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Food Justice in the Trump Age: Priorities for Urban Food Advocates

By Nevin Cohen,* Janet Poppendieck & Nicholas Freudenberg*****

Every constituency – regardless of political ideology – must analyze the effects of the election of Republican majorities in Congress and Donald J. Trump as President of the United States. This is particularly true for advocates involved in eliminating food insecurity and hunger, fighting malnutrition and health inequality, and ensuring sustainable and fair urban food systems with high quality jobs. Anticipating the new administration’s efforts that may undermine food justice enables advocates, researchers, and policy makers to choose priorities and forge strategic partnerships. Three broad areas require particular attention.

Maintaining Federal Food Assistance

Federal food assistance programs, from school food policies to SNAP, are crucial lifelines for many and contribute

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significantly to urban economies. As Table 1 shows, SNAP alone adds billions of dollars of economic activity in major US cities.

Table 1. Annual Economic Impacts of SNAP Benefits in Select US Cities

County (City)	Average Monthly SNAP Benefit/ Person, 2015*	Number of SNAP Recipients 2014**	Annual SNAP Benefits	Economic Impact with 1.79 multiplier***
Cook (Chicago)	\$134.78	1,032,885	\$1,670,546,884	\$2,990,278,922
Harris (Houston)	\$117.80	612,045	\$865,186,812	\$1,548,684,393
Miami-Dade (Miami)	\$129.66	694,758	\$1,080,987,867	\$1,934,968,283
Maricopa (Phoenix)	\$121.71	609,476	\$890,151,888	\$1,593,371,879
New York City	\$138.38	1,749,111	\$2,904,503,762	\$5,199,061,734

* <http://kff.org/other/state-indicator/avg-monthly-food-stamp-benefits>

** United States Census. 2017. Small Area Income and Poverty Estimates. County SNAP Benefits Recipients. Accessed at <https://www.census.gov/did/www/saipe/data/model/tables.htm>

*** Hanson, Kenneth. The Food Assistance National Input-Output Multiplier (FANIOM) Model and Stimulus Effects of SNAP. ERR-103. U.S. Dept. of Agriculture, Econ. Res. Serv. October 2010.

In New York City, for example, approximately 1.7 million people receive SNAP; 1.1 million children consume 850,000 federally subsidized school meals daily¹; approximately 300,000

1. NEW YORK CITY FOOD POLICY, FOOD METRICS REPORT 2016 14

participate in WIC,² which provides nutritious foods for pregnant and lactating women, infants, and children; senior centers serve 7.5 million meals annually; and another 4.5 million meals are delivered to homebound seniors and people with disabilities.³ Despite the importance of these public food benefits, the following Republican policy proposals put them at risk.

Block Granting Food Entitlement Programs

Block granting, in which states receive fixed allocations of federal funds and wide latitude to spend them, would end the entitlement status of SNAP and school meals.⁴ Entitlements create individual rights to benefits, which are currently funded so that all who qualify can participate without waiting lists or enrollment caps. In addition, the programs expand along with needs, a policy Republicans have tried to reverse since the Reagan administration.⁵ Block grants would allow states to restrict eligibility and require Congressional approval of specific funding levels, putting the programs in cost-cutting crosshairs. While Senate Agriculture Committee Chair Pat Roberts has expressed opposition to block granting SNAP,⁶ House Speaker Paul Ryan favors block grants and has already called for cutting

(2016), <http://www1.nyc.gov/site/foodpolicy/about/food-metrics-report.page>

2. Rosa Goldensohn, *Bodegas say benefits cutback would put them out of business*, CRAIN'S (Nov. 15, 2015),

<http://www.crainnewyork.com/article/20151115/SMALLBIZ/151119904/bodegas-say-benefits-cutback-would-burn-them-to-the-women-infants-children-program>.

3. Kevin Concannon, *New Snap Pilot Provides Grocery Delivery for Homebound Disabled, Elderly*. USDA BLOG (Sept. 20, 2016, 10:00 AM),

<http://blogs.usda.gov/2016/09/30/new-snap-pilot-provides-grocery-delivery-for-homebound-disabled-elderly/>.

4. Dottie Rosenbaum & Brynne Keith-Jennings, *House 2017 Budget Plan Would Slash SNAP by More Than \$150 Billion Over Ten Years*, CENTER ON BUDGET AND POLICY PRIORITIES (Mar. 21, 2016), <http://www.cbpp.org/research/food-assistance/house-2017-2017-budget-plan-would-slash-snap-by-more-than-150-billion-over-ten>.

5. Sheflai Luthra, *The skinny on block grants-the heart of the GOP's Medicaid Plan*, CNN: MONEY (Feb. 2, 2017),

<http://money.cnn.com/2017/02/02/news/economy/mediciad-block-grants-gop/> (discussing longtime Republican aversion to entitlement programs such as Medicaid).

6. Kate Sims, *Highlights from the 2017 National Anti-Hunger Policy Conference* (April 14, 2017).

<http://frac.org/blog/highlights-2017-national-anti-hunger-policy-conference>

SNAP by \$23 billion over two years.⁷ In the 1990s, block granting welfare led to severe cutbacks in cash public assistance,⁸ and SNAP and school food would likely suffer a similar fate. Countering these efforts must be a priority.

Decoupling SNAP from the Farm Bill

A second threat is the Republican Party's⁹ desire to separate SNAP from the Farm Bill and remove its administration from the Department of Agriculture. Since the 1960s, food assistance has been included in the farm bill as part of a package that ensured rural support for nutrition programs in exchange for urban lawmakers' support for commodity price supports. The result of this alliance benefitted both constituencies.¹⁰ Breaking the rural-urban link reduces political support and makes it an easier fiscal target. This should be opposed by food advocates.

Reversing School Food Progress

Trump's election contributed to the Republicans' failure to agree on the Child Nutrition Reauthorization (CNR) Act, which in their view increased the chances of reversing the school food nutrition gains from the Obama administration. The failed legislation included pilot testing a school food block grant. Without a veto threat from President Trump, Congress may try to block grant the entire program. Congress may also scale back the Community Eligibility Provision (CEP), which permits schools with at least 40% of students directly certified for free

7. Stephanie Akin, *GOP Wants to Cut \$23 Billion from Food Stamps*, ROLL CALL (May 13, 2016, 11:09 AM), <http://www.rollcall.com/news/policy/gop-budget-plan-cut-23-billion-food-stamps>.

8. Kenneth Finegold, Laura Wherry & Stephanie Schardin, *Block Grants: Historical Overview and Lessons Learned 2* (The Urban Institute, Series A, No. A-63, Apr. 21, 2004), http://webarchive.urban.org/UploadedPDF/310991_A-63.pdf.

9. John Barrasso, *Republican Platform 2016*, Committee on Arrangements for the 2016 Republican Nat'l Convention (2016), https://prod-static-ngop-pbl.s3.amazonaws.com/media/documents/DRAFT_12_FINAL%5B1%5D-ben_1468872234.pdf (last visited Feb. 16, 2017).

10. Weldon V. Barton, *Food, Agriculture, and Administrative Adaptation to Political Change*, 36(2) PUBLIC ADM. REV. 148, 148-54 (2017).

school meals to feed all of the students for free. The CEP ultimately reduces stigma for low-income students, increases participation in the lunch program, and cuts paperwork for schools.¹¹ The House proposed raising the CEP threshold from 40% to 60%, which would remove this progressive option from thousands of schools in large, urban school districts, including many that have already implemented it.¹² In addition, on May 1, 2017, the Secretary of Agriculture issued a proclamation reversing several of the recently implemented improved nutrition standards established under the Healthy Hunger Free Kids Act. Specifically, he gave states the option to allow their schools to serve items with fewer whole grains than currently permitted, stopped the clock on sodium reduction targets, and added sweetened, flavored 1% fat milk to the list of acceptable milk choices.¹³ Many cities, such as New York, have adopted more stringent school lunch standards,¹⁴ and while school districts are unlikely to return to deep fat fryers, weakening the federal standards will undermine efforts by school districts to use their purchasing power to get manufacturers to create healthier food options for schools and other government food programs. Advocates will need to increase their efforts to pressure the new administration to maintain the integrity of the CNR.

Inhibiting Immigrant Access

President Trump's proposals and rhetoric during the campaign have increased uncertainty about the future of undocumented immigrants residing in the United States. Studies of local immigration policies have shown that aggressive

11. FNS Directive AG-3198-D-11-0074, Community Eligibility Provision Evaluation, (U.S.D.A. 2014).

12. Improving Child Nutrition and Education Act of 2016, H.R. 5003 114th Cong. § 105(a)(2) (2016).

13. USDA, Office of the Secretary. *USDA Commitment to School Meals*. A Proclamation By the Secretary of Agriculture of the United States of America. May 1, 2017. <https://www.usda.gov/sites/default/files/documents/secretary-perdue-child-nutrition-proclamation.pdf>

14. *Letter from Debbi Beauvais, New York School Nutrition Assoc. Pres., New York School Nutrition Assoc., to U.S. Department of Agriculture, New York School Nutrition Association Response To The USDA Competitive Foods Interim Final Regulation*, <http://www.nyschoolnutrition.org/regulations> (last visited Feb. 16, 2017).

enforcement deters many immigrants, including those with appropriate documentation, from applying for social services such as federal food benefits like SNAP or free school lunch.¹⁵ Groups that help immigrants obtain these benefits have already reported a decline in enrollment, and decisions to un-enroll, among their clients.¹⁶ Fear of deportation also increases social isolation and reduces mobility among immigrants. Further, actual deportation financially disadvantages family members left behind, resulting in an increase in food insecurity. Approximately 39 “sanctuary” cities and 364 counties have committed to protecting immigrants by limiting cooperation with federal immigration officials.¹⁷ New York State’s Attorney General issued guidance to local jurisdictions on methods that law enforcement agencies can use to limit their involvement in federal immigration enforcement.¹⁸ These commitments by local government and recent federal court decisions to protect immigrants may quell fears and prevent deportation, but additional efforts to reach out to immigrant communities will be critical to ensure their health and wellbeing. Reducing immigrants’ access to food benefits, health care, police protection, workplace health and safety regulation and other vital services could set the stage for significant deteriorations in health in all communities, not only those with large numbers of immigrants.

Affordable Care Act Repeal

The House failed in March 2017, and again in April 2017, to pass the American Health Care Act, yet the Administration and Congress remain committed to replacing the Affordable

15. Stephanie Potochnick et al., *Local Level Immigration Enforcement and Food Insecurity Risk Among Hispanic Immigrant Families with Children: National Level Evidence*, J. OF IMMIGR. AND MINORITY HEALTH 1, 1-8 (2016).

16. Anne Lowrey, *Trump’s Anti-Immigrant Policies are Scaring Eligible Families Away from the Safety Net*, The Atlantic, March 24, 2017, <https://www.theatlantic.com/business/archive/2017/03/trump-safety-net-latino-families/520779/>

17. Jasmine C. Lee et al., *What Are Sanctuary Cities?*, N.Y. TIMES (Feb. 6, 2017), https://www.nytimes.com/interactive/2016/09/02/us/sanctuary-cities.html?_r=0.

18. N.Y. ATT’Y GEN. OFFICE, GUIDANCE CONCERNING LOCAL AUTHORITY PARTICIPATION IN IMMIGRATION ENFORCEMENT AND MODEL SANCTUARY PROVISIONS (Jan. 2017).

Care Act (ACA) in whole or in part. Any changes that reduce health insurance would have significant effects on nutrition and non-communicable diseases (NCDs). The uninsured may not routinely receive preventive care to identify risks, such as excessive weight, high blood sugar or high blood pressure, and other diet-related health effects. Fewer people will be treated for diseases like diabetes and heart disease, resulting in increased morbidity and mortality. Communities of color that already suffer from excessive rates of diet-related diseases will experience these burdens disproportionately. Thus, nutrition advocates must now also be ACA advocates.

Countering Industry Deregulation

Candidate Trump campaigned against food industry regulations proposing, at one point, to cut the “FDA food police.”¹⁹ As President, he has substantial authority to affect food safety by appointing the heads and setting the budgets of the following agencies:

- the Food and Drug Administration (FDA), which ensures the safety of substances added to food, regulates food processing, packaging, and labeling; prevents foodborne illness; sets rules for food contaminants²⁰;
- the US Department of Agriculture (USDA), which inspects all meat, poultry, and egg products²¹; and
- the Federal Communications Commission (FCC), which regulates advertising, including food advertising to children.²²

19. See Lydia Wheeler, *Trump Floats Rolling Back Food Safety Regulations*, THE HILL (Aug. 15, 2016 1:03 PM), <http://thehill.com/regulation/healthcare/296152-trump-says-he-would-eliminate-food-safety-regulations>.

20. See 21 U.S.C. § 393(b) (2012); see also *What We Do*, FOOD AND DRUG ADMIN., <http://www.fda.gov/AboutFDA/WhatWeDo/default.htm> (last visited Feb. 15, 2017).

21. See *About FSIS*, DEPARTMENT OF AGRICULTURE, <https://www.fsis.usda.gov/wps/portal/iinformational/aboutfsis> (last visited Feb. 15, 2017).

22. Leigh Gantner, *Food Advertising Policy in the United States*, CORNELL, 7-8,

The effects of the president's plan to roll back food industry regulations—which one observer described as “putting a fox in every hen house”—will depend on the extent to which Congress pushes back. Push back seems unlikely given the zeal with which Congress has overturned Obama regulations and the recent decision by the House to pass H.R. 5, the Regulatory Accountability Act, which will stymie regulation through new requirements for cost-benefit analysis and the use of least-cost rulemaking.²³ Moreover, the new Secretary of Agriculture, Sonny Perdue, a former fertilizer salesman and governor of Georgia, has suggested that the USDA may make the needs of big growers, rather than eaters, its priority.²⁴ The stakes for cities, where diet-related diseases are the leading causes of death and principal drivers of health inequalities and expenditures, are substantial.

Nutritional Standards

The Obama Administration achieved modest improvements in creating a healthier food supply as Michele Obama pressured the food industry to change product formulations and the way food is marketed to children. The food industry is now seeking to reverse these gains. For example, the Grocery Manufacturers Association and food trade associations recently urged Health and Human Services Secretary Thomas Price to delay changes to the Nutrition Facts label that would require disclosure of added sugar, and in his confirmation hearing FDA nominee Scott Gottlieb suggested he was open to such a delay.²⁵ FDA has already delayed implementation of calorie labeling on restaurant menus by one year “to consider how we might further reduce the regulatory burden or increase flexibility while continuing to

https://cip.cornell.edu/DPubS/Repository/1.0/Disseminate?view=body&id=pdf_1&handle=dns.gfs/1200428167.

23. See H.R. 5, Regulatory Accountability Act of 2017.

<https://www.congress.gov/bill/115th-congress/house-bill/5/text>

24. Julie Hirschfeld Davis & Maggie Haberman, *Sonny Perdue is Trump's Choice for Agriculture Secretary*, N. Y. TIMES (Jan. 18, 2017),

<https://www.nytimes.com/2017/01/18/us/politics/sonny-perdue-agriculture-secretary.html>.

25. See Center for Science in the Public Interest, April 5, 2017.

<https://cspinet.org/news/food-industry-urges-delay-nutrition-facts-label-20170405>

achieve our regulatory objectives.”²⁶ Absent White House pressure, food advocates, along with state and local health departments, will need to step up their efforts to improve the nutritional quality of the food supply. There is precedent for cities taking the lead: New York banned trans-fat, required calorie labeling, and recently imposed salt warnings on restaurant menus. Other cities, including Chicago, Philadelphia and San Francisco²⁷ have imposed taxes on sugary beverages to reduce their consumption. These successes illustrate the potential for advocates, allied with city officials, to advance local policies that eventually can influence national policies as well as shift the marketplace.

Food Safety

Cities are vulnerable to President Trump’s interest in deregulating the food industry, particularly on issues like food safety. While city health departments inspect food service establishments, enforcement of national and global food safety rules can prevent large foodborne disease outbreaks. By monitoring these outbreaks over the next four years, state and local health departments, university-based researchers, and food safety advocates can assess the health effects of relaxed federal regulation and enforcement. In turn, they can then demonstrate the need for stricter national monitoring and enforcement. In addition to preventing contaminated food from reaching consumers, state and local governments will have to be vigilant on issues such as adulteration, fraudulent nutrition claims, and other food safety concerns. State Attorneys General can step up if federal agencies step back. New York State Attorney General Eric Schneiderman previously forced changes in the practices of the largely unregulated dietary supplement industry and the retailers who sell them.²⁸ By joining forces, states can pressure

26. U.S. Department of Health and Human Services. Food and Drug Administration 21 CFR Parts 11 and 101 [Docket No. FDA-2011-F-0172] RIN 0910-ZA48. Scheduled publication date May 4, 2017. Accessed at <https://www.federalregister.gov/documents/2017/05/04/2017-09029/food-labeling-nutrition-labeling-of-standard-menu-items-in-restaurants-and-similar-retail-food>

27. Mike Esterl (9 November 2016). *Soda Taxes Approved in Four Cities, Vote Looms in Chicago’s Cook County*. WALL STREET JOURNAL.

28. Anahad O’Connor, *New York Attorney General Targets Supplements at Major*

the food industry to change harmful production and marketing practices.

Labor Rights

Though most are low-wage, food jobs have been among the economy's fastest growing occupational sector since the great recession.²⁹ President Trump's replacement of his first Labor Secretary nominee, fast-food restaurant CEO and minimum wage opponent Andrew Puzder, with more moderate Alexander Acosta suggests that the administration may not aggressively undermine efforts to improve the conditions of low-wage food workers, yet the President's proposed 21% cut in the Department of Labor's budget may hurt enforcement efforts. Organized labor and worker rights advocates will need to be vigilant in the coming years to ensure that existing labor standards are upheld and not reversed. A national movement, called *Fight for Fifteen*, has been successful at raising the minimum wage to \$15 an hour for fast food workers in major cities.³⁰ Four states and 20 municipalities have also adopted paid sick leave requirements³¹ and cities have developed other policies and programs that benefit food workers, suggesting that, for the foreseeable future, efforts to create good food jobs will remain at the state and local levels.

Retailers, N. Y. TIMES (Feb. 3, 2015),
<https://well.blogs.nytimes.com/2015/02/03/new-york-attorney-general-targets-supplements-at-major-retailers/>.

29. Trefis Team, *How the Fast Casual Segment is Gaining Market Share in the Restaurant Industry*, FORBES (June 23, 2014),
<http://www.forbes.com/sites/greatspeculations/2014/06/23/how-the-fast-casual-segment-is-gaining-market-share-in-the-restaurant-industry/#5153c2961d48>.

30. Shin, Laura, *Fight for a \$15 Minimum Wage Spreads to New Industries, 190 Cities*, FORBES (Dec. 4, 2012),
<http://www.forbes.com/sites/laurashin/2014/12/04/fight-for-a-15-minimum-wage-spreads-to-new-industries-190-cities/#21e0fa685473>.

31. Gehrke et al., *Patchwork for Rapidly Expanding Paid Sick Leave Laws Presents Challenges for Employers*, 42 EMP'T RELATIONS TODAY (Jan. 13, 2016),
<http://onlinelibrary.wiley.com/doi/10.1002/ert.21541/pdf>.

Sustaining Regional Food Systems

The President's proposed 2018 budget contains a 21% cut to USDA's discretionary spending.³² If cuts to the USDA target Obama administration efforts to help small and mid-size farmers, like "Know Your Farmer, Know Your Food," farm-to-school programs, and support for farmer's markets and other direct marketing efforts, they will make it more expensive for cities to source regional produce for municipal programs and to sustain regional agricultural economies. But these reversals would be minor in comparison to the existential threat of President Trump's denial of climate change, his pledge to withdraw support from international climate treaties, and his plan to intensify fossil fuel production.

President Trump's appointment of Scott Pruitt, Oklahoma's attorney general, to head the Environmental Protection Agency, indicates that the White House will continue to undo environmental regulations and executive orders adopted by former President Obama. It is no coincidence that Pruitt has ties to coal and gas companies and has led legal challenges to the Obama administration's Clean Power Plan,³³ which requires states to curb greenhouse gas emissions from power plants. The adverse effects of climate change on agriculture and food security are well established.³⁴ The impacts on regional food systems will also be significant. For example, climate change-induced variations in precipitation and temperature will disrupt

32. US Office of Management and Budget. 2017. *America First: A Budget Blueprint to Make America Great Again*. Washington DC: OMB. Accessed at https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/budget/fy2018/2018_blueprint.pdf on April 30, 2017

33. Meyer, Robinson, *Trump's EPA Pick is Skeptical of More Than Just Climate Change*, THE ATLANTIC (last visited Mar. 2, 2017), <https://www.theatlantic.com/science/archive/2016/12/trumps-epa-pick-is-skeptical-of-more-than-just-climate-change/509960/>.

34. EPA, *Climate Impacts on Agriculture and Food Supply*, EPA (Oct. 6, 2016), <https://www.epa.gov/climate-impacts/climate-impacts-agriculture-and-food-supply>.

regional agriculture, along with food prices.³⁵ Further, shifts in pest and weed populations due to warming may affect farm productivity and encourage the aggressive use of pesticides and herbicides. Pruitt's recent decision to reject a proposed ban on chlorpyrifos, a pesticide that EPA scientists found hazardous to farm workers and young children, suggests that administration policies may increase health risks to farmworkers and consumers.

The Trump administration's reluctance to mitigate greenhouse gas emissions will ultimately threaten coastal cities, and as Superstorm Sandy demonstrated in New York City, urban food systems are particularly vulnerable. The risks include not only the flooding of distribution facilities but also damage to the electrical grid, transportation systems, and retail infrastructure that disrupt supply chains and leave vulnerable residents without access to adequate food and water. With a White House committed to increasing fossil fuel production and reducing efficiency standards, thus increasing carbon emissions, these consequences will be much larger.

President Trump's appointment of Rick Perry to head the Energy Department and U.S. Representative Ryan Zinke to head Interior suggest the administration will look to dramatically expand domestic energy production. In addition to the effects on the climate, a more direct risk to food production will come from efforts to support hydraulic fracturing ("fracking") that have threatened groundwater in agricultural regions. Currently, New York State, along with Vermont, has banned fracking,ⁱ but many other agricultural areas may be affected by increased fracking and pollution from expanded petrochemical production. Food advocates must ally with environmental advocates and state governments to keep political pressure on the Administration to reduce greenhouse gas emissions, address climate change, and support the transition to renewable energy.

Strategies to Move Forward

35. *Id.*

Advocates concerned about the changes in Washington are considering many strategies. Some that deserve particular attention include:

1. Developing state level initiatives as foundations for national change four years from now. For example, new alliances to protect and grow local and regional food systems could become models and eventually influence national food policy. The success of several state and local referenda or ballot initiatives to tax soda and increase minimum wages in November 2016 shows the potential of enlisting voter support on food-related issues.

2. Mobilizing state and local elected officials to stand up to President Trump and Congress by fighting for policies that protect urban food systems. Food activists should communicate what we expect from elected officials and consider how to support them when they resist harmful changes. State Attorneys General can open new legal routes for reducing harmful food industry practices. On the issues of climate change and gun violence, mayors from around the nation have educated voters and other policy makers and articulated alternatives to conservative positions. Progressive mayors have an opportunity to organize to defend SNAP and school food, expand immigrant access to food benefits, and develop other food policies that create healthier cities.

3. Developing new and deeper alliances with groups working on other related issues such as climate change, farmland protection, immigrant inclusion and living wages to increase the reach and power of those with a common agenda opposing the changes espoused by President Trump and the Republican congressional leadership. Finding unlikely allies in the private sector may also open new policy possibilities.

4. Documenting and speaking out on the harm done by new policies that roll back food benefits, deregulate the food industry, or put food workers at risk. Academic institutions have a particularly important role to play in tracking these changes to provide evidence to inform elected officials and advocates of

policy consequences, convening both the “usual suspects” and new constituencies to analyze and advocate for improvements to food environments and nutritional health, and mobilize constituencies before extensive harm is done.
