (ODPHP)  
Director, Community Strategies Division  
U.S. Department of Health and Human Services

September 27, 2018

## I. Introduction to Healthy People, the Law and Health Policy Project, and the Report Development Process

- **Carter Blakey**, Deputy Director, ODPHP
- **Brandon Talley, MPH**, Vice President for Programs, CDC Foundation



## II. Lessons from *The Role of Law and Policy in Achieving the Healthy People 2020 Goals of Increased Fruit and Vegetable Intake*

- **The Evidence Base Around Fruit and Vegetable Intake and the Report's Organizing Framework**
  - **Jean O'Connor, JD, MPH, DrPH, FACHE**, Senior Global Health Practitioner, RTI; Chronic Disease Prevention Director, Georgia Department of Public Health (former)



- **Law and Policy Levers to Address Fruit and Vegetable Intake**
  - **Manel Kappagoda, JD, MPH**, Senior Staff Attorney and Program Director, ChangeLab Solutions
- **A Sector-Based Overview of Legal and Policy Options to Increase Fruit and Vegetable Intake**
  - **Lauren Dunning, JD, MPH**, Liaison to the Board of Supervisors for the LA County Department of Public Health



### III. **The Minneapolis Staple Foods Ordinance: An Innovative Policy to Improve Healthy Food Availability**

- **Kristen Klingler, MPH, CHES**, Senior Public Health Specialist, Minneapolis Health Department



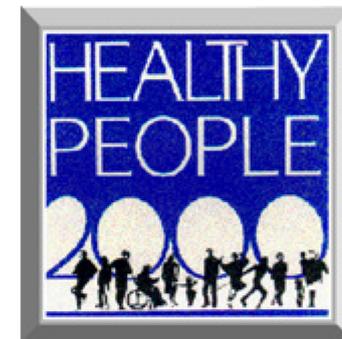
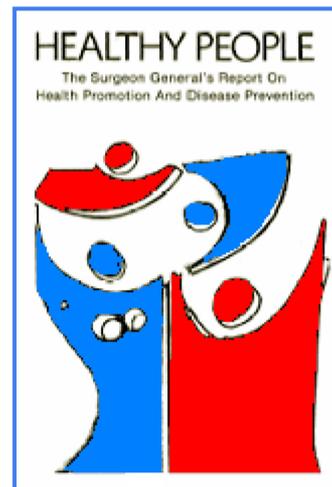
### IV. **Questions and Answers with All Panelists**

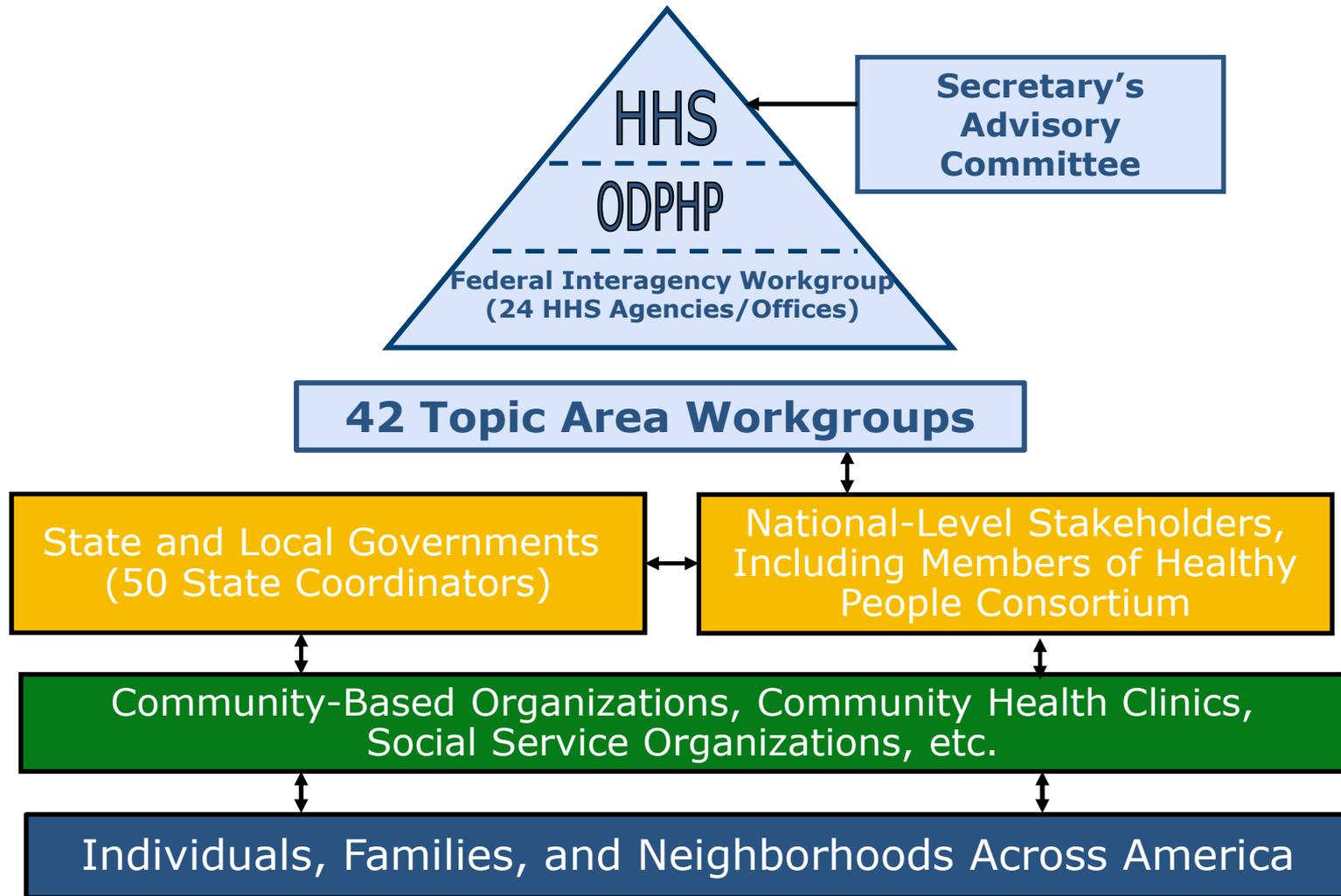
- **Moderator: Carter Blakey**, Deputy Director and Community Strategies Division Director, ODPHP



# What Is Healthy People?

- Provides a strategic framework for a **national prevention agenda** that communicates a vision for improving health and achieving health equity
- Identifies science-based, **measurable objectives with targets** to be achieved by the end of the decade
- Requires tracking of **data-driven outcomes** to monitor progress and to motivate, guide, and focus action
- Offers model for international, state, and local **program planning**







“At HHS, evidence-based health policy is central to our efforts to protect the Nation’s health. The Healthy People 2020 Law and Health Policy project advances our understanding of how laws and policies can promote public health. We are pleased to work with our partners on the first report, which identifies innovative strategies for increasing fruit and vegetable intake.”

— ADM Brett P. Giroir, HHS Assistant Secretary for Health



## ■ Law and Health Policy Partnering Agencies and Organizations:

- HHS/ODPHP (Project Lead)
- Robert Wood Johnson Foundation
- CDC Foundation
- CDC

## • Started in September 2013



Robert Wood Johnson Foundation

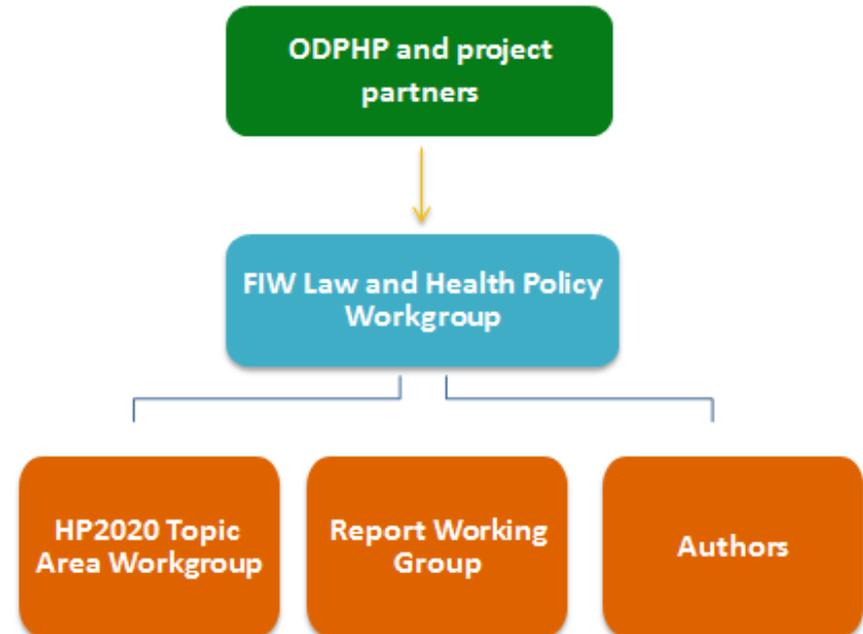


## Purpose

- In-depth analysis of evidence-based legal interventions and strategies
- Highlight laws and policies related to specific HP2020 topic areas and objectives
- Develop evidence-based resources
- Disseminate lessons to Healthy People and relevant legal and policy stakeholders

## Focus

- Feature progress toward HP2020 objectives
- Highlight state, local, and tribal laws and policies with proven outcomes
- Case studies or “bright spots”
- Support the development of Healthy People 2030 through integrating lessons and resources about evidence-based laws and policies



# Law and Health Policy Project



## Process for Selection of NWS Report Objectives

- Engaged HP2020 NWS Workgroup & NCHS Liaison
- Reviewed Topic Area-specific objectives and data sources
  - NWS has 22 objectives
  - State-level data available for 8 objectives
  - Ensured availability of legal information and data



## Selected Focus Areas for this Report

- **NWS-14:** Increase the contribution of fruits to the diets of the population aged 2 years and older
- **NWS-15.1:** Increase the contribution of total vegetables to the diets of the population aged 2 years and older (Leading Health Indicator)

Note: Neither objective has made progress toward its target this decade.



- For more on the Healthy People Initiative (including the development of Healthy People 2030): [www.healthypeople.gov](http://www.healthypeople.gov)
- For this report or the Law and Health Policy project: <https://www.healthypeople.gov/2020/law-and-health-policy/topic/nutrition-and-weight-status>
- For questions, please contact:
  - Angie McGowan, Project Director (CDC Assignee), Office of Disease Prevention and Health Promotion: [Angela.McGowan@hhs.gov](mailto:Angela.McGowan@hhs.gov)





# From Policy to Plate: Increasing Fruit and Vegetable Intake Through Accessibility, Affordability, and Demand

Brandon Talley, MPH  
Vice President for Programs  
CDC Foundation

We **unleash the power of collaboration** between CDC and philanthropies, organizations, corporations, governments, and individuals to protect the health, safety, and security of America and the world.



## Selection Criteria

- Expert in specific topic area
- Skilled in public health, law, policy, or legal research
- Familiarity with Healthy People Initiative
- Report development experience
- Ability to review and provide constructive feedback

## Selection Process

- Research and review recommendations from partners and federal experts
- Vetted by HP2020 topic area co-lead agencies and project partners
- Received invitation to participate from CDC Foundation



- Introduction
- Background
- Specific interventions / topics for discussion
  - 3-5 interventions or “themes”
- “Bright Spots” / community examples
- Legal research, analysis, and related evidence
- Building the evidence base: areas for additional research
- Emerging trends / issues
- Opportunities to leverage law and policy
- Appendix



## Authors

- **Patricia Crawford, DrPH, RD**, Senior Director of Research, Nutrition Policy Institute (NPI); Cooperative Extension Nutrition Specialist, University of California Agriculture and Natural Resources (ANR); and Adjunct Professor, University of California, Berkeley
- **Lauren Dunning, JD, MPH**, Board Liaison, Los Angeles (LA) County Department of Public Health (DPH)
- **Manel Kappagoda, JD, MPH**, Senior Staff Attorney and Program Director, ChangeLab Solutions
- **Jean C. O'Connor, JD, MPH, DrPH**, Chronic Disease Prevention Director, Georgia DPH (through March 31, 2018); Affiliated Professor, Emory University, Rollins School of Public Health; and Adjunct Associate Professor, University of Georgia, College of Public Health

## Report Working Group

- **Sheila Fleischhacker, PhD, JD**, Senior Public Health and Science Policy Advisor, Office of Nutrition Research, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health (through February 2, 2018)
- **Kimberly Hurvitz, MHS**, Epidemiologist, National Center for Health Statistics, Centers for Disease Control and Prevention (CDC)
- **Jennifer Seymour, PhD**, Senior Scientist, Division of Nutrition, Physical Activity and Obesity, National Center for Chronic Disease Prevention and Health Promotion, CDC
- **Amy L. Yaroch, PhD**, Executive Director, Gretchen Swanson Center for Nutrition

## Project Staff

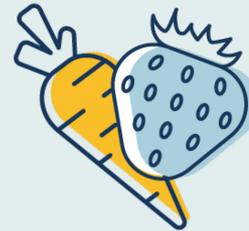
- **Tiffani M. Kigenyi, MPH**, Public Health Analyst, Office of Disease Prevention and Health Promotion (ODPHP), U.S. Department of Health and Human Services (HHS)
- **Katheryne (K.T.) Kramer, JD, MHA**, Public Health Analyst, ODPHP, HHS (CDC Foundation Assignee)
- **Angela K. McGowan, JD, MPH**, Project Director, ODPHP, HHS (CDC Assignee)
- **Boatema A. Ntiri-Reid, JD, MPH**, Associate Service Fellow, ODPHP, HHS (CDC Assignee) (former)





# The Role of Law and Policy in Achieving the Healthy People 2020 Goals of Increased Fruit and Vegetable Intake in the United States

# The Evidence Base Around Fruit and Vegetable Intake and the Report's Organizing Framework



## HP2020 Objectives

- NWS – 14, 15.1 and 15.2: Increase the contribution of fruits and vegetables to the diets of the population aged 2 years and older

## Focus of NWS Report

- How can law and policy support fruit and vegetable consumption?
- Which laws and policies influence the availability and offering of fruits and vegetables?
- What are important examples of interventions across public and private sectors?



## Healthy People 2020 Objectives

- Fruit intake:
  - Goal: Increase from 0.53 cups to 0.93 cups per day
- Vegetable Intake:
  - Goal: Increase from 0.76 cups to 1.14 cups per day
- Increase variety of fruits and vegetables consumed

## 2015–2020 Dietary Guidelines

- Recommendations for fruit intake:
  - Roughly 2 cups of fruit and juices daily
- Recommendations for vegetable intake
  - 2.5 cups of vegetables daily



# Why Does Increasing Fruit and Vegetable Intake Matter?

- Problem: Only 1 in 10 U.S. adults eat the recommended amount of fruits or vegetables each day.
- Consuming fruits and vegetables is a key component of a healthful diet:
  - Lowers risk for micro-nutrient deficiencies
  - Lowers risk for being overweight or obese
  - Lowers risk of certain chronic diseases: heart disease, diabetes, strokes, and certain cancers





**Education**



**Retail Settings**



**Government Settings  
& Worksites**



**Community**



- **Georgia's Growing Fit**

- Guide early care environments (ECEs) in the development or improvement of policies around nutrition and physical activity
- Move toward achievement of Quality Rated standards
  - Developed toolkit and training to help ECEs meet the Department of Early Care and Learning (DECAL) Quality Rated Portfolio Standard 2.1: Nutrition and Physical Activity Assessment and Improvement Plan



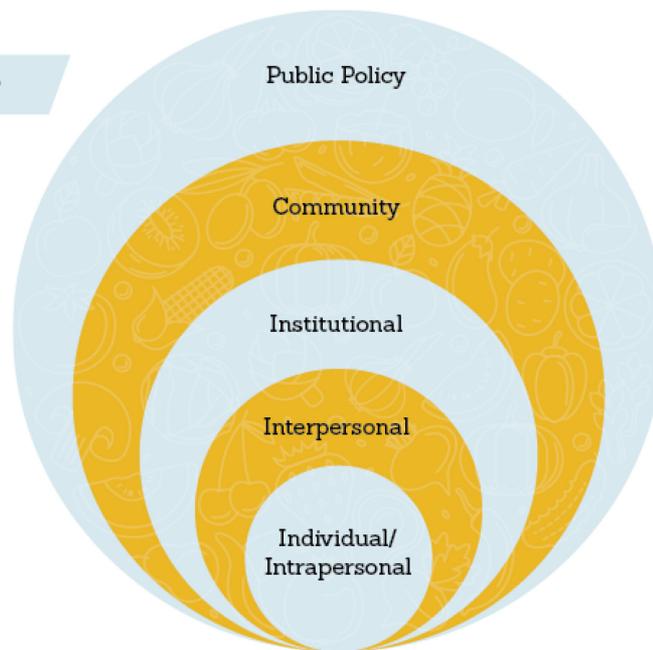
# Where Can Law and Policy Intervene to Encourage Increased Fruit and Vegetable Intake?

## Public Policy (Social, political, and economic factors)

- Food availability
- Population food security
- Supplemental nutrition programs
- Food labeling requirements
- Patterns of food production and sales initiatives

## Community

- Geographic factors
- Community gardens
- Relationships with local farms and agricultural industry strengthened
- Cultural norms
- Evidence-based nutrition fostered in charitable and congregate settings



## Institutional (Schools and ECEs, governments, food retailers, food producers, and employers)

- Fruits and vegetables required to be included in meals prepared or purchased
- Healthy nutritious foods prioritized
- Availability of fruits and vegetables in retail ensured
- Nutrition incorporated into wellness initiatives

## Interpersonal

- Household food norms and traditions
- Peer support
- Food insecurity

## Individual/Intrapersonal

- Knowledge
- Genetic and learned preferences for taste
- Ability to grow, purchase and prepare food



# Legal and Policy Levers to Address Fruit and Vegetable Intake



## **Taxing and spending on specific programs to influence consumer behavior**

Tax policy can incentivize healthy foods by eliminating existing sales tax on healthy foods or enacting a sales tax on foods and beverages of “minimal-to-no nutritional value.”

## **Direct regulation of persons, professionals, and businesses**

Local governments may use their licensing authority to set stocking requirements for food stores—such as requiring stores to stock a minimum number of healthy “staple foods.”

## **The power to alter the built environment**

To increase access to fresh fruits and vegetables, communities can adopt ordinances that prevent property owners from restricting future development of grocery stores.

Adapted from: Gostin LO. Public Health Law: Power, Duty, Restraint. 2nd ed. Los Angeles: University of California Press; 2008.



## The power to alter the socio-economic environment

States and localities can increase access to fruits and vegetables—for example, by allowing SNAP recipients to redeem benefits at farmers' markets.

## The power to alter the informational environment

Requiring calorie count information to be posted on menus gives consumers more information to make healthy food choices at restaurants and retail food establishments.

## Deregulation when laws act as a barrier to health

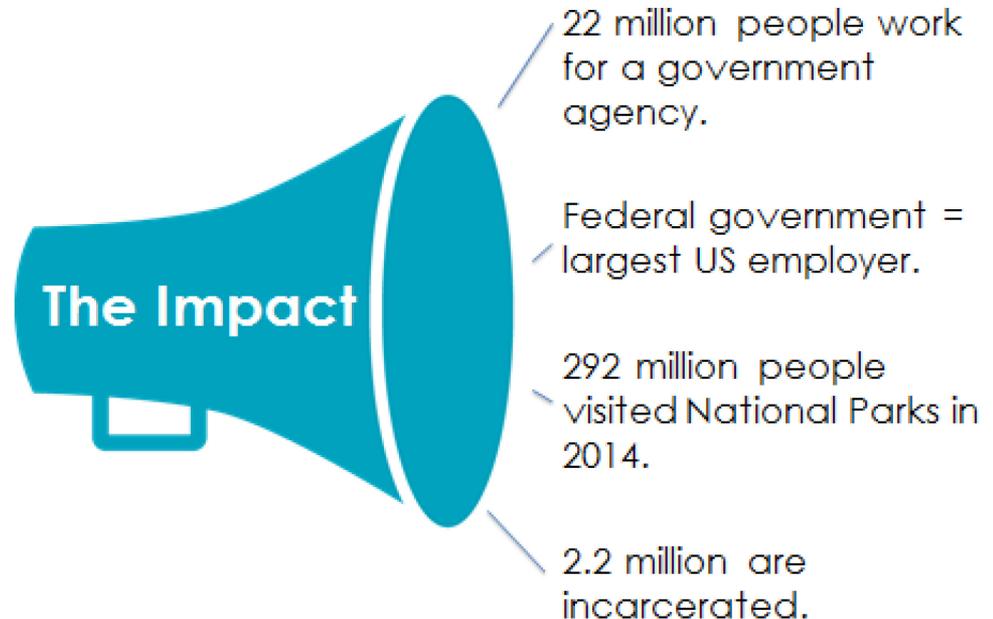
Local governments can update land use and zoning codes to support healthy food access goals—for example, eliminating costly permits to sell homegrown produce encourages urban farming.

Adapted from: Gostin LO. Public Health Law: Power, Duty, Restraint. 2nd ed. Los Angeles: University of California Press; 2008.



## Procurement and Food Service Guidelines

- Policies that influence fruit and vegetable consumption in government and workplace settings tend to be institutional policies that promote a culture of health



Health equity is “the state in which everyone has the opportunity to attain full health potential and no one is disadvantaged from achieving this potential because of social position or any other socially defined circumstance.”



Source: National Academies of Sciences, Engineering, and Medicine



# A Sector-Based Overview of Legal and Policy Options to Increase Fruit and Vegetable Intake

Lauren Dunning, JD, MPH

Liaison to the Board of Supervisors for  
the LA County Department of Public  
Health



**Education**



**Retail Settings**



**Government Settings  
& Worksites**



**Community**





## Early Childcare Education

- Federal food assistance (e.g., Child and Adult Care Food Program)
- State regulations addressing nutrition in child care
- Institutional policies

## Schools (K–12)

- Federal food standards (e.g., Healthy, Hunger-Free Kids Act)
- State and local laws addressing nutrition programs in schools





- Food procurement policies for government agencies and properties, including healthy vending and meeting policies
- Policies and programs implemented by private businesses for their employees





- Increasing healthy food availability through regulation of food service establishments, planning and zoning, and incentive programs
- Leveraging federal food assistance programs like the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Supplemental Nutrition Assistance Program (SNAP) to increase affordability and incentives





- Planning and zoning for community resources like farmers markets and community gardens
- Nutrition policies in charitable food distribution and congregant settings



## Urban Agriculture: Seattle

### Location

- Residential
- Commercial
- Industrial

### Zoning Process

- Use by Right
- Conditional Use Permit

### Type

Animal Husbandry, Aquaculture, Community Garden, Horticulture, Urban Farm



- Laws and policies have a critical role in shaping environments where individuals, families, and communities have the best opportunities to make healthy food choices.
- To help the Nation meet these health objectives, it's important to:
  - Continue to implement laws and policies that incorporate science-based nutrition standards and recommendations
  - Advance alignment efforts among federal food programs and policies
  - Encourage opportunities for policy innovations at the state and local levels
  - Consider geography, environment, and community needs in policy development
  - Expand the focus on reaching young children
  - Conduct rigorous evaluations of existing programs and policies



# The Minneapolis Staple Foods Ordinance: An innovative policy to improve healthy food availability

**Kristen Klingler, MPH, CHES**

Healthy People Law and Health Policy webinar

September 27, 2018

# Fruit and Vegetable Intake

Minneapolis residents eating 5+ servings a day of fruits and vegetables:

- 38% of all residents
- 28% of low-income residents



# Comprehensive Approach to Healthy Food Access

- EBT at farmers markets
- Urban ag zoning
- Comp plan updates
- Garden lease program
- Farm to school
- Healthy food policies
- Staple foods ordinance



# 2008 Ordinance

## Staple Foods Ordinance, 2008



5 varieties of fruits or vegetables, 5 must be fresh



3 varieties of dairy beverage, 2 must be fresh



3 varieties of bread or cereal, 2 must be fresh



3 varieties of meat, poultry, fish or veg proteins, 2 must be fresh

# Minneapolis Healthy Corner Store Program

- Technical assistance to 35+ stores
- Resulted in increased inventory and sales
- Difficult to maintain changes and scale up
- Needed regulatory component to achieve broader impact



Supported by the statewide Health Improvement Program, Minnesota Department of Health

# 2014 Ordinance Revisions

- Milk
- Cheese
- Eggs
- Proteins
- Fruits and vegetables
- 100% juice
- Whole grain cereal
- Whole grains
- Canned beans
- Dried beans, peas, and lentils



# Changes in Healthy Food Supply

- **93%** meet 6 or more requirements
- **74%** stock required fruits & vegetables
- **85%** stock required whole grains



# Key Insights

- The ordinance regulates supply but doesn't generate demand.
- Policy adoption alone isn't sufficient.
- Enforcement is critical but requires resources.

# Next Steps

- Revisions to promote culturally appropriate foods
- Pilot testing of consumer incentives
- Exploration of store owner incentives



# Kristen Klingler, MPH, CHES

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# Questions and Discussion





# ***Who's Leading the Leading Health Indicators? webinar***

Join us on  
**Thursday, November 15** from  
**12:00 to 1:00 pm ET** for a  
Healthy People 2020  
***Who's Leading the Leading Health Indicators?*** webinar on  
**Reproductive and Sexual Health**

Register soon!

[www.healthypeople.gov](http://www.healthypeople.gov)

