



LAND
STEWARDSHIP
PROJECT

LSP Myth Buster #18

An ongoing Land
Stewardship Project
series on ag
myths & ways
of deflating them.

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Myth: Federal law makes it illegal to favor local farmers when purchasing food for public schools.

Fact:

Efforts to get more locally produced food into school lunch programs have been increasing in recent years. Such efforts are not yet widespread, but several urban, suburban and rural school districts have taken steps to replace at least a few of those chicken nuggets and chili dogs with fresh, local produce, dairy and meat products. Usually these efforts are spearheaded by concerned parents, who often go to great lengths to research what food is available locally and how it can be delivered to the cafeteria. Unfortunately, school officials often respond to such calls for a healthier lunch program by claiming that federal law bans them from favoring local farmers when making purchases.

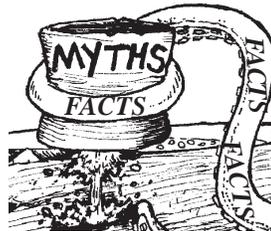
The 2002 Farm Bill includes language that explicitly allows the procurement of local food for school cafeterias. In fact, Section 4303 of the Farm Bill does more than “allow” such efforts. The law says the U.S. Secretary of Agriculture “shall encourage institutions participating in the school lunch program under this chapter and the school breakfast program...to purchase, in addition to other food purchases, locally produced foods for school meal programs, to the maximum extent practicable and appropriate.”

According to a memorandum produced by the Harrison Institute for Public Law, some of the confusion around the legality of geographic preferences for school food can be traced to some older statutes, as well as past “hostility” shown toward such efforts by the USDA and federal Office of Management and Budget. Because school districts often commingle state and federal funds in their budgets, they believe they are bound to old federal regulations prohibiting geographic preferences. Even if older regulations did prohibit local preferences, and that’s open to interpretation, the Harrison Institute’s memo makes it clear that the 2002 Farm Bill trumps previous statutes.

In fact, in 2004 Congress provided even more sup-

port for local food purchasing initiatives when it passed the Child Nutrition and Reauthorization Act. In Section 122 of that law, it states that the USDA may provide assistance to programs “designed to procure local foods from small- and medium-sized farms for school meals...” The legislation is supposed to create a seed grant fund to cover the initial costs—equipment, nutrition education, school gardens, etc.—of Farm to Cafeteria projects.

Now comes the tricky part: so far the federal government has failed to back up this paper support with adequate money. It’s needed at a time when many schools lack basic food preparation facilities, and farmers hoping to supply these institutions need facilities and equipment to adhere to health regulations. The Land Stewardship Project is working with several other organizations to get funding for farm to school efforts put into the 2007 Farm Bill.



More information

- ◆ The Jan./Feb./March 2005 *Land Stewardship Letter* (www.landstewardshipproject.org/news-lsl.html) featured a special report on how schools are working with farmers to get more local foods in cafeterias.
- ◆ Terry VanDerPol, Director of LSP’s Community Based Food Systems and Economic Development Program, can be contacted at 320-269-2105 or tlvdp@landstewardshipproject.org.
- ◆ The Community Food Security Coalition has information on farm to school projects throughout the country. Visit www.foodsecurity.org, or call 310-822-5410.

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This Myth Buster is brought to you by the members and staff of the Land Stewardship Project, a private, nonprofit organization devoted to fostering an ethic of stewardship for farmland and to seeing more successful farmers on the land raising crops and livestock. For more information, call 651-653-0618 or visit www.landstewardshipproject.org.