

Guidance for School Administrators (Superintendents, Business Officials, Board of Education)

Overview of the USDA Interim Final Rule Nutrition Standards for ALL foods sold in Schools (FNS 2011-0019-4718) (Subject to Change) Effective starting July 1, 2014

In the past, the USDA regulations only governed the reimbursable meals in the National School Lunch and Breakfast programs. Section 208 of the Healthy, Hunger-Free Kids Act provided USDA the authority to establish nutrition standards for ALL foods and beverages sold to students outside of the Federal child nutrition programs in schools.

The USDA established Nutrition standards will impact ALL food and beverage SOLD to STUDENTS on the school campus during the school day including:

- A la carte in the cafeteria
- In school stores
- Snack bars
- Vending machines
- Fundraising

Definitions:

Competitive food is defined in this *Interim Final Rule* as all food and beverages sold to students on the School campus during the School day other than those meals reimbursable under the National School Lunch and the School Breakfast Programs.

School campus: all areas of the property under the jurisdiction of the school that is ACCESSIBLE to students during the school day (Not applicable to faculty areas in which students do not have access)

School day is the period from the midnight before, to 30 minutes after the end of the official school day

NUTRITION STANDARDS FOR FOOD

To be allowable, a food item must

1. Be a whole grain rich product (50% or more Whole grains); **OR**
2. Have as the first ingredient a fruit, vegetable, dairy product or protein food (meat, beans, poultry, etc.); **OR**
3. Be a "combination food" with at least ¼ cup fruit and/or vegetable (fruit and yogurt, hummus and vegetables) **OR**
4. Contain 10% of the Daily Value of one nutrient of public health concern (only through June 30, 2016) Calcium, potassium, vitamin D, dietary fiber

AND

Meet all of the specific nutrient standards below: *resources will be available from the USDA to help determine compliance

Nutrients	All Grade Levels
Total Fat	≤35% of total calories from fat per item as packaged/served
Saturated Fat	≤10% of total calories per item as packaged/served.
Trans Fat	Zero grams of trans fat per portion as packaged/served (< 0.5 g)
Sodium – Entrée's	≤480 mg sodium per item (for entrée items that do not meet NSLP/SBP exemption)
Sodium – Snack & Side items	≤230 mg (until June 30, 2016) ≤200 mg (after July 1, 2016)
Calories – Entrée's	≤350 calories per item (for entrée items that do not meet NSLP/SBP exemption)
Calories – Snack & Side Items	≤200 calories per item
Total Sugar	≤35% of <u>weight</u> from total sugars per item (dried/dehydrated fruits/vegetables exempt)

Exemptions from meeting all nutrient standards:

Fruit & Vegetable Exemption

National School Lunch Program Breakfast and Lunch entrees

Sugar-free chewing gum is exempt from standards

BEVERAGE STANDARDS

Beverage	Elementary School	Middle School	High School
Plain water, carbonated or not	no size limit	no size limit	No size limit
Low fat milk, unflavored*	≤ 8 oz	≤ 12 oz	≤ 12 oz
Non fat milk, unflavored or flavored*	≤ 8 oz	≤ 12 oz	≤ 12 oz
100% fruit/vegetable juice**	≤ 8 oz	≤ 12 oz	≤ 12 oz

Caffeine:

Elementary and Middle School: Foods and beverages must be caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances

High Schools: No caffeine restrictions

High Schools Only:

Calorie Free beverages maximum serving size 20 oz.

Lower-Calorie Beverages: Maximum Serving Size 12 fluid ounces

- Up to 60 calories per 12 fluid ounces; or
- Up to 40 calories per 8 fluid ounces

FUNDRAISERS

- All foods that meet the regulatory standards may be sold at fundraisers on the school campus during school hours. This does not apply to bulk food sales intended to be consumed at home (i.e. frozen cookie dough, pies, market day, etc)
- The standards would not apply to items sold during non-school hours (concessions during sporting events, weekends, or off-campus fundraising events.
- State agencies may establish limits on the number of exempt fundraisers that may be held during the school year
- No exempt fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service.

RECORDKEEPING & MONITORING

Recordkeeping

- LEA's and SFA's maintain records such as receipts, nutrition labels and product specifications
- SFA's maintain records for foods and beverages sold outside of the federal meal programs under the nonprofit school food service account
- LEAs maintain records for all other food and beverages sales

Monitoring and Compliance

- State agencies will monitor compliance with the standards through a review of LEA records as part of the State agency administrative review process
- If violations have occurred, technical assistance and corrective action plans would be required.

HOW WILL THIS IMPACT MY DISTRICT?

SCHOOL ADMINISTRATORS

These regulations are impact several areas within your district. Your school food service account will be impacted as this can have a potential negative impact on your food and beverage sales of foods sold outside of the federal lunch or breakfast programs. The impact on your revenues will depend upon your current non-program sales and the products that will have to be removed from sales due to the new requirements. If non-program funds are helping to support your program, alternate sources of revenue may need to be established.

- In addition to school food service sales, this affects all vending, snack bar, school store, and concessions that occur during the school day. The school day includes 30 minutes after the end of the official day (see box for definitions). This has a financial impact on your programs which receive the revenues from these food and beverage sales. However, if the food or beverages are sold outside of the school day (i.e. concessions at an evening sporting event) this regulation does not take effect.
- Regulation information should be shared with your parent organization, extracurricular groups, clubs, and any other organization within your district that may SELL food or beverages for fundraising purposes, as these rules would be impactful on their fundraising efforts. Alternative fundraising options may have to be developed.
- Wellness policy committee's should be informed of the regulations to align the local school policy. The school has the option to make the local policy more restrictive but not more lenient.
- Additional records must be kept. SFA's are responsible for tracking all competitive foods sold under the nonprofit school food service account. Local Education Authorities (LEA's) maintain records for all other food and beverage sales.

DISTRICT SPECIFIC NOTES: