

# New Legal and Environmental Impacts on Our Operations



By Barbara Wakeen, MA, RD, LD, CCFP, CCHP

**R**ecently some of the changes in regulations and some environmental situations have raised attention that can have big impacts in our facilities and our budgets...Avian Influenza, *trans* fat and artificial ingredients have been drawing attention resulting in alterations in product availability from processors and manufacturers to end users.

## Avian Influenza

The Avian Influenza (bird or avian flu) has presented itself in the US again after more than 10 years. This outbreak, affecting more than 48 million birds (Source: [thepoultrysite.com](http://thepoultrysite.com). Accessed 6/20/2015), is impacting product availability and menus for poultry and eggs.

I have been contacted by Food Service Directors nationwide regarding the availability of eggs and what appropriate protein substitutes can be made on their menus. Nut butters, cheese and seeds, along with breakfast meats are desirable, but not always viable options. Their vendors have informed them that eggs will be in short supply and likely turkeys for Thanksgiving. We all know how this filters down in our daily operations. Many are feeling the crunch already experiencing price increases and lack of

product. Even at the grocery store, we are feeling the impact of the price increase of eggs.

Tracey Komata, Vice President, National Food Group, shared "... this has been like nothing really in my 30 years' experience!" Items that work for breakfast proteins and eggs are in high demand. Correctional facilities and contract feeders are stocking up and opportunity buys are golden at this point. Lead times are longer and prices have risen for the distributor.

In contrast to the eggs, Tracey noted "there are rumors of some surpluses of chicken in the US as many countries blocked the import of our birds." The impact on Corrections is unknown as these may not be typical birds used in Corrections. In researching additional information on chicken exports, both broilers and chicken leg thigh quarters were noted as being in abundance due to the reduction (in exports) resulting from the avian influenza. Pro Report Online (May 27, 2015) noted that inventories of chicken quarters are up 80% from one year ago as a result of restricted imports of poultry in other countries related to the avian influenza.

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### **Trans fat**

In June, 2015, the US Food and Drug Administration (FDA) banned the use of *trans* fat in processed foods and has determined *trans* fat is no longer "Generally Recognized As Safe" (GRAS) in human food, or on the 'GRAS list' (for some of us seasoned foodies!). This preliminary determination was made in 2013 and this action was based on scientific evidence related to the findings that *trans* fats are major contributors to coronary artery disease and raising LDL cholesterol.

'Partially hydrogenated oils' (PHOs) are the primary dietary source of *trans* fat. Many processed baked goods, and foods contain *trans* fat in the form of 'partially hydrogenated oils' (PHOs), e.g. frozen pizza, cookies, crackers, pie crusts, biscuits and margarine, as seen on Ingredient Labels and on Nutrition Facts Panels. These oils contribute to shelf stabilization and flavor. Note, *trans* fat is found naturally in some animal sources, such as the gut of an animal, and meat and milk products.

In 2006, *trans* fat joined the ranks of what some registered dietitian nutritionists (RDNs) call the 'leader nutrients' on the Nutrition Facts Panel, when the FDA mandated that *trans* fat be listed on Nutrition Facts Panels of food packages.

Food manufacturers have a compliance period of three years (2018) to reformulate products to be *trans* fat-free. They also have the opportunity to petition the FDA to allow PHOs for specific uses. With the many processed items and mixes used in Corrections, we will likely be experiencing product variations as a result.

### **Artificial Ingredients**

Food manufacturers are moving toward 'more natural' by removing some artificial additives, colors and flavors from the common processed products we serve (and sell) in our facilities (and consume at home) such as cereals, frozen pizzas, hot pockets, lunchmeats, some soda pop and candy bars. Companies such as General Mills and Nestle, and restaurant chains such as Subway, McDonalds, Panera, Chipotle and Dunkin' Donuts are leading the way, eliminating antibiotics, artificial additives and/or GMOs. While we don't serve all of these products as branded, many of us serve some as opportunity

buys, and possibly as private label purchases, as well as selling some in commissaries.

FDA doesn't have a clear definition for the term 'natural,' but accepts use of the term if foods do not contain artificial flavors, added color or other synthetic substances. ([www.fda.gov/aboutfda/transparency/basics/ucm214868.htm](http://www.fda.gov/aboutfda/transparency/basics/ucm214868.htm). Accessed 6/20/2015)

I don't have any specifics at this time on items we commonly use in Corrections, but I anticipate future changes in ingredients and on food labels noting new colors and flavors, and possibly new food label claims. The elimination of some of these artificial items may positively impact some rare allergy diets to certain dyes and ingredients.

### **More to Come...**

Given the above regulatory changes and modifications for the nation's health, in combination with the future release of the 2015 Dietary Guidelines, I anticipate we will be seeing even more alterations in standards, the need to alter procedures and policies, and in how we plan menus than we have in many years.

### **Notable News**

**Marlene Tutt, MS RDN** has completed her term as Dietetics in Health Care Communities (DHCC) Corrections Sub-Unit Chair and ACFSA Alliance Representative. During her tenure Marlene was a contributing author to Connections, DHCC's quarterly publication and a reviewer of two DHCC manuals - Emergency Management for Healthcare Professionals and DHCC In-service Manual. The Corrections Sub-unit EML was re-established during this time, where she offered support to her colleagues keeping them abreast of correctional activities. Marlene has participated at several ACFSA International Conferences sharing her expertise in Child Nutrition and at ACFSA CA Chapter Conferences. Marlene continues her employment with San Diego County Sheriff Department. She will begin her new assignment as

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member of CA Academy of Nutrition and Dietetic Foundation Board.

Julie Driscoll, RDN, CSR, CSG, LDN is the incoming DHCC Corrections Sub-Unit Chair, replacing Marlene Tutt. Julie Driscoll is a registered, licensed dietitian and Certified Specialist in both Gerontological and Renal Nutrition. She worked for many years in acute and critical care, acute rehabilitation and skilled nursing in California. After moving to the East coast, she joined the Bureau of Prisons at FMC Devens in 2009 where her interests are in diabetes, obesity and renal nutrition. She serves as a subject matter expert with the Commission on Dietetic Registration in the fields of Gerontological and Renal Nutrition.

LCDR Mitchel Holliday, MS, MSED, RDN, CDE, FAND, Chief Dietitian, Federal Bureau of Prison, recently returned home from a two month deployment in West Africa. LCDR Holliday was one of only two registered dietitians in the U.S. Public Health Service to help manage and staff the Monrovia Medical Unit (MMU), a 25-bed hospital dedicated to providing care to health care workers who become infected with Ebola in Liberia. Unrelated to his service to support this mission in West Africa, LCDR Holliday was notified in late June that he was one of only five registered dietitians in the U.S. Public Health Service to be promoted to the rank of O-5 Commander. The others included two Clinical Research Dietitians from the National Institutes of Health, one Public Health Analyst for the Health Resources and Services Administration, and one Consumer Safety Officer of the U.S. Food and Drug Administration Foreign Inspection Program.

Congratulations Marlene, Julie and Mitch on your new positions and thank you for your leadership!

## Meetings and Conferences

### ACFSA Dietitians in Corrections Networking Luncheon

Monday, August 24, 2015  
Conference & Event Center  
Niagara Falls, NY  
(RDs and RDNs, please contact me if you are attending)

### Academy of Nutrition and Dietetics FNCE

October 3-6, 2015  
Nashville, TN

[www.eatright.org](http://www.eatright.org)

### DHCC Activities at FNCE

#### PreFNCE Workshop

Saturday, October 3rd  
7 am - 3 pm  
OMNI - Broadway Ballroom E

#### DHCC Member Reception

Saturday, October 3rd  
6:30 - 8:00 pm  
OMNI Broadway Ballroom A & B East

#### DHCC Corrections Sub-Unit Meeting

Sunday, October 4<sup>th</sup>  
5 pm  
Location TBA

### NCCHC

October 19-21, 2015  
Dallas, TX  
[www.ncchc.org](http://www.ncchc.org)

### ACFSA Networking Discussion Group Information

If you would like to be added to the Dietitians in Corrections networking listserv, please email me directly at [bwakeen@neo.rr.com](mailto:bwakeen@neo.rr.com). This is an informal discussion group and your name/email address will be listed in each email sent to the group. You do not have to be a dietitian to be on the list.

### DHCC EML

Dietetics in Health Care Communities (DHCC) has an EML for the Corrections Sub-Unit. To participate, one must be a DHCC member, which means being a member of the Academy of Nutrition and Dietetics as well. Emails communicated through this group are sent through a private email address for DHCC members only. To join, visit [www.DHCCdpg.org](http://www.DHCCdpg.org) or contact Julie Driscoll at [jdriscoll@bop.gov](mailto:jdriscoll@bop.gov). There are many member benefits including networking, publications and continuing education credits.