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The Honorable James F. Morrison, Chairperson
House Committee on Health and Human Services
Kansas House of Representatives
300 Southwest 10th Street
Topeka, Kansas 66612

Dear Chairperson Morrison:

The National Confectioners Association (NCA) greatly appreciates this opportunity to express its views regarding HB 2137, which is up for consideration in your committee. The measure seeks to expand restrictions on the sale of selected food and beverage products in the schools of your state. In addition, a provision would prohibit all teachers from using candy as a reward or incentive.

As you can imagine, the members of our association are very interested in this issue. NCA represents more than 700 companies that manufacture and market the vast majority of chocolate and non-chocolate confectionery in the United States, with several members in your state.

NCA believes that students, parents, legislators, vendors and in some circumstances even school officials are not fully aware of the current restrictions in schools regarding the sale of foods in competition with the national school lunch and breakfast programs.

There are already significant control measures at the disposal of schools in your state through regulations promulgated by the U.S. Department of Agriculture (USDA). These regulations strictly prohibit the sale of "foods of minimal nutritional value" in designated food service areas during the meal periods. Other foods in competition with the school breakfast and lunch programs are only sold when proceeds benefit the school or an approved student organization. Unfortunately, these USDA guidelines are sometimes unknown or not enforced.

Please be aware that improvements in technology can increase the capability of schools to enforce these USDA guidelines. Timers can now be attached to vending machines that control when the machines can be operated or shut down.

*We strongly support a comprehensive education campaign so as many people as possible know about the tough guidelines already in place to restrict the sale of our members' products in schools. Our association accepts the fact that local districts are capable of making these guidelines even tougher if they so desire **and ask that your committee maintain the flexibility of local districts** to make this decision based on their own particular norms and needs.*

Children's health is a complex and multi-faceted issue, affected by a variety of factors, including a child's behavior, environment, levels of physical activity and inactivity, genetics, and diet. **Our organization is committed to supporting children's health and to encouraging both parents and children to maintain a healthy lifestyle.** We are currently working with leaders in the health professional community by providing materials to help them educate children and their parents on effective approaches to health, nutrition and weight management.

Health professional organizations such as the American Dietetic Association believe that a healthy dietary regimen incorporates a diet that is balanced and includes a variety of foods in moderation. While we certainly agree with the need for continuing efforts to identify and support measures that