



# SMART SNACKS

## (All Foods Sold In Schools)

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# Proposed and Interim Rule

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- ❑ Proposed Rule: Published in Federal Register on February 8, 2013 (60 day comment period)
  
- ❑ Interim Final Rule: Published June 28, 2013 (120 day comment period until October 28, 2013)
  - Competitive Foods and Potable Water
  - Implementation date is July 1, 2014



# What are Competitive Foods?

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*Competitive Food*: All food and beverages sold to students on the **school campus** during the **school day**, other than those meals reimbursed under the National School Lunch Program (NSLP) and School Breakfast Program (SBP).



# Healthy, Hunger-Free Kids Act

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- ❑ Provided USDA authority to establish nutrition standards for all foods and beverages sold outside of the NSLP and SBP.
  
- ❑ The law specifies the nutrition standards shall apply to all foods sold:
  - ❑ Outside the school meal programs
  - ❑ On the school campus
  - ❑ At any time during the school day



# School Day

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- ❑ From the midnight before, to 30 minutes after the end of the official school day



# School Campus

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- ❑ All areas of the property under the jurisdiction of the school that are accessible to students during the school day:
  - ❑ Includes school stores, snack bars, vending machines, a la carte in cafeteria
  - ❑ Does not include areas exclusively used by faculty and staff, such as teacher's lounges



# Sale of Food

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- ❑ All food sold to students on the campus during the school day is subject to the Smart Snacks standards.
  - ❑ Exchange of currency, tokens or tickets
- ❑ Standards do not apply to food given to students



# Foods Brought From Home

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- ❑ USDA **does not regulate foods brought from home.** (The rule only affects foods that are sold on the school campus to students during the school day.)
- ❑ Does not apply to lunches brought from home.



# Special Events

- ❑ For special events, such as celebrations, holiday parties, etc., the standards do not apply if such food is provided to the students free of charge or “contribution,” or there is no exchange of tokens or tickets of any kind.
- ❑ The rule only applies to food sold to students on the school campus during the school day.



# Food Sold to Non-Students

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- ❑ Requirements are not applicable to food sold to non-students, such as parents or school faculty/staff members.



# Fundraisers

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- ❑ All foods that meet the regulatory standards may be sold at 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.



# Fundraisers (cont'd)

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- ❑ Fundraising activities that take place outside of school, such as cookie dough or frozen pizza sales, are exempt from the Smart Snacks requirements.
- ❑ Distribution of order forms and foods not intended for consumption at school may continue.



# Fundraiser Exemptions

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- ❑ State agencies may establish limits on the number of infrequent fundraisers that can sell foods and beverages that do not meet the nutrition standards.
- ❑ If a limit is not established all fundraisers must meet the nutrition standards.



# Fundraiser Survey in Missouri

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- ❑ Establish a zero level for exemptions (8.2%)
- ❑ Establish a set number of exemptions (91.8%)
  - ❑ 1 - 1.2%
  - ❑ 2 - 10.4%
  - ❑ 3 - 12.3%
  - ❑ 4 - 12.3%
  - ❑ 5 - 63.8%



# Fundraiser Exemptions in Missouri

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- ❑ A maximum of 5 fundraisers, per school building, per school year will be allowed.
- ❑ A single exempt fundraiser will have a duration of one day.
- ❑ Note: Locally may implement more restrictive standards



# Exempt Fundraisers

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- ❑ No exempt fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service.



# Standards for Foods

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- ❑ 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 a “day of service and following day” for entrée items served as reimbursable meals under the NSLP/SBP



# Standards for Foods

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Must meet one of the following General Standards:

- 1) Be a whole grain rich product
- 2) Have as the first ingredient a fruit, vegetable, dairy product or protein food (meat, beans, poultry, etc.)
- 3) Be a “combination food” with at least  $\frac{1}{4}$  cup fruit and/or vegetable
- 4) Contain 10% of the Daily Value of one nutrient of public health concern (only through June 30, 2016)  
Calcium, potassium, vitamin D, or dietary fiber



# Standards for Foods (cont'd)

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- ❑ After one of the General Standards are met
- ❑ Then Specific Nutrient Standards must be met



# General Standard -Whole Grain Rich

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*(1) Be a whole grain rich product*

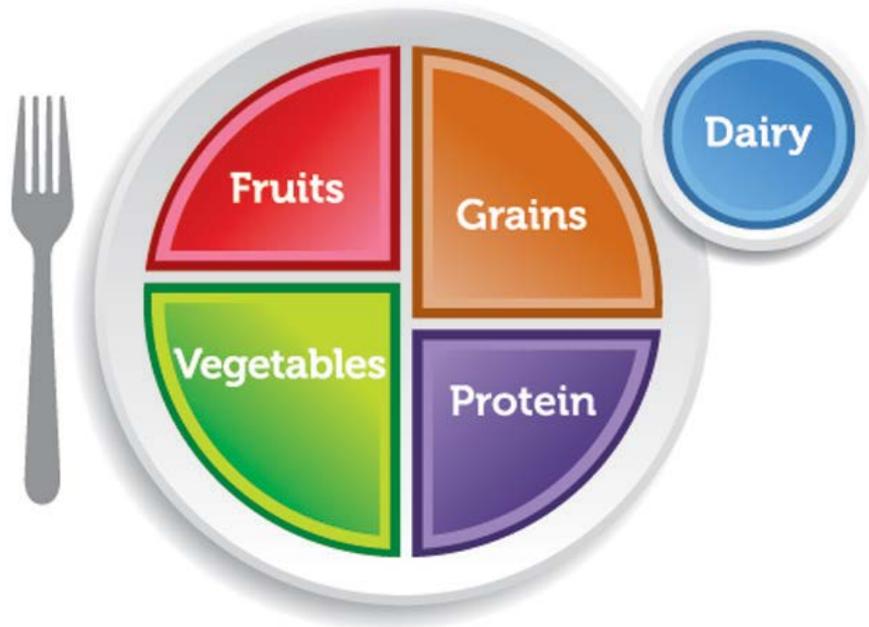
- ❑ **Grain products** must include 50% or more whole grains by weight or have a whole grain as the first ingredient.



# General Standard-Major Food Groups

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



# General Standard-Combination Foods

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- 3) *Be a “combination food” with at least  $\frac{1}{4}$  cup fruit and/or vegetable*



- Combination foods contain two or more of the recommended food groups : fruit, vegetable, dairy, protein or grains.



# General Standard - Nutrients of Public Health Concern

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## 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

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



# Total Fat

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- ❑ **≤35% of total calories from fat per item as packaged/served**
- ❑ Exemptions include:
  - ❑ Reduced fat cheese, part-skim mozzarella
    - *Subject to trans fat, sugar, calorie, and sodium standards*
  - ❑ Nuts and seeds and nut/seed butters
    - *Subject to trans fat, sugar, calorie and sodium standards*
  - ❑ Dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat
    - *Subject to trans fat, calorie and sodium standards*
  - ❑ Seafood with no added fat
    - *Subject to all other standards (saturated fat, trans fat, sugar, calorie and sodium standards)*



# Saturated Fat

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- ❑ **<10% of total calories per item as packaged/served.**
- ❑ Exemptions include:
  - ❑ Reduced fat cheese, part skim mozzarella
    - *Subject to trans fat, sugar, calorie, and sodium standards*
  - ❑ Nuts, seeds, and nut/seed butters
    - *Subject to trans fat, sugar, calorie and sodium standards*
  - ❑ Dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat
    - *Subject to trans fat, calorie and sodium standards*



# Trans Fat

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- ❑ **Zero grams of trans fat per portion as packaged**
  - Product must be labeled as 0g of trans fat (contains less than 0.5g) to be allowable and consistent with FDA labeling requirements.



# Sodium

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- ❑ **Entrée items that do not meet NSLP/SBP exemptions:**
  - ❑  $\leq 480$  mg sodium per item
  
- ❑ **Snack and side items:**
  - ❑  $\leq 230$  mg (until June 30, 2016)
  - ❑  $\leq 200$  mg (after July 1, 2016)



# Calories

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- ❑ **Entrée items that do not meet NSLP/SBP exemption:**
  - ❑  $\leq 350$  calories
  
- ❑ **Snack items/Side dishes:**
  - ❑  $\leq 200$  calories per item



# Sugar

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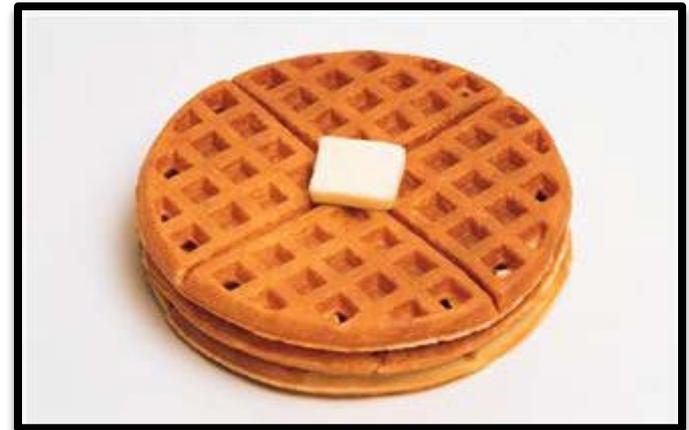
- ❑ **≤ 35% of weight from total sugars per item**
- ❑ Exemptions include:
  - ❑ Dried/dehydrated fruits or vegetables  
(no added nutritive sweeteners)
    - *Subject to all other nutrient standards*
  - ❑ Dried fruits with nutritive sweeteners for processing and/or palatability (e.g., dried cranberries, tart cherries, and blackberries)
    - *Subject to all other nutrient standards*
  - ❑ Dried fruit with only nuts/seeds (no added nutritive sweeteners or fat)
    - *Subject to calorie, trans fat, and sodium standards*



# Accompaniments

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- ❑ 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



# Fruit and Vegetable Exemption

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- ❑ 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

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- ❑ Exemptions for entrée items only
- ❑ Entrée exemption for the day of service and the school day after
- ❑ Side dishes sold as competitive food must meet all standards



# Definition of Entrée

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- ❑ 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 Entrees

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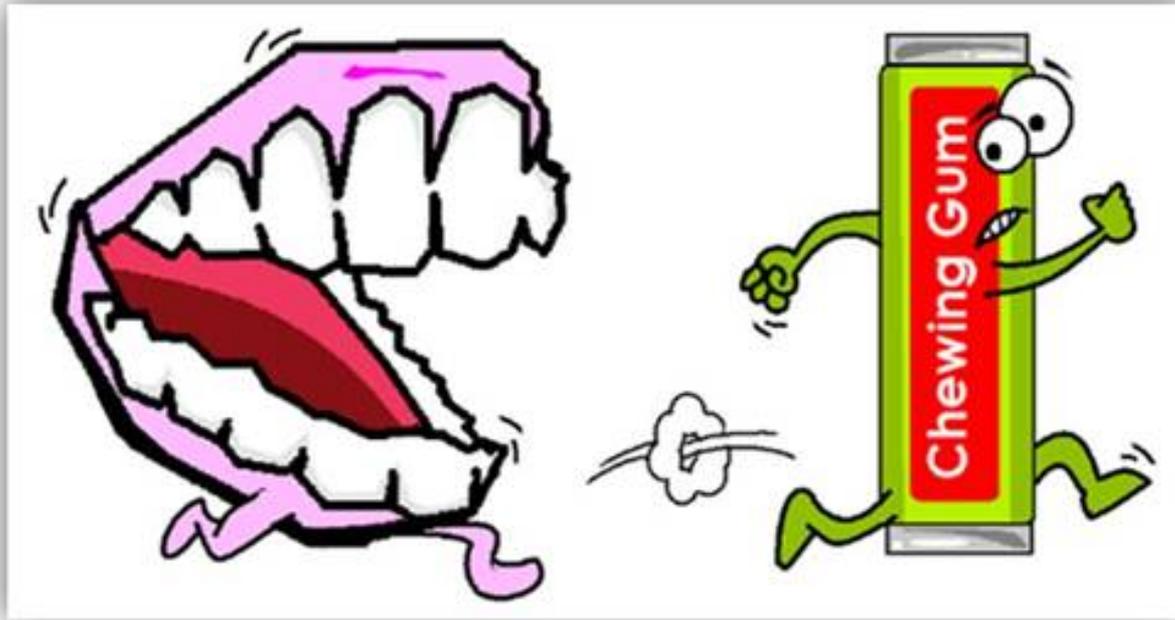
- SP 35-2014 ( April 17, 2014)
- Permitted for SBP only



# Chewing Gum

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- ❑ Sugar-free chewing gum is exempt from standards



# Standards for Beverages

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- ❑ Vary by grade level
- ❑ Specific Types of Beverages Allowed
- ❑ Container Size



# Beverages for All

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- ❑ Water
- ❑ Milk
- ❑ Juice



# Beverages For All

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

\*Includes nutritionally equivalent milk alternatives, as permitted by NSLP/SBP

\*\*May include 100% juice diluted with water (with or without carbonation) & with no added sweeteners.



# Other Beverages –High School

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- ❑ Calorie-free beverages (20 fluid oz max)
  - ❑ Flavored water, with or without carbonation
  - ❑ Other beverages, with or without carbonation
    - Less than 5 calories per 8 fluid ounces, or up to 10 calories per 20 fluid ounces
  
- ❑ Lower-calorie beverages (12 fluid oz max)
  - ❑ With or without carbonation
    - Up to 60 calories per 12 fluid ounces
    - Up to 40 calories per 8 fluid ounces



# Caffeine

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## 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.



# No “Time and Place” Restriction

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



# Cafeteria



# Vending Machines



# Snack Bar/Kiosk/School Stores



# In-School Bake Sale



# Allowable ?????

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- Yes
- No
- Not Sure



# Packaged Cheese and Crackers?

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- ❑ Start with the General Standards
  - ❑ Is the product whole grain rich? – yes
- ❑ Now move to the Specific Nutrient Standards
  - ❑ Does it meet all of the specific nutrient standards
    - If yes - allowable
    - If no – not allowable



# Blueberry Muffin?

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- Start with the General Standards
  - Is the muffin whole grain rich? – no
  - Is the first ingredient a fruit, vegetable, dairy product or protein food? – no
  - Does the muffin, which is considered a combination food, contain at least  $\frac{1}{4}$  cup blueberries? – yes
- Now move to the Specific Nutrient Standards
  - Does it meet all of the specific nutrient standards
    - If yes - allowable
    - If no - not allowable



# Popcorn?

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- ❑ Start with General Standards
  - ❑ Popcorn is whole grain
- ❑ Must meet the Specific Nutrient Standards
  - ❑ Many different types – some with added fat and/or sugars, therefore, nutrition facts or product specifications must be checked to determine if the product meets the standards.
    - If meets the nutrient standards – allowable
    - If does not meet the nutrient standards – not allowable



# Smart Snacks Product Calculator

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 SMART SNACKS  
PRODUCT CALCULATOR



## Product Information

Take the guess work out of your day! Our Smart Snacks Product Calculator will help you determine if your product meets the USDA Smart Snacks in School nutrition standards\*. Answer the following series of questions to see whether your product is compliant. Then save and print for your records!

\*Results from this calculator have been determined by the U.S. Department of Agriculture to be accurate in assessing product compliance with the Federal requirements for Smart Snacks in Schools.

**NOTE:** Please enter information for the product as SOLD (both amount actually portioned, as well as how it is eaten, such as a beef patty on a bun with all of the accompaniments as opposed to just the beef patty).

**My Product is a ...**

- a) Snack ⓘ
- b) Side ⓘ
- c) Entree ⓘ
- d) Beverage

START OVER

NEXT STEP



# Smart Snacks Web Page

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## Smart Snacks

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- ▶ Alliance Smart Snacks Calculator for Food Sold to Students in School
  - ▶ Smart Snacks Product Calculator
- ▶ USDA Website - Smart Snacks in School
- ▶ Letter from USDA responding to the Congressional report language from the FY 2014 Appropriations Act
- ▶ Q&A's Related to the "Smart Snacks" Interim Final Rule (SP 23-2014)
- ▶ Grain Entrees Related to the Smart Snacks in School Standards (SP 35-2014)

# SP 23 – 2014 – Q & As

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- ❑ Q-12. How to calculate the percentage of calories from fat contained in an item?
- ❑ Q-15. How do we calculate the percentage of calories from saturated fat in an item?
- ❑ Q-16. How do I calculate the percentage of sugar by weight?



# Recordkeeping

- ❑ School districts or non-public schools and food service departments must maintain records such as receipts, nutrition labels and product specifications.
- ❑ Food service must maintain records for competitive foods sold under the nonprofit school food service account.
- ❑ School districts or non-public schools must maintain records for all other competitive food sales.



# Monitoring and Compliance

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- ❑ State agencies will monitor compliance with the standards as part of the State Agency administrative review.
- ❑ If violations have occurred, technical assistance and corrective action plans would be required.



# Free Potable Water Requirement

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- ❑ In the place where lunches are served during meal service (Effective since October 1, 2010)
- ❑ At breakfast meal service, when it is in the cafeteria
- ❑ Encouraged, but not required, for afterschool snacks and breakfast in other locations



## Questions?

If you have questions concerning this topic please email us at [schoolfoods@dese.mo.gov](mailto:schoolfoods@dese.mo.gov) .

Please address subject line with **Smart Snacks**