

# LEFT OVER

## EPISODE 5

### "It Felt Like You Were Banging Your Head Against a Wall"

60 to 70 percent of total milk sales. That's the share of chocolate and flavored milk students buy in school cafeterias each year. Nutrition workers, parents, doctors, and the dairy industry have debated whether to keep chocolate milk in schools for over a decade. Reporter Jessica Terrell examines the Healthy, Hunger Free Kids Act of 2010 and the fight over chocolate milk to understand why attempts to reform the National School Lunch System often fail.

Jessica Terrell:

In early 2022, New York mayor Eric Adams [announced his intentions](#) to remove chocolate milk from school cafeterias across the city. The consumption of sugary beverages was an issue he'd been concerned about when he was Brooklyn borough president, and one that other cities had already tackled. [San Francisco](#) banned flavored milk in 2017. [D.C.](#) in 2010.

But the prospect of the country's largest school district banning the most popular milk drink set off alarms among politicians, the dairy lobby, and even some nutritionists. Congresswoman Elise Stefanik, who represents an area of upstate New York that is home to a strong dairy industry, [responded](#) by introducing a federal bill to require chocolate milk stay on all school menus nationwide.

[Elise Stefanik](#) (in speech to Congress):

My Protecting School Milk Choices Act will ensure schools participating in the National School Lunch Program offer students at least 1 flavored option. It will protect chocolate milk and give all students a range of healthy options in the lunch line.

Terrell:

The bill never came to a vote, but after a few weeks of bipartisan pressure, Mayor Adams [backed off](#). The fight over chocolate milk in schools—which has been going on for decades—reveals a lot about the power of lobbyists, the challenges parents and school lunch activists face in changing menus, and the intense disagreements that exist even among nutritionists about how to make sure kids get the nutrition they need.

Carrie Frazier:

It felt like you were banging your head against the wall.

Terrell:

That's Carrie Frazier, a mom from Eugene, Oregon who spent more than 13 years [trying to make improvements to the lunch program in her district](#), including a protracted battle over chocolate milk that is still not fully resolved.

Frazier:

It would bring me to tears because I just didn't understand why our kids aren't the priority here.

Terrell:

You're listening to *Left Over: How Corporations and Politicians Are Milking the American School Lunch*. I'm Jessica Terrell. This is episode five of our six-part investigation into the National School Lunch Program. In this episode, we're diving into why efforts to reform the school lunch program have failed to create a truly equitable and nourishing experience for students.

Reynolds HS Students:

We have no choice but to pick a food here. The sandwiches are the best.

Terrell (in recording):

What sandwiches?

Reynolds HS Students:

The peanut butter and jelly sandwiches.

Terrell (in recording):

Is there anything that you would wanna see different about school lunch in general?

Reynolds HS Students:

Hmmm, fast food. Oh, like sushi... okay fine, fast food...

Terrell:

It's lunchtime at [Reynolds High School](#) in Troutdale, Oregon, a racially diverse school of about 2,600 students on the eastern edge of Portland. The cafeteria [was renovated](#) a few years ago and looks like a college food hall or a mall food court. There are no plastic rectangular tables or harsh fluorescent lights. Students sit chatting in groups at booths and sparkling white high-top tables. Many students have nothing in front of them, and are just hanging out or playing cards. Those eating cafeteria food have a mix of food from a hot entree line and a grab-and-go salad and sandwich station. And milk. Lots of milk.

Reynolds HS Students:

We're eating pizza with peaches ... and ranch, or milk.

Terrell:

In order to get reimbursed for meals by the federal government, schools [have to offer milk](#) to students with every single meal. The milk requirement has remained a fixture in the program even as awareness has grown about the [rates of lactose intolerance](#) among certain racial groups. Here's [Marion Nestle](#), a James Beard Award-winning nutrition policy expert and retired professor at NYU. She's been writing and speaking about food politics for decades, but has the energy of someone who clearly isn't tired of it yet.

Marion Nestle:

One of the reasons why the dairy industry wants chocolate milk in schools so badly is because chocolate milk accounts for some enormous proportion of milk sales in schools.

Terrell:

In fiscal year 2019, students in the U.S. consumed more than [35 million half-pints of milk](#) through the National School Lunch Program. Between [60 and 70%](#) of milk sold in schools is flavored.

Nestle:

I was just shocked by the percentage of milk sales that came from chocolate milk in schools.

Terrell:

Marion says the dairy industry is facing a lot of the same challenges that first got the federal government involved in buying, and then donating, food to school meal programs in the Great Depression. Too much supply, not enough demand.

Nestle:

Milk is enormously overproduced in this country, and so they cannot sell it at a high enough price to make a living.

Terrell:

Between 1990 and 2019, per-capita fluid milk consumption in the U.S. [declined by 37%](#). At the same time, total milk production [increased by 47%](#). I talked to someone at the National Federation of Dairy Producers who pointed out that while the number of Americans drinking milk has gone down, consumption of dairy products—like cheese and yogurt and butter—is at its highest point in decades. The decline in milk drinkers is still a concern.

Nestle:

I have a lot of sympathy for that. I wish that the dairy industry could put some controls on the amount of milk that they're producing, but instead they're consolidating and getting bigger and bigger and bigger. So that's where the politics come in. You know, you can't underestimate efforts made by the dairy industry over the entire 20th century to make sure that the National School Lunch Program required milk in every lunch regardless of whether the kids can handle milk or not.

Terrell:

Marion saw the results of those efforts several years ago when she visited a school at the northern tip of Alaska.

Nestle:

These were all Inuit kids in the school. And every single child got a container of milk, and every single child threw out that container of milk. And so there were barrels of these little half pints of milk that were thrown out after lunch because the kids didn't drink milk. And what you have to understand is that

every single one of those cartons was flown in. That's how the food gets to that northern tip of Alaska. And so this was an enormously wasteful kind of thing, but it was absolutely required and the school was very proud of the work that they were doing in producing this school lunch for these kids.

Terrell:

Behind that pride is an enormous amount of effort and money. In the last decade, the dairy industry spent [between \\$5.2 to \\$8.3 million](#) a year lobbying Congress. Milk producers also contribute a portion of sales—[about \\$160 million a year](#)—to a fund overseen by the USDA that promotes the dairy industry through the creation of new dairy-heavy menu items at fast food restaurants, but [also nutrition education](#) and advertising campaigns like [Raise Your Hand for Chocolate Milk](#) and [Fuel Up to Play 60](#) with the NFL.

Fuel Up To Play 60 [promo reel](#):

...This is Joe Thomas from the Cleveland Browns. This is Chinedum Ndukwe from the Cincinnati Bengals. Take it from me. Take it from me. Nutrient rich chocolate milk is an ideal beverage to drink after sporting events and practices. Being active and eating healthy...

Terrell:

The impact of such marketing efforts is widespread. A 2018 Congressional Report showed the Fuel to Play 60 campaign provided nutrition education to [more than 38 million students](#) in 73,000 schools in the last decade.

The USDA is tasked with overseeing such promotional activities and supporting agricultural industries. Yet it is also in charge of regulating how those products are served to students. [One USDA rule](#) for the lunch program is that if school cafeterias serve water, they do it in a way that does not compete with milk. Water can be served in a pitcher or a water fountain, but not bottled or offered in a way that makes it seem like water is an alternative to milk.

There are conflicting opinions about whether the USDA overseeing school lunch presents a significant conflict of interest when it comes to regulating items like flavored milk. On one side of the flavored milk debate is the dairy lobby, along with some nutritionists and the School Nutrition Association — a trade group that represents more than 50,000 school lunch workers.

Miquela Hanselman:

Removing flavored milk just decreases the number of kids that are consuming milk and having access to that nutrition.

Terrell:

That's [Miquela Hanselman](#), manager of regulatory affairs at the National Milk Producers Federation, a membership organization that works on federal policy and regulatory issues for dairy producers.

Hanselman:

Most flavored milks now meet or beat the National Academies for Sciences' recommended sugar limit. So if you look just between the 2006-2007 and 2019 school years, average added sugar levels declined by 57%. Which is huge and just making it a more healthy product for kids to be getting those nutrients through.

Terrell:

There's also been [some research](#) showing that when chocolate milk is removed from cafeterias, the number of students opting to eat in the cafeteria drops slightly. And once students get used to drinking milk, the dairy industry's hope is that they never stop.

Hanselman:

I think not just chocolate milk in general, but having milk in schools, I mean, it's beneficial because kids are getting those nutrients. But also it's the next generation of milk drinkers. So, you know, when kids are exposed to things early on, they're more likely to continue that habit throughout their entire life. So it's really where kids learn to drink milk.

Terrell:

[Nevaeh Falcon Villanueva](#) is a sophomore in Milwaukee who grew up drinking flavored milk at school.

Nevaeh Falcon Villanueva:

There was strawberry milk when I was in, like, when I was really little and I love strawberry milk.

Terrell:

She's lactose intolerant, but she still drinks it.

Villanueva:

I really shouldn't be drinking milk, but I do and it always hurts my stomach after. We used to have water, but it's not there for some reason.

Terrell:

On the [other side of the chocolate milk argument](#) are groups like the [Physicians Committee for Responsible Medicine](#), health-focused politicians like Mayor Adams in New York, and concerned parents, like Oregon mom Carrie Frazier.

They contend that sweetened milk adds unnecessary calories to students' meals and that there are other sources of calcium besides dairy. They say that schools should instead focus on making water more readily available at lunch.

[One 2020 study](#) found that removing chocolate milk did decrease average milk consumption, but it didn't really change how much calcium, protein, or vitamin D kids were getting. The time and effort it takes to make changes in a system skewed so heavily in favor of producers can be discouraging to concerned parents.

Frazier:

So my son was in kindergarten and I was sending him to school with lunch, so a home lunch, but yet I was receiving bills from nutrition services.

Terrell:

Carrie Frazier is a mom and organizer from Eugene, Oregon. We talked about her campaign for school food quality in Episode Four. She started it back in 2006 because of chocolate milk.

Frazier:

My son was intrigued by the chocolate milk that he was seeing other kids consuming. And so he figured out how to use his student number and he would purchase a milk regularly. And I was wondering why he was coming home with half eaten lunch until I discovered it was because he was filling up on the chocolate milk.

Terrell:

She wanted big changes to the school's food-sourcing system, and getting rid of chocolate milk seemed like an easy place to start. It ended up being incredibly frustrating.

Frazier:

There's a lot of layers, at the school level. At the district level, at the food service management level, at the state level, at the federal level.

Terrell:

[She talked](#) to the district nutrition coordinator who referred her to Sodexo, the district's food service contractor at the time. Sodexo decided to run a pilot study. They removed chocolate milk from 11 Oregon schools and handed milk consumption data over to a team of researchers from Cornell. [They found](#) that banning chocolate milk was associated with about 7% fewer students eating school lunch. After the study, Sodexo suggested returning chocolate milk to schools. Carrie and her organization helped push for a compromise.

Frazier:

They did start offering chocolate milk only two days a week. It was more of a reduced sugar option. We went with a different local dairy.

Terrell:

Carrie says chocolate milk started creeping back on to regular menus more than twice a week until pandemic-era lunch changes gave the district the opportunity to ax chocolate milk again. This back and forth? Carrie says it's exhausting.

Frazier:

My child was in kindergarten and now he's in college and I'm still not feeling really good about the food. I'm feeling better. It's better than it was. We have the ability to make it better now that it's in our control. But that's almost like a generation of kids we just lost during my time of trying to make improvements. And so how long is this cycle going to continue?

Terrell:

Milk is just one of the many items that make up school meals. [Every lunch has to include](#) one protein, fruits, vegetables, and grain — 80% of which has to be whole grain. Each one of those agricultural products — and nearly every major company that turns those raw ingredients into burger patties and pizzas and ready-to-serve school meals — has an advocate on Capitol Hill.

Sue Levine:

In the Department of Agriculture, every commodity had its own lobby. The meat industry, the grain, the potato, the corn—that existed from the get-go.

Terrell:

[Susan Levine](#) is a historian and author of the book [School Lunch Politics](#), about the origins of the National School Lunch Program. She has bright eyes and short, curly white hair, and is an animated speaker. She says that lobbyists have been trying to influence nutrition policies ever since the program's beginning in the 1940s. But over time, Susan says, the food industry has consolidated into just a handful of big corporations with even more political clout.

Levine:

The large scale food service industry and the two or three major food service corporations now control much more than they did when this all started, and even in the seventies.

Terrell:

Industry lobbyists have had a hand in all kinds of nutrition policies, from [the distribution of food in the food pyramid](#), to an [Obama-era proposal](#) to consider tomato paste a vegetable.

[NBC News segment:](#)

Look at this picture. What do you see? In this week's Washington Rorschach Test, Congress sees a vegetable.

Terrell:

Here's Susan again.

Levine:

And that really makes it more difficult for school lunch reformers and nutrition people who have an interest in nutrition and child welfare to get into the legislative process because those industries are now much more powerful.

Terrell:

While lobbying has increased — and the entire food system has transformed into a more consolidated matrix controlled by larger and larger companies -- there have been only a few significant national efforts over the last 70 years to truly transform school lunch. The largest effort took place during the Obama Administration, after First Lady Michelle Obama kicked off a national conversation about childhood nutrition and obesity with the [Let's Move Campaign](#).

Levine:

It was a cultural moment about food that was kind of new.

Terrell:

The campaign had enormous reach. Beyoncé rewrote one of her hit songs to support the Let's Move Campaign.

[Beyoncé Let's Move song:](#)

Everybody just move your body, move your body, move your body ...

Terrell:

Michelle Obama appeared on Sesame Street.

[Elmo:](#)

Mrs. Obama? What are some of your favorite foods?

Michelle Obama:

Oh, I love sweet potatoes. I love broccoli. And you know what, I love them when they're put on a pizza. I love...

Terrell:

Celebrity chefs joined the effort.

[TV Promo:](#)

Jamie Oliver's Food Revolution... "I'm talking about schools. I'm talking about the fast food industry." I'm here to start a revolution. The biggest food revolution this country's ever seen..."

Terrell:

The Obama Administration made significant efforts to create a national coalition to tackle childhood nutrition, bringing together business leaders, trade groups like the SNA, and even building a fair amount of bipartisan support.

Levine:

In looking back, 2010 seems like the halcyon moment when it was possible to talk about children's nutrition and food in a way that seemed to have a kind of popular caché. Since 2010, I think the gulfs in



American politics have hardened in such a way that I've never seen discussions about children's nutrition so fraught.

Terrell:

The Let's Move Campaign's biggest achievement was the passage in Congress of [the Healthy Hunger-Free Kids Act](#). The legislation expanded access to free meals, implemented audits of the meal program, and made provisions for the creation of more farm-to-school programs. But it is best known for directing the USDA to embark on major changes to nutrition standards. Schools rapidly had to [reduce fat and salt contents](#) and transition to serving whole grains almost exclusively. New requirements were added, calling for more fresh fruits and vegetables.

It didn't take long before food manufacturing lobbyists, kids, parents, politicians, and even lunch workers started to revolt. Even the SNA, which had been a vocal supporter of the legislation, [began lobbying hard against the nutrition standards](#). The standards, some of which were [rolled back](#) under the Trump Administration, are still a source of tension for many lunch workers.

Terrell (in recording):

Should we take a walk through the kitchen before the kids arrive?

Christy Foote:

Sure, sure.

Terrell:

Christy Foote is the head of nutrition services at Reynolds School District in Oregon. She looks sharp in dress pants and a blazer as she proudly takes me through the cafeteria at Reynolds High School, which she worked with architects to redesign and modernize a few years ago.

Terrell (in recording):

So, like, we've got egg salad sandwiches and turkey sandwiches.

Foote:

We also have entree salads. So this would be kind of our deli menu.

Terrell:

The cafeteria is set up like a large restaurant buffet, with a hot entree line and grab 'n go meals lined up neatly in deli-style display cases. A lot of effort was made to appeal to students, but Christy says the district still struggles with food waste and complaints from parents and students.

Foote:

For me, one of the biggest frustrations is sitting in a room and hearing people say, "all you have to do is go look in the trash can and modify your menu based on what's being thrown away." A lot of the regulations limit me from doing that.

Terrell:

Strict nutrition regulations place limits on salt and fat, while requiring most meals to contain nearly all whole-grains.

Foote:

The salt piece is very difficult. It's probably the number-one obstacle. 'Cause you can make a lot of yummy stuff. But you take that salt out and it's no longer yummy.

Terrell:

When the first wave of sodium restrictions went into place, Christy says she had a friend who worked in another district who used to tell parents who complained about the food to consider sending their children to school with their own salt.

Foote:

She used to meet with parents and she'd tell 'em, "Here's all you gotta do: you buy the little salt things, little packets and you put 'em in their pocket. And you tell 'em once you sit down, you'll just open that little baby up and it's gonna taste a lot better." She used to make me laugh.

Terrell:

Christy says the regulations have become so restrictive that they've pushed districts like hers into relying even more on pre-processed and packaged meals. And they've dramatically limited the choices communities can make about feeding students.

About 70% of students at Reynolds High are Latino, and the number-one requested item in the cafeteria is Tapatio, a popular hot sauce. Giving students access to the condiment would have too big an impact on sodium limits, because of how Christy has to calculate every item in the meal plan.

Foote:

And so every condiment that you put: ketchup, ranch, salad dressing. You got this, you got that, you got this, you got that. It all adds up. And then your sodium for the week— (clicks tongue).

Terrell:

The USDA [put many nutrition requirements on hold](#) during the pandemic, but greater reductions to sodium are on the horizon. [Research](#) from Tufts University has shown that the Healthy Hunger-Free Kids Act significantly improved the nutritional quality of meals. On average, students who eat school meals are eating healthier on campus than they are at home. Data also show that school meals are more nutritious than lunches packed at home. But those comparisons are based on ALL the items school lunch workers put on a plate.

Josh Goddard:

So if you visit a school, there's a lot of fruit and a lot of vegetables in the trash. There are a lot of entrees in the trash. There's a lot of unopened milk in the trash.

Terrell:

That's Josh Goddard, the head of the nutrition department at Santa Ana Unified, a large urban school district in Southern California.

Goddard:

If we're measuring the health of children by how nutritious a trash can is, then we may be onto something. But we're not measuring how much of that is actually being introduced to a child's body. How much they're actually consuming.

Terrell:

Parents, and even politicians, may sometimes underestimate both the power of entrenched interests in the school food system and the complexity of the school meals program. But corporate profits and bureaucratic red tape are not the only barriers to meaningful change. There's also never been enough money to make lasting change.

Though [the Obama-era reforms](#) in 2010 included the first real increases to school lunch funding in 30 years, the [6 cents per meal increase](#) fell far short of the investment needed to pay for much of anything other than waiting for food manufacturers to retool processed food offerings so that they featured more whole grains and lower fat ingredients.

Levine:

Even though there was the push for higher standards or different standards in the nutrition of school lunch, there still wasn't the money to pay for it. Organic food costs more. Whole grains cost more. And they cost more because the agricultural subsidies don't subsidize those kinds of crops the way that they subsidize sugar, wheat, and the, sort of, the basics.

Terrell:

There was no investment in the kinds of wide-scale nutrition education and outreach to parents that might have resulted in more support for the nutrition standards. Not enough support for cooking healthy, culturally-relevant meals that students would find appealing. The unwillingness of politicians to invest more in feeding students, Susan says, is part of what keeps school lunch programs so uneven. Some districts have great local efforts. Others are left behind.

Levine:

The issue, to me, always comes down to funding. There are great local efforts and there are private foundations that support projects in local schools to get gardens or to get organic food or to get different nutrition education for the kids. Those projects are great, but they don't scale up and they aren't permanent.

And so I think what local reformers have to think about is not just their particular projects, which are great and good, and raising local funds is really important, but they're the end of the line. There has to be some citizen mobilization to support public institutions. And I think that oftentimes people look at school lunch, and at food, in a vacuum.

Terrell:

The lack of financial investment is the biggest roadblock standing in the way of what a growing number of school nutrition leaders and progressive politicians are calling for: universal free meals for all students. Here's Diane Pratt-Heavner, director of media relations for the School Nutrition Association.

Diane Pratt-Heavner:

Universal meals is critical to eliminate the stigma for kids who really rely on the program for their nutrition. To make sure that all eligible children have access to that program without barriers. Kids shouldn't have to worry about, did mom or dad fill out the paperwork? Did they put money on my account? And quite frankly, the school nutrition staff shouldn't have to worry about that either.

Terrell:

For two years during the Covid-19 pandemic, the federal government [subsidized school meals at a higher rate](#) and offered free meals to all students, which improved access but also made lunch workers' lives a whole lot easier.

Many school nutrition leaders expected that to continue at least through the 2022-23 school year. Then, in March of 2022, word came down that free meals were being pulled from the table. Diane from the SNA was in a conference room with hundreds of school lunch workers for the organization's [annual legislative conference](#), where members meet in DC to discuss annual school nutrition needs and then lobby for them.

Pratt-Heavner:

We were all pretty certain that those waivers would be extended as part of the Omnibus Appropriations bill.

Terrell:

Then, Diane says, someone from the USDA stepped up to the conference microphone and announced that their negotiations were not going well and that they didn't anticipate free meals — or the temporary higher reimbursement rates — to continue.

Pratt-Heavner:

There was a kind of a gasp, an audible gasp in the room, when folks realized this might not happen.

Terrell:

Within months of universal meals ending, many schools saw student meal debt begin to accumulate at a much faster rate than it had pre-pandemic.

Pratt-Heaver:

We are hearing from our school nutrition directors who are seeing debt accrue very rapidly this school year. You know, many of them had an advantage and were able to pay off a lot of their debt during the pandemic. And so it's really disheartening to see that debt inch back up.

Terrell:

There are signs of hope for reform at the state level. Lawmakers in California, Maine and Colorado have [passed legislation](#) to make universal meals a permanent feature in their states — a step that seemed out of reach only a few years ago to some of the most ardent supporters of school meal expansion that I spoke to.

Making those state-level universal meal programs have meaningful and lasting impact will require more than just waiving application requirements for free meals. States will need to improve the quality of meals, involve parents and children in nutritional changes and address the challenges facing nutrition workers to really transform programs. What could a real transformation of school meals accomplish? That's next on Left Over.

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