



Health Law and Policy Clinic of
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Expanding Farm to School in Mississippi: Analysis and Recommendations

Harvard Law School Health Law and Policy Clinic
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I. Executive Summary

Background

“Farm to school” refers to any program that connects K-12 schools with local farmers. “Farm to cafeteria” and “farm to institution” are terms sometimes used for programs that include farm to school components, but might also focus on bringing local produce to other local institutions. Most farm to school efforts concentrate on what is called “farm direct” purchasing, where schools buy products directly from local farmers to serve in the school cafeteria. The business partnerships that develop through farm direct programs often lead to educational activities, with farmers and schools working together to teach students about nutrition, agriculture, the environment, and other subjects. Not all farm to school programs involve farm direct purchasing; food distributors that supply schools can also participate by purchasing locally grown products and making them available to school purchasing officers.

Why Farm to School?

Farm to school has been shown to have enormous benefits in the areas of local economic development, children’s health, and educational outcomes.

Farm to School

- **Strengthens local economies, improves livelihood of local farmers, and spurs additional spending on other local products and services.**
- **Increases the amount of fruits and vegetables consumed by students in the cafeteria, classroom, and at home.**
- **Is an effective way to enhance nutrition education and health literacy.**

Why now?

Farm to school has grown rapidly in the United States since the first pilot projects appeared in 1996. Between 2000 and 2004, the number of farm to school programs grew from only a handful to approximately 400 in 22 states.¹ Since then, the number of farm to school programs has more than doubled every few years, with approximately 1,000 programs operating by 2007 and over 2,000 by 2010.² The Healthy, Hunger-Free Kids Act of 2010 will enable further growth through new competitive grants for farm to school programs and increased funding for schools that serve more fresh fruits and

¹ National Farm to School Network, *Farm to School Chronology*, available at <http://www.farmentoschool.org/files/F2SChronology3.09.pdf> (last visited May 14, 2011).

² National Farm to School Network, *About Us*, available at <http://www.farmentoschool.org/aboutus.php> (last visited May 14, 2011).

vegetables.³ Mississippi needs to act fast in order to take advantage of some of the funding opportunities and technical assistance resources now available.

How do schools buy their food in Mississippi?

Public schools in Mississippi buy food from three different sources: independent distributors, the Mississippi Department of Education’s statewide purchasing cooperative, and the United States Department of Agriculture’s (USDA) commodity programs. The national commodity programs serve to supplement food purchased from the statewide program or from independent distributors. The statewide purchasing cooperative gives schools broad leeway to buy food directly from local farmers. Schools that participate in the statewide cooperative do not have to purchase their produce from the cooperative.⁴ Instead, they can opt-out of the optional produce program and purchase their fruits and vegetables from other sources, including local farmers.⁵ Further, even schools that purchase their produce from the cooperative do not have to buy all of their produce from the cooperative. Schools can purchase as much produce from the program as they like, allowing them to set aside some portion of their money for farm to school.⁶

The Statewide Purchasing Program in Mississippi

- **The program decreases costs through large volume bidding and reduces the amount of resources individual school districts devote to bidding.**
- **All but three public schools in Mississippi participate in statewide purchasing programs in some way.**
- **Over 60% of public schools in Mississippi purchase their produce from the program.**

Are there any farm to school programs in Mississippi?

There are no “farm direct” programs operating locally through schools in Mississippi.⁷ However, there is a statewide farm to school program run through the Department of Defense Fresh Fruits and Vegetables Program (Fresh Program) and operated by the Mississippi Department of Education (MDE) and Department of Agriculture and Commerce (MDAC). MDE and MDAC work together to purchase produce from Mississippi farmers through this program. Every six months, MDE sends MDAC a list of produce

³ Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183 (2010).

⁴ Telephone interview with Priscilla Ammerman, Director of Purchasing and Food Distribution, Mississippi Office of Healthy Schools, Mississippi Department of Education (Feb. 7, 2011).

⁵ *Id.*

⁶ Email from Priscilla Ammerman, Projects Officer, Director of Purchasing and Food Distribution, Mississippi Department of Education, to author (Mar. 9, 2011) (on file with author).

⁷ Telephone interview with Beneta Burt, Executive Director, Mississippi Roadmap to Health Equity (Jan. 10, 2011); Telephone interview with Priscilla Ammerman, *supra* note 4; Telephone interview with Ben Burkett, Director, Mississippi Association of Cooperatives (Mar. 3, 2011).

that will be purchased by schools over a subsequent six-month period.⁸ MDAC then contacts Mississippi farmers that might be able to provide some of the produce requested.⁹ Unfortunately, state inspection and certification requirements prevent most Mississippi farmers from participating in the statewide program, thus limiting economic opportunities for small farmers throughout the state.

What are the barriers to farm to school in Mississippi?

There are several barriers that have until now made it challenging to operate a farm to school program in Mississippi.

- Small and mid-sized farmers do not have the equipment or the required certification to participate in statewide purchasing programs.
- Farmers and food service directors are not communicating with each other and may not be aware of the opportunities presented by farm to school.
- Most school food service directors in Mississippi do not have any experience purchasing products directly from growers and may not know how to start or know that they are allowed to purchase in this way.
- Schools are often not equipped to buy and prepare local products.
- Many school systems in Mississippi are extremely small and located in rural areas. As a result, an individual school district may not have enough demand to attract farmers.

Recommendations

For State Government

1. Organize a statewide initiative and/or hire a statewide farm to school coordinator

- A statewide farm to school program in Mississippi could energize farm to school efforts and act as a much needed information clearinghouse.
- Statewide coordination is vital and there is no organization currently serving this function in Mississippi.

2. Authorize and fund mini-grants for farm to school programs

- Vermont's mini-grant program, which distributes a little over \$100,000 each year, helped make Vermont a national leader in the farm to school movement.¹⁰
- A similar program in Mississippi would encourage school districts, nonprofit organizations, and agricultural cooperatives to design and implement farm to school programs.

3. Allocate funds for GAP/GHP training and certification

- MDE requires that produce coming from the Mississippi DoD Fresh Program be sourced from suppliers who are certified according to Good Agricultural Practices (GAP) and Good Handling Practices (GHP), and requires that all food purchased through the statewide purchasing

⁸ Telephone interview with Andy Prosser, Director of Marketing and Public Relations, Mississippi Department of Agriculture and Commerce (Feb. 10, 2011).

⁹ *Id.*

¹⁰ VT. STAT. ANN. tit. 6, § 4721 (2011).

cooperative be GAP/GHP certified or certified under another third-party auditing system, making participation cost-prohibitive for most small and medium sized farmers.¹¹

- A fund dedicated to helping small and medium sized farmers receive GAP/GHP training and pay for certification would allow more Mississippi farmers to participate in statewide purchasing programs.

4. Develop GAP/GHP certification outreach efforts

- A webpage could be created to explain the process for receiving GAP/GHP certification and address the audit process concerns of small farmers.
- State agencies and the cooperative extension service could build on this effort by offering GAP/GHP training aimed at small and mid-sized farmers and growers' cooperatives.

5. Incorporate geographic preference into the statewide purchasing system

- Incorporating a geographic preference into the statewide purchasing system would increase the number of Mississippi products purchased through the program and would encourage more farmers to receive the certification necessary to participate.
- Along these lines, the USDA recently issued a new rule encouraging institutions participating in Child Nutrition Programs, such as the National School Lunch Program, to purchase local agricultural products.¹²

6. Create additional inspection locations for food purchased through the DoD Fresh Program

- Currently, all agricultural products purchased through the DoD Fresh Program must be inspected in Jackson.
- Organizing inspection locations in other regions of the state would allow schools to receive fresher produce and would make it easier for in-state farmers to sell products to the statewide DoD Fresh Program.

7. Publicize current in-state purchasing opportunities

- State officials should list the products needed by schools that can be grown in-state, helping growers to make appropriate planting decisions so they will have the right products.
- The programs' requirements for growers should be clearly advertised to encourage involvement from more farmers.

For Nonprofit Organizations

1. Survey interest

- A survey will help farm to school organizers identify barriers preventing food service directors and farmers from participating in farm to school.
- The data collected can also be used to build relationships between farmers and school food service directors.

2. Engage the Community

¹¹ Telephone interview with Priscilla Ammerman, *supra* note 4.

¹² Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs, 76 Fed. Reg. 22,603 (Apr. 22, 2011).

- Effective farm to school programs involve parents, community members, businesses, and regional institutions.
- Communities provide crucial financial support and are key to organizing local farm to school programs.

3. Develop Alternative Distribution Systems

- A distribution system can be developed to make purchasing local products as easy as purchasing from the statewide purchasing cooperative or existing distributors, which source most of their produce from other states.
- By facilitating sales between farmers and schools and other institutions, such as hospitals, a local distribution system would enable farm to school programs to grow rapidly and become more cost-efficient.

4. Focus on Financial Sustainability

- Local sources of funding such as program service fees charged to institutions and/or farmers and donations are necessary for financial sustainability and take time to develop. As a result, they should be fostered from the very beginning.

General Recommendations

1. Link farms to schools

- A statewide database of schools and farmers interested in farm to school should be created to enable locally driven efforts.
- A statewide or regional effort could also host mixers to build relationships between food service directors and farmers.

2. Make participating easy

- Teachers, food service directors, and farmers may not have time to organize farm to school initiatives alone, but are often eager to get involved if an experienced program can provide guidance.

3. Invest in equipment

- Investments in vehicles (such as refrigerated trucks), packaging equipment, and processing facilities can be quickly recovered through increased sales of local agricultural products.
- To prepare products purchased from local farmers, schools require equipment for storing, prepping, and cooking raw ingredients that many currently do not have. School food service staff should be provided with information on how to adapt their kitchens and lunchrooms to integrate more local products. Funds could also be provided to support efforts to adapt school kitchens, or to farmers to help prepare the food in a way that is easier for schools to use.

II. Introduction¹³

This policy report describes the potential for expanding farm to school in Mississippi and recommends state and local actions to encourage its growth. It contains the following sections:

Overview of Farm to School: Brief background of farm to school programs in the United States and the benefits of such programs to education, children’s health and economic development.

Federal Laws and Regulations: Review of federal regulations and statutes relevant to farm to school programs and a discussion of new federal legislation designed to encourage farm to school activities.

Food Purchasing Practices in Mississippi: Overview of school food purchasing, including coverage of the extent to which schools currently purchase local and regional agricultural products.

Barriers to Farm to School in Mississippi: Review of some of the barriers that could come into play when implementing farm to school programs in Mississippi.

Implementing Farm to School: Case studies of farm to school programs implemented elsewhere at the local, state and regional levels. This section will not address legislative action, as Section VIII, “Legislative Action,” covers that topic.

Legislative Action: Overview of measures that legislatures across the country have taken to support farm to school programs.

Recommendations: Description of actions nonprofit organizations and the state government can take to promote farm to school activities in Mississippi.

Additional Resources: Review of financial and technical resources available to state agencies, school officials, and farmers interested in getting involved in farm to school initiatives.

III. Overview of Farm to School

Background and History

¹³ This report was prepared by Nathan Rosenberg, student in the Harvard Law School Health Law and Policy Clinic and Harvard Law School Mississippi Delta Project, under the supervision of Emily Broad Leib, Senior Fellow in the Harvard Law School Health Law and Policy Clinic. Special thanks to Robert Greenwald, Harvard Law School Health Law and Policy Clinic; Priscilla Ammerman, Mississippi Department of Education; Jane Black, freelance food writer; Ben Burkett, Mississippi Association of Cooperatives; Beneta Burt, Mississippi Roadmap to Health Equity; Rebecca Elias, Washington State Department of Agriculture Farm to School Program; Glyen Holmes, New North Florida Cooperative; Betty Izumi, Portland State University; Marion Kalb, Community Food Security Coalition; Tricia Kovacs, Washington State Department of Agriculture Farm to School Program; Colleen Matts, The C.S. Mott Group for Sustainable Agriculture; Andy Prosser, Mississippi Department of Agriculture and Commerce; Katherine Sims, Green Mountain Farm to School; Stacy Sobell, Ecotrust; Daniel Teague, Mississippi Association of Cooperatives.

Farm to school encompasses any initiative that connects K-12 schools with regional or local farmers.¹⁴ Its objectives include improving student nutrition; providing support for education on health, nutrition and agriculture; supporting economic development of local farmers and local food systems; and introducing healthy and local foods into school cafeterias and classrooms.¹⁵ The first farm to school pilot projects started in California and Florida in 1996. In 2000, the United States Department of Agriculture (USDA) financed the National Farm to School Program, a four-year project supporting farm to school program development, research, and policy.¹⁶ Encouraged by the program's success, farm to school organizers from around the country worked together to create the National Farm to School Network in 2007.¹⁷ The National Farm to School Network's eight regional lead agencies and national staff support farm to school programs through publications, technical assistance, online resources, and other initiatives.¹⁸ Between 2000 and 2004, the number of farm to school programs grew from only a handful to approximately 400 in twenty-two states.¹⁹ Since then, the number of farm to school programs has more than doubled every few years, with approximately 1,000 programs operating by 2007 and over 2,000 by 2010.²⁰

The number of programs is likely to continue to grow rapidly as government officials highlight the potential for farm to school programs to play an important part in rural development and in reducing childhood obesity.²¹ As discussed in the "Federal Laws and Regulations," section below, recently passed legislation also encourages greater participation in farm to school through competitive grants and the establishment of new school meal standards. These standards, which are likely to take effect in 2012, are expected to double the required minimum daily servings of fruits and vegetables, dramatically increasing school expenditures on produce and local farmers' opportunity to get involved in providing for schools.²²

Health Benefits

Mississippi has the highest rates of childhood obesity in the nation.²³ Over 40% of Mississippi children are obese or overweight, and the percentage of overweight children in Mississippi is almost 7% higher than the rate in the second highest state.²⁴ In addition to the numerous health issues associated with obesity, recent studies on

Over 40% of Mississippi children are obese or overweight, and the percentage of overweight children in Mississippi is almost 7% higher than the rate in the second highest state.

¹⁴ USDA Food and Nutrition Service, *Farm to School*, available at <http://www.fns.usda.gov/cnd/f2s/about.htm#Initiative> (last visited May 14, 2011).

¹⁵ Anupama Joshi et al., *Do Farm-to-School Programs Make a Difference? Findings and Research Needs*, 3 J. HUNGER & ENVTL. NUTRITION 229, 230 (2008).

¹⁶ National Farm to School Network, *Farm to School Chronology*, *supra* note 1.

¹⁷ *Id.*

¹⁸ See National Farm to School Network, *Major Accomplishments 2007 Onwards*, available at http://www.farmentoschool.org/files/publications_272.pdf (last visited May 14, 2011).

¹⁹ National Farm to School Network, *About Us*, *supra* note 2.

²⁰ *Id.*

²¹ USDA Secretary Tom Vilsack's statement that farm to school offers "new income opportunities for . . . farmers and ranchers" and supports "off-farm jobs in rural America while giving children the opportunity to eat healthy, local fruits and vegetables and learn to be healthy eaters" is typical. Michael Gibney, *Tester and Vilsack Discuss Farm to School Program in Bozeman*, BOZEMAN DAILY CHRON., Mar. 7, 2010, available at http://www.bozemandailychronicle.com/news/article_5affe24-2996-11df-9846-001cc4c002e0.html (last visited May 14, 2011).

²² Philip Brasher, *More Veggies Will Fill School Lunches*, DES MOINES REG., Jan. 14, 2011, at A1.

²³ Mississippi Department of Education's Office of Healthy Schools, *Obesity in Mississippi*, available at http://msdh.ms.gov/msdhsite/_static/resources/3593.pdf (last visited May 14, 2011).

²⁴ *Id.*

overweight children show that they are at greater risk for depression, more likely to perform poorly in school, and are absent from school more often.²⁵ Mississippi children, like children throughout the United States, are also not eating the recommended amounts of fruits and vegetables. The 2009 Mississippi Youth Risk Behavior Survey found that during the seven days before the survey, 79% of the students ate fruits and vegetables fewer than five times a day and 85% ate vegetables fewer than three times a day.²⁶ Increasing fruit and vegetable consumption is one of the Centers for Disease Control's (CDC) target behaviors for preventing and controlling obesity.²⁷ It is especially important for children and adolescents to eat nutritious foods such as fruits and vegetables because they "are developing the habits they will likely maintain throughout their lives."²⁸

In order to better understand the impact farm to school programs have on students and communities, researchers at Occidental College and the University of California, Davis recently reviewed fifteen farm to school studies that contained data on behavioral outcomes associated with the introduction of farm to school programs.²⁹ The review found that farm to school programs consistently increased the amount of fruits and vegetables consumed by students in the cafeteria, classroom, and at home, and increased their knowledge and attitudes about healthy eating.³⁰ This may be particularly true when a salad bar is available to students. Among the fifteen farm to school programs studied, eight included the implementation of salad bars in the cafeteria. In those salad bar programs, increases in fruit and vegetable consumption ranged from 25% to 84%.³¹ Farm to school educational programming, excitement about local products, and greater exposure to fruits and vegetables all contribute to this increase. Farm to school curricula encourage students to eat more fruits and vegetables by emphasizing the health benefits of produce and by generating student excitement about local food products, whether through farm visits or in-class taste tests. Fruits and vegetables purchased from local farms are often tastier than produce sourced from greater distances. Farm to school programs often also increase student access to fruits and vegetables by increasing the amount offered at lunch.

Economic Benefits

Farm to school programs directly benefit the local or regional economy by increasing the amount of goods purchased locally by schools. Research has shown that dollars spent on local agricultural products also generate additional spending on other local products or services.³² In 2007, The

A modest investment of \$66,193 in a farm to school pilot in two school districts in Oregon resulted in \$225,869 in local purchases.

²⁵ *Id.*

²⁶ Mississippi Department of Education's Office of Health Schools, *Mississippi High School Survey: Summary Table*, 75, 77, available at http://www.healthyschoolsms.org/ohs_main/resources/documents/SummaryTables.pdf (last visited May 14, 2011).

²⁷ *Benefits of Farm-to-School, Healthy Eating and Physical Activity for School Children: Hearing Before the S. Comm. on Agric., Nutrition & Forestry*, 111th Cong. (2009) (statement of William Dietz, Director, Division of Nutrition, Physical Activity, and Obesity, Centers for Disease Control and Prevention), available at <http://www.cdc.gov/washington/testimony/2009/t20090515.htm> (last visited May 14, 2011).

²⁸ *Id.*

²⁹ Joshi et al., *supra* note 15 at 232 – 233.

³⁰ Of the eleven studies reviewed assessing dietary changes, ten found an increase in fruit and vegetable consumption. Eight of these programs incorporated a farm to school salad bar in the cafeteria, one incorporated local foods without a salad bar, and two conducted classroom-based education using local foods. Joshi et al., *supra* note 15 at 236.

³¹ *Id.*

³² Ken Meter, *Local Food as Economic Development*, Crossroads Resource Center, available at <http://www.crcworks.org/lfced.pdf> (last visited May 14, 2011).

Kaiser Permanente Community Fund made a grant to Ecotrust, a Portland-based nonprofit, to invest seven cents per lunch served in two school districts in order to stimulate purchases of local food.³³ A recent study on the economic effects of the pilot program found that an investment of \$66,193 resulted in \$225,869 in local purchases.³⁴ Those seven additional cents per meal triggered a substantial increase in local purchasing by the school districts, which in turn had a ripple effect throughout the economy. For every dollar spent by the school districts on local food products, an additional 87 cents was spent in Oregon.³⁵ The analysis revealed that this additional 87 cents benefited 401 of the state's 409 economic sectors.³⁶

An even larger amount of money is recycled through the local economy when agricultural products are purchased from small farms. Economists at the University of Wisconsin found that each dollar earned by a small farm in Minnesota and Wisconsin generates another \$1.30 of local expenditures.³⁷ Large farms, however, only produced an additional 90 cents of local spending.³⁸

In addition to benefiting the local economy, farm to school programs may increase the amount of revenue that schools receive through their food service program by increasing participation in school meals. As participation rates rise, labor and administration costs remain largely static, allowing schools to potentially lower their per meal costs dramatically.³⁹ This is particularly true in states like Mississippi that have a high percentage of students receiving free or reduced-price meals. Schools with high percentages of students receiving free or reduced-price meals collect more money from the federal government for each meal served.⁴⁰ As a result, these schools realize even greater savings from increased participation rates. A systematic review of farm to school programs found an average increase in student meal participation of 9.3%.⁴¹ The limited data on farm to school's impact on school teacher and administrator dietary behavior suggest that introducing local produce into school meals may also increase teacher and staff participation in school meal programs.⁴² Meal participation rates generally peak after the program is initiated and taper off somewhat after the initial excitement, remaining higher than pre-farm to school levels.⁴³ In a virtuous circle, increasing meal participation rates can increase revenue for food service programs, allowing them to further improve meal quality.

Schools may also reduce costs as farm to school programs expand and they are able make larger purchases from more producers. By expanding the market for local food, farm to school programs often encourage other institutions, such as restaurants and hospitals, to purchase food from local farms. This further increases the availability of healthy foods in the community and strengthens the local economy.

³³ Deborah Kane et al., *The Impact of Seven Cents: Examining the Effects of a \$.07 per Meal Investment on Local Economic Development, Lunch Participation Rates, and Student Preferences for Fruits and Vegetables in Two Oregon School Districts*, Ecotrust (2011) (publication pending at time of this report).

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ Ken Meter and Jon Rosales, *Finding Food in Farm Country*, 19 (2001), available at <http://www.crcworks.org/ff.pdf> (last visited May 14, 2011).

³⁸ *Id.*

³⁹ JANET POPPENDIECK, *FREE FOR ALL: FIXING SCHOOL FOOD IN AMERICA* 135 (2010).

⁴⁰ See USDA Food and Nutrition Services, *Rates Table*, available at <http://www.fns.usda.gov/cnd/Governance/notices/naps/nsl10-11t.pdf> (last visited May 14, 2011); USDA Food and Nutrition Services, *National School Lunch Program Fact Sheet*, available at <http://www.fns.usda.gov/cnd/lunch/AboutLunch/NSLPFactSheet.pdf> (last visited May 14, 2011).

⁴¹ Joshi et al., *supra* note 15 at 236.

⁴² Only three studies have assessed changes in dietary behavior among staff and teachers, however all three found a marked preference for farm to school meals. *Id.*

⁴³ *Id.* at 237.

Educational Benefits

The CDC has identified farm to school as an effective way to enhance nutrition education and eco-literacy.⁴⁴ The USDA also states that farm to school programs may support health and nutrition education and act as a source for agriculture-related lessons and curricula.⁴⁵ Studies underpin these claims, showing that farm to school educational activities can increase knowledge on topics such as nutrition and health, local foods and agriculture, and the environment.⁴⁶ Studies that have examined programs with a parental education component have also observed positive changes in parental behavior, knowledge, and attitudes with regard to healthy food.⁴⁷

Farm to school educational activities can increase knowledge on topics such as nutrition and health, local foods and agriculture, and the environment.

There are hundreds of lesson plans and educational activities available online that can be used to integrate education into farm to school programs. Links to curricula and educational activities, including ones designed for Mississippi students, can be found in Section X, under “Education.” Lesson plans may focus on science and agriculture, for example teaching students the names and growing seasons of local products, but many also incorporate other subject areas, such as economics or mathematics. Experiential learning activities, such as farm visits or cooking and gardening classes, are particularly effective ways to increase student knowledge.⁴⁸

IV. Federal Laws and Regulations

Child Nutrition Reauthorization Act

Congress must reauthorize the federal child nutrition programs every five years. Each of the eight federal school meal and child nutrition programs are authorized in this single piece of legislation, including the National School Lunch Program, the School Breakfast Program, and the Special Supplemental Nutrition Program for Woman, Infants, and Children (WIC), among others.⁴⁹ The most recent iteration of the law, entitled The Healthy, Hunger-Free Kids Act of 2010 (HHK Act), promises to

⁴⁴ Dietz, *supra* note 27.

⁴⁵ USDA Food and Nutrition Service, *USDA Farm to School Initiative Facts Sheet*, available at http://www.fns.usda.gov/cnd/f2s/pdf/F2S_initiative_fact_sheet_040110.pdf (last visited May 14, 2011).

⁴⁶ Joshi et al., *supra* note 15 at 237.

⁴⁷ *Id.* at 240.

⁴⁸ A U.C. Berkeley study, for example, tracked nutrition knowledge and consumption of fruits and vegetables among students in schools participating in a comprehensive farm to school program and found that students in schools with regular cooking and gardening classes had significantly higher nutrition knowledge scores and a greater preference for and consumption of fruits and vegetables than students spending little to no time cooking and gardening at school. Suzanne Rauzon et al., *An Evaluation of the School Lunch Initiative*, Ctr. for Weight & Health, U.C. Berkeley, 22, 26 (Sept. 2010), available at http://cwh.berkeley.edu/sites/default/files/primary_pdfs/An_Evaluation_of_the_School_Lunch_Initiative_Final%20Report_9.2_2.10.pdf (last visited May 14, 2011).

⁴⁹ The remaining child nutrition programs are the Child and Adult Care Food Program, the Summer Food Service Program, the Afterschool Snack and Meal Program, the Fresh Fruit and Vegetable Program, the Fresh Fruit and Vegetable Program, and the Special Milk Program. Food Research and Action Center, *CNR FAQ*, available at <http://frac.org/leg-act-center/cnr-priorities/cnr-faq/> (last visited May 14, 2011).

significantly change the content of school meals in America.⁵⁰ It encourages schools to increase the amounts of fresh fruits and vegetables served (by authorizing a higher reimbursement rate for such increase) and funds competitive grants dedicated to farm to school programs around the country. By incorporating farm to school into its school meal plans now, Mississippi will be prepared to benefit from the grants, regulations, and initiatives that are being set in motion by the HHK Act.

The Healthy, Hunger Free Kids Act of 2010 provides \$40 million in mandatory funding for a USDA Farm to School grant program.

The HHK Act gives the USDA the authority to establish new national nutritional standards for foods sold at schools throughout the school day.⁵¹ As discussed below, these new nutritional standards are expected to require schools to include more fruits and vegetables in school meals. Schools that meet the new standards will receive a six-cent increase in the federal reimbursement rate for each school lunch.⁵² Six cents may not seem like a significant increase; however it is the first increase in federal reimbursement rates aside from inflation adjustments in thirty years.⁵³

This increase in the reimbursement rate will be further augmented by section 205 of the statute, which requires schools to gradually increase the price charged for “paid” school lunches.⁵⁴ Paid lunches are meals purchased by children who do not qualify for free or reduced meals. Many schools currently divert federal dollars intended to reimburse meals for low-income children to subsidize the price of paid meals.⁵⁵ The HHK Act ensures that more money will be spent on school lunches by gradually ending this practice. Over the next decade, this provision is expected to raise about \$2.6 billion for school lunches, or approximately five cents per lunch served.⁵⁶

In the previous reauthorization, the Child Nutrition and WIC Reauthorization Act of 2004, Congress included a Wellness Policy Mandate, which required school districts that receive federal funds for school meals to create school wellness policies.⁵⁷ The wellness policies were to establish general nutrition and physical activity goals.⁵⁸ A 2009 Robert Wood Johnson Foundation brief on school wellness policies found that the quality of local school wellness policies varied greatly across school districts.⁵⁹ School

⁵⁰ Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183 (2010).

⁵¹ *Id.* § 208; Food Research and Action Center, *Highlights: Healthy, Hunger Free Kids Act of 2010*, available at <http://frac.org/highlights-healthy-hunger-free-kids-act-of-2010/> (last visited May 14, 2011).

⁵² Healthy, Hunger-Free Kids Act of 2010 § 201.

⁵³ Jane Black, *Extra Lunch Money Hidden in Child Nutrition Bill*, THE ATLANTIC, Dec. 3, 2010, available at <http://www.theatlantic.com/life/archive/2010/12/extra-lunch-money-hidden-in-child-nutrition-bill/67444/> (last visited May 14, 2011).

⁵⁴ Healthy, Hunger-Free Kids Act of 2010 § 205.

⁵⁵ *Id.*

⁵⁶ Email from Jane Black, freelance food writer, to author (Mar. 23, 2011) (on file with author).

⁵⁷ 42 U.S.C.A. § 1751 (West 2011), available at <http://www.fns.usda.gov/tn/healthy/108-265.pdf> (last visited May 14, 2011).

⁵⁸ *Id.*

⁵⁹ Robert Wood Johnson Foundation, *Local School Wellness Policies: How are Schools Implementing the Congressional Mandate?*, 5 (2009), available at <http://www.rwjf.org/files/research/20090708localwellness.pdf> (last visited May 14, 2011).

districts were not required to set specific goals and there were no penalties for districts that failed to implement their policies, allowing school districts to essentially ignore the mandate.⁶⁰

The HHK Act strengthens local school wellness policies by updating the requirements of the policies and requiring opportunities for public input, transparency, and an implementation plan.⁶¹ The HHK Act also requires the USDA to issue revised regulations to provide new guidelines for local school wellness policies.⁶² The growing emphasis on wellness policies at the federal level will likely act as an impetus for schools to further increase the amount of fresh fruits and vegetables they serve.

Finally, the HHK Act provides \$40 million in mandatory funding for a new USDA farm to school grant program.⁶³ This new grant program is discussed in Section X, under “Government Funding Opportunities.” The Farm to School Grant program will finance farm to school training, operations, planning, and equipment. It will also support the creation of partnerships and efforts to develop school gardens. Among the criteria used to select grantees will be the number of students at participating schools that qualify for low or reduced price meals.

Proposed USDA School Meal Standards

In compliance with the HHK Act, in January 2011 the USDA published a proposed rule to update the nutrition standards for school meals.⁶⁴ The new standards, which will be the first significant revision to school meal standards in fifteen years, were based on a 2009 Institute of Medicine report.⁶⁵ The proposed fruit and vegetable serving requirements would greatly increase the amount of produce served by most schools. The amount of fruit required to be served with breakfast would be doubled.⁶⁶ Lunch servings of fruits and vegetables would see a similar increase. Currently, only half a cup of fruits or vegetables are required to meet the minimum lunch requirement.⁶⁷ The proposed new minimum requirement would provide students with at least three-fourths of a cup of vegetables *and* half a cup of fruit at lunch.⁶⁸

The proposed rule would also increase the variety of vegetables served at many schools. It would require schools to serve at least half a cup of the following vegetable subgroups each week: dark green, orange, legumes, and other.⁶⁹ Starchy vegetables, such as white potatoes, corn, and green peas, would be limited to one cup per week.⁷⁰

⁶⁰ *Id.*

⁶¹ Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, § 204, 124 Stat. 3183, 3216 (2010); Food Research Action Center, *Summary of the School Nutrition Program Provisions in the Healthy, Hunger-Free Kids Act of 2010*, 3, available at http://frac.org/wp-content/uploads/2010/04/cnr_school_nutrition_program_provisions_summary.pdf (last visited May 14, 2011).

⁶² *Id.*

⁶³ Healthy, Hunger-Free Kids Act of 2010 § 243.

⁶⁴ Nutritional Standards in the National School Lunch and School Breakfast Programs, 76 Fed. Reg. 2494 (proposed Jan. 13, 2011) (to be codified at 7 C.F.R. pt. 210), available at <http://www.fns.usda.gov/cnd/Governance/regulations/2011-01-13.pdf> (last visited May 14, 2011).

⁶⁵ Institute of Medicine, *School Meals: Building Blocks for Healthy Children* (2009).

⁶⁶ *Id.* at 2500. Schools will also be able to fulfill the breakfast requirement with non-starchy vegetables.

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.* at 2500, 2554. The dark green subgroup contains bok choy, broccoli, collard greens, dark green leafy lettuce, kale, mustard greens, romaine lettuce, spinach, turnip greens, and watercress. The orange category includes acorn squash, butternut squash, carrots, pumpkins, and sweet potatoes. Legumes includes black beans, black-eyed peas, garbanzo beans, green peas, kidney beans, lentils, lima beans, soy beans, split peas, and white beans. Starchy vegetables include corn, green peas, lima beans, and

USDA Geographic Preference Rule

Like the periodic reauthorization of the federal child nutrition programs achieved through the HHK Act, the federal farm bill must be reauthorized every five years. The farm bill is the largest and most important law relating to agriculture and food policy at the federal level. While it does not directly affect the content or funding of school meals like the HHK Act, it plays a major role in agriculture in America and an increasingly important role in the growth of farm to school. The Food, Conservation and Energy Act of 2008 is the most recent iteration of the farm bill. This Act directed the USDA to pass regulations encouraging institutions participating in child nutrition programs to purchase local agricultural products.⁷¹ Under this mandate, in April 2011 the USDA released a rule allowing these institutions to apply a geographic preference in the procurement of unprocessed locally grown and locally raised agricultural products.⁷² The rule clearly establishes that giving local bidders an advantage in the procurement process for unprocessed products is not only legal under federal law, but is actively encouraged by it.

The geographic preference rule's impact in Mississippi may be limited due to the bidding process used by the Mississippi Department of Education's statewide purchasing cooperative. As discussed below in Section V, "Food Purchasing Practices in Mississippi," the majority of public schools in Mississippi purchase their produce through a statewide purchasing cooperative.⁷³ When choosing suppliers, the cooperative issues an invitation for a bid (IFB), in which suppliers submit a price proposal for the product.⁷⁴ A supplier's product must satisfy the cooperative's specifications in order to be considered.⁷⁵ These specifications are designed to ensure that the cooperative's products meet or exceed national quality standards.⁷⁶ As is standard practice with IFBs, however, these specifications play no role in the bidding process outside of determining who may participate and the lowest qualifying bid is normally awarded the contract. This is in contrast to a request for proposal (RFP), in which other considerations, such as the geographic provenance of a product, can be considered when selecting the bid. Because IFBs do not take factors other than price into account when determining the winning bid, it will be more difficult for institutions that use IFBs to take advantage of the USDA's new geographic preference rule. Nonetheless, the USDA has recommended a couple of methods for incorporating geographic preference into IFBs. First, an IFB issuer can write in specifications that advantage local suppliers.⁷⁷ For example, an issuer seeking bids on apples could specify that the apple must be picked within one day of delivery or

white potatoes. The "other" category includes "all other . . . vegetables," including tomatoes, tomato juice, iceberg lettuce, green beans, and onions."

⁷⁰ *Id.* at 2500.

⁷¹ Food, Conservation and Energy Act of 2008, Pub. L. 110-234, § 11002, 122 Stat. 923, 1125-1126 (2008).

⁷² Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs, 76 Fed. Reg. 22,603 (Apr. 22, 2011). This new rule defines "unprocessed foods" as foods whose "inherent character" as agricultural products has not been altered. This definition still allows *de minimis* handling and preparation, such as "washing vegetables, bagging greens, butchering livestock and poultry, pasteurizing milk, and putting eggs in a carton." *Id.* at 22,604. Purchasing institutions will be given the authority to define the geographic area considered local. *Id.* Ground beef will be considered unprocessed as long as no additives or preservatives are added to it. *Id.* at 22,605.

⁷³ Email from Dorothy Smith, Projects Officer, Office of Child Nutrition, Mississippi Department of Education, to author (Feb. 8, 2011) (on file with author).

⁷⁴ Telephone interview with Priscilla Ammerman, *supra* note 4.

⁷⁵ Email from Priscilla Ammerman, Projects Officer, Director of Purchasing and Food Distribution, Mississippi Department of Education, to author (June 17, 2011) (on file with author).

⁷⁶ *Id.*

⁷⁷ Cynthia Long, *Procurement Geographic Preference Q&As*, USDA Food and Nutrition Service (Feb. 1, 2011), available at http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2011/SP18-2011_os.pdf (last visited May 14, 2011).

must have been harvested within a certain time period.⁷⁸ Second, bidders who meet geographic preference guidelines could have a pre-determined amount of money deducted from their bidding price.⁷⁹ An issuer, for example, could decide that it would be willing to pay an additional five dollars if at least 100 crates of apples are sourced locally. If a supplier specifies in her bid that over 100 crates of apples will be locally grown, five dollars would then be subtracted from her bidding price.⁸⁰ These methods would allow all purchasers to apply a geographic preference, regardless of their bidding process.

V. Food Purchasing Practices in Mississippi

Overview

Public schools in Mississippi currently procure food from three different sources: (1) the Mississippi Department of Education's (MDE) statewide purchasing cooperative, (2) the United States Department of Agriculture's (USDA) commodity programs, and (3) independent distributors.⁸¹ This section will also discuss another method of procurement previously used in Mississippi: "farm direct" purchasing. This type of purchasing, in which school buy agricultural products directly from farmers, has traditionally been the focus of local farm to school programs.⁸²

Statewide Purchasing Cooperative

The Mississippi Department of Education (MDE) operates a statewide purchasing cooperative.⁸³ School districts are not required to participate in the program, although all but three districts in the state do.⁸⁴ School districts that take part in the program are able to order over 650 food items online, which are often available at low prices due to the large volume of food purchased through the cooperative.⁸⁵ The purchasing program has a component that is mandatory for all participants, called "full-line," and four optional components that participants can join on top of the "full-line" program: bread, ice cream, milk, and produce.⁸⁶ Of the 192 schools that participate in the statewide purchasing program, 119 also elect to participate in the optional produce program.⁸⁷ Schools that purchase their produce from the statewide cooperative are primarily located in rural areas and lack access to local produce wholesalers.⁸⁸

As noted above, the statewide purchasing cooperative's current bidding process makes it difficult to give preference to in-state or local products. Instead of issuing requests for proposals (RFPs) when selecting distributors, MDE issues invitations for bids (IFBs).⁸⁹ IFBs, unlike RFPs, focus solely on pricing when

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ The five dollars would only be deducted in order to determine the winning bidder and would not affect the actual price paid to a bidder. *Id.*

⁸¹ Telephone interview with Priscilla Ammerman, *supra* note 4.

⁸² Betty Izumi et al., *Farm to School Programs: Exploring the Role of Regionally-Based Food Distributors in Alternative Agrifood Networks*, 27 AGRIC. HUM. VALUES 335, 336 (2010).

⁸³ Mississippi Office of Healthy Schools, *How to Join the Purchasing Program*, available at http://www.healthyschoolsms.org/nutrition_services/joining_purchasing.htm (last visited May 14, 2011).

⁸⁴ Telephone interview with Priscilla Ammerman, *supra* note 4.

⁸⁵ Mississippi Office of Healthy Schools, *How to Join the Purchasing Program*, *supra* note 83.

⁸⁶ Telephone interview with Priscilla Ammerman, *supra* note 4.

⁸⁷ Email from Dorothy Smith, *supra* note 73.

⁸⁸ Telephone interview with Priscilla Ammerman, *supra* note 4.

⁸⁹ *Id.*

determining the winning bid and do not take into account other considerations, such as the amount of local food that will be used. As discussed above in Section V, the USDA has recommended two different methods for incorporating a geographic preference into IFBs. These methods will be further discussed in Section IX, “Recommendations.”

Even if MDE were to give preference to distributors using local products during the bidding process, its certification requirements would exclude most Mississippi farmers. MDE requires that produce purchased from distributors through its bid system must have proof of successful completion of a third party audit using nationally recognized certification standards, such as Good Agricultural Practices/Good Handling Practices, SQF 2000, or ISO 22000, among others.⁹⁰

One of the most commonly used audit programs is Good Agricultural Practices (GAP) and Good Handling Practices (GHP), which is also required for produce purchases through the Department of Defense Fresh Program (discussed below).⁹¹ GAP and GHP are tools intended to ensure that farmers and food processors are using the best available methods to keep food products safe from foodborne illnesses. The USDA’s Agricultural Marketing Service (USDA/AMS) verifies that producers meet GAP and GHP standards based on adherence to the Food and Drug Administration (FDA) Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables.⁹² GAP appraises farm practices while GHP examines practices at packing facilities, storage facilities, and wholesale distribution centers.⁹³

GAP/GHP certification is optional and individuals or companies applying for certification must pay all associated expenses (including getting the farm outfitted so that it can pass the certification process and paying for the certification itself).⁹⁴ Due to the fiscal burden and the perception that the certification process is complex, few small or mid-sized farms are GAP/GHP certified. In Mississippi, only thirty-three farms are certified and twenty-three of these are only certified for blueberries.⁹⁵

USDA Commodity Programs

MDE also orders food through the USDA commodity programs, including the National School Lunch program, the Fresh Fruit and Vegetable Program, and the Department of Defense Fresh Fruit and Vegetable Program.⁹⁶ The National School Lunch program is the USDA’s main school meal program, providing cash subsidies and donated commodities to participating schools.⁹⁷ The Fresh Fruit and Vegetable Program provides schools with fruit and vegetable snacks to distribute to children without charge.⁹⁸ The Department of Defense (DoD) Fresh Fruit and Vegetable Program (Fresh Program) also

⁹⁰ Email from Priscilla Ammerman, Projects Officer, Director of Purchasing and Food Distribution, Mississippi Department of Education, to author (May 25, 2011) (on file with author).

⁹¹ *Id.*

⁹² USDA Agricultural Marketing Service, *Grading, Certification and Verification*, available at <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&page=GAPGHPAuditVerificationProgram> (last visited May 14, 2011).

⁹³ *Id.*

⁹⁴ *See id.*

⁹⁵ USDA Agricultural Marketing Service, *GAP/GHP Audit Verification Program Mississippi*, available at <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5087826> (last visited May 14, 2011); this count excludes two facilities held by Alcorn State University.

⁹⁶ Mississippi Office of Healthy Schools, *How to Join the Purchasing Program*, *supra* note 83.

⁹⁷ USDA Food and Nutrition Service, *National School Lunch Program*, available at <http://www.fns.usda.gov/cnd/lunch/> (last visited May 14, 2011).

⁹⁸ USDA Economic Research Service, *Child Nutrition Programs: USDA Fruit and Vegetable Program*, available at <http://www.ers.usda.gov/briefing/childnutrition/fruitandvegetablepilot.htm> (last visited May 14, 2011).

offers schools fruits and vegetables, however its produce is generally used for school lunch programs.⁹⁹ The National School Lunch Program is the only USDA commodity program that does not provide fresh produce.¹⁰⁰

DoD operates a national system run to purchase and distribute fresh produce to military installations, Federal prisons, and veterans hospitals.¹⁰¹ Since the mid-1990s, state agencies and local school districts have been able to procure fresh fruits and vegetables from DoD through the Fresh Program.¹⁰² School districts or state agencies place orders with regional vendors, who in turn deliver the fruits and vegetables directly to schools.¹⁰³ According to the USDA, state education departments and local schools districts participate in the Fresh Program because it offers a wide selection of good quality produce and frequent deliveries at a reasonable cost.¹⁰⁴ The DoD Fresh Program houses Mississippi's only farm to school initiative.

MDE and the Mississippi Department of Agriculture and Commerce (MDAC) have offered locally raised produce through the DoD Fresh Program since 2002.¹⁰⁵ Of the \$2.5 million spent by the DOD Fresh Program in Mississippi during the 2009 – 2010 school year, \$294,470 was spent on in-state produce through their farm to school program.¹⁰⁶ Every six months, MDE sends MDAC a list of produce that will be purchased by schools over a subsequent six-month period.¹⁰⁷ MDAC then contacts Mississippi farmers that might be able to provide some of the produce.¹⁰⁸ Like the produce purchased by the statewide cooperative, produce purchased through the DoD Fresh Program must have proof of a third party auditing. In this case, produce through this program must be GAP/GHP certified.¹⁰⁹ Participating growers must also bring their produce to Jackson to be inspected and then distributed by the state to the school districts, further adding to their costs.¹¹⁰ As a result, only large farms are involved with this program.

Independent Distributors

Mississippi schools can also purchase food from national or regional distributors. Distributors are businesses with warehouses and trucks that store and sell products to food service customers such as restaurants, hospitals, and of course, schools.¹¹¹ Most schools nationwide receive the bulk of their food

⁹⁹ See USDA Food and Nutrition Service, *Department of Defense Fresh Fruit and Vegetable Program*, available at http://www.fns.usda.gov/fdd/programs/dod/DOD_FreshFruitandVegetableProgram2011.pdf (last visited May 14, 2011).

¹⁰⁰ Mississippi Office of Healthy Schools, *How to Join the Purchasing Program*, *supra* note 96.

¹⁰¹ USDA Food and Nutrition Service, *Department of Defense Fresh Fruit and Vegetable Program*, *supra* note 99.

¹⁰² *Id.*

¹⁰³ *Id.*; Telephone interview with Priscilla Ammerman, *supra* note 4.

¹⁰⁴ USDA Food and Nutrition Service, *Department of Defense Fresh Fruit and Vegetable Program*, *supra* note 99.

¹⁰⁵ National Farm to School Network, *Mississippi Profile*, available at <http://www.farmtoschool.org/state-home.php?id=57> (last visited May 14, 2011).

¹⁰⁶ Adams Produce, the prime vendor for DOD in Mississippi, purchased twelve different products from Mississippi growers in the 2009 – 2010 school year: blueberries, broccoli crowns, cabbage, sliced cucumbers, eggplant, southern peas, bell peppers, sweet potatoes, yellow squash, grape tomatoes, and seedless watermelons. Just three of those crops, blueberries, sweet potatoes, and seedless watermelons, accounted for over 50% of Adams' in-state purchases. Email from Priscilla Ammerman, *supra* note 6.

¹⁰⁷ Telephone interview with Andy Prosser, *supra* note 8.

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ A concise and informative introduction to the distribution business can be found in Janet Poppendieck's *Free For All: Fixing School Food in America*. JANET POPPENDIECK, *FREE FOR ALL: FIXING SCHOOL FOOD IN AMERICA*, *supra* note 39, at 108-110.

from one or two distributors.¹¹² In Mississippi, however, all but three schools get their entrees from the statewide purchasing cooperative.¹¹³ Nonetheless, a significant number of public schools in Mississippi purchase some food from distributors.¹¹⁴ When it comes to produce, almost 40% of Mississippi public schools opt to buy from distributors.¹¹⁵

Farm Direct Purchasing

Farm to school efforts around the nation generally focus on farm direct purchases, in which schools buy directly from farmers without any intermediaries.¹¹⁶ Both independent distributors and the statewide purchasing program give school districts the flexibility to purchase products directly from local farmers, yet state school officials and local farm to school network representatives are unaware of any schools in Mississippi currently doing so.¹¹⁷ Farm direct purchases benefit small and mid-sized farmers by giving them access to a large, stable market in which they can get a higher dollar value per item than they would receive from distributors.¹¹⁸ They also give schools an opportunity to educate children about local agriculture, since the school district would be partnered with local farmers.¹¹⁹ Thus, farm direct purchasing is one of the strongest ways to implement farm to school programs in schools. Nonetheless, it is important to consider other ways to integrate farm to school into a school's purchasing practices. As will be discussed in Section VII, "Implementing Farm to School," increasing the amount of local food purchased by food distributors can also be an effective way for schools to initiate or expand farm to school programs.

How Do Normal Schools in Mississippi Purchase Food?

The purchasing patterns of three hypothetical school districts are described below in order to further illustrate the purchasing system in Mississippi and to explore the types of issues Mississippi school districts face when deciding how to purchase food.

School District A

School District A is located in an isolated rural county without any local produce vendors. It participates in the "full-line" statewide purchasing cooperative as well as the four optional programs to save on administrative expenses and because independent vendors cannot service the area without charging prohibitively high rates. In addition, more than 20% of its food (more than the national average) is supplied through federal commodity programs (including DoD Fresh Program). The commodity programs allow the school district to stretch its scarce funds. Despite a lack of local produce vendors, School District A is surrounded by farmland, making it ideal for "farm direct" farm to school programs.

School District B

¹¹² *Id.* at 108.

¹¹³ Telephone interview with Priscilla Ammerman, *supra* note 4.

¹¹⁴ *Id.*

¹¹⁵ Email from Dorothy Smith, *supra* note 73.

¹¹⁶ Farm to school programs can use local food purchased from distributors or, as discussed below, statewide purchasing cooperatives; Betty Izumi et al., *supra* note 82, at 336.

¹¹⁷ *Id.*; Telephone interview with Glyen Holmes, Executive Director, New North Florida Cooperative Association (Jan. 31, 2011); Interview with Daniel Teague, Agribusiness Management Specialist, Mississippi Association of Cooperatives, in Jackson, Miss. (Mar. 11, 2011).

¹¹⁸ Mark Vallianatos et al., *Farm-to-school: Strategies for Urban Health, Combating Sprawl, and Establishing a Community Food Systems Approach*, 23 J. PLAN. EDUC. AND RES. 414, 415 (2004).

¹¹⁹ Betty Izumi et al., *supra* note 82, at 336.

School District B's boundaries encompass parts of a mixed-income area with a combined population of over 50,000 residents and a local university. The district participates in the full-line purchasing program as well as the bread, milk, and ice cream optional purchasing programs because it benefits from the cooperatives' low prices and convenient ordering system. It purchases most of its produce from a local distributor, with whom it has had a long relationship. It also receives about 15% of its food from the national commodity programs, although its school food service director is sometimes unsatisfied with the quality of produce they receive through the programs. The school food service director knows a few farmers in the area interested in selling produce to his district, but a busy work schedule and concerns about food safety keep him from experimenting.

School District C

School District C serves tens of thousands of students in a large urban area. An overwhelming majority of its student population qualifies for free or reduced-price lunches, and as a result it receives a higher cash reimbursement per meal from the federal government than many other districts. Nonetheless, its school food service director faces severe budgetary constraints. It takes part in the statewide full-line, milk and dairy purchasing programs and purchases its bread and produce from an independent distributor who is able to supply its large student population quickly and cheaply. It utilizes the national commodity programs as well, which supplies its students with fruit and vegetable snacks, as well as meat, dairy, oil, and grain products. About 20% of its food is sourced from the national commodity programs. Community members and local nonprofits have recently begun to express interest in improving the nutritional value of the district's food. Its food service director would like to serve healthy, local food, however all of the food for the district is prepared in one large central kitchen, which makes this challenging, and the district has little money to spare on pilot programs.

VI. Barriers to Farm to School

This section provides a brief overview of the barriers facing farm to school efforts in Mississippi. Section VII contains case studies detailing how farm to school has been implemented in other regions facing similar hurdles, and gives recommendations on how state government and nonprofit organizations can address these barriers and thereby encourage the growth of farm to school in Mississippi.

Small and mid-sized farmers do not have the equipment to process and deliver their products

Farm to school programs rely on having local food delivered to schools in a cost-efficient manner. Individual farmers, however, generally do not have the resources to deliver their product to local schools in a cost-effective way. Further, schools are more likely to purchase local products if they are processed.¹²⁰ This creates additional expenses for the farmer, particularly if there are no local processing facilities.

Farmers and food service directors find it difficult to communicate with each other

There are currently no programs connecting farmers and school food service directors in Mississippi. This makes it difficult for farmers and food service directors interested in farm to school to find each

¹²⁰ See JoAnne Berkenkamp, *Making the Farm/School Connection: Opportunities and Barriers to Greater Use of Locally-grown Produce in Public Schools*, Leopold Center for Sustainable Agriculture, 20, available at www.leopold.iastate.edu/research/marketing_files/Minnesota.pdf (last visited May 14, 2011).

other, impeding the development of new farm to school programs. As discussed below, successful farm to school efforts go to great lengths to build relationships between farmers and schools.

Most school food service directors in Mississippi do not have any experience purchasing products directly from growers

Private distributors and the statewide purchasing cooperative work to make food purchasing easy and predictable for school food service directors.¹²¹ Purchasing from farmers, however, generally requires additional administrative and procurement work.¹²² Further, food service directors may not be familiar with risk management strategies used to ensure the safety of local produce and may be hesitant to purchase local products due to food safety concerns.

Schools are often not equipped to buy local products

A large number of school kitchens in Mississippi are only equipped to assemble and if necessary, heat, pre-packaged meal items. To prepare locally purchased products, schools require equipment for storing, prepping, and cooking raw ingredients that many currently do not have. Upgrading equipment requires considerable time and expense and may require additional support from outside sources.

Small school districts may not have enough demand to attract farmers

Even though rural school districts may seem ideal for farm to school programs, their limited size can be a hindrance. Farmers may not earn enough income from sales to a single small school district to make such transactions beneficial for them. Small school districts are also less likely to have sufficient staff and resources to handle fresh produce, further reducing the amount they can purchase.

Most farmers in Mississippi do not have the required certification to participate in statewide purchasing programs

The Mississippi Department of Education requires produce purchased for the statewide purchasing cooperative to be certified using a third party auditing system and requires produce purchased through the DoD Fresh Program to be sourced from suppliers who are certified according to Good Agricultural Practices (GAP) and Good Handling Practices (GHP).¹²³ Due in part to the cost associated with the certification process and the perception that the certification process is complex, only thirty-three farms in Mississippi are certified.¹²⁴

VII. Implementing Farm to School: Case Studies

Overview

¹²¹ JoAnne Berkenkamp, *Making the Farm/School Connection: Opportunities and Barriers to Greater Use of Locally-grown Produce in Public Schools*, *supra* note 120, at 2; Telephone interview with Priscilla Ammerman, *supra* note 4.

¹²² Betty Izumi et al., *supra* note 82, at 336.

¹²³ Telephone interview with Priscilla Ammerman, *supra* note 4.

¹²⁴ USDA Agricultural Marketing Service, *GAP/GHP Audit Verification Program Mississippi*, *supra* note 95.

Experienced farm to school organizers stress that there is no single farm to school model that works everywhere.¹²⁵ Both state and locally driven efforts must take into account the state school food purchasing system, local infrastructure, local distribution networks, available assets, and the goods produced by local farmers, among other factors.¹²⁶ Nonetheless, successful initiatives share certain characteristics. Using the following case studies, the recommendations found in Section IX will attempt to highlight these characteristics while explaining how they might be adapted to Mississippi's circumstances.

At the Local Level: Green Mountain Farm to School

Green Mountain Farm to School's innovative farm to school program was developed in response to the needs of its local community, Vermont's Northeast Kingdom. While Green Mountain remains focused on the Northeast Kingdom, its geographic scope has quickly expanded since the program's founding in 2008. Its multi-pronged approach to farm to school, which focuses on education, relationships, and distribution, is now being introduced throughout the state. Its growth in the Northeast Kingdom and its expansion into a statewide organization offer a valuable study on how a local program can quickly expand without sacrificing financial sustainability or quality.

The rural Northeast Kingdom region in northeast Vermont encompasses three counties and nine school districts.¹²⁷ Approximately 15,770 school-age children live in the Kingdom out of a total population of 64,519.¹²⁸ The largest town in the region, St. Johnsbury, has an estimated population of 7,421.¹²⁹ Like many of Mississippi's rural areas, it has high rates of poverty and childhood obesity and many of its residents have limited access to fresh food.¹³⁰ Despite an abundance of farmland, Katherine Sims, the founder of Green Mountain Farm to School, calls it "a classic food desert."¹³¹

Green Mountain Farm to School grew out of a single school garden program created in 2005.¹³² In 2007, this initiative was expanded into a farm to school pilot program involving five schools and more than twenty-five farms in the Northeast Kingdom.¹³³ The pilot proved successful and Green Mountain Farm to School was established to expand the program.¹³⁴ Green Mountain currently works with twenty-four schools throughout northern Vermont, ranging in size from 35 to 300, with most having between 100

¹²⁵ Telephone interview with Marion Kalb, Program Director, National Farm to School Network (Jan. 13, 2011); Telephone interview with Glyn Holmes, *supra* note 117; Telephone interview with Colleen Matts, Outreach Specialist, The C.S. Mott Group for Sustainable Food Systems at Michigan State University (Feb. 11, 2011).

¹²⁶ *Id.*

¹²⁷ Northeast Kingdom Chamber of Commerce, *Regional Info*, available at <http://nekchamber.com/nekregionalinfo> (last visited May 14, 2011); Northeast Kingdom Chamber of Commerce, *Northeast Kingdom Educational Resources*, available at <http://nekchamber.com/right.php/pid/75/sid/479/tid/912> (last visited May 14, 2011).

¹²⁸ Data compiled from Vermont Indicators Online, a joint project between the University of Vermont Center for Rural Studies and the Vermont Center for Geographic Information. Vermont Indicators, *Profiles*, available at <http://maps.vcgi.org/indicators/profiles.cfm> (last visited May 14, 2011).

¹²⁹ Vermont Indicators, *St. Johnsbury*, available at http://maps.vcgi.org/indicators/cfhome/town_profile.cfm?Call_Program=INDICATORS&ProfileTown=St.+Johnsbury (last visited May 14, 2011).

¹³⁰ The Northeast Kingdom's poverty and childhood obesity rates are double Vermont's statewide average. Bella English, *Bring Kids to the Land and Good Food to the Table*, BOSTON GLOBE, June 27, 2010, available at http://articles.boston.com/2010-06-27/news/29303013_1_school-cafeterias-sims-local-food-movement (last visited May 14, 2011).

¹³¹ *Id.*

¹³² Green Mountain Farm to School, *History*, available at <http://www.greenmountainfarmtoschool.org/history.php> (last visited May 14, 2011).

¹³³ *Id.*

¹³⁴ *Id.*

and 150 students.¹³⁵ Green Mountain runs three different programs: an after-school education program called Sprouts; the Farm to School Network, which coordinates farm to school activities and develops relationships with educators, school staff and farmers; and Green Mountain Farm Direct, which serves as a regional food distribution system, connecting local farmers to restaurants, schools, and other institutions. These programs are discussed in greater detail below.

During the 2010 growing season, twenty school gardens produced over 2,600 pounds of fresh fruits and vegetables for school cafeterias.

Building and Maintaining Excitement

Generating excitement about local food among stakeholders has played an important role in the growth of Green Mountain. While developing the institutional resources necessary to coordinate and run farm to school activities, Green Mountain has worked to keep local businesses and community members involved. They discovered that restaurants, which are an important source of revenue for Green Mountain Farm Direct, are more likely to participate if they can demonstrate their involvement to their customers.¹³⁶ As a result, Green Mountain provides restaurants with marketing materials, including a series of posters promoting the use of local food and highlighting individual farmers.¹³⁷ Green Mountain has also worked to integrate community volunteers into its programs. It initially focused on finding volunteers able to lead activities during the day.¹³⁸ After that proved difficult, they created the Grow a Row project, a program in which community members grow an extra row of produce for their local school.¹³⁹ The program has been popular, and allows Green Mountain to engage the local community while providing schools with a free source of produce.¹⁴⁰

To maintain excitement about the program within schools, Green Mountain's Farm to School Network coordinators work with different stakeholders to organize farm to school activities. These activities include taste tests, field trips to farms, school composting, in-class educational workshops, school garden activities, farm to school committees, and harvest festivals.¹⁴¹ Principals, teachers and food service directors may not have time to organize these activities alone, but are often eager to get involved if Green Mountain can facilitate them.¹⁴² Each coordinator works with between five and seven schools and spends about five hours per week with each school.¹⁴³ The coordinators have helped Green Mountain respond to the needs of schools by developing close relationships with educators, school staff and farmers.¹⁴⁴

Focusing on Institutional Sustainability

¹³⁵ Telephone Interview with Katherine Sims, Executive Director, Green Mountain Farm to School (Apr. 18, 2011).

¹³⁶ Telephone Interview with Katherine Sims, *supra* note 135.

¹³⁷ *Id.*

¹³⁸ *Id.*

¹³⁹ *Id.*

¹⁴⁰ *Id.*

¹⁴¹ Green Mountain Farm to School, *Farm to School Network*, available at <http://www.greenmountainfarmtoschool.org/ftsnetwork.php> (last visited May 14, 2011).

¹⁴² Telephone Interview with Katherine Sims, *supra* note 135.

¹⁴³ *Id.*

¹⁴⁴ *Id.*

The Northeast Kingdom has the highest poverty rates in Vermont and is widely considered Vermont's most economically depressed area.¹⁴⁵ Nonetheless, Green Mountain has been able to use community resources to make the program financially sustainable. It aims to receive a third of its budget from grants and foundational support, a third through corporate and individual donors, and a third through program service fees and school funds.¹⁴⁶ In order to increase the profitability of their regional food distribution system, Green Mountain has started to approach other institutions such as restaurants, hospitals and prisons to see if they would be interested in purchasing food.¹⁴⁷ These entities are able to pay more for delivery, allowing Green Mountain to use funds gained from these transactions to support Green Mountain's farm to school programs.¹⁴⁸

Integrating Education

Sprouts, Green Mountain's after-school educational program, teaches students about nutrition and agriculture through gardening and cooking.¹⁴⁹ Green Mountain school gardens, which are designed entirely by students, allow students to participate in growing, harvesting and preparing foods.¹⁵⁰ During the 2010 growing season, twenty school gardens produced over 2,600 pounds of fresh fruits and vegetables for school cafeterias.¹⁵¹

Taste testing, in which local food products are brought for students to sample, is extremely popular among the students participating in Green Mountain's farm to school program.¹⁵² Green Mountain also involves students in the preparation of food. The program works with a class to develop a recipe made from local ingredients and then surveys children on whether they like it.¹⁵³ The recipe is added to the school's menu if it is popular among the students.¹⁵⁴

Developing a Sophisticated Distribution System

Green Mountain Farm Direct (GMFD) addresses a serious barrier to farm to school efforts around the country: transportation. Small farms generally do not have the resources to deliver their product to customers. Green Mountain originally addressed this problem by having one truck deliver to all of the participating schools.¹⁵⁵ As the number of participating farms and schools grew, however, it became more cost-efficient for Green Mountain to pay a local distributor a small fee to deliver food in

¹⁴⁵ Child poverty rates are above 20% in each of the region's counties, well above rates found elsewhere in Vermont. USDA Economic Resource Service, *2009 County-Level Poverty Rates in Vermont*, available at <http://www.ers.usda.gov/Data/povertyrates/PovListpct.asp?st=VT&view=Percent&longname=Vermont> (last visited May 14, 2011); Northeast Kingdom Enterprise Collaborative, *The Challenges: A Summary*, available at <http://www.nekcollaborative.org/old-site/part04.htm> (last visited May 14, 2011).

¹⁴⁶ Telephone Interview with Katherine Sims, *supra* note 135.

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

¹⁴⁹ Green Mountain Farm to School, *Sprouts*, available at <http://www.greenmountainfarmtoschool.org/sprouts.php> (last visited May 14, 2011).

¹⁵⁰ Green Mountain Farm to School, *Annual Report: 2009 – 2010*, available at <http://www.greenmountainfarmtoschool.org/File/2010%20GMFTS%20annual%20report%20FINAL.pdf> (last visited May 14, 2011).

¹⁵¹ Green Mountain Farm to School, *Sprouts*, *supra* note 149.

¹⁵² Telephone Interview with Katherine Sims, *supra* note 135.

¹⁵³ *Id.*

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

refrigerated trucks.¹⁵⁶ Through this program, small farmers are able to sell their products to local food service operations, improving farmers' profit margins and strengthening the local food system.

GMFD also makes it easier for food service directors to order local food. As large-scale operations with primarily industrial suppliers, private distributors are able to make the food ordering and delivery process incredibly painless and predictable.¹⁵⁷ Similarly, Mississippi's statewide purchasing cooperative's website offers a simple, easy-to-use way for food service directors to purchase food.¹⁵⁸ Purchasing from farmers, however, generally requires much more time and effort.¹⁵⁹ GMFD's goal is to make ordering local food as easy as ordering from normal distributors.¹⁶⁰ Each week the program catalogs locally available products and then distributes that information to its customers. Food service directors and other customers, such as chefs, may then place an order and GMFD will coordinate the delivery.¹⁶¹ The program is funded through two sources: service fees paid by the purchasing institutions and grants.¹⁶² Green Mountain eventually would like to charge farmers service fees as well.¹⁶³

In **2004**, a statewide survey of school food service providers in Michigan found that 11% of respondents had purchased foods from a local farmer or producer in the past year. By **2009**, the number of food service directors reporting having made such purchases in the last year had risen to 41%.

At the State Level: The Mott Group

Through the collaboration of state agencies, non-profits, and university involvement, Michigan has created a thriving farm to school program during a time of immense economic difficulty in the state. Like Mississippi, Michigan must contend with high poverty rates among families in rural counties. Indeed, children in rural counties in both states are more likely to be eligible for free or reduced school lunch programs than children living in urban areas in those states.¹⁶⁴ Farm to school programs in Michigan's rural counties face many of the same difficulties that previous farm to school efforts in Mississippi have encountered. Michigan's rural school districts are often too small to create enough demand to interest

¹⁵⁶ *Id.*

¹⁵⁷ As one 2006 study of farm to school in Minnesota put it, "Such [broadline] distributors offer a very standardized, streamlined procurement environment that is suited to the risk-averse and cost-conscious environment of most school districts." JoAnne Berkenkamp, *Making the Farm/School Connection: Opportunities and Barriers to Great Use of Locally-grown Produce in Public Schools*, *supra* note 120.

¹⁵⁸ Mississippi Department of Education, *Office of Child Nutrition Purchasing*, available at <https://aps.mde.k12.ms.us/aps/purchasers/> (last visited May 14, 2011).

¹⁵⁹ A recent article on regional food distributors and farm to school explained, "[T]he logistical procedures for getting the food from farms to schools has emerged as one of the key challenges of developing and maintaining these efforts. . . . [D]eveloping and maintaining direct face-to-face relationships with individual farmers often creates additional administrative and procurement (e.g., ordering, receiving, storing) work." Betty Izumi et al., *supra* note 82, at 336.

¹⁶⁰ Telephone Interview with Katherine Sims, *supra* note 135.

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ Mississippi had the highest overall state child poverty rate in 2008 at 30.4%. The Brookings Institute, *The Effects of the Recession on Child Poverty: Poverty Statistics for 2008 and Growth in Need during 2009*, 2 (July 6, 2010), available at http://www.brookings.edu/~media/Files/rc/papers/2010/0104_child_poverty_isaacs/0104_child_poverty_isaacs.pdf (last visited May 14, 2011). Its rural child poverty rate, however, was even higher at 35%. William O'Hare, *The Forgotten Fifth: Child Poverty in Rural America*, 8 (2009), available at <http://carseyinstitute.unh.edu/publications/Report-OHare-ForgottenFifth.pdf> (last visited May 14, 2011); ASSOCIATED PRESS, Report: Poverty Rates for Rural Michigan Higher than Wayne County, Jan. 11, 2010, available at http://www.mlive.com/news/index.ssf/2010/01/report_poverty_rates_for_rural.html (last visited May 14, 2011).

farmers.¹⁶⁵ These school systems also often lack the resources to invest time and money into farm to school pilot programs.¹⁶⁶ Some even lack a full-time food service director.¹⁶⁷ Meanwhile, local farmers often have little to no experience in marketing their products or supplying local retail customers.¹⁶⁸

The C.S. Mott Group for Sustainable Agriculture (Mott Group) at Michigan State University, which coordinates and assists farm to school programs throughout the state, has addressed these challenges in a variety of ways as detailed below. As a result, a growing number of Michigan schools are getting involved with farm to school. In 2004, a statewide survey of school food service providers found that 11% of respondents had purchased foods from a local farmer or producer in the past year.¹⁶⁹ By 2009, the number of food service directors reporting having made such purchases in the last year had risen to 41%.¹⁷⁰ The Mott Group estimates that there are now more than sixty established farm to school programs in Michigan.¹⁷¹

Connecting Farmers and Food Service Directors

The Mott Group's expertise in facilitating relationships between schools and farmers has been a significant factor in the growth of farm to school in Michigan. They initially connected farmers and food service directors by identifying which ones were interested in participating in farm to school and then making this information available to both parties through online databases.¹⁷² Cooperative Extension offices are used to inform farmers about farm to school opportunities and the Mott Group runs training sessions for school food directors on how to find farmers.¹⁷³ They have also recently started offering training sessions for farmers interested in marketing their products to schools.¹⁷⁴

Teaching Stakeholders How to "Speak the Language"

It is crucial for food service directors and farmers to understand how the purchasing process works and to have a sense of what the other party's expectations will be before participating in farm to school.¹⁷⁵ In other words, stakeholders need to learn how to "speak the language" of farm to school.¹⁷⁶ In 2008, the Mott Group published "Purchasing Michigan Products: A Step-by-Step Guide."¹⁷⁷ This guide, aimed at food service directors, contains practical information on initiating and running farm to school programs, provides sample documents for the bidding process, and explains the Michigan farm to school regulatory environment.¹⁷⁸ Encouraged by the success of the initial guide, the Mott Group

¹⁶⁵ Telephone interview with Colleen Matts, *supra* note 125.

¹⁶⁶ *Id.*

¹⁶⁷ *Id.*

¹⁶⁸ *Id.*

¹⁶⁹ Betty Izumi et al., *Results from the 2004 Michigan Farm-to-School Survey*, 76 J. SCH. HEALTH 169, 171 (2006).

¹⁷⁰ Email from Colleen Matts, Outreach Specialist, The C.S. Mott Group for Sustainable Food Systems at Michigan State University (Feb. 11, 2011) (on file with the author).

¹⁷¹ Michigan Farm to School, *Marketing Michigan Products to Schools: A Step-by-Step Guide*, available at <http://www.mifarmtoschool.msu.edu/index.php?q=marketing-guide> (last visited May 14, 2011).

¹⁷² Telephone interview with Colleen Matts, *supra* note 125.

¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ Michigan Farm to School, *Purchasing Michigan Products: A Step-by-Step Guide*, available at <http://www.mifarmtoschool.msu.edu/index.php?id=48> (last visited May 14, 2011).

¹⁷⁸ *Id.*

published a similar guide for farmers in 2010 entitled “Marketing Michigan Products to Schools: A Step-by-Step Guide.”¹⁷⁹

Setting Up Multi-District Programs

A small school system may not have sufficient demand to interest farmers. As a result, some rural school districts in Michigan have banded together to create multi-district farm to school programs.¹⁸⁰ These multi-district programs have worked well for both farmers and school districts and continue to grow in size.¹⁸¹ It is important to increase outreach efforts to small farmers when setting up multi-district programs, however, as organizers found that some small farmers erroneously believed such programs would require large suppliers.¹⁸²

Addressing Food Safety Concerns

Food safety is an important consideration for food service directors considering purchasing local products.¹⁸³ According to the Mott Group, the most effective way for food service directors to ensure that their food comes from a safe source is to visit the farm from which they are considering purchasing food.¹⁸⁴ Many food service directors lack experience inspecting food safety on farms.¹⁸⁵ The Mott Group recommends that inexperienced food service directors use a checklist for retail purchases of local produce, such as the one published by Iowa State University Extension.¹⁸⁶

An increasing amount of school systems are requiring their suppliers to have Good Agricultural Practices (GAP) and Good Handling Practices (GHP) certification. Alternatively, some school districts require their suppliers to have food safety plans.¹⁸⁷ While not as restrictive as requiring GAP/GHP certification, this does exclude some farmers. The Mott Group encourages farmers to have a food safety plan in place because it is an important step toward GAP certification.¹⁸⁸

Working with Distributors

Food service distributors provide both food and non-food products, such as napkins and utensils, to school districts. While some distributors might specialize in one product, such as produce, or focus on one type of food service facility, broadline distributors offer a wide range of products to different types of food service facilities. Contracts with broadline distributors normally require schools to purchase at least 85% of their produce from them.¹⁸⁹ As a result, it is important to get broadline distributors to focus on purchasing more local products. The Mott Group started by asking broadline and specialized

¹⁷⁹ Michigan Farm to School, *Marketing Michigan Products to Schools: A Step-by-Step Guide*, *supra* note 171.

¹⁸⁰ Telephone interview with Colleen Matts, *supra* note 125.

¹⁸¹ *Id.*

¹⁸² *Id.*

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

¹⁸⁶ *Id.*; Iowa State University Extension, *A Checklist for Purchasing Local Produce*, available at www.mifarmtoschool.msu.edu/assets/files/checklistforlocalproduce.pdf (last visited May 14, 2011).

¹⁸⁷ Telephone interview with Colleen Matts, *supra* note 125.

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

distributors to list their Michigan products.¹⁹⁰ They then asked food service directors to ask for more Michigan products in order to convey demand.¹⁹¹

At the Regional Level: The New North Florida Cooperative

In 1997, the New North Florida Cooperative (NNFC), a group of limited-resource growers, began selling produce to a small school district in the Florida panhandle.¹⁹² The NNFC faced numerous barriers, including insufficient credit, government regulations, and a lack appropriate equipment.¹⁹³ The program proved popular and the NNFC quickly expanded its operations to other school districts. By 2003, sales had expanded to fifteen school districts in four different states.¹⁹⁴ Around this time, the NNFC broadened its mission due to widespread interest in its methods and success.¹⁹⁵ In addition to directly distributing produce, it began to function as a “coalition serving networking functions . . . between farmers and schools” throughout the South.¹⁹⁶

Glyen Holmes, founder of the NNFC, has facilitated the development of farm to school programs in eight different southern states. His model focuses on relationship building and farm direct purchasing, where school districts procure food directly from local farmers.¹⁹⁷ When establishing a program he tries to develop a relationship with all the relevant stakeholders; ideally, this includes the state food service director, the state department of agriculture, local food service directors, a local organizing group, and local farmers.¹⁹⁸ Holmes meets with cafeteria workers to learn about their needs and to make sure that they understand how farm to school works.¹⁹⁹ Because farmers often have little to no experience with direct sales, Holmes trains them on how to interact with schools.²⁰⁰

While developing relationships with the key stakeholders, Holmes tries to address barriers inhibiting farm direct sales.²⁰¹ Local farmers often do not have the resources, equipment, or organizational structure to supply schools with a cost-effective amount of produce. In addition to monitoring the situation personally during the initial pilot period of the program, Holmes trains a local liaison on how to address these issues.²⁰² The liaison also maintains a close relationship with local stakeholders, recruits new farmers, seeks out new schools to work with, and ensures that the local farmers have suitable equipment for processing and distributing their crops.²⁰³

Developing Regional Expertise

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² National Farm to School Network, *The New North Florida Cooperative Farm to School Program*, available at <http://www.farmtoschool.org/state-programs.php?action=detail&id=23&pid=32> (last visited May 14, 2011).

¹⁹³ USDA Agricultural Marketing Service, *Success of the New North Florida Cooperative: A Progress Report on Producer Direct Sales to School Districts*, http://smallfarms.ifas.ufl.edu/planning_and_management/pdf/SuccessNo4.pdf (last visited May 14, 2011).

¹⁹⁴ National Farm to School Network, *The New North Florida Cooperative Farm to School Program*, *supra* note 192.

¹⁹⁵ New North Florida Coop, available at http://newnorthfloridacoop.com/index_files/nnfc.htm (last visited May 14, 2011).

¹⁹⁶ *Id.*

¹⁹⁷ Telephone interview with Glyen Holmes, *supra* note 117.

¹⁹⁸ *Id.*

¹⁹⁹ *Id.*

²⁰⁰ *Id.*

²⁰¹ *Id.*

²⁰² *Id.*

²⁰³ *Id.*

The NNFC's experiences throughout the South have enabled it to learn more about the region's needs and opportunities. School districts across the region share a similar culinary heritage, face similar challenges and have access to many of the same local agricultural products. While distribution and processing are issues for farm to school programs throughout the United States, the NNFC's knowledge of regional weather patterns and crops, as well as its extensive experience with rural school districts and limited-resource farmers, has allowed it to develop approaches to these issues that are well-suited to the region. It has learned, for example, to bring refrigeration trucks in the field when harvesting leafy greens in high temperatures, which significantly improves their quality and shelf life.²⁰⁴ As farm to school programs develop in Mississippi, they should also work to improve their operations by communicating with, and learning from, other programs in the region.

Meeting Demand for Processed Products

The NNFC has worked with many schools that are not equipped to process raw produce.²⁰⁵ Even when schools are able to process fruits and vegetables, they often prefer processed and packaged products.²⁰⁶ As a result, the NNFC focuses on delivering processed products, such as chopped greens and sliced sweet potatoes. By obtaining the equipment necessary to process and package fruits and vegetables at the onset of a new farm to school program, the NNFC helps create a number of local products that schools can easily and quickly integrate into their school meal plans.

Engaging Food Service Directors

Glyen Holmes develops relationships with a variety of stakeholders when organizing a new farm to school program.²⁰⁷ While he considers all of these stakeholders important, he places a particular emphasis on building close relationships with school food service directors.²⁰⁸ A school food service director's enthusiasm and feedback can help a small, struggling pilot program develop into a large-scale, fast-growing program. Alternatively, a farm to school program in a district without a supportive food service director can quickly wither even when everything else is in place.

Building a Reputation for Reliability

Some small farmers are not accustomed to strict production schedules, particularly if their primary customers are neighbors or friends.²⁰⁹ From the beginning, the NNFC has stressed the importance of meeting customer demands to participating farmers in order to prevent late deliveries and to create a reputation for reliability.²¹⁰ School food service directors are often much more enthusiastic about purchasing food from local farmers once they learn that their products will be reliably delivered.

Providing Services to Farmers

The NNFC works with farmers that do not have the equipment or financial resources to consistently supply schools with processed fruits or vegetables.²¹¹ Many of its efforts are concentrated on providing

²⁰⁴ *Id.*

²⁰⁵ *Id.*

²⁰⁶ *Id.*

²⁰⁷ *Id.*

²⁰⁸ *Id.*

²⁰⁹ USDA Rural Development, *A Sea of Greens: Low-Income Farmers Use Vegetable Processing, Marketing Co-op to Create New Opportunity in North Florida*, available at <http://www.rurdev.usda.gov/rbs/pub/aug99/greens.htm> (last visited May 14, 2011).

²¹⁰ *Id.*

²¹¹ Telephone interview with Glyen Holmes, *supra* note 117.

services to farmers in order to facilitate their participation in a farm to school program. These services often include picking up, processing, and delivering the product.²¹² Coordinating these activities not only ensures that schools receive processed fruits and vegetables in a timely manner, but allows more farmers to participate in farm to school than would otherwise be able to.

VIII. Legislative Action: Samples from Other States

Farm to School Legislation in Other States

Thirty-three states have passed legislation designed to support farm to school programs.²¹³ The state statutes do this primarily in one or more of three ways: (1) by organizing a statewide farm to school initiative or hiring a statewide farm to school coordinator, (2) by providing farm to school programs with direct financial support, and (3) by encouraging the growth of the farm to school programs through the passage of favorable state procurement laws.

The Vermont mini-grant program has helped dozens of schools implement or expand farm to school programs, making Vermont a national leader in the movement.

Statewide farm to school initiatives

Twenty-three states have created statewide farm to school programs or set up task forces, intra-agency councils, or working groups to implement and appraise farm to school programs.²¹⁴ The most common approach is to establish a statewide farm to school program with the support of state agencies.²¹⁵ In 2006, Oklahoma's legislature passed a law establishing the Oklahoma Farm to School Program within the Oklahoma Department of Agriculture, Food and Forestry.²¹⁶ The law requires the Department to employ a director to administer and monitor the statewide program with the guidance of the Oklahoma Food Policy Council.²¹⁷ Similarly, Michigan established a statewide farm to school program in 2008 supported by the Departments of Agriculture and Education.²¹⁸ It called for the program to facilitate procurement of local products and to provide education and training to food service staff on how to accommodate fresh and local foods.²¹⁹ It also required the Department of Agriculture to establish a farm to school point person to coordinate efforts and to act as an information resource for stakeholders.²²⁰ Other states that have created statewide farm to school programs include Alaska, Florida, North Carolina, Oregon, Pennsylvania, Virginia, and Washington, among others.

Financial Support

²¹² *Id.*

²¹³ National Farm to School Network, *State Farm to School Legislation*, available at www.farmtoschool.org/files/publications_177.pdf (last visited May 14, 2010).

²¹⁴ *Id.*

²¹⁵ *Id.*

²¹⁶ OKLA. STAT. ANN. tit. 2, § 5-60 (2011).

²¹⁷ *Id.*

²¹⁸ MICH. COMP. LAWS § 388.841 (2011).

²¹⁹ *Id.*

²²⁰ *Id.*

Ten states have passed legislation setting aside funds for farm to school programs and seven states have passed laws authorizing farm to school grant programs.²²¹ Small appropriations or grant programs can have a large impact on statewide farm to school efforts. In 2007, for example, New Mexico's legislature appropriated \$85,000 for a farm to school program in the Albuquerque Public School District.²²² These funds brought local fruits and vegetables to 6,000 students in twelve schools and helped create a large, award-winning farm to school program.²²³ A 2007 bill in Vermont established a permanent mini-grant program to support farm to school.²²⁴ In 2008, \$85,000 was appropriated for farm to school programs and \$25,000 for training and technical assistance for schools to develop farm to school programs.²²⁵ The law stipulates that no individual grant can exceed \$15,000.²²⁶ The Vermont mini-grant program has helped dozens of schools implement or expand farm to school programs, making Vermont a national leader in the movement. The grant program also helped Green Mountain Farm to School, profiled in Section VII, expand its operations.²²⁷ Over 40% of Vermont's 305 public schools now participate in farm to school.²²⁸

Favorable Procurement Laws

Fourteen states have passed laws encouraging state organizations, agencies, and schools to purchase local products by allowing preferences for in-state agricultural products. Often these laws will place some sort of limit on the preference, whether it is a percentage that cannot be exceeded, a dollar amount, or a requirement that the preference be reasonable.²²⁹ These laws often (1) exclude local products from normal procurement procedural requirements and (2) allow purchasing institutions to treat local products preferentially when following normal procedural requirements.

In 2007, Montana passed Senate Bill 28 (S.B. 328), creating an optional exemption for public institutions from the Montana Procurement Act's procedural requirements.²³⁰ The exemption allows public institutions to give local products a preference when using standard procurement procedures.²³¹ It also allows them to directly purchase products from local farmers, foregoing procurement procedures altogether.²³² The law's legal effect was minimal because fresh produce had previously been exempted from the Montana Procurement Act.²³³ This exemption allowed public institutions to give local produce a preference when seeking bids or to purchase produce directly from farmers prior to the passage of

²²¹ National Farm to School Network, *State Farm to School Legislation*, *supra* note 213.

²²² Act of Mar. 13, 2007, ch. 21, 2007 N. M. LAWS 258, 318

²²³ National Farm to School Network, *Victory Against Hunger Awards Announced*, available at <http://www.farmtoschool.org/VAHawards.php#albuquerque> (last visited May 14, 2011); National Farm to School Network, *New Mexico Profile*, available at <http://www.farmtoschool.org/state-home.php?id=6> (last visited May 14, 2011).

²²⁴ VT. STAT. ANN. tit. 6, § 4721 (2011).

²²⁵ National Farm to School Network, *State Farm to School Legislation*, *supra* note 213.

²²⁶ VT. STAT. ANN. tit. 6, § 4721 (2011).

²²⁷ Telephone Interview with Katherine Sims, *supra* note 135.

²²⁸ There are 307 public schools in Vermont according to the Vermont State Board of Education. One-hundred and thirty schools are involved in Farm to School in some way. Vermont State Board of Education, *FY 2012 State Board of Education Budget Recommendations & Annual Report*, http://education.vermont.gov/new/pdfdoc/pubs/EDU-State_Board_of_Education_Budget_Recommendations_and_%20Annual_Report_FY2012.pdf (last visited May 14, 2011); National Farm to School Network, *Vermont Profile*, <http://www.farmtoschool.org/VT/> (last visited May 14, 2011).

²²⁹ Georgia, for example, only allows schools to give local products a preference when making purchases under \$100,000. GA. CODE ANN. § 20-2-500 (2011).

²³⁰ MONT. CODE ANN. § 18-4-132 (2009).

²³¹ *Id.*

²³² *Id.*

²³³ Derrick Braaten & Marne Coit, *Legal Issues in Local Food Systems*, 15 DRAKE J. AGRIC. L. 9 (2010).

S.B. 328.²³⁴ Nonetheless, local food organizers found that school officials were much more receptive to purchasing local food after the law’s passage.²³⁵ One reason for this may be that some procurement officials mistakenly believed that they could not make direct purchases from farmers prior to S.B. 328’s passage.²³⁶ By clarifying that direct purchases from local farmers were not only allowed, but encouraged, the legislation positively affected how school officials viewed local food initiatives.²³⁷

A Massachusetts law passed in 2010 goes a step further and requires procurement officials to purchase local products under certain circumstances.²³⁸ Building on a 2006 law that allows state agencies to pay up to 10% above the lowest bid to purchase Massachusetts agricultural products, the new law *requires* state purchasing agents to purchase state-grown products unless the price of the good exceeds the price of out-of-state products by more than 10%.²³⁹ While this requirement does not extend to individual schools, as they do not purchase produce on behalf of the state, it does include public colleges and universities.²⁴⁰

IX. Recommendations

This section contains recommendations on how the state government and nonprofit organizations can encourage the growth of farm to school in Mississippi. The first segment, “Recommendations for the State Government,” details how the legislature and state agencies can take action to support farm to school throughout the state. The second segment, “Recommendations for Nonprofit Organizations,” contains advice for nonprofits, particularly ones interested in locally driven farm to school programs. The third segment, “General Recommendations,” is relevant to both state and local nonprofit efforts.

Recommendations for the State Government

Organize a statewide initiative or hire a statewide coordinator

A statewide farm to school program in Mississippi could energize farm to school efforts and act as a much needed information clearinghouse. Providing a webpage and a point person for farm to school issues could have an impact that far outweighs the expenditures required for such a commitment. It could serve as a farm to school matchmaker, connecting schools with farmers eager to work with them. This role is vital in order to develop successful farm to school programs around the state, as the case studies in Section VII show, and there is no organization currently serving this function in Mississippi.

Authorize and fund mini-grants for farm to school programs

Small state grants could have a large impact on farm to school efforts in Mississippi. Vermont’s mini-grant program, which distributes a little over \$100,000 each year, has helped make Vermont a national leader in the movement.²⁴¹ A similar program in Mississippi would encourage school districts, nonprofit organizations, and agricultural cooperatives to design and implement farm to school programs throughout the state by providing a small amount of seed money for these programs.

²³⁴ *Id.*

²³⁵ *Id.*

²³⁶ *Id.*

²³⁷ *Id.*

²³⁸ MASS. GENERAL LAWS ch. 7, § 23B (2011).

²³⁹ *Id.*

²⁴⁰ *Id.*

²⁴¹ VT. STAT. ANN. tit. 6, § 4721 (2011).

Allocate funds for GAP/GHP training and certification

The Mississippi Department of Education requires all produce purchased for statewide programs to be sourced from producers who are certified by a third party auditor (including Good Agricultural Practices (GAP) and Good Handling Practices (GHP)), making participation cost-prohibitive for most small and medium sized farmers.²⁴² This includes the produce distributed by the national commodity programs, such as the Department of Defense Fresh Program (must be GAP/GHP certified), and the statewide purchasing cooperative (GAP/GHP or other auditing process will suffice). While this requirement does not affect local schools, which do not have to purchase GAP/GHP certified produce, it nonetheless drastically reduces farm to school's potential in Mississippi.²⁴³ The state could create a fund of money to help small and medium sized farmers receive GAP/GHP training and pay for certification. This would allow more Mississippi farmers to participate in the statewide purchasing cooperative without altering the program's food safety requirements.

Develop GAP/GHP certification outreach efforts

A webpage could be created to explain the process for receiving GAP/GHP certification and address the audit process concerns of small farmers. State agencies and the extension service could build on this effort by offering GAP/GHP training aimed at small and mid-sized farmers and growers' cooperatives. Other states have taken steps to increase the number of farmers with GAP/GHP certification. In Washington, for example, the Washington State Department of Agriculture's Farm to School Program educates small and mid-sized farmers about GAP certification through mock GAP audits, sample documents, and an educational DVD.²⁴⁴ Washington State University Extension also offers food safety workshops that introduce farmers to food safety and risk management practices and give farmers an opportunity develop GAP programs with trainers.²⁴⁵

Incorporate geographic preference into the statewide purchasing system

Incorporating a geographic preference into the statewide purchasing system would increase the number of Mississippi products purchased through the program and would encourage more farmers to receive the certification necessary to participate. When choosing suppliers, the statewide purchasing cooperative issues an invitation for a bid (IFB), in which suppliers submit a price proposal for the product and the lowest price wins the bid.²⁴⁶ While not common, geographic preference can be incorporated into IFBs.²⁴⁷ This can be done in two ways: (1) an IFB issuer can write in specifications that advantage local suppliers or (2) an issuer can deduct a pre-determined amount of money from bids that meet their geographic preference guidelines.²⁴⁸

Create additional inspection locations for food that is purchased through statewide programs

Requiring all produced purchased through statewide programs to be inspected in Jackson is inefficient and burdens farmers in other areas of the state who want to participate in the statewide program. Organizing inspection locations in other regions of the state would allow schools to receive fresher

²⁴² Telephone interview with Priscilla Ammerman, *supra* note 4.

²⁴³ *Id.*

²⁴⁴ Telephone Interview with Tricia Kovacs, Program Manager, Washington State Department of Agriculture Farm-to-School Program (Feb. 7, 2011); Email from Rebecca Elias, Project Coordinator, Washington State Department of Agriculture Farm-to-School Program, to author (Mar. 8, 2011) (on file with author).

²⁴⁵ Washington State University Extension, *Good Agricultural Practices*, available at <http://foodsafety.wsu.edu/ag/index.html> (last visited May 14, 2011).

²⁴⁶ Telephone interview with Priscilla Ammerman, *supra* note 4.

²⁴⁷ Long, *supra* note 77.

²⁴⁸ *Id.*

produce and would make it easier for in-state farmers to sell products to statewide purchasing programs. There are several USDA grants that could potentially facilitate such an effort. Grants designed to expand marketing opportunities for local farmers can be found in the “Additional Resources” section.

Publicize current in-state purchasing opportunities

There is currently no public information available for farmers interested in selling to the statewide purchasing cooperative or the DoD Fresh Program. In order to increase awareness among farmers about marketing opportunities in these programs, state officials should list the products needed by schools that can be grown in-state. This will help some growers to make crop decisions based on the crops they know they can sell to the statewide purchasing programs. The programs’ requirements for growers should also be clearly advertised to encourage involvement from more farmers.

Recommendations for Nonprofit Organizations

Survey interest

Surveying farmers and food service directors about their interest in farm to school has two main benefits. If done well, it will help farm to school organizers identify why some food service directors and farmers may be reluctant to try farm to school. Organizers can then focus on addressing these concerns. It also is a simple way to start building relationships between farmers and school food service directors.

Engage the Community

Effective farm to school programs involve parents, community members, businesses, and regional institutions. Parents and community members can provide financial support and help organize and publicize local efforts, as well as motivating their children’s schools to pursue farm to school. Local businesses and nonprofits are also often willing to contribute to farm to school programs. In addition to financial contributions, businesses may be willing to donate supplies at reduced cost. Green Mountain Farm to School’s “Supporters” page lists seven supporters that provided in-kind donations, including a compost company and a local vacation resort.²⁴⁹ As discussed below, farm to school programs can also raise additional funds by charging service fees to deliver food to restaurants and other food service operations.

Develop Alternative Distribution Systems

Studies of farm to school programs consistently show that “getting the food from farms to schools . . . [is] one of the key challenges facing these efforts.”²⁵⁰ Various intermediaries have evolved in response to this challenge.²⁵¹ The New North Florida Cooperative is one example. It picks up produce from its members, processes it, and then delivers it directly to schools.²⁵² Green Mountain Farm Direct (GMFD), which charges purchasing institutions a minimal fee, serves a similar function.²⁵³ GMFD catalogs locally available products and then distributes that information to its customers.²⁵⁴ Customers then place an order and GMFD will coordinate the delivery.²⁵⁵

²⁴⁹ Green Mountain Farm to School, *Supporters*, available at <http://www.greenmountainfarmtoschool.org/supporters.php> (last visited May 14, 2011).

²⁵⁰ Betty Izumi et al., *supra* note 82, at 336.

²⁵¹ *Id.*

²⁵² Telephone interview with Glyen Holmes, *supra* note 125.

²⁵³ Green Mountain Farm Direct eventually plans to charge farmers a service fee as well. *Id.*

²⁵⁴ *Id.*

²⁵⁵ *Id.*

While developing alternative distribution systems can be expensive, they allow farm to school programs to increase in size and become more cost-efficient. Distribution costs can be offset by delivering to restaurants and other food service operations that can afford to pay higher service fees. Large institutions such as universities and hospitals are particularly attractive customers because of their potentially large demand.²⁵⁶

Focus on Financial Sustainability

Many successful farm to school programs receive considerable funding from state or national grants. To remain financially sustainable, however, it is important to find local sources of funding. Green Mountain Farm to School's model has three streams of income, two of which are primarily local. The program receives a third of its budget from grants and foundational support, a third through corporate and individual donors, and a third through program service fees and school funds.²⁵⁷ Local sources of income take time to develop and should be fostered from the very beginning.

General Recommendations

Link farms to schools

A statewide database of schools and farmers interested in farm to school should be created to enable locally driven efforts. As in Michigan, organizers should consider using state extension offices to reach out to farmers that might be interested. A statewide or regional effort could also host mixers between food service directors and farmers.

Make participating easy

Green Mountain Farm to School, the Mott Group and the NNFC strive to make farm to school as easy as possible for farmers and school officials. Both farmers and school food service directors are generally used to working with large distributors. Farm to school programs may initially require more effort on their part than normal purchasing and selling options. The Mott Group provides sample contractual documents as well as checklists and handouts designed to demystify the process.²⁵⁸ NNFC uses training sessions and one-on-one guidance to the same effect. If a participating school food service director or farmers needs assistance, they can contact someone they have worked with personally, whether it is an NNFC representative or the local liaison, to help them.

State agencies or non-profit organizations should consider creating a centralized farm to school webpage for Mississippi with information and documents pertaining to farm to school. Relevant Mississippi and federal regulations should be clearly explained and basic "how to" guides should be made available for farmers and food service directors. As discussed above, legislators should consider funding a statewide coordinator to facilitate programs and relationships throughout the state.

Invest in equipment

Small and mid-sized farmers often do not have the resources to transport, package, and process products. Non-governmental organizations and state agencies in Mississippi should invest in cooperative efforts to provide small and mid-sized farms with the equipment necessary to sell their products to local institutions. Investments in transportation vehicles, packaging equipment, and processing facilities can

²⁵⁶ Telephone interview with Colleen Matts, *supra* note 125.

²⁵⁷ Telephone Interview with Katherine Sims, *supra* note 135.

²⁵⁸ See Michigan Farm to School, *Purchasing Michigan Products: A Step-by-Step Guide*, *supra* note 177; Michigan Farm to School, *Marketing Michigan Products to Schools: A Step-by-Step Guide*, *supra* note 171;

be quickly recovered through increased sales. There are also several competitive grants available to state agencies and non-profit organizations to fund such capacity building efforts. See Section X, “Additional Resources,” for more information.

Schools often do not have the appropriate kitchen equipment to integrate fresh products into their meals. Many school kitchens are only equipped to heat frozen foods and assemble pre-packaged meal items. To prepare products purchased from local farmers, schools require equipment for storing, prepping, and cooking raw ingredients.²⁵⁹ They require dry and refrigerated space, an operational stove and oven, and facilities with sinks and tables.²⁶⁰ They may also need additional equipment such as salad bar units, slow cookers, utensils, salad spinners, cutting boards, knives, and icemakers.²⁶¹ School food service staff should be provided with information on how to adapt their kitchens and lunchrooms to integrate more local products. Some national grants are available to schools to adapt their kitchens; however, a statewide competitive grant might further increase interest and participation.

²⁵⁹ Leah Rimkus et al., *The San Francisco Farm to School Report: Results from the 2003 Feasibility Study*, San Francisco Food Systems, 13 (Jan. 2004), available at www.farmtoschool.org/files/publications_90.pdf (last visited May 14, 2011).

²⁶⁰ *Id.*

²⁶¹ *Id.*

X. Additional Resources

Funding Sources

A. Government Funding Opportunities

Community Food Projects Competitive Grants

What they fund: Community Food Projects grants are designed to enhance food security by tying local food processing and production to efforts to improve economic, social, and environmental conditions.

Size of grants: Up to \$300,000 over the lifetime of the project and \$125,000 in any single year.

Who is eligible: Private nonprofit entities with experience in community food work, job training, business development or similar activities. While only private nonprofit organizations may receive direct funding, collaborations with private for-profit and public entities are recommended.

Additional Information: Each year the USDA National Institute of Food and Agriculture (NIFA) disburses approximately 5 million dollars to nonprofit organizations through the Community Food Projects program.²⁶² NIFA's website states, "Community Food Projects should be designed to (1): meet the food needs of low-income people; increase the self-reliance of communities in providing for their own food needs; and promote comprehensive responses to local food, farm and nutrition issues; and/or (2) meet specific state, local, or neighborhood food and agriculture needs for infrastructure improvement and development; planning for long-term solutions; or the creation of innovative marketing activities mutually benefit agricultural producers and low-income consumers."

The 2010 deadline was November 17th. Check the Community Food Projects Competitive Grants Program website for information on subsequent application cycles:

<http://www.csrees.usda.gov/fo/communityfoodprojects.cfm>. You can also contact Elizabeth Tuckermanty, National Program Leader, at (202) 205-0241 or etuckermanty@nifa.usda.gov.

The Community Food Security Coalition offers free assistance to Community Food Projects grant applicants. Their website contains information on free one-on-one technical assistance for grant applicants, guides on different aspects of the Community Food Projects grant process, and examples of successful past projects (http://www.foodsecurity.org/cfp_help.html).

USDA Farm to School Grants

²⁶² NIFA was established on October 1, 2009, replacing the Cooperative State Research, Education, and Extension Services (CSREES) within the USDA. CSREES administered the Community Food Projects program prior to the formation of NIFA. National Institute of Food and Agriculture, *About Us*, available at <http://www.csrees.usda.gov/about/about.html> (last visited May 14, 2011).

What they fund: Grants may be used for farm to school training, supporting operations, planning, purchasing equipment, developing school gardens, developing partnerships, and implementing farm to school activities.

Size of grants: Up to \$100,000.

Who is eligible: Schools, state and local agencies, Indian tribal organizations, agricultural producers, groups of agricultural producers, and nonprofit entities.

Additional Information: The USDA Farm to School Grants program was authorized and funded by the Healthy, Hunger-Free Kids Act of 2010, which appropriated \$5,000,000 annually to the initiative.²⁶³ The USDA plans to release more information about the program during 2011 and funding for grants will first become available in October of 2012. Check the USDA's "Supporting Farm to School Activities" webpage for further updates:

<http://www.fns.usda.gov/cnd/f2s/Supporting.htm>

The Healthy, Hunger-Free Kids Act of 2010 instructs the USDA to give highest priority to funding projects that:

- a. make local food products available on school lunch menus;
- b. serve a high proportion of children eligible for free or reduce price lunches;
- c. incorporate experiential nutrition education activities in curriculum planning that encourage the participation of school children in farm and garden-based agricultural education activities;
- d. demonstrate collaboration between schools, nongovernmental and community-based organizations, agricultural producer groups, and other community partners;
- e. include participatory evaluation plans; and
- f. demonstrate the potential for sustainability.²⁶⁴

USDA Farmers Market Promotion Program

What they fund: The Farmers Market Promotion Program (FMPP) funds projects targeted to help improve and expand domestic farmers markets, roadside stands, community-supported agriculture programs, agri-tourism, and other direct producer-to-consumer market opportunities.

Size of grants: Up to \$100,000.

Who is eligible: Agricultural cooperatives, producer networks, producer associations, local governments, nonprofit corporations, public benefit corporations, economic development corporations, regional farmers market authorities and Tribal governments.

Additional Information: Forms and application procedures can be found online at: <http://www.ams.usda.gov/AMSV1.0/FMPP>. You can also contact Carmen Humphrey, FMPP Branch Chief, at (202) 694-4000 or Carmen.humphrey@usda.gov.

²⁶³ Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, 124 Stat. 3183 (2010).

²⁶⁴ *Id.* § 243.

The following are examples of projects with farm to school components that have received FMPP funding:

- **Virginia, 2010:** \$54,834 to The Jefferson Area Board for Aging to study the feasibility of building a bulk freezing and frozen meals operation using Virginia-grown food to provide meals and products for senior nutrition programs, home delivered meals, schools, and child daycare.
- **Pennsylvania, 2009:** \$54,318 to the The Food Trust to establish and operate two new farmers markets, recruit farmers, promote access to EBT at the two markets, and provide technical assistance and training to farmers to maximize their product sales at nearby schools and corner stores.
- **California, 2006:** \$41,800 to the Davis Farmers Market Foundation to increase the use of farmers market products in Davis Joint Unified School District schools through marketing, education and professional development for student nutrition services staff.

USDA Federal-State Marketing Improvement Program

What they fund: The Federal-State Marketing Improvement Program (FSMIP) provides matching funds “to assist in exploring new market opportunities for U.S. food and agricultural products, and to encourage research and innovation aimed at improving the efficiency and performance of the marketing system.”

Size of grants: The average grant size in 2010 was \$60,636, with amounts ranging from \$20,825 to \$109,000.

Who is eligible: State agencies or agricultural experiment stations.

Additional Information: FSMIP encourages proposals designed to develop regional food systems and that involve collaboration between states, academia, the farm sector, and other stakeholders, making it an ideal source of funding for farm to school pilot programs. The 2011 deadline was February 17th. Check the FSMIP website for information on subsequent application cycles: <http://www.ams.usda.gov/AMSV1.0/FSMIP>. You can also contact Janise Zygmunt, FSMIP Staff Officer, at (202) 694-4002 or by email at janise.zygmunt@ams.usda.gov.

The following are examples of farm to school projects that have received FSMIP funding:

- **Oregon, 2008:** \$60,200 to identify barriers and opportunities facing farm to school in Oregon, develop new healthy food products from locally grown ingredients, train food service staff, and implement an interactive system connecting farmers, processors, schools and distributors.
- **Oregon, 2007:** \$43,000 to explore opportunities for Oregon producers to supply products to schools and to conduct a farm to school pilot project.
- **Oklahoma, 2007:** \$53,365 to develop farm to school distribution models for small, medium and large producers, and to create safe handling guidelines for the use of locally grown products in schools.
- **New Mexico, 2001:** \$27,000 to conduct a farm to school pilot project involving three schools and a cooperative of small-scale Hispanic farmers.

USDA Specialty Crop Block Grants

What they fund: Specialty Crop Block Grants are provided to support the competitiveness of specialty crops, which are defined as fruits, vegetables, tree nuts, dried fruits, horticulture, and nursery crops.

Size of grants: The Mississippi Department of Agriculture and Commerce sets the minimum and maximum funding amount for grants distributed in Mississippi.

Who is eligible: To inquire about eligibility or apply, contact Paige Manning at the Mississippi Department of Agriculture and Commerce. She can be reached at (601) 359-1163 or paige@mdac.state.ms.us.

Additional Information: A large number of farm to school efforts in other states have received funding through this program. These grants have supported farm to school start-up and planning, Good Agriculture Practices/Good Handling Practices (GAP/GHP) cost sharing, and food distribution improvements, among other things. More information can be found online at <http://www.ams.usda.gov/AMSV1.0/SCBGP>.

USDA Team Nutrition Grants

What they fund: Training and educational programs that incorporate the Dietary Guidelines for Americans and USDA foods in meals served under the National School Lunch Program (NSLP) or the Child and Adult Care Food Program (CACFP). Each proposal must apply three behavior-focused strategies in order to be eligible for funding:

1. Provide training and technical assistance to school nutrition food service professionals to enable them to prepare and serve nutritious meals that appeal to students.
2. Provide fun and interactive nutrition education for children, teachers, parents and other caregivers.
3. Build school and community support for creating healthy school environments that are conducive to healthy eating and physical activity.

Size of grants: Up to \$400,000. State agencies that commit to specific strategies to increase the number of HealthierUS School Challenge applications are eligible for a non-competitive grant of no more than \$50,000. An additional amount of up to \$350,000 may be requested through a competitive grants process.

Who is eligible: State agencies that administer NSLP or CACFP.

Additional Information: Team Nutrition grants are an excellent way to support farm to school efforts. Some states, such as Georgia, Florida, and Idaho, have used Team Nutrition grants to develop and distribute training materials on farm to school for school officials and food service workers. Team Nutrition grants can also be used to support farm to school programs by assisting schools incorporate more produce into their meal plans and curricula. Applications are normally due in late April, however check the Team Nutrition Training Grants page for the latest

information: <http://teammnutrition.usda.gov/grants.html>. You can also contact Leslie Byrd, USDA Grants Officer, by email at leslie.byrd@fns.usda.gov.

Let's Move Salad Bars to Schools Grant

What they fund: A portable 72 inch 5-well insulated salad bar and accessories.

Size of grants: Schools are limited to one salad bar.

Who is eligible: Any K-12 school district or individual school participating in the National School Lunch Program is eligible to apply. Schools or school districts with Bronze status or above in the Healthier US School Challenge will be given priority.

Additional Information: *Let's Move Salad Bars to Schools* is a public-private partnership with the goal to provide at least 6,000 salad bars to schools before 2014. Interested schools and school districts can begin the process by completing an online application and creating their own webpage. The application requires approval from the Superintendent, Principal, and Nutrition Service Director. Once a webpage has been created, schools and schools districts can receive donations from individuals for their own salad bar, as well as receive donations from the initiative's general fund. The application can be found online at: <http://saladbars2schools.org/>.

B. Private Funding Opportunities

America the Beautiful Fund

What they fund: America the Beautiful Fund's Operation Green Plant distributes free vegetable, flower, and herb seeds. Operation Green Plant seeds can be used to create or expand school gardens, which have been integrated into many successful farm to school programs.

Size of grants: Grants of 100 to 2,000 seed packets are offered on the basis of availability and relative need. Recipients must pay a small shipping and handling fee.

Who is eligible: Any non-profit or governmental organization.

Additional Information: The application and further information can be found online at: http://www.america-the-beautiful.org/free_seeds/index.php. You can also contact the Fund at (202) 638-1649.

Wallace Healthy Urban Food Enterprise Development Center

What they fund: The Wallace Healthy Urban Food Enterprise Development (HUFED) Center provides grants and technical assistance to entrepreneurs and communities seeking to increase the supply of healthy, affordable, local foods to areas with limited access. Projects funded by HUFED grants must serve either rural or urban underserved areas.

Size of grants: Up to \$60,000.

Who is eligible: Both nonprofit and for-profit organizations are eligible.

Additional Information: HUFED offers three different types of grants: (1) feasibility study grants, (2) small enterprise grants, and (3) large enterprise grants. Feasibility study grants and small enterprise grants do not exceed \$25,000, while large enterprise grants range in size from \$25,000 to \$60,000. Small enterprise grants are designed to address specific bottlenecks in a local food system, infrastructure costs, and minor capital improvements. Large enterprise grants are normally given for regional projects addressing multiple objectives.

The 2011 deadline was January 14th. Check the HUFED website for information on subsequent application cycles: <http://www.wallacecenter.org/our-work/current-initiatives/healthy-urban-food-enterprise-development-center/apply#for-more-information>. You can also contact call the Center at (703) 531-8810 or email hufed@winrock.org.

W.K. Kellogg Foundation

What they fund: The Kellogg Foundation focuses on improving the lives of children in poverty. It does so through various means including supporting education, local food systems, and rural development. Mississippi is one of three states that the foundation targets for funding. Nonetheless, they receive a large number of grant applications, many of which come from well-established nonprofits with dedicated grant-writing staff. Applying for a grant from the Kellogg Foundation should be a carefully planned process and is ideal for large projects with clear goals.

Size of grants: Up to \$100,000 - \$500,000.

Who is eligible: 501(c)(3) non-profits.

Additional Information: The Kellogg Foundation requires that applications be completed online at: <http://www.wkkf.org/ApplyOnline>. You can also contact the foundation at (269) 968-1611.

Getting Started

USDA's Farm to School Website

About: The USDA farm to school website is an excellent resource for learning more about various federal initiatives available to support farm to school efforts. In addition to describing relevant USDA programs and grants, it contains USDA webinars on various farm to school subjects, monthly updates from the USDA Farm to School Team, and an overview view of federal regulations and policies involved with purchasing local food products, among other resources.

<http://www.fns.usda.gov/cnd/f2s/Default.htm>

National Farm to School Network

About: The National Farm to School Network's website should be the starting point for any farm to school research. Its state-by-state look at farm to school programs, groups, and legislation is the most comprehensive directory of farm to school initiatives available online. The topics covered in its publications section include case studies and feasibility analysis, buying and selling

local foods, evaluation tools and reports, how to get started, and curricular resources. The National Farm to School Network also has a Mississippi contact, whose contact information can be found on its “Mississippi Profile” page, and local coordinator for each region of the United States.

<http://www.farmtoschool.org/>

A Guide for Farm to School Community Action Planning, published by Vermont Feed

About: This is a “how to” guide for food service staff, parents, teachers, principals and any other community members interested in planning and implementing farm to school programs. In addition to step-by-step guidance on how to create and run a successful farm to school committee, it includes case studies written by farm to school organizers, and tools for planning and running programs, such as a sample press release.

<http://www.vtfeed.org/materials/guide-farm-school-community-action-planning>

Farm to School in the Northeast: Making the Connection for Healthy Kids and Healthy Farms. A Toolkit for Extension Educators and other Community Leaders, published by the Cornell Farm to School Program, NY Farms! and the New York School Nutrition Association

About: Although focused on New York, the toolkit contains useful information for programs outside of the region too. Designed for extension educators and community members interested in promoting farm to school, it covers several topics including developing new programs, building relationships between stakeholders, improving school meals, and implementing and evaluating programs.

<http://farmtoschool.cce.cornell.edu/toolkits.html>

Building Capacity

FoodCorps

About: FoodCorps is a yearlong public service program that will commence activities in the fall of 2011. The program has three main components: (1) building schools gardens, (2) nutrition education, and (3) local food procurement.²⁶⁵ Local host sites will supervise the day-to-day work of service members. When choosing organizations to serve as official host sites, FoodCorps will prioritize organizations working in communities with high obesity rates and where over 50% of students receive free or reduced lunches.²⁶⁶ Initially, fifty members will serve at ten different host sites, however FoodCorps hopes to have over 1,000 members working in all fifty states

²⁶⁵ Hannah Wallace, *TFT Interview: Debra Eschmeyer of FoodCorps*, THE FASTER TIMES (May 27, 2011), available at <http://thefastertimes.com/foodpolitics/2011/05/27/tft-interview-debra-eschmeyer-of-foodcorps/> (last visited June 1).

²⁶⁶ *Id.*

within a decade.²⁶⁷ For information on how to apply to be a host site, please visit FoodCorps' "Host Sites" page.

<http://food-corps.org/>

AmeriCorps

About: AmeriCorps is network of national service programs largely funded by the federal government. More than 85,000 Americans are placed in nonprofits, public agencies and faith-based organizations each year through AmeriCorps. Over twenty farm to school programs currently use AmeriCorps volunteers or members, including three statewide programs. Links to farm to school programs using AmeriCorps and examples of how it can benefit farm to school initiatives can be found by going to food-corps.org and visiting the "Model Programs" page. To learn more about the application process for organizations interested in AmeriCorps, please visit the link below.

http://www.americorps.gov/for_organizations/apply/index.asp

Chefs Move to Schools, USDA

About: The Chefs Move to Schools program is designed to connect chefs to local schools interested in creating healthy meals that meet the schools' dietary guidelines and budgets, while teaching students about nutrition. The Partnership for a Healthier America provides a recipe book and over \$2,000 in cookware for participating schools. In addition to providing educational lessons, Chefs can contribute to farm to school programs by working with school food service staff to incorporate local products into their recipes. As of May 26, 2011, eight chefs in Mississippi had signed up for the program without finding a matching school. To find the contact information and locations of schools and chefs interested in participating in the program, go to the USDA website below and click on the link to the Chefs Move to Schools Map.

http://healthymeals.nal.usda.gov/nal_display/index.php?tax_level=1&info_center=14&tax_subject=225

Buying and Selling Local Food

Mississippi Produce Availability and Planting Guide, published by the Mississippi Department of Agriculture and Commerce

About: A useful resource for food service directors. Contains a calendar listing when local produce is normally available and recommending vegetable planting dates.

http://www.mdac.state.ms.us/n_library/pub_form/publications/pdf/mkt_produceguide.pdf

²⁶⁷ *Id.*

Mississippi Fruits and Vegetables Directory, published by the Mississippi Department of Agriculture and Commerce

About: A directory of farms selling fruits or vegetables.

http://www.mdac.state.ms.us/n_library/pub_form/publications/pdf/reg_fruit_fruitveg_directory.pdf

Marketing Michigan Products: A Step-by-Step Guide, published by Michigan Farm to School

About: A guide for farmers that want to sell their products to schools. Divided into five different steps, it includes sample forms and questionnaires that farmers are encouraged to adapt for their own purposes. The five steps detailed in the guide are:

1. Get Started
2. Build Community Connections
3. Prepare Marketing Packet and Bid Documents
4. Develop Contract or Agreement with Schools
5. Begin Selling Your Products to Local Schools

http://www.mifarmtoschool.msu.edu/assets/farmToSchool/docs/MIFTS_Marketing_Guide.pdf

Purchasing Michigan Products: A Step-by-Step Guide, published by Michigan Farm to School

About: A guide for schools that want to purchase agricultural products directly from farmers. Divided into five different steps, it includes sample forms and questionnaires that schools are encouraged to adapt for their own purposes. The five steps detailed in the guide are:

1. Get Started
2. Build Community Connections
3. Prepare and Distribute Bid Documents
4. Evaluate and Award Bids
5. Begin Purchasing Local Products

http://www.mifarmtoschool.msu.edu/assets/farmToSchool/docs/MIFTS_Purchasing_Guide.pdf

Procurement Policy Q&As, USDA

About: Procurement policies govern how organizations acquire goods and services. The USDA's Q&A on procurement and farm to school provides information on federal procurement requirements for school food.

http://www.fns.usda.gov/cnd/F2S/procurement_policy_qa.htm

The Rethinking School Lunch Financial Calculator, The Center for Ecoliteracy

About: The Rethinking School Lunch Financial Calculator is an interactive financial spreadsheet designed to facilitate planning conducive to “fresh-prep” farm to school programs.

<http://www.ecoliteracy.org/downloads/rsl-financial-calculator>

Food Safety

Tips, Tools and Guidelines for Food Distribution and Safety, published by the Oklahoma Farm-to-School Program

About: This publication explains how produce farmers can develop a food safety plan and how schools can safely handle produce purchased from local farmers or grown in a school garden. It also contains a glossary of food safety terms, which is particularly useful for school food service directors who have never previously purchased product directly from farms before.

<http://www.okfarmtoschool.com/resources/fts-distro-foodsafetymanual/index.htm>

A Checklist for Purchasing Local Produce, published by the Iowa State University Extension

About: Designed for school food service directors interested in purchasing produce directly from local farmers, the checklist includes an extensive list of food safety questions for school food service directors to ask farmers prior to making purchases. The questions cover farm and production practices as well as worker sanitation and safety.

<http://www.mifarmtoschool.msu.edu/assets/files/checklistforlocalproduce.pdf>

Good Agricultural Practices Network for Education and Training (GAPsNET), Cornell University

About: The National Good Agricultural Practices (GAPs) Program, based at Cornell University, provides downloadable copies of its educational materials online through GAPsNET. They are also developing a GAPs database of research and extension articles, which will be updated monthly.

<http://www.gaps.cornell.edu/indexhighspeed.html>

Education

Agriculture in the Classroom, USDA

About: The USDA’s Agriculture in the Classroom webpage gives educators access to educational resources developed to advance agricultural literacy, including an online searchable database with hundreds of lesson plans and other educational materials. The “State Programs” section also provides information on Mississippi’s “Ag in the Classroom” program and lists classroom resources designed for Mississippi educators.

<http://www.agclassroom.org/index.cfm>

The Center for Ecoliteracy Publications

About: The Center for Ecoliteracy provides downloadable copies of many of its educational materials online. Among the materials available are a teacher's guide for the film *Food, Inc.*, a guide for starting school gardens, and the Center's *Rethinking School Lunch Guide*.

<http://www.ecoliteracy.org/publications/downloads>

High School Garden Curriculum, published by the Delta Directions Consortium

About: The curriculum contains ten modules, each of which is linked with applicable Mississippi State Board of Education standards, enabling teachers to incorporate a school garden into their lessons. Initially developed for school gardens in the Mississippi Delta, it can be adapted for use elsewhere in Mississippi.

http://www.deltadirections.org/programs_initiatives/initiative.php?id=39

Making the Farm Connection, published by the Community Alliance with Family Farmers of California

About: Created for use in California's Sacramento Valley, this manual contains useful information for farmers, teachers, and school officials interested in organizing a farm visit.

<http://www.caff.org/programs/FarmConnectionManual.pdf>

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