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April 18, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

A handwritten signature in black ink, appearing to read "Jonathan E. Fielding" with a stylized flourish at the end.

SUBJECT: **LOS ANGELES COUNTY FOOD POLICY IMPLEMENTATION
PROGRESS REPORT**

On August 8, 2006, the Board of Supervisors approved the Los Angeles County Food Policy. The purpose of the Food Policy is to ensure that County employees and the public have access to healthy food options at County facilities.

On October 31, 2006, I submitted an implementation plan with an extended timeline. Attached is the first of three scheduled progress reports. These report covers progress by the first compliance date of January 1, 2007. The next scheduled compliance date is January 1, 2009.

If you have any questions or need additional information, please let me know.

JEF:ps
PH:609:007

Attachment

c: Chief Administrative Office
County Counsel
Executive Officer, Board of Supervisors

**LOS ANGELES COUNTY FOOD POLICY IMPLEMENTATION:
PROGRESS REPORT - APRIL 18, 2007**

On October 31, 2006, The Department of Public Health (Public Health) submitted an implementation plan for the Los Angeles County Food Policy. In December 2006, Public Health created the following three workgroups to lead the implementation process:

Oversight Workgroup, comprised of County staff and community partners who helped develop the policy: 1) provides guidance for all three components of the Food Policy; 2) identifies and seeks to address obstacles to implementation; 3) gives input on educational and marketing materials and; 4) helps design monitoring and evaluation measures.

Vending Machine Workgroup, comprised of staff from County departments that currently have contracts with vending machine vendors: 1) encourages vendors to voluntarily comply with the Food Policy; and 2) develops language for the next vending machine RFP that mandates compliance with the Food Policy.

Marketing and Employee Education Workgroup, comprised of Public Health staff with social marketing and nutrition expertise: 1) creates a marketing/educational campaign to promote the Food Policy to County employees and the public; and 2) develops educational materials to promote the Food Policy including an informational kit for vending machine vendors, articles to be included in County newsletters, and posters to be posted on vending machines.

Activities

a. Master list of all vending machines

Public Health contacted County departments with vending machine contracts to determine pertinent information regarding their contracts, including the number of food and snack vending machines under County contracts, the date that current contracts expire, the name of the vending machine vendor, etc. The table below summarizes the number of food and snack vending machines under County contract.

Vending Machines Under Contract with the County of Los Angeles

	# of Snack Vending Machines Under Contract by Department	# of Beverage Vending Machines Under Contract by Department	Contract Expiration
CAO Real Estate Division	103	133	Month to Month
Beaches & Harbor	0	70 (Water only)	2009
Health Services	15	16	2013
Public Works	3	6	2011
Parks and Recreation	0	150	2010
Total # Per Machine Type	121	375	
Total # Vending Machines	496		

Prior to this first workgroup meeting, Public Health staff collected sample educational materials from other institutions that have implemented food policies. In addition, Public Health staff have spoken with food policy coordinators at Kaiser Permanente and other counties, including Contra Costa, to identify best practices for conducting educational efforts to support food policy implementation.

f. Develop Standard Language for the Next Vending Machine RFP

The CAO – Real Estate Division, County Counsel and Public Health have been working together to develop the next RFP for vending machine vendors. We have obtained copies of other entities' RFPs, including the Los Angeles Unified School District. In addition, we have sought assistance from experts, including the Public Health Law Project.

g. Target Milestone of 25% Healthy Offerings in Vending Machines

The Food Policy set a target milestone that by January 1, 2007, 25% of all foods and 25% of all beverages in County-contracted vending machines within County facilities and offices would meet the nutrition guidelines detailed in the Los Angeles County Food Policy.

We are currently partnering with external stakeholders, including the Healthy Eating Active Communities (HEAC) project in SPA 6 (an obesity prevention initiative funded by the California Endowment) and Samuels and Associates, a consulting firm, to determine a baseline percentage of vending machines that currently offer at least 25% healthy items. We have conducted a survey of the contents of the vending machines at Harbor + UCLA and County + USC and will soon expand this survey to include a sample of County administrative buildings. We plan to complete this baseline assessment before initiating our voluntary compliance test period in summer of 2007 so that we will be able to measure a change in the percentage of healthy offerings as a result of the test period.

b. List of Sample Food and Beverage Products that Comply with the Food Policy's Nutrition Guidelines

Public Health has developed a preliminary list of food and beverage items that meet nutrition guidelines contained in the Food Policy. Public Health is working directly with the County's vending machine vendors to complete this list. Their participation in this process is important for maximizing voluntary compliance with the Food Policy prior to the renewal of existing contracts.

c. Voluntary Compliance

In February and March of 2007, Public Health and the CAO—Real Estate Division met with five of the County's six current vending machine vendors to discuss voluntary compliance with the Food Policy. All vendors agreed to comply but expressed concerns about two components of the Food Policy: the nutrition guidelines and the mandated percentages for healthy offerings.

The Food Policy's nutrition guidelines are more restrictive than State policy for vending machines in public schools as defined in SB 12 and SB 965. Specifically, our guidelines include three criteria for snack items not included in State policy: a restriction on trans fat, a limit on sodium, and a whole grain requirement. In addition, our guidelines require a stricter calorie limit per snack item than the State's guidelines: 200 calories versus 250. At issue is that most manufacturers of vending machine snacks and beverages are reconfiguring their products to comply with State policy. Vendors report that it would be difficult to find a sufficient number of products that fully comply with the LA County Food Policy.

In terms of the mandated percentages for healthy offerings, all vendors are worried about the requirement that 50% of snacks and beverages offered in each vending machine must meet Food Policy nutrition guidelines by 2011. Four of the vendors are concerned that demand for healthier snack products is not strong enough and feel that 25% is a more realistic target that would not adversely affect their profit margin. The fifth vendor has suggested that, based on his experience, mandating 100% healthier snack items is more feasible than requiring a mixture of healthy and non-healthy items. This vendor has had success using 100% healthy snacks, but this has taken place in hospitals rather than administrative buildings, which may provide a different clientele for the vending machines. Further, our discussions with current vendors have indicated potential challenges in meeting Food Policy target percentages as they relate to beverage machines.

Because of vendors' concerns about our nutrition guidelines and because we have received conflicting accounts from vendors regarding the mandated percentages of healthy offerings, we need to determine what approach works in our County vending machines. We are currently in negotiations with the vendors to undergo a test period at agreed upon compliance rates at County-owned administrative buildings and facilities. This test period will enable the County to gather additional information about: 1) what changes, if any, need to be made to the Food Policy's nutrition guidelines in order allow a sufficient number of eligible products; and 2) offering different percentages of healthier food and beverage products in vending machines.

In addition, we will allow two of the vendors, whose current contracts have expired, to remain on a month-to-month basis under their existing contracts up to twelve months, to test demand for healthier snack and beverage items in County-owned buildings. This is important in order that we may gather data from this test period that will be used to develop the next Request For Proposal, e.g. what percentage of healthy food and beverage items offered in vending machines is viable for vendors. This data would also help determine if the County, in the new Request For Proposal, would need to consider an adjustment of the gross percentage of sales it currently has in place because of the potential reduced sales and higher operating costs experienced by the vendors, due to the Food Policy implementation.

We plan to initiate the voluntary compliance test period by late summer 2007, at which time a sample list of eligible products will be completed, vendors will have purchased healthier items, and an educational campaign to promote the Food Policy will be in place.

d. Pilot Project at Two County Hospitals

Public Health and the CAO – Real Estate Division are collaborating with two County hospitals—County + USC (8,000 employees) and Harbor + UCLA (2,000 employees)—to conduct a pilot implementation of the Food Policy. We selected these hospitals as pilot sites because they each have several vending machines and large employee populations. The original purpose of the pilot project was to test the effectiveness of our educational campaign in two sites before rolling out it county-wide at multiple sites. However, because of vendors' enthusiasm for complying voluntarily county-wide, we are planning on conducting an educational campaign county-wide, though not as extensive as what we will implement at the two hospitals.

We plan to launch the pilot study at both hospitals in summer 2007 to coincide with the initiation of the vendors' voluntary compliance test period at administrative buildings. The pilot study will include offering healthier snack and beverage items in the vending machines accompanied by an educational campaign (described below) and will last 12 months, depending upon the willingness of vendors to comply for that length of time. Vendors have agreed to share data with us on total sales so we can determine if people are buying the healthy items and if total sales increase or decrease. The pilot study will be evaluated and lessons learned will be written up and applied to our work with other County vending machine vendors.

e. Educational Campaign

The Marketing and Employee Education Workgroup held its first meeting on March 1, 2007. The workgroup will develop an educational campaign to be initiated at the two pilot hospital sites and at various County-owned buildings by summer 2007. Components of the educational campaign will include: posters and/or stickers on vending machines, educational brochures describing the Food Policy and the importance of offering healthier options, taste-testing events for employees and visitors to sample the healthier products, messages on paycheck stubs, and articles in internal newsletters for hospital and County employees.