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**From:** "Karla Hampton" <[khampton@phlpnet.org](mailto:khampton@phlpnet.org)>

**Date:** February 15, 2011 3:44:07 PM PST

**To:** "Joni Gabriel" <[jonigabriel@gmail.com](mailto:jonigabriel@gmail.com)>

**Subject:** Re: memo on school gardens

Hi Joni,

It was great meeting you at the joint use training last week. I learned a lot from all of the grantees. And I appreciate the feedback about additional resources and new areas of research needed to help communities implement joint use policies. Per your request, I am sending to you a copy of NPLAN's school garden memo. Also, I have included links to several examples of joint use related to school gardens.

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### **School Garden Memo: serving school-garden grown produce to students**

As school gardens grow across the country, school officials, food service directors, parents, and community members have asked if school garden produce may be served to students in their school lunch programs. NPLAN researched the question and produced the attached written memo. The good news is that nothing in federal law prohibits feeding students the produce they have grown. In fact, current federal policy encourages schools to cultivate gardens and consume the produce.

It is unlikely that state law would prohibit serving school produce either. Health and sanitation requirements imposed on food establishments, including school cafeterias, are established by state law. An analysis of each state's food retail code is beyond the scope of NPLAN's research. But 49 of 50 states base their food retail codes on recent versions of the U.S. Food and Drug Administration's "Model Food Code." The Model Food Code doesn't specifically address the use of school garden produce, but it does set standards for the storage, handling, and preparation of food, including produce. Provided that a school uses safe practices when establishing its garden and the school-grown produce is treated with the same care as produce from other sources, the Model Food Code would not prohibit a school cafeteria from serving school garden produce. Before serving school garden produce to students, however, a school should review state law to ensure it does not deviate from the Model Food Code in some way that would impact a school garden program.

For more information, please see the attached memorandum. We are posting this memo and additional school garden resources (products still in development) on our website [www.nplan.org](http://www.nplan.org). Also, we just released a Community Garden Toolkit available at <http://www.phlpnet.org/CommunityGardenToolkit>

## Examples of Joint Use Relating to School Gardens

We are still in the process of obtaining copies of joint use agreements that reference school gardens. I have included the information and resources we have thus far.

John C. Fremont High School – community case study

[http://mo.laschools.org/green-spaces/documents/view/greening-projects/case-studies/Community\\_Garden\\_-\\_Fremont\\_High\\_School.pdf](http://mo.laschools.org/green-spaces/documents/view/greening-projects/case-studies/Community_Garden_-_Fremont_High_School.pdf)

MOU between LAUSD and Friends of Micheltorena for Micheltorena Elementary School Garden

<http://farmfeliz.org/Documents/Our%20MOU.doc>

Collective Roots (works with children, youth and adults to design and sustain organic gardens on school and community sites)

<http://www.collectiveroots.org/whats-growing/garden-based-learning>

Edible School Garden at a Martin Luther King Middle School

<http://www.chezpanissefoundation.org/edible-schoolyard>

School/Community Garden at Orville Wright Middle School

[http://www.dailybreeze.com/ci\\_16982793](http://www.dailybreeze.com/ci_16982793)

Pudget School Garden Collective

<http://www.pugetsoundschoolgardens.org/>

I hope that you find this information helpful. Please let me know if we can help you with additional questions.

Best,

Karla Hampton

Staff Attorney

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