

CATERING FOR SUSTAINABILITY
The Creative Procurement of School Meals in Italy
and the UK

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A school meals system is more difficult to understand than one might imagine, but to try to understand two at the same time is next to impossible without the help of the practitioners involved in designing and delivering the service. In other words, this report could not have been written without the patient guidance of the following people, none of whom is responsible for the views and interpretations expressed in the report. For information on Italy we would like to thank Dr Antonella Giuliano (ISMEA), Mr Michele Mariani (Ministero delle Politiche Agricole e Forestali) and Dr Mara Miele (School of City and Regional Planning, Cardiff University). In the UK we would like to thank Anne Bull (Head of the Local Authority Caterers' Association in Wales), Elin Cullen (Head of Catering at Carmarthenshire County Council) and Dr Adrian Morley, Geraldine Bousie, Jan Edwards, Nicola Milsom and Joek Roex (our colleagues in the School of City and Regional Planning at Cardiff University).

Executive Summary

1. Something of a “moral panic” has broken out in many western countries around food, health and obesity. In the UK, the most tangible signs of this growing concern are two seminal government reports: the Curry Report on Farming and Food (2002) and the House of Commons Report on Obesity (2004). Both reports highlight the role that public procurement can play at both ends of the food chain – in developing new markets for local producers and by promoting healthy eating habits that tackle obesity. However, despite these well-meaning initiatives, most cities, regions and nations have failed to translate the “healthy eating” rhetoric into practice.
2. To assess the scope for sustainable food procurement, and to understand the role of the public realm in promoting sustainable development, this report compares the socio-cultural environment of food choice and public procurement in Italy and the UK with a view to exploring the role of cultural values in shaping policies for sustainability.
3. Despite their different approaches to food, Italy and the UK operate within a comparable multi-level governance system, with regulations ranging from the supra-national EU level, through the national, to the regional level. In the context of re-localising food procurement, the major restrictions exist at the European level, in the shape of the Treaty of Rome, and these expressly prevent member states from favouring their local producers in the awarding of public contracts.
4. Following the official commitment to sustainable development objectives at the Amsterdam Summit in 1997, the EU began to reform its public procurement legislation. The most visible sign of this changing legislative landscape was the recent adoption of two new directives on public procurement that should (when they are transposed into national law in 2006) make it easier for public authorities to offer healthy food, even if it costs a little more to do so.
5. But some EU member states were doing this long before the new procurement laws came into being because they interpreted the old procurement laws more creatively than the UK. In the forefront of this more creative procurement process is Italy, which has established the clearest priority for local and organic food through a national law in 1999 that explicitly sought to promote local and organic food through the medium of public sector catering. As a result the number of organic canteens in Italy has mushroomed and many municipalities, including Rome, have invested significant resources to promote the use of local and traditional food in their schools.
6. The peculiarity of the Italian approach rests on its capacity to integrate the nutritional dimension of school meals into a wider cultural framework that sets a high premium on the attributes of *locality, territoriality and traceability*. This shapes the Italian model in three fundamental ways: (i) by

incorporating school meals within a broader educational project supervised by the schools, the Italian system allows contractors to retain a complete control over the service: (ii) by assigning to school meals the function of conserving local traditions, the Italian model legitimates the possibility of “discriminating” in favour of local operators; and (iii) by emphasising the quality attributes of food, the Italian interpretation of school meals ensures that ‘best value’ is never confused with low cost, as it often is in the UK.

7. The report argues that the food culture that shapes the Italian interpretation of the school meal service is not an unreflectively inherited legacy; rather, it is constantly created and re-created anew for each generation through initiatives such as *Cultura Che Nutre* - culture that feeds – which is a school-based learning programme that emphasises the concepts of “seasonality” and “territoriality” with a view to nurturing knowledgeable consumers committed to local food.
8. In contrast with Italy, in the UK the customers of the public sector catering have yet to enjoy the benefits of the quality food revolution that have begun to appear in the finer restaurants. In fact, local authority caterers are still grappling with the disastrous legacy of Compulsory Competitive Tendering, a regulatory regime introduced in the late 1980s which extolled price over value and quantity over quality, with debilitating effects on children and caterers alike.
9. Although its successor, the Best Value regime, purports to support sustainable development in principle, in practice it continues to constrain local authorities. To illustrate the point, we highlight the plight of Carmarthenshire County Council (CCC), which operates one of the best school meal services in the UK. Best Value inspectors criticised CCC for being a “high quality, high cost” service, a verdict that raises immensely significant questions about what we mean by ‘high cost’ and ‘low productivity’ in the context of a health-promoting school. We argue that the metric used by the Best Value inspectors (namely ‘meals produced per staff hour’) is more attuned to a widget-making factory than a health-promoting school. This local controversy in Carmarthenshire has a wider resonance, not least because it underlines the enormous significance of the metric used by auditors when they assess ‘value for money’.
10. The moral panic surrounding childhood obesity, and the growing political commitment to sustainable development, together suggest that the mundane world of school meals in the UK is now attracting more attention than ever before - but attention should not be confused with action. The evidence from Italy and the UK suggests that sustainable procurement is a creative enterprise that requires more cooperation between production, consumption, health and education. In short, we need to build cross-functional links between disciplines that have hitherto been kept separate.

1. Introduction

Despite the popularity of the concept of sustainability in both academic and political discourse, so far there has been limited progress in translating the theory of sustainable development into practice. With the exception of local debates around the LA 21 agenda, the discussion on sustainable development has taken place mostly at a global level. As a consequence, there has been a continual redefinition of the concept and a proliferation of abstract theories that are turning sustainable development into a rhetorical device, devoid of operational value (Richardson, 1997). Likewise, in the context of policy, world summits like Rio and Johannesburg have played a useful role in raising awareness and disseminating good practice with regard to sustainable development. However, as Flynn and Morgan (2004:21) point out, these global spectacles can never be a surrogate for the prosaic and habitual routines –such as what we eat, how we travel and how we treat our waste – that are the real measure of our collective commitment to sustainable development. It is here, “on the ground,” where the policy process must be ultimately judged a success or a failure, and it is here, at the “delivery end,” that most governments have encountered the greatest problems (Flynn and Morgan, 2004:22).

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Public food procurement is a good example of the gap still existing between theory and practice of sustainable development. In many countries, particularly in Europe, something of a “moral panic” has recently broken out around food, health and obesity. In the UK, the most tangible signs of this growing concern are two seminal government reports: the Curry Report on Farming and Food (2002) and the Obesity Report (2004). Published in the aftermath of a series of food scares, the Curry Report focuses on food *production* to provide guidelines for nurturing a re-localised and sustainable agri-food sector. The Obesity Report, in turn, suggests solutions in the context of food *consumption* to address the devastating effects of the “obesity epidemics” on national health and economy (see Figure 1). Significantly, both documents emphasise the role that public procurement can play at both ends of the food chain by developing markets for local producers (Policy Commission, 2002:104) and by promoting healthy eating habits that tackle obesity (House of Commons, 2004:68-70).

Figure 1: **The Obesity Epidemics: Facts, Causes and Solutions**

FACTS
<ul style="list-style-type: none">• 2/3 of the population in England is overweight or obese• Health problems linked to obesity cost 3.3-3.7 billion pounds a year
MAIN CAUSES
<ul style="list-style-type: none">• Reliance on <i>convenience foods</i> due to lack of cooking skills• Large proportion of <i>advertising</i> for highly energy -dense foods• <i>Food promotion and pricing</i> make unhealthy food more attractive• <i>Food labelling</i> is often confusing or absent• Lack of <i>physical activity</i>
SOLUTIONS
<ul style="list-style-type: none">• Making people <i>aware of the dangers</i> of obesity• Tighter controls on the <i>advertising and promotion of foods to children</i>• Better standards for <i>school meals</i>• <i>Reduced salt and energy-density</i> levels• <i>Healthy pricing schemes</i>• Improved <i>organised recreation</i> in schools and wider society• Incorporation of <i>physical activity</i> into the fabric of everyday life• Establishment of a strategic framework <i>for preventing and treating obesity within the NHS</i>
<i>Source: House of Commons, 2004</i>

In the UK, such recommendations have triggered a myriad of national and local initiatives aiming at developing sustainable systems of public procurement that incorporate the triple bottom-line of social inclusion, environmental protection and resource management (Poulter, 2004). In this context, school meals have been attributed a prominent role. If the school meal system is understood as a system of social learning, as it should be, it affords the opportunity to promote new, more enlightened forms of consumer behaviour, particularly the kinds of behaviour deemed necessary to support more sustainable patterns of consumption (Jackson, 2004).

Despite the recent proliferation of initiatives seeking to integrate sustainable development criteria into public food procurement in schools (DEFRA, 2004), most regions and nations in the UK have thus far failed to translate the 'healthy eating' rhetoric into practice. A recent survey showed that less than half of 79 schools sampled in England met all the National Nutritional Standards (Nelson et al., 2004:38) and that, despite an

interest in nutrition by those responsible for catering services in schools, “the integration and translation of nutrition-related standards into meaningful specifications were generally poor” (Nelson et al., 2004:VII). The same applies in Wales, where, despite the improved availability of fruit and vegetables, “pupils have not yet begun to choose these healthier foods” (FSA, 2002:23).

To assess the scope for, and the limits to, the development of sustainable food procurement, and, more in general, to understand the role of the public realm in promoting or constraining sustainable development we compare two political and cultural contexts which represent two different types of commitment to sustainability in the food sector: Italy and the UK. While Italy has well-developed local food economies, spawned by enlightened and pro-active public sector catering policies which prioritise local and organic food, in the UK an uncertain regulatory environment has fostered a risk-averse culture in which local sourcing is perceived to be a risky and possibly illegal activity. By comparing the sociocultural environment of food choice and public procurement in these two different settings, we emphasise the role of cultural values in mobilising new horizontal and vertical food networks and in shaping public policies that promote an awareness of, and a commitment to, sustainable development.

2. Relocalising Food Procurement: The Scope for Local Action in the Multi-Level Polity

Public procurement in Europe is an excellent example of a multi-level governance system, with regulations ranging from the supra-national, through the national, to the regional level. In fact, in general the scope for creating sustainable spaces – be they cities, regions, localities or homes – is influenced, on the one hand, by factors “close to home,” such as the regulatory regime of central government and the incentives and sanctions this offers to practice sustainability. On the other hand, however, the potential for carving sustainable spaces is predicated on complementary action at the highest and remotest spatial scales, like securing reform of the WTO rules to make them more supportive of human health, the environment and animal welfare and reforming the EU's Common Agricultural Policy, along with its directives on public procurement.

In the context of re-localising food procurement, the major restrictions exist at the European level, through the principles of the Treaty of Rome and the EU Public Procurement Directives. Although the Treaty of Rome does not lay down rules relating directly to public procurement, it does establish four fundamental principles applicable to the award of public contracts: non discrimination on the grounds of nationality; freedom of movement of goods; freedom to provide services; and freedom of establishment. Among these, the principle of “non discrimination on the grounds of nationality” is the clearest restriction to local food procurement, as it applies to all public contracts, regardless of size, directly contravening favouring businesses in terms of their location.

As far as the legislation is concerned, during the 1990s four sets of European Directives directly addressing public procurement were adopted: public supply contracts (Council Directive 93/36/EEC); public service contracts (Council Directive 92/50/EEC); public works contracts (Council Directive 93/37/EEC); and public utilities contracts (Council Directive 93/38/EC). The basic purpose of these EU directives was to standardise practice across member states and provide an effective competitive market for public contracts that deliver best value for public money. Two key principles are upheld here: “transparency”, which is achieved through stipulations about the type of information that must be given and how tenderers should be assessed, and “non-discrimination” – essentially the idea that public procurement policies in EU member states must not be biased towards domestic business interests. This principle presents the biggest barrier to local procurement initiatives. With public procurement accounting for roughly 14% of the EU's GDP, a major objective is to open up the market in accordance with the EU internal market policy. As such, the directives make it clear that public procurement must not be explicitly employed to support domestic procedures, as opportunity must be open to businesses from anywhere in the EU to compete for contracts. Thus, to prevent purchasing authorities from

tailoring their contracts towards specific suppliers, the directives contain a number of specific rules. For example, trademarks or production processes cannot be stipulated by public authorities, unless they are recognised at the EU level or an "or equivalent proviso is included.

The decision criteria for all contracts to which these public procurement directives apply must be based on either "the lowest price" or "the most economically advantageous tender," a broader category that refers to the relationship between price and quality. Examples of generally appropriate criteria include delivery date, after sales service and physical quality. In any case, the basis on which "the most economically advantageous tender" is decided must be made explicit during the call for tender stage. The subsequent guidance documents made it clear that only "external" costs borne directly by the purchasing authority can be considered in their value calculations. In this context, social costs, such as, for example, "food miles" – or the distance food travels from source to consumer – cannot be used as a selective criterion.

In short, the original EU procurement directives forbid any activity that may impede cross-national trade in the form of public procurement contracts. Furthermore, it is forbidden for authorities to split contracts in order to avoid applying the directives; for the purpose of calculating total value, contracts for products of the "same type" by administratively centralised organisations must be regarded as one. In this respect, "supplies of a range of foods" is considered as an example of products of the "same type." However, even though there is no official scope for the splitting of contracts, unless organisations are administratively devolved from each other, contracts can be split into lots. This allows suppliers to bid only for the parts of the contract they are interested in.

It is clear from this review that during the 1990s public procurement in Europe was essentially subordinated to the philosophy of free trade and the single market. Such principles began to be openly questioned in the late 1990s, after an official commitment to integrate environmental and sustainable development objectives into the EU policies was agreed in 1997 at the Amsterdam Summit with the stipulation of the Treaty of the European Union. Article 6 of the Treaty requires in fact the integration of environmental, economic and social objectives into all EU's policies to promote sustainability.

This target called for a radical reform of the EU's legislation on public procurement. An important step in this direction was taken in 2001, when two "interpretive communications" were published in response to criticisms of lack of clarity in the original directives with regard to the scope for using environmental and social criteria. These are: Interpretive Communication of the Commission on the Community law applicable to public procurement and the possibilities for integrating social considerations into public procurement (COM(2001) 566 final); and Commission Interpretive Communication on the Community law applicable to public

procurement and the possibilities for integrating environmental consideration into public procurement (COM (2001) 274 final).

On 2 December 2003, after four years of negotiations, the European Parliament and the EU Council of Ministers reached a compromise –endorsed by the Parliament on 29 January 2004– that has opened the way to the adoption of two new directives on public procurement. These new laws, which will be enshrined into national law after a transposition period of roughly 21 months (in early 2006), will replace the four existing public procurement directives. In addition to establishing the principle that award criteria must be “linked to” the subject matter of the contract, the new directives comprise social-oriented amendments, including one that allows member-states to reserve certain contracts for “sheltered workshops” – firms that only employ disabled people. On the environmental front, after the European Court of Justice ruled (Case C-513/99) that the Helsinki local authorities were entitled to buying buses with low gas emission levels, the Council agreed that contracting authorities can take into consideration the “production methods” of the bidder. By leaving local and regional authorities free to choose environmentally-friendly products, rather than having to pick the cheapest bid, the agreement is believed to have major implications for food procurement. In fact, it will allow public authorities providing meals to schools, hospitals and elderly people to offer healthy food, rather than being obliged to choose the cheapest option.

Even before this reform, some EU member states have found room for manoeuvring within the EU directives that outlaw explicit “buy local” policies from public bodies and have successfully moved towards more sustainable food procurement practices. This has largely been done through a creative interpretation of the old EU directives and, specifically, through the adoption of organic purchasing policies and of strategies which increase the levels of local and regional procurement.

- In *Sweden*, the city of Göteborg has established a green procurement strategy that obliges tenderers to complete an environmental declaration on both general and product specific issues. The city procures a significant amount of organic food, which is mostly provided by Swedish firms located in the area (Morgan and Morley, 2002:33).
- In *Denmark*, nearly two thirds of all municipalities have some degree of organic procurement, and some cities procure their entire food demand organically (Morgan and Morley, 2002:33).
- In *Finland*, Pori has used the acceptance of variants, a contractual method that prescribes two or more variations of the product(s) that can be supplied. In general, this is a useful tool for those wishing to purchase environmentally -friendly goods, as it allows both conventional and ecological suppliers to tender for the same contract. In Pori, this method has been used to attract organic food

producers, who can now tender for “conventional” contracts and have their environmental qualities considered favourably (Morgan and Morley, 2002:37).

- In *France*, there is a wide use of third party organisations to manage public canteens. Although most of these are commercially run businesses, a number of them incorporate also wider social aims, including sustainable agriculture and support of local food producers. In Northern France, the kitchen heads of the company *API Restauration* have retained complete autonomy over the suppliers of their products. The company *Flander Artois* also specialises in supplying schools, hospitals and other canteens with food made from local ingredients. *Biofinesse*, based near Toulouse, provides a broad range of local organic products to canteens, schools and hospitals and assists them in designing menus based on seasonal products, which allow the business to keep prices low. Finally, in the south of France, *Manger Bio* supplies schools with a completely organic menu once a week. The occasional nature of the sourcing implies that food is purchased only in small amounts (Morgan and Morley, 2002:37-38).

Italy is the European country where all the strategies for food catering in the public sector we have described converge to establish a clear priority for local and organic food. After reviewing the history of the Italian school meal service, we attempt to show that the key factor behind this trend is not public procurement *per se*, but, rather, a set of deeply -embedded and constantly recreated cultural values which foster sustainable food production and consumption.

3. School Meals in Italy: The Cultural Dimension of Sustainable Public Procurement

The Italian system of school canteens is very diversified. In general, as Miele et al. (2005) explain, there are two types of school kitchen services: *traditional* kitchens, located in the school, where meals are prepared under the complete management of a contracted company, and *specialised* kitchens, located outside the school building, where pre-cooked meals are prepared and packaged.

In terms of management, Italian school canteens fall into three broad categories: some are *directly* managed by the Public Administration, which utilises its own building and staff; others are *indirectly* managed by the Public Administration, which contracts the service out to specialised companies operating in their own buildings or managing properties belonging to the Council; still others are managed through a mixture of the two methods described (Miele et al., 2005).

In all cases, the supply system is based on the formulation of *contract rules* and on the appointment of a supplier by public competition. When the canteen is directly managed by the Public Administration, the contract defines the criteria for the supply of food on the basis of menus formulated by the Council's managers. If, in turn, the management of the canteen is entrusted to an outside company, the contract describes the modalities of food supply and it sets up standards on the technological and operative characteristics of the service (Miele et al., 2005).

There are three ways to contract a company. The first is through a *public appeal* the Council issues a description of the requirements the contractee must meet and establishes a base price. The lowest offer presented below the base price is accepted. The second is through a *competition appeal*, or a form of auction in which the base price can be exceeded and the best offer is accepted. The third is a *public auction*, based on a public examination of offers presented in sealed envelopes (Miele et al., 2005).

The elaboration of school menus is a responsibility of a nutritionist and a paediatrician from the Municipality, who are expected to follow the guidelines provided by the National Institute for Research on Food and Nutrition as well as the Levels of Intake of Energy and Nutrients recommended for the Italian population by the Italian Society for Human Nutrition in 1977 (Ruffolo, 2001:110). Significantly, in any Italian school parents can form a Canteen Committee to help monitoring the hygiene and quality of the food and to assess, in cooperation with school councils and food suppliers, how the menus should be implemented. In consultation with the children, the school regularly reviews menus, ingredients, cooking styles and suppliers.

Organic and local food has well integrated into this diversified school meal system. In the last decades, the popularity of "convenience" foods, the decreasing amount of time devoted to the preparation of meals and the falling share of money devoted to food in household disposable income have negatively affected the nutritional habits of a growing number of people in many Western countries. Despite its traditionally strong food culture, Italy is no exception to this trend. Recent data show that 10-20% of the Italian population is obese and that children's diet is hyper-proteic (15%), hyper-lipidic (32-38%) and characterised by a scarce intake of fibres, calcium and iron (Miele et al., 2005). In this context, the value of "quality" food, and especially of the Mediterranean diet, has increasingly been acknowledged by both scientists and political authorities, who have often turned to school meals as a means to promote alternative and healthy food habits.

In 1978, four years after school meals in Italy became legally recognised as an integral part of people's right to education, a school in the municipality of Tradate (Varese), in Lombardia, adopted for the first time a Mediterranean menu to promote nutritional education among both children and adults. After the establishment of the Commission "What is Organic" and the issuing of the first national law to regulate the organic sector, in 1986 the National Institute for Nutrition published "Guidelines for a Healthy Italian Diet" that promoted the Mediterranean food model in public sector catering (Soil Association, 2003:63). The same year, the first Italian organic meals system was introduced in Cesena, Emilia-Romagna. Between 1989 and 1990 two other significant experiments took place: the establishment of the first organic university canteen in Padova, Veneto, and the introduction of an organic hospital menu in Udine, Friuli Venezia-Giulia.

During the 1990s, a general concern over the health impacts of BSE and pesticide residues further reinforced the Italian commitment to food education and local sourcing. While media were portraying BSE as something foreign, "coming from a different country where people do not know how to eat and how to farm" (Sassatelli and Scott, 2001:225), the Mediterranean diet was promoted as an ideal tool "to move meals away from mass produced, highly processed and invisibly adulterated foods of unknown provenance towards the use of more wholefoods and a greater proportion of certified organic ingredients" (Soil Association, 2003:63-64). In response to this new awareness, in December 1999 the Italian government issued a law that explicitly sought to promote a link between organic and local food and public sector catering. This innovative law has played a key role in shaping the Italian model of public catering policies on food.

Finance Law 488 states in Section 4 of Chapter 1, "Measures to facilitate the development of employment and the economy," that:

"To guarantee the promotion of organic agricultural production of 'quality' food products, public institutions that operate school and hospital canteens will provide in the daily diet the use of organic, typical and traditional products as well as those from denominated areas, taking into

account the guidelines and other recommendations of the National Institute of Nutrition" (cited in Soil Association, 2003:65).

As a result of this law, many municipalities have decided to turn organic – although with different modalities. Recent data provided by Coldiretti show that 68% of school meals in Italy use organic products, with some cities, such as, for example, Torino, Genova and others in Trentino Alto-Adige, emphasising organic fruit and vegetables, whereas others, such as Bologna, focus more on organic cereals and dairy products (VITA non profit online, 2003). Even though only 3% of Italian schools offer entirely organic meals, overall organic school canteens have continued to increase in recent years –from 70 in 1997 to 561 in 2003. Last year, Italian schools have served a total of 785,000 organic meals every day, which represent an increase of 7% compared to the previous year.

Organic catering is present in both small and large Italian cities. In Ferrara, Emilia-Romagna, 80% of all food served to the city's 27 nursery schools is organic. In Cesena, also in Emilia-Romagna, the town's schools, kindergartens and council restaurants serve approximately 2,400 organic meals every day. In Udine, one of the first Italian cities to supply organic meals to all its schools, roughly 400,000 meals were served to children last year. Guiglia, a municipality of 3,000 people in Emilia-Romagna, has gone as far as defining a priority in the tenders for all its public schools and retirement homes to include organic and locally -produced food (Compagnoni, 2003:2). The figures are high also for the largest Italian cities, with Milano providing 65,000 organic school meals per day and Rome reaching 140,000 per day.

More recently, Italian schools have started emphasising also local and traditional food. As reported by Coldiretti, in the municipality of Fanano, near Modena, nursery, primary and secondary schools purchase their ingredients directly from local producers (VITA Non Profit Online, 2003). The city of Ascoli, in the Marches, and the municipality of Borgo San Lorenzo (Florence) have also decided to use exclusively local produce for their school meals. The most revolutionary initiative in this respect is currently under way in Rome, where the local administration has designed the latest public appeal for the city's school meal service around a number of innovative requirements (Rutiloni, 2004a). Specifically, it has been established that the contractee must provide healthy and organic snacks for children and must guarantee warm meals based on typical products and traditional recipes. The 140,000 meals served everyday in the Roman schools are now designed on the basis of the recommendations provided by 70 nutritionists who have toured the city schools in the last years to identify traditional recipes attuned to children's taste. The result of this survey is a recipe book that provides suggestions on how to prepare traditional recipes in the healthiest possible way. The catering service is also expected to eliminate frozen and fried foods and to utilise organic ingredients and fair trade products (Rutiloni, 2004b). As part of this reform, the layout of the school dining area has also undergone some changes. Plastic knives and forks have been replaced by metal silver wear, and rectangular tables will be replaced by square

ones to facilitate children's interaction during the meals. Significantly, the city of Rome is investing in these improvements, with as much as 166 million euros allocated for the school meal service for the period 2004-2007. As a result of such investment, the families will pay only 2 of the 4.23 euros each meal costs, but for low-income families the service will be entirely free (Rutiloni, 2004a and 2004b).

At the most immediate level, the factor responsible for the success of healthy school meals in Italy is a policy intervention, or the provision of a direct incentive, in the form of a rebate, to public sector catering purchasers using local and organic products –a circumstance that helps create greater demand for such products and revitalise alternative food chains. This policy intervention is based on the acknowledgement that “quality” food production internalises many of the socio-environmental costs of conventional food production. In this sense, “public money is spent in a cost effective precautionary manner to deliver a multiple dividend in the form of better child nutrition and health, lower environmental impacts and more sustainable local employment” (Soil Association, 2003:65).

Such policy measures have successfully been implemented at the regional level. Tuscany, for example, one of the Italian regions with the highest concentration of organic producers and consumers, issued in 2002 Regional Law 18, “Rules for introducing organic, typical and traditional products in public canteens and programs for food education”, which allocates significant financial resources (2.580 million euros for 2002-2004) to institutions that introduce organic, integrated or typical products in their meal services, use ingredients characteristic of the Mediterranean diet, promote seasonal and local products, hire staff specialised in organic food and privilege in-loco food preparation and consumption over the supply of pre-cooked meals. Funding is also provided to municipalities to organise food educational programmes for canteen users and school cooking staff that promote correct nutritional behaviours and increase knowledge of environmentally-sound agricultural production systems (Miele et al., 2005).

Nevertheless, data presented by Bio Bank at the 34th International Food Show, held in Rimini last February, reveal that public funding is not the primary factor responsible for the recent development of healthy school meals. In fact, the Regions with the highest concentration of organic school canteens are not those that have allocated funds and provided incentives for their development. This shows, as a representative of Bio Bank has stated, that “the organic choice has so far been cultural, more than economic” (Miafiera, 2004).

In the Italian system, in fact, the provision of healthy school meals has much more than a purely economic value. School meals are conceived also as a tool to sustain a traditional food culture that is an item of national and regional identity and pride. In a context where parents, schools, the municipality and the Government take a shared responsibility for the food served in schools, school meals become “a primary venue for the delivery of ‘joined up’ policy intervention on education, health, environmental protection and agriculture” (Soil

Association, 2003:64). This holistic and multifunctional view of school meals is emphasised also by Italian Law professor Ruffolo. In his effort to legally contextualise school meals in Italy, Ruffolo (2001:104-105) identifies as many as five aspects of the country's Constitution that, although indirectly, protect children's right to local and healthy food. These include:

- the "fundamental right to health" to which each individual is entitled, also in the name of the "collective interest" (art. 32);
- the "inviolable right" to "harmonious personal development" which each citizen holds "both as an individual and as a member of social groups" (art. 2);
- the promotion of "cultural and territorial development" (art. 9);
- the "protection of children," both as family members (artt. 29, 30 and 31) and as members of territorially-based social collectivities, such as schools, where children's personality is formed (artt. 33, 34 and 37);
- the "evaluation of local autonomies" and the recognition of the need for the devolution of decision-making powers (artt. 5 and 114).

This legal interpretation of the school meal service shows that the peculiarity of the Italian model rests on its capacity to integrate the nutritional dimension of the food served in schools into a wider cultural framework, which, on the one hand, emphasises the general educational purposes of school meals while, on the other hand, attributes to them the specific function of protecting the "local" –i.e., the values linked to a specific territory. As Ruffolo (2001:105-106) summarises, "school meals must prove capable to provide children with a correct food education, compatible with the specific culture of their territory, and to help them develop a sense of taste that contributes to the harmonious development of their individual personality."

This interrelation between health promotion and cultural goals, that lies at the foundation of the Italian school meal system, is reiterated in Law 281, issued in 1998, on the protection of consumers' rights. In fact, on the one hand this law specifies that the right to health includes all aspects related to individual growth and development and sets up high standards in relation to the safety and quality of products and services destined to children. On the other hand, the law also emphasises the importance of educating citizens to consumption and to local cultural (including food) traditions.

In short, in Italy school meals are embedded in a culture that emphasises simultaneously their educational value and their links to locality and territoriality. This shapes the Italian school meal system in three

fundamental, and very peculiar, ways. First, by incorporating school meals within a much broader educational project supervised by the schools, the Italian system allows contractors to retain complete control over the service. In fact, the law establishes that the contractor is entitled to a "ius variandi," or the right to modify the services agreed in the contract in case changes are introduced in the wider educational programme of which school meals are part (art. 1661 of the Civil Code). Furthermore, the law establishes that the contractor has the right to monitor the school meal service to ascertain that it conforms to the educational and cultural parameters established in the contract (art. 1662 of the Civil Code). For this purpose, contractors are entitled to report all faults in the service, to utilise intermediaries that work to conform the object of the contract (the diet) to the educational programme of the school (art. 1349) and to introduce any change in the service to reflect changes introduced in the school's educational programme itself.

Second, by assigning to school meals the function of conserving local traditions, the Italian system legitimates the possibility of "discriminating" –that is, of privileging local operators and all expertise linked to local food. As stated by the State Council in 1992 during a public auction case, it is legal for a municipality to restrict the participation in a public competition to companies located in the province, "given the necessity to take into consideration the taste of local consumers and to guarantee prompt communication and intervention in case of problems" (Cons. Stato, V, 24/11/1992, n. 1375, in *Cons. Stato*, 1992, 1636; cited in Ruffolo, 2001). In short, as implied also by Law 488/99 in its requirement to introduce "typical and traditional" products in the daily diet of school and hospital canteens, the Italian emphasis on the linkages between food and local culture and traditions creates an opportunity to privilege the territorial "rootedness" of the school meal service. This, in turn, opens up a legal way to interpret creatively the EU directives on public procurement and overcome the principle of "non-discrimination."

Third, the Italian interpretation of school meals has important implications for the definition of what constitutes "best value" with regard to the proposed prices of the meal. In fact, this is calculated and evaluated by taking into consideration not just economic issues, but also the hygienic, nutritional and organoleptic aspects of the service and, once again, its compatibility with the wider educational and cultural programme to which the school meal service belongs. In Ruffolo's words (2001:117), "the economic advantage . . . is not appreciated only on the basis of the criterion of the 'lowest price'; the qualitative characteristics of the proposed service in terms of 'food culture' and its compatibility with the general school programme must also be considered."

In keeping with this interpretation of the concept of "best value," Law 488/1999 also identifies "quality" as the most prominent criterion to be utilised in selecting a catering company. According to this law, the quality of the proposed services must be assessed by considering the relations that such services have with local cultures