

Freedom in the School Cafeterias and Lunches (FISCAL) Act

H.R. 2539, S. 1236

This legislation, championed by Representatives Troy A Carter, D-La., and Nancy Mace, R-S.C., and by Senators John Fetterman, D-Pa., John Kennedy, R-La., and Cory Booker, D-N.J., tackles the outdated milk mandate in our schools and aims to provide our participating kids with digestible and nutritious fluid beverage choices.

Why Support the FISCAL Act?

- **Choice in Nutrition.** The FISCAL Act eliminates the mandate that forces every student receiving nutrition assistance through the National School Lunch Program to receive cow's milk, regardless of their preferences or dietary needs. It's about giving kids the power to choose what they consume.
- **Program Consistency.** The Women Infants and Children Program (WIC) provides non-dairy options for recipients of this nutrition-assistance program, but the NSLP does not. That's an unacceptable inconsistency in our federal nutrition-assistance programs, according to backers of H.R. 1619/S. 2943.
- **Lactose Intolerance Prevalence.** A significant percentage of Black, Pacific Islander, Asian, Native American, and Latino individuals are lactose intolerant. Most people experience a reduced ability to digest lactose after infancy, and this is particularly common among individuals of various ethnic backgrounds. The FISCAL Act recognizes the diverse dietary needs of our students.
- **Food Waste Reduction.** The current system results in substantial food waste, with nearly 29% of milk cartons tossed in the trash unopened (with total waste estimated at 40% of all milk purchased). This milk wastage squanders \$400 million a year, or \$4 billion over 10 years, and it's preventable by giving kids a plant-based milk they can safely consume.
- **Nutritional Equivalency.** The FISCAL Act notes that plant-based milks offered to kids must be nutritionally equivalent to cow's milk. In the marketplace, plant-based milks represent 17% of fluid milk consumption, but because of the milk mandate in the National School Lunch Program, they are consumed at a rate less than 1% because they are not available.



- **Enhancing Learning.** Mandating the delivery of a food staple that causes discomfort or illness to children in a nutrition-assistance program can hinder their ability to concentrate in the classroom.
- **Cows Face Production Rigors Only to See Milk Thrown Away.** Dairy cows have been engineered to produce milk at levels and rates that are unsuited for their health. Just decades ago, a dairy cow produced 433.9 gallons of milk per year. But with selective breeding for hyperproduction, a Holstein on an industrialized farm now produces 2,695 gallons — an astonishing five times the yield! That unbelievable level of production taxes her system and leads to an array of health problems — from inflammation of the udders to foot and leg problems resulting from the massive body mass they must carry.

The FISCAL Act is a critical step toward modernizing our school nutrition programs and ensuring that every child has access to dietary options that are both nutritious and accommodating of their needs. By supporting this legislation, you're advocating for healthier, more inclusive school meals that benefit the well-being and educational outcomes of our nation's youth. Let's put an end to outdated milk mandates and provide our children with the choice and nutrition they deserve.

Endorsing organizations for the FISCAL Act: National Rural Education Association, National Coalition for Healthy Schools, National Urban League, and the Asthma and Allergy Foundation of America.