Thank you for sharing the revised draft of S.26 and for considering stakeholder testimony.

I remain concerned about the policy direction and do not support moving the legislation forward as written.

The revised draft expands the list of restricted substances and continues to place the responsibility for monitoring and compliance solely on school nutrition programs. Even with the provision that compliance be reviewed during existing administrative reviews, the practical responsibility for identifying and tracking these ingredients still falls on local school food authorities. School nutrition programs would need to monitor product formulations, review ingredient labels, communicate with vendors, and ensure ongoing compliance as manufacturers change products. This adds operational complexity to programs that are already operating within a highly regulated federal framework.

I also remain concerned that this policy targets schools alone rather than addressing these substances more broadly in the food system. If these ingredients warrant restriction due to health concerns, limiting them only to school meals does not address exposure outside of schools.

In addition, testimony from Vermont's Director of Child Nutrition indicated that many manufacturers have already begun reformulating products to remove artificial dyes and that additional compliant products will likely be available by the proposed enactment date. This suggests that market forces are already moving in this direction, raising the question of whether additional restrictions are necessary.

If the Legislature's goal is to improve the nutritional quality of school meals, I would encourage continued investment in strategies that are already demonstrating success in Vermont, including the Local Food Incentive program, farm-to-school initiatives, and expanded support for scratch cooking. These approaches reduce reliance on highly processed foods, strengthen local agriculture, and naturally reduce the use of artificial additives without creating new compliance requirements for schools.

School nutrition programs are one of Vermont's most effective public health tools. Policies that build capacity and support program quality will have a broader and more sustainable impact than policies that add additional restrictions within an already complex regulatory system.

Thank you again for your engagement. I appreciate the opportunity.

Respectfully,

Scott Fay