

# Superintendent Procedure 6700SP **Distribution and Sale of Competitive Foods**

Approved by: s/José Banda Date: 6/18/14

José Banda, Superintendent



## **Background**

Section 10 of the Child Nutrition Act of 1966, 42 USC 1779, as amended by the Healthy Hunger Free Kids Act (HHFKA) of 2010, requires that all food sold outside the school meal program, on the school campus, during the school day must meet, at a minimum, the nutrition standards set forth in the interim final rule titled “National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy Hunger Free Kids Act of 2010”. This interim final rule, also known as the “Smart Snacks” rule, was published on June 28, 2013 and is effective on July 1, 2014.

For the purposes of this procedure, the school campus is defined as the areas of the property under the jurisdiction of the school that are accessible to students during the school day. The school day is defined as the period from midnight before, to 30 minutes after the end of the official school day.

This procedure applies whether the competitive food is sold from vending machines, student or Distributed Educational Clubs of America (DECA) stores, culinary arts programs or by student clubs, parent groups, booster clubs, associated student body (ASB) groups, a la carte sales in lunchrooms, by teachers, students, staff or others during the school day.

Nutrition Services is responsible for maintaining records documenting compliance with competitive foods standards for all a la carte sales. The school principal, or their designee, is responsible for maintaining records for all competitive foods available for sale to students in areas outside of the school meal program. Appropriate forms of documentation may include but is not limited to a nutrition facts panel and ingredient list for each food and beverage item sold. Documentation must be readily available to state and federal reviewers who may be on site evaluating the school meal programs operation at any time.

Only items that have been approved for sale through a joint partnership between Nutrition Services, Career & Technical Education (CTE), and IUOE, Local 609 can be sold in schools during the school day. Approved items will be documented on an Approved Snack and Vending List that will be maintained and updated by Nutrition Services. Individuals, groups or vendors wishing to add items to the Approved Snack and Vending List should contact the district’s Nutrition Services department.

These procedures do not apply to meals and snacks brought by students for their individual consumption.

## **General Procedures**

- A. A Competitive Food must meet nutrient standards; and
1. Be a grain product containing 50% or more whole grains by weight or have whole grains as the first ingredient; or
  2. Have as the 1<sup>st</sup> ingredient one of the non-grain main food groups (fruit, vegetables, dairy or protein foods); or
  3. Be a combination food that contains at least 1/4 cup of a fruit or vegetable.

### **Exception to the above standard**

1. If water is the first ingredient, the second ingredient must be one of items 1, 2 or 3 above.

### **Exemptions to the above standard**

1. Fresh fruits & vegetables with no added ingredients except water.
  2. Canned or frozen fruits with no added ingredients except water, or are packed in 100% juice, extra light syrup, or light syrup.
  3. Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain quality and structure of the vegetable.
- B. Any entrée item offered as part of the school lunch or breakfast program is exempt from all competitive food standards if it is sold as a competitive food by the school meal program on the day of service or the day after.
- C. Sales of competitive foods and beverages (with the exclusion of a la carte items sold by Nutrition Services) are permitted during the time when the school breakfast and lunch programs are serving meals, except in elementary and middle schools.
- D. All beverages, except milk, shall be priced higher than the price for bottled water for the same size serving.
- E. Food and beverages sold at all grade levels must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances.
- F. Use of accompaniments (condiment) is limited when competitive foods are sold to students in school. The accompaniment must be included in the nutrient profile of the food item sold and therefore meet all standards.
- G. Vendor contracts for sales of competitive foods shall not include incentives for increasing students' consumption of foods or drinks.
- H. Vendor contracts for sales of competitive foods shall not include distribution of free products.

- I. Competitive foods should, as much as possible, be fresh and locally grown or produced.

### **Nutrient Standards for Competitive Foods**

#### A. Calories

1. Snacks & side dishes:  $\leq 200$  calories, including any added accompaniments.
2. Entrée items served a la carte:  $\leq 350$  calories, including any added accompaniments.

#### B. Sodium

1. Snacks & side dishes:  $\leq 230$  mg , including any added accompaniments.
2. Entrée items served a la carte:  $\leq 480$  mg, including any added accompaniments.

#### C. Total Fat

1. Must be  $\leq 35\%$  of total calories.

#### **Exemptions**

1. Reduced fat cheese, including part skim mozzarella.
2. Nuts, seeds and nut/seed butters.
3. Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats.
4. Seafood with no added fat.

#### D. Saturated Fat

1. Must be  $\leq 10\%$  of total calories.

#### **Exemptions**

1. Reduced fat cheese, including part skim mozzarella.
2. Nuts, seeds and nut/seed butters.
3. Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats.

#### E. Trans Fat

1. Must be zero grams. Zero grams of trans fat is defined as less than .5 grams of trans fat per serving.

#### G. Sugar

1. Must be  $\leq 35\%$  of weight from total sugars as served.

#### **Exemptions**

1. Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive sweeteners.
2. Dried whole fruits, or pieces with nutritive sweeteners that are required for processing and or palatability purposes (i.e., cranberries, tart cherries, or blueberries).
3. Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat

### **Competitive Food Standards for Beverages Sales**

- A. The following beverages may be sold in an Elementary K-5 and K-8 schools during times consistent with this procedure:
1. Plain water or plain carbonated water (no size limit).
  2. Low-fat (1%) milk, unflavored (8 oz limit).
  3. Nonfat milk, flavored or unflavored including milk alternatives approved by the National School Lunch Program (8 oz limit).
  4. 100% fruit or vegetable juices (8 oz limit).
  5. 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners (8 oz limit).
- B. The following beverages may be sold in Middle schools during times consistent with this procedure:
1. Plain water or plain carbonated water (no size limit).
  2. Low-fat (1%) milk, unflavored (12 oz limit).
  3. Nonfat milk, flavored or unflavored including milk alternatives approved by the National School Lunch Program (12 oz limit).
  4. 100% fruit or vegetable juices (12 oz limit).
  5. 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners (12 oz limit).
- C. The following beverages may be sold in High schools during times consistent with this procedure:
1. Plain water or plain carbonated water (no size limit).
  2. Low-fat (1%) milk, unflavored (12 oz limit).
  3. Nonfat milk, flavored or unflavored including milk alternatives approved by the National School Lunch Program (12 oz limit).
  4. 100% fruit or vegetable juices (12 oz limit).
  5. 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners (12 oz limit).
  6. Other flavored and/or carbonated beverages (20 oz limit) that are labeled to contain  $\leq 5$  calories per 8 oz, or  $\leq 10$  calories per 20 oz.
  7. Other flavored and/or carbonated beverages (12 oz limit) that are labeled to contain  $\leq 40$  calories per 8 oz, or  $\leq 60$  calories per 12 oz.

### **Fundraisers**

Fundraisers that are organized through student or DECA stores, culinary arts programs or by student clubs, parent groups, booster clubs, associated student body groups, teachers, students, staff or others are required to be in alignment with competitive food nutrition standards for sales that occur during the school day.

### **Food used as a Reward**

It is recommended that rewards for academic performance or good behavior not include food or beverages. Food or beverages should not be withheld as a punishment. Staff is encouraged to use non-food items when developing a rewards system for the classroom.

### **Celebrations & Snacks**

It is recommended that celebrations that involve food during the school day should be limited to no more than one party per class per month. It is further recommended that any party or celebration should involve no more than one food or beverage item that does not meet the competitive food nutrition standards. Class parties or celebrations in elementary schools should be held after the lunch period when possible.

Snacks offered during the school day or in after-school programs and food served as part of classroom or building celebrations should make a positive contribution to children's health and diets, with an emphasis on fresh fruits and vegetables, whole grains, and other foods and beverages that are low in fat, sugar, and salt. School staff should encourage parents/guardians/volunteers to support student wellness by considering nutritional quality when selecting snacks for class parties and limiting foods or beverages that do not meet the competitive foods nutritional standards.

Approved: June 2014

Revised:

Cross Reference: Policy Nos. 2180, 2180SP, 2185, H61.00, H61.01, H62.00, H63.00, H65.00, and H65.01