

April 5, 2013

House Health Care Committee

**RE: Opposition to HB 3403**

Dear Chair Greenlick and Members of the Committee:

My name is Lin Jaynes. For the past seven (7) years I have been a proud Licensed Blind Vendor in Oregon. Prior to moving to Oregon, I spent twelve (12) years working as a Licensed Blind Vendor in South Carolina.

Based on the fact that I have been a Licensed Blind Vendor in a couple of states over the course of my vending career, I tend to keep abreast of other states' vending trends, marketing approaches, business strategies, healthy choice options, etc., to remain competitive in my field.

Based on my research, outlined below is some information that I will share with you which I have gathered from a few of Oregon's neighboring states – Washington and California:

- Per a publication titled, *Washington Wellness*, in an article named “*Washington Government Agencies*” four state agencies piloted a healthy vending program called “Fit Pick™” developed by the National Automatic Merchandising Association (NAMA). According to this pilot program, it is possible to have a successful, profitable healthier vending program. However, the pilot program recommended steering clear of replacing all of the food in the machines with healthy items and recommended replacing 25-35% of the items with Fit Pick™ vending items.

NOTE: Department of Services for the Blind was involved in the state agencies pilot program.

- Per a brochure from the *Network for a Healthy California - Worksite Program* employers are encouraged to implement a standard of 50% of foods and beverages served in vending machines meeting certain nutritional standards.

California did pass a vending law that requires at least 35% of the food and at least 33.3% of the beverages offered in vending machines on state property to meet certain nutritional standards.

It is important to share that presently the Licensed Blind Vendors in Oregon already provide 40% of healthy food and beverage choices in vending machines.

Additionally, many of the nutritional standards outlined do not have products manufactured and/or packaged for vending machine usage. Quite simply stated, numerous healthy products do not come in small enough packaged vending sizes, thus they are too large to vend and are meant for convenience store shelves and sales, not vending machines.

I am a consumer-driven small business owner; therefore, I must provide the supply that my customers demand/consume. Accordingly, should the trend towards healthy food items increase, then as a prudent small business entrepreneur I will adjust to those customer-driven trends. However, this type of movement needs to start with the general public being educated through Wellness Programs, Health Awareness advertisements, etc., to buy healthy products.

As the tenured smart business owner that I am, I know that as the market demand changes so will the product selections that are offered. At this time, my fellow Licensed Blind Vendors and I, along with our vending partners are providing the product offerings that are presently being demanded by our consumers. Any increase to our present ratios of 40% healthy choices would cause my business to be less profitable and quite frankly become non-existent.

Based on the above information, I encourage the committee members to vote no on HB 3403 which prescribes nutritional vending requirements in Oregon that simply are not practical for vending businesses.

Respectfully Submitted,

Lin Jaynes – Licensed Blind Vendor  
Lincoln City, OR



## Energize Your Vending!

### Washington Government Agencies

In 2007, four state agencies piloted a healthy vending program called Fit Pick™, developed by the National Automatic Merchandising Association (NAMA). These agencies found that it is possible to have a successful, profitable healthier vending program – and keep their colleagues happy!

#### Keys to a successful healthy vending project include:

- Provide a variety of tasty and popular healthy items.
- Label healthy items and post motivational and promotional signage.
- Keep in contact with your delivery driver.

#### Steer clear of:

- Starting a healthy vending program without advertising changes.
- Replacing all of the food in the machine with healthy foods right away.  
We recommend replacing 25-35% of the items with Fit Pick™ items.

In early 2008, a nonprofit group from Clark County, Washington developed Energize Your Vending: A Planning and Implementation Guide for Worksites and Community Organizations as well as a website based on the lessons they learned in community wide Fit Pick™ pilot. At the [www.FitPick.org](http://www.FitPick.org) and in the Fit Pick™ guide, you will find in depth information on bringing the Fit Pick™ program to your worksite, promoting the program, background information on nutrition, and sample materials to help you get started.

#### Tips on the following page include:

- Lessons learned from the four pilot state agencies
- Important tips for creating a healthy vending program in a state agency

For a complete guide for healthy vending, visit [www.FitPick.org](http://www.FitPick.org).

#### Thank you to the Fit Pick™ pilot team:

Tricia Mackin, Department of Personnel  
Gina Wilson-King, Department of Informational Services  
Nikki Johnson, Health Care Authority  
Jeanne Gallo, Department of Services for the Blind  
Laura Beickman, Department of Services for the Blind  
Jennifer Moore, Sales Manager, Evergreen Vending  
Kathleen Clark, Washington Wellness  
Amy Ellings, Washington State Department of Health



## Energize Your Vending!

### Fit Pick™ Tips for Agencies

- **Check out the [www.FitPick.org](http://www.FitPick.org) and [www.wellness.wa.gov/resource/](http://www.wellness.wa.gov/resource/) websites** for guide, resources and tools
- **Find out if employees in your building or agency are interested in healthier vending**
  - Survey— Follow your agency's protocol for surveying all staff. The wellness team or facilities manager might have this ability.
  - Informal talks with employees—find out what they think about the current vending and if they would like healthier choices.
- **Get support from your wellness committee** if you have one
- **Get buy-in from senior management**
  - Have a conversation with senior managers who are on your wellness team or who you know from other committees or meetings
  - Present at a senior management meeting
- **Contact your in-house vending manager** (often the facilities person for your agency) to let them know you are interested in having healthier vending
- **Contact Department of Services of the Blind (DSB)**
  - DSB is the contract manager for vending machines for all state agencies. A portion of the machines' profits help fund important functions at DSB.
  - DSB will contact your vendor to tell them you are interested in Fit Pick™
  - Jeanne Gallo, 360-725-3844, [JeaGallo@DSB.WA.GOV](mailto:JeaGallo@DSB.WA.GOV)
  - Elizabeth (Liz) Tunison, 360-725-3845, [Elitunison@DSB.WA.GOV](mailto:Elitunison@DSB.WA.GOV)
- **Meet with your delivery driver**
  - Establish yourself as the Fit Pick™ point person with the driver and your fellow employees
  - Meet with driver periodically to discuss Fit Pick™ program
  - Communicate staff questions or concerns to the delivery driver
- **Promote the program before, during and after the launch**
  - Download posters, sample newsletter articles and more at [www.FitPick.org](http://www.FitPick.org) or the Washington Wellness website, <http://www.wellness.wa.gov/resource/>
  - Promote launch of Fit Pick™ at wellness fairs, staff meetings, newsletter, etc.
  - Provide samples of new products periodically, which your vendor might provide to you at cost
- **Find out what employees think of the vending program once you've started**
  - Distribute comment cards while passing out samples of snacks
  - Survey employees to find out their satisfaction with the program
  - Use this information to customize your program
- **Know whether Fit Pick™ is successful**
  - Talk with the delivery driver about sales
  - If products aren't selling, ask the driver to add new products and continue promoting new products and Fit Pick™ to employees



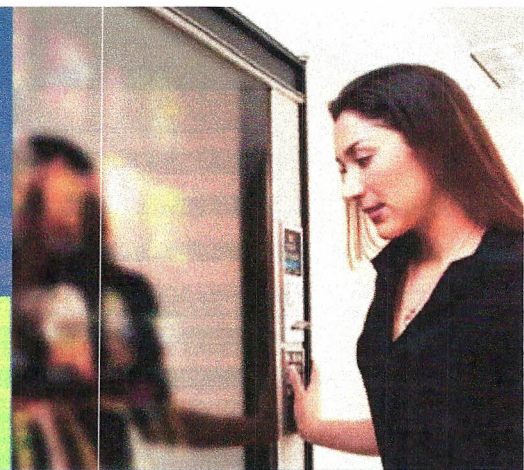
Questions? Contact

Kathleen Clark, Washington Wellness, 360-923-2751, [Kathleen.Clark@HCA.WA.GOV](mailto:Kathleen.Clark@HCA.WA.GOV)

Amy Ellings, Washington State Department of Health, 360-236-3754, [Amy.Ellings@DOH.WA.GOV](mailto:Amy.Ellings@DOH.WA.GOV)



# Vending Machine Food & Beverage Standards



In order to increase employee access to healthy food and beverage options at work, the Network for a Healthy California—Worksite Program is encouraging employers to implement the following healthy food and beverage standards in their onsite vending machines.



## FOOD STANDARDS

### Mandatory Nutrition Standards

At least 50 percent of foods served in vending machines should meet the following nutrition standards:

1. Have no more than 35 percent of its calories from total fat (not including nuts and seeds).<sup>1</sup>
2. Have no more than 10 percent of its calories from saturated fat.<sup>1</sup>
3. Have no more than 35 percent sugar by weight (not including fruits or vegetables; canned fruit must be packed in 100% fruit juice or water).<sup>1</sup>

### Recommended Nutrition Standards

At least 50 percent of foods served in vending machines should meet the following nutrition standards:

1. Have no more than 360 milligrams (mg) of sodium per serving.<sup>2</sup>
2. Contain at least 2 grams (g) of dietary fiber per serving.
3. Until a standard becomes available, limit trans fat.<sup>3</sup>

### Mandatory Pricing/Placement Standards

1. Food items meeting the mandatory/recommended nutrition standards must be sold at a price that is equivalent to or lower than the price of the remaining items within the vending machine that do not meet these nutrition standards.
2. Food items meeting the mandatory/recommended nutrition standards must be placed within the top third of the vending machine so that they are visible at eye level.

## BEVERAGE STANDARDS

### Mandatory Nutrition Standards

At least 50 percent of beverage vending machine offerings must include:

1. Beverages that contain 100% fruit or vegetable juice with no added sweeteners.<sup>1</sup>
2. Water.<sup>1</sup>
3. Nonfat or 1% lowfat milk.<sup>1</sup>
4. Beverages that are limited to a portion size no greater than 12 ounces (no limit on water). Note: If juices are available in smaller-sized portions (6 ounces), they would be preferred.<sup>4</sup>

### Mandatory Pricing/Placement Standards

1. Beverages meeting the mandatory nutrition standards must be sold at a price that is equivalent to or lower than the price of the remaining beverages within the vending machine that do not meet these nutrition standards.
2. Beverages meeting the mandatory nutrition standards must be placed within the top third of the vending machine so that they are visible at eye level.

<sup>1</sup> SB 19 Standard

<sup>2</sup> FDA definition for "healthy" food label claim

<sup>3</sup> IOM report entitled "Dietary Reference Intakes: Guiding Principles for Nutrition Labeling and Fortification"

<sup>4</sup> SB 19 School Nutrition Consensus Panel

