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## FISCAL IMPACT REPORT

SPONSOR Kernan ORIGINAL DATE 2/9/18  
LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Reduce School Food Waste SM 60

ANALYST Esquibel

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY18	FY19	FY20	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		See Fiscal Implications				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Children, Youth and Families Department (CYFD)

Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Memorial 60 (SM60) requires the Legislative Education Study Committee and Legislative Health and Human Services Committee to conduct a review of existing programs to reduce food waste in school food programs and to study ways to create and expand policies that allow unused or uneaten food help hungry children.

### FISCAL IMPLICATIONS

The Public Education Department writes “requiring school districts and schools to share unused and uneaten food to benefit hungry children could have a fiscal impact. Depending on how the unused or uneaten food is to be distributed, school districts and schools would be required to transport food while maintaining all food handling requirements (keeping foods hot or cold) and many schools and school districts do not have the equipment to transfer these foods. Non-perishable foods are easier to distribute.”

## OTHER SUBSTANTIVE ISSUES

The Public Education Department reports:

- School districts and schools participating in the National School Lunch Program and School Breakfast Programs have specific federal regulations to meet in relation to the New Meal Pattern requirements:
  - Serving sizes
  - Additional food cannot be distributed during the meal serving period
  - Criteria for reimbursement for meals
- Maintenance of production records to assist in reducing food waste and to plan for better menu planning.

### Options

- Offer vs. Serve option - helps reduce food waste by giving students the opportunity to select the meal items they will eat. Offer versus serve is only required for high schools as opposed to elementary and middle schools.
- Waiver from PED option – allows flexibility with the requirements for serving students whole grain meal items such as pastas and tortillas and serving students flavored low-fat milk. This has helped reduce the amount of school meal waste.
- Guidance on the Food Donation Program in Child Nutrition Programs Option - stating that any program where food is not consumed may be donated to “eligible local food banks or charitable organizations” [https://fns-prod.azureedge.net/sites/default/files/cn/SP11\\_CACFP05\\_SFSP07-2012os.pdf](https://fns-prod.azureedge.net/sites/default/files/cn/SP11_CACFP05_SFSP07-2012os.pdf)

In New Mexico, organizations such as the Road Runner Food Bank and New Mexico Food Bank accept donated meals.

Before ensuring food can be donated to nonprofit organizations, schools would have to determine if the food can be reused. For example, they would have to look at temperature logs to prevent potential illness.

RAE/jle