Continuing the Conversation with USDA about Smart Snacks in Schools

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Today’s Moderator

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Today’s Topics

• Hear about nutrition standards for all foods sold in schools outside of a reimbursable meal, known as the Smart Snacks in Schools standards,

• You will be given an overview of nutrition standards for foods and beverages,

• Answers to common questions asked,

• Receive information about available technical assistance resources, and

• Additional guidance and clarification from USDA.
Today’s Panelists

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Interim Final Rule: Nutrition Standards for All Foods Sold in School

USDA Food and Nutrition Service
Child Nutrition Division
2014
Healthy, Hunger-Free Kids Act

• Requires that USDA establish nutrition standards for all foods and beverages sold in school – beyond the Federal child nutrition programs in schools.

• The law specifies that the nutrition standards shall apply to all foods sold:
  – outside the school meal programs;
  – on the school campus; and
  – at any time during the school day.
Interim Final Rule

- Published: June 28, 2013
- Formal 120-day Comment period: June 28, 2013 to October 28, 2013
- Requirements take effect July 1, 2014
- Encourage informal input during actual implementation
State and Local Flexibility

- The nutrition standards included in the interim final rule for all foods sold in school are minimum standards.
- State agencies and school districts may establish additional standards.
- State or local standards must be consistent with Federal standards.
What are competitive foods?

Competitive food: all food and beverages sold to students on the School campus during the School day, other than those meals reimbursable under programs authorized by the NSLA and the CNA.
Where do the standards apply?

School campus: all areas of the property under the jurisdiction of the school that are accessible to students during the school day.
When do the standards apply?

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

- All foods that meet the regulatory standards may be sold as fundraisers on the school campus during school hours.

- The standards would not apply to items sold during non-school hours, weekends, or off-campus fundraising events.
Fundraiser Exemption

- State agencies establish the number of infrequent exempt fundraisers that may be held during the school year.

- If the State agency does not establish limits, no fundraisers may take place in the schools.
Fundraiser Exemption

• School districts may institute additional standards.

• No exempt fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service.
State Agency Options

• Policy Memo SP 36-2014 clarifies that State agencies may not delegate authority to LEAs or to SFAs on the upper limits on the number of fundraisers allowed.

• State agencies may establish a procedure for LEAs to request approval for more frequent fundraisers than allowed by the State.

• It is up to the State to decide whether or not they wish to institute such a procedure in their State.
NUTRITION STANDARDS FOR FOODS
Standards for Foods

- Apply to All Grade Levels

- Include General Standards and Specific Nutrient Standards

- Provide exemptions to Nutrient Standards for Specific Foods

- Allow broader exemptions for fruits and vegetables and some NSLP/SBP foods
General Standard for Food

To be allowable, a food item must meet all of the competitive food nutrient standards

AND
General Standard (cont’d)

1) Be a whole grain rich product; 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; 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
Whole Grain Rich

(1) *Be a whole grain rich product*

- **Grain products** must include 50% or more whole grains by weight or have a whole grain as the first ingredient.

- **Consistent** with NSLP meal pattern standards and the HUSSC whole grain requirement.

- **Practical** because it can be easily identified by reading a product label.
DGA Major Food Groups

(2) Have as the first ingredient a fruit, vegetable, dairy product or protein food (meat, beans, poultry, etc.)
Combination Foods

(3) Be a “combination food” with at least ¼ cup fruit and/or vegetable

• Combination foods means products that contain two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein or grains.

• Examples of such foods include yogurt and fruit, cheese, crackers with fruit or a vegetable, hummus and vegetables, fruit cobbler with whole grain rich crust, etc.
Nutrients of Public Health Concern

Phased-In Approach:

(4) Through June 30, 2016, foods that contain 10% of the Daily Value of one nutrient of public health concern (i.e., calcium, potassium, vitamin D, or dietary fiber)

• Effective July 1, 2016, this criterion is removed
• Allowable competitive foods must be food group based after that date
Specific Nutrient Standards for Food
Nutrient Standards

- Total Fat
- Saturated Fat
- Trans Fat
- Sodium
- Calories
- Total Sugar
Accompaniments

- Must be included in nutrient profile as a part of item served
- Examples include:
  - Salad dressings
  - Butter or jelly on toast
  - Cream cheese on bagels
  - Garnishes, etc.
- No pre-portioning required – may determine average portion
Total Fat

• ≤35% of total calories from fat per item as packaged/served

• Exemptions include:
  – Reduced fat cheese;
  – Nuts and seeds and nut/seed butters;
  – Dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat;
  – Seafood with no added fat; and
  – Part-skim mozzarella
Calculating % Calories from Fat

• Example Using Calories from Fat info on the panel:
  – Divide calories from fat by total calories listed, then multiply by 100 to get the percentage of calories from fat;

• Example Using Grams of Total Fat method:
  – Take grams of fat on label, multiply by 9, divide that result by total calories, then multiply by 100
  – Both examples are included in Set 1 of Q and As
Saturated Fat
• <10% of total calories per item as packaged/served.

• Exemptions for: reduced fat cheese, part-skim mozzarella;

• Nuts, seeds and nut/seed butters;

• Dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat.

Trans Fat
• Zero grams of trans fat per portion as packaged/served (< 0.5 g)
Definition of Entrée

• **Entrée item** means an item that is either:
  
  – A combination food of meat/meat alternate and whole grain rich food; or
  
  – A combination food of vegetable or fruit and meat/meat alternate; or
  
  – A meat/meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters and meat snacks (such as dried beef jerky and meat sticks).
Grain Only Breakfast Entrees

• Policy Memo SP 35-2014 issued on April 17, 2014

• Allows SFAs to determine which School Breakfast Program item is an entrée item for breakfasts offered as part of the SBP, and that item is exempt from all Smart Snacks standards on the day of, or the day after, it is served in the SBP
Sodium

– Entrée items that do not meet NSLP/SBP exemptions:
  • \( \leq 480 \text{ mg sodium per item} \)

– Snack and side items:
  • \( \leq 230 \text{ mg (until June 30, 2016)} \)
  • \( \leq 200 \text{ mg (after July 1, 2016)} \)
Calories

– Entrée items that do not meet NSLP/SBP exemption:
  • ≤350 calories

– Snack items/Side dishes:
  • ≤200 calories per item
Total Sugars

≤ 35% of weight from total sugars per item

• To calculate the percentage of sugar by weight: take the grams of sugar on the nutrition facts panel and divide that by the total weight of the food in grams and multiply that by 100. The result will provide you with the percentage of sugar by weight. Do not round the result.
Sugar Exemptions

• Dried/dehydrated fruits or vegetables (no added nutritive sweeteners)

• Dried fruits with nutritive sweeteners for processing and/or palatability (e.g., dried cranberries, tart cherries, and blueberries)

• Exempt dried fruit with only nuts/seeds (no added nutritive sweeteners or fat)
Exemptions from General Nutrition Standards for Food
Fruit and Vegetable Exemption

The following are exempt from meeting all nutrient standards:

– Fresh, frozen and canned fruit packed in water, 100 percent juice, light syrup or extra light syrup

– Fresh, frozen and canned vegetables with no added ingredients except water

– Canned vegetables with small amount of sugar for processing purposes
NSLP/SBP Entrée Exemption

- Exemptions for entrée items only
- Side dishes sold as competitive food must meet all standards
- Entrée exemption for the day of service and the school day after
NUTRITION STANDARDS FOR BEVERAGES
Standards for Beverages

- Vary by Grade Level
- Identify Specific Types of Beverages Allowed
- Address Container Size
Beverages for All

- Water
- Milk
- Juice
Beverages for All - Water

- Plain water, carbonated or noncarbonated
- No size limit
Beverages for All - Milk

• Unflavored nonfat and lowfat milk

• Flavored nonfat milk

• Maximum serving sizes:
  – 8 fluid ounces in elementary school
  – 12 fluid ounces in middle and high schools
Beverages for All - Juice

• 100% fruit and/or vegetable juice

• 100% juice diluted with water (carbonated or noncarbonated) – no added sweeteners

• Maximum serving sizes
  • 8 fluid ounces in elementary school
  • 12 fluid ounces in middle and high schools
Other Beverages in High School

Calorie-Free Beverages: Maximum Serving Size 20 fluid ounces

• Calorie-free flavored water, with or without carbonation

• Other “calorie-free” beverages with less than 5 calories per 8 fluid ounces, or up to 10 calories per 20 fluid ounces.
Other Beverages in High School

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
No “Time and Place” Restriction

No restriction on the sale of any allowable beverage at any grade level, during the school day anywhere on the school campus.
Caffeine

Elementary and Middle School

Foods and beverages must be **caffeine-free**, with the exception of trace amounts of naturally-occurring caffeine substances.

High School

No caffeine restrictions.
Nutrition Facts Panel

- The Nutrition Facts Panel contains all the information necessary to evaluate against the nutrient standards:
  - Calories
  - Total Fat
  - Saturated Fat
  - Trans Fat
  - Sodium
  - Sugars
Smart Snacks Calculator

• The Smart Snacks calculator may be found at:

https://schools.healthiergeneration.org/focus_areas/snacks_and_beverages/smart_snacks/product_calculator

• And at the FNS website:

Administrative Provisions
Recordkeeping

- LEAs and SFAs maintain records such as receipts, nutrition labels and product specifications
- SFAs maintain records for competitive foods sold under the nonprofit school food service account
- LEAs maintain records for all other competitive food sales
Monitoring and Compliance

• State agencies will monitor compliance with the standards through a review of local educational agency records as part of the State agency administrative review.

• If violations have occurred, technical assistance and corrective action plans would be required.
IMPLEMENTATION AND SUPPORT
Implementation and Support

• State agencies and schools must implement the provisions of this interim rule beginning July 1, 2014.

• USDA will provide guidance and technical assistance to State agencies and local educational agencies prior to and during the implementation period.
Proposed Rule: Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act of 2010

- The proposed rule would strengthen the requirements for the local school wellness policies and put more emphasis on policy implementation, periodic review, and updates.

- LWPs must include policies that would permit the marketing of only those foods and beverages that are consistent with the Smart Snacks standards.
Community Eligibility Provision (CEP)

• The intent of CEP is:
  – To improve access to free school meals in eligible high poverty LEAs and schools
  – To eliminate administrative burden of collecting household applications

• CEP was phased in over a period of three years in 11 States selected by FNS
  – Will be available nationwide beginning July 1, 2014

• Requirements for participation:
  – Have a minimum percentage of identified students in the school year prior to implementing CEP (≥ 40%)
  – Serve free lunches and breakfasts to all students
  – Household applications for free and reduced price meals are not collected

• Proposed Rule comment period closed January 3, 2014
  – 78 comments are currently being analyzed
Thank You

Archives, CEU information, and other resources available at [www.schoolnutrition.org/webinars](http://www.schoolnutrition.org/webinars)