

Restaurant Comment + Listening Session Recap

FOR THE
WHITE HOUSE
CONFERENCE ON
HUNGER, NUTRITION AND
HEALTH

July 15, 2022



EXECUTIVE SUMMARY

The National Restaurant Association (the “Association”) appreciates the opportunity to provide comments for the White House Conference on Hunger, Nutrition, and Health. Founded in 1919, the Association is the leading business association for the restaurant and foodservice industry, representing the voice of owners and operators at the state and federal level of government. The industry is also the nation’s second-largest private sector employer and consists of nearly one million restaurant and foodservice outlets employing 14.5 million people—about ten percent of the American workforce.

On June 30 and July 1, 2022, the Association hosted two virtual listening sessions to gather feedback for the conference with members of the restaurant industry. Our listening sessions brought together representatives from large restaurant chains and small independent establishments to share our diverse industry stories. We are hopeful that our ideas help inform a national strategy on hunger, nutrition, and health.

RESTAURANTS ARE INCREASINGLY FOCUSED ON NUTRITION

The restaurant industry’s focus on nutrition has increased dramatically in recent years and restaurants are currently employing a wide range of strategies that help Americans live healthier lives and reverse the trend of obesity in the United States.

- **The restaurant industry is growing the number of better-for-you menu options and choices.** Restaurants are serving a variety of healthful products and many new brands have centered their entire businesses on providing nutritious options. In addition, some restaurants have formally pledged to make positive changes through public commitments, while others have chosen to simply make modifications to the menu options.
- **The restaurant industry is committed to providing nutrition information to customers.** We championed national menu labeling regulations to give our customers the information they need to make healthier choices for themselves and their families. Menu labeling also promotes transparency by giving consumers access to nutrition information.
- **The restaurant industry is employing registered dietitians and nutrition experts.** Our industry is looking to experts for help in achieving healthier menus and providing accurate nutrition information by employing a record number of registered dietitians and nutrition professionals than ever before.

Additionally, the restaurant industry’s commitment to health and wellness is evident through our participation in a number of programs and projects.

- The Association’s voluntary **Kids LiveWell (KLW)** program provides parents with a growing selection of healthful children’s menu choices to help parents and children select better-for-you menu options when dining out. Restaurants that participate in this voluntary program commit to offering healthful meal items for children with a particular focus on increasing consumption of fruits and vegetables, lean protein, whole grains, and low-fat dairy while limiting unhealthy fats, sugars, and sodium.

Approved menu items are clearly marked with the KLW logo and participating restaurants offer a minimum of two meals and two sides that have undergone rigorous dietary analysis by nutritionists. This ensures the meals align with the current nutrition science, including the 2020-2025 Dietary Guidelines for Americans, published by the U.S. Departments of Agriculture (USDA) and Health and Human Services (HHS) every five years. Participating restaurants also commit to a default beverage policy that puts water, milk, and juice first, with other beverages available on request.

- The Association is also participating in the **Portion Balance Coalition** in conjunction with Georgetown University. The coalition’s work is centered around identifying and implementing innovations in support of a balanced, healthy lifestyle. The coalition is currently focused on raising awareness of the “Eat for You” consumer education campaign and conducting workshops to determine how to co-create actions and strategies to inspire portion balance.
- Many of our members are also engaged in the **Culinary Institute of America (CIA) Healthy Menus R&D Collaborative (HMC)**, which develops practical solutions that help expand the availability and sales of healthy menu choices. Through this effort, more produce, less sodium, fewer calories, and higher quality proteins are now being offered through its collective offering of 38,000,000 meals a day.

These efforts are having an impact on our industry and its guests. In fact, our research shows that most Americans believe they can eat healthfully when dining out. The Association recently surveyed a national sample of 2,202 consumers on health trends in the restaurant industry and the results indicated that:

- Nearly three-quarters (72%) believe restaurants have made it easier to monitor calorie intake.
- A large number of adults (40%) report more options for lower calorie beverages while ordering at restaurants.
- More than half of all adults (51%) agree restaurants have made an effort to balance portion sizes.
- Adults age 35 - 44 are most optimistic about menus becoming healthier, offering lower calorie beverages, and becoming easier to monitor calorie intake.

RESTAURANTS ARE COMMITTED TO REDUCING HUNGER

- **The restaurant industry is educating members about food donation incentives.** The National Restaurant Association works to educate members about the benefits of food donation to reduce hunger in their communities while also providing financial benefits like enhanced tax deduction incentives. These incentives allow restaurants to make food donations more cost effective.
- **The restaurant industry connects members to food donation organizations.** We assist our members with connections to advisers or organizations like Food Donation Connection and Feeding America to begin donating food in their communities.
- **The restaurant industry educates our members about laws that protect restaurants that donate food.** The federal Bill Emerson Good Samaritan Food Donation Act of 1996 protects restaurants from legal liability when they donate “apparently wholesome food” in good faith to nonprofit organizations. We are pleased millions of pounds of food are donated daily and not a single case involving food donation-related liability has been reported.

The restaurant industry’s commitment to hunger is also evident through our participation in a number of programs and projects. For example, we are a proud partner with **Feeding America and Food Donation Connection** to strengthen the connections between restaurants and those who need food.

These efforts are having an impact in our communities. In fact, our research shows consumers consider food donation an important factor when choosing where to dine out.

We know that it will take all of us in order to achieve the goal of ending hunger and increasing healthy eating and physical activity so that fewer Americans experience diet – related diseases. Below you will find the restaurant industry’s input on how to achieve this goal.

RESTAURANT INDUSTRY RECOMMENDATIONS

Question 2: What specific actions should the U.S. Federal government, including the Executive Branch and Congress, take to achieve each pillar? What are the opportunities and barriers to achieving the actions?

Pillar 1: Improve Food Access and Affordability to Eliminate Hunger

- **Increase food waste education among consumers and businesses alike**
 - This goal could be achieved through a national education campaign or other methods.

- **Increase food donation by streamlining food donation regulations among the states**
- **Standardize and clarify date labels to ensure consistency and lessen consumer confusion**
- **Strengthen Liability Protection for Food Donation**
 - Currently, restaurants are protected from liability when donating food under the Bill Emerson Good Samaritan Food Donation Act. However, many are unaware of this protection and desire clarity. The federal government should strengthen and clarify the Bill Emerson Good Samaritan Food Donation Act.
- **Increase financial support for food donation**
 - Expand tax benefits for food donation (consider including a tax credit)
 - Consider a tax benefit to cover the cost of transporting donated food
 - Provide grants and benefits for transportation and storage at food banks
- **Consider expanding tax incentives for employee meals**
- **Consider expanding access to food at restaurants**
 - The US Department of Agriculture’s Restaurant Meals Program (RMP) is a tool to address food insecurity by creating access to healthy, nutritious food for seniors, disabled, and homeless persons at restaurants. The current program requires states to apply to USDA through a burdensome RMP application, which has resulted in only a handful of states participating, leaving those unable to cook, prepare, or store food without access to restaurant foods across the United States. USDA should reassess the way RMPs are established and consider making this a nationwide program. Moreover, Congress should consider expanding the population this program serves.
- **Consider expanding SNAP participant access to hot and prepared foods, which are currently not covered by SNAP**
 - Exclusion of hot and prepared foods under current SNAP criteria is harmful to those most in need. Congress should explore the inclusion of restaurants as a SNAP provider to allow greater access to food options.

Pillar 3: Empower Consumers to Make Healthy Choices

- **Provide resources to support nutrition education so families make healthful choices when dining out**
 - Given the important role that diet plays in preventing chronic diseases and supporting good health, nutrition education should be promoted in schools. This can help students establish healthy eating behaviors.

- **Provide resources to ensure our farmers are able grow healthy produce, grains, dairy, and meats at reasonable prices for consumers.**
 - We heard from our members that the high cost of healthier options and better-for-you ingredients can be a barrier to ingredient incorporation on menus. Support for growing healthy foods should be considered to increase the supply of these important ingredients.

Pillar 4: Support Physical Activity for All

- **Promote enhanced tax benefits for youth sports team sponsorship**
 - The Administration should enhance tax benefits and deductions for sponsoring a non-profit organization if public exposure from the sponsorship is received.

Question 3: What specific actions should local, state, territory and Tribal governments; private companies; nonprofit and community groups; and others take to achieve each pillar?

Pillar 3: Empower Consumers to Make Healthy Choices

- **Restaurants participate in the National Restaurant Association’s Kids LiveWell program:** Private companies like restaurants should consider participating in Kids LiveWell (described above). This program is free and the Association supports the 12,400 current participants with creative national marketing initiatives. More restaurants will join as the program grows providing even more menu choice in the future. Additional information on this great program including a white paper and a Getting Started Guide can be found at <https://restaurant.org/education-and-resources/learning-center/food-nutrition/kids-live-well/>.
- The Administration should consider encouraging participation in this program and including it in any educational program for consumers when dining out.

Pillar 4: Support Physical Activity for All

- **Restaurants promote employee health benefits**
 - Private companies like restaurants are working in a variety of ways to support physical activity for employees. At the corporate level, many restaurants promote employee wellness by providing fitness centers at headquarter locations. At the local restaurant level, restaurants health insurance programs often offer health promoting initiatives such as discounts to programs that focus on their health.
- **Restaurants support local parks and recreation**
 - Private companies like restaurants work to support local parks, recreation, sporting events, races and more that support access to physical activity for those in their communities.

Taken together, our efforts and these recommendations will accelerate progress and drive change to end hunger, improve nutrition, and physical activity.

Thank you for the Administration's leadership. We look forward to continued engagement on behalf of the restaurant and foodservice industry.

Sincerely,

The National Restaurant Association