

USDA Smart Snacks in Schools

Competitive Foods and A La Carte Sales

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Additional Resources

- USDA Smart Snacks in Schools Website
<https://www.fns.usda.gov/school-meals/tools-schools-focusing-smart-snacks>
- Alliance for a Healthier Generation: Smart Snack Calculator
<https://foodplanner.healthiergeneration.org/calculator/>
- Illinois Administrative Rules – Part 305
<https://www.isbe.net/Documents/305ark.pdf>
- USDA Policy Memo – SP49-2016 (July 20, 2016) Resources for Making Potable Water Available in Schools and Child Care Facilities
https://fns-prod.azureedge.net/sites/default/files/cn/SP49_CACFP18_2016os.pdf
- Illinois Department of Public Health – School Water Testing
<http://www.dph.illinois.gov/content/school-water-testing>

USDA Smart Snacks in Schools - Nutrition Standards for All Foods Sold in Schools

All schools that participate in the National School Lunch and/or School Breakfast Programs are required to follow standards for all foods and beverages sold outside of or in addition to the reimbursable meal. These foods and beverages must meet the standards listed below. These standards apply during the school day anywhere on school campus/grounds. A school day is defined as midnight to 30 minutes after the end of the school day.

Foods and beverages that **do not** meet the following standards may only be sold:

- In the evenings, 30 minutes after the end of the school day;
- On weekends;
- Off campus; or
- On approved exempted fundraising days. See the Illinois Exempted Fundraising Days information at the end of this section.

Nutrition Standards for Foods

Any food sold in schools must:

- Be a “whole grain-rich” grain product; or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least $\frac{1}{4}$ cup of fruit and/or vegetable; or

Foods must also meet several nutrient requirements:

- Calorie limits:
 - Snack items: ≤ 200 calories
 - Entrée items: ≤ 350 calories
- Sodium limits:
 - Snack items: ≤ 200 mg
 - Entrée items: ≤ 480 mg
- Fat limits:
 - Total fat: $\leq 35\%$ of calories
 - Saturated fat: $< 10\%$ of calories
 - Trans fat: zero grams
- Sugar limit:
 - $\leq 35\%$ of weight from total sugars in foods

Nutrition Standards for Beverages

All schools may sell:

- Plain water (with or without carbonation);
- Unflavored low fat milk;
- Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SBP;
- 100% fruit or vegetable juice; and
- 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.

Elementary schools may sell up to 8-ounce portions.

Middle schools and high schools may sell up to 12-ounce portions.

There is no portion size limit for plain water.

High schools may sell additional “no calorie” and “low calorie” beverage options:

- No more than 20-ounce portions of:
 - Calorie-free, flavored water (with or without carbonation); and
 - Other flavored and/or carbonated beverages that are labeled to contain < 5 calories per 8 fluid ounces or ≤ 10 calories per 20 fluid ounces.
- No more than 12-ounce portions of:
 - Beverages with ≤ 40 calories per 8 fluid ounces, or ≤ 60 calories per 12 fluid ounces.

Other Requirements

Fundraisers

- The sale of food items that meet nutrition requirements at fundraisers are not limited in any way under the standards.
- The standards do not apply 30 minutes after the end of the school day, on weekends and at off-campus fundraising events.
- The standards provide a special exemption for infrequent fundraisers that do not meet the nutrition standards. State agencies may determine the frequency with which fundraising activities take place that allow the sale of food and beverage items that do not meet the nutrition standards. See the *Illinois Exempted Fundraising Days* information at the end of this section.

Accompaniments

- Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold.

- This helps control the amount of calories, fat, sugar and sodium added to foods by accompaniments, which can be significant.

Alliance for A Healthier Generation Smart Snacks Product Calculator

The calculator is designed to help school food service quickly and easily determine which products meet the new USDA standards.

- [Smart Snacks Product Calculator](#)

Illinois Exempted Fundraising Days – Illinois 305 School Food Service Rules

Allowable Number of Exempted Fundraising Days:

- Grades 8 and *below*, **prohibited**; and
- *Grades 9 through 12*, limited to no more than nine (9) days.

The provisions listed above **do not** limit the number of foods and beverages that may be sold to students on an exempted fundraising day nor do they limit the number of organizations or clubs to which a participating school may grant permission to offer competitive food for sale to students on an exempted fundraising day.

In order to have exempted fundraising days, a participating school shall:

- Adopt a policy stating the procedures to be used to request an exempted fundraising day, and the process and criteria to review and approve or deny a request;
- Include the fundraising policy in the participating school's local school wellness policy; and
- Maintain for no less than three years a listing of the exempted fundraising days held.

Revenue from Sale of Competitive Foods

All revenue from the sale of any food or beverage that is sold to students in the food service area(s)* during the meal period** shall accrue to the nonprofit school lunch program account.

* Food service area refers to any area on school premises where program meals are served and/or eaten. Areas that are separate from the serving lines are considered part of the food service area if program meals are served and/or eaten, e.g. classrooms, multi-purpose rooms and outdoor commons area.

** Meal periods include both the serving time and the time the student spends eating the meal. Schools participating in the National School Lunch Program must offer a reimbursable meal between the hours of 10 a.m. and 2 p.m. unless an exemption from these times is granted by the Illinois State Board of Education. The USDA recommends students are given enough time to eat and socialize, at least ten minutes after receiving breakfast and at least twenty minutes after receiving lunch.

Potable Water Requirements

Schools participating in the NSLP must make potable water available to children at no charge where meals are served during the meal service.

Ensuring Availability of Potable Water

Most Program operators, including schools, obtain drinking water through a public water system. Public water systems are required to ensure that the water provided meets Federal and State drinking water standards. However, plumbing systems within facilities also can affect the quality of the drinking water. In some instances, the plumbing systems within facilities may expose the water to contamination, including lead contamination. The U.S. Environmental Protection Agency (EPA) regulates public water systems and provides resources related to safe drinking water. The EPA recommends that all schools and child care facilities routinely test drinking water for lead and perform regular maintenance to ensure that drinking water is safe (see <https://www.epa.gov/dwreginfo/lead-drinking-waterschools-and-child-care-facilities>).

Program operators who test tap water and water fountains that will be used by students and children in care should contact the lead (supervising) officer for the local health department or the public water provider for information about certified laboratories that can test for contaminants.

Allowable Costs Related to the Availability of Potable Water

For the majority of operators, FNS expects the potable water requirement to result in the incursion of minimal or no costs. However, costs related to the purchase of potable water for consumption by Program participants, or water testing services, would be considered an allowable use of nonprofit food service account funds if the costs are determined to be reasonable, necessary, and allocable to the Federal meal programs. See 2 CFR 200.404 and 200.405.

First, the cost must represent an activity or function that is generally recognized as reasonable and necessary for the operation of the Program. The cost must be essential to fulfill regulatory requirements for proper and efficient administration of the Program. A cost is considered necessary if it is needed for operation of the Program.

Second, the cost must be allocable. That is, if it benefits both the Program and other activities, it can be distributed to each in reasonable proportion to the benefit received. If a cost benefits two or more purposes or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to each based on the proportional benefit.

In general, nonprofit school food service account funds and nonprofit CACFP food service account funds may not be used for costs that add materially to the value of the school building, related facilities, and child care facilities, or appreciably prolong their intended life, such as

remediation of facility plumbing. Consistent with government-wide requirements for the use of Federal funds, NSLP regulations at 7 CFR 210.14(a) prohibit the use of nonprofit school food service account funds to purchase land or buildings (except with FNS prior approval) or to construct buildings. The use of nonprofit school food service account funds for capital improvements is therefore prohibited. Costs associated with remediation or repair to a child care facility or school building plumbing would add to the permanent value of the child care facility or school building and should therefore be borne by the school district's or child care facility's general fund.

However, equipment to filter water (e.g., a reverse osmosis filter system in a school or child care facility kitchen) could meet the reasonable and necessary tests if the program participants are the primary, if not exclusive, beneficiaries. Whether it does so depends on the cost, the need for such equipment, and if the Program operator can demonstrate that:

- It has sufficient funds,
- The Program operator is lacking in capital improvement funding, and
- The expenditure is necessary to carry out the mission of the program.

It is difficult to assess reasonableness without knowledge of the specific cost and an understanding of that cost. Many costs must be analyzed on a case-by-case basis in order to determine if the cost is truly reasonable; in such cases, the Program operator must consult with and obtain approval from its State agency prior to initiating any expenditure.

