

# Competitive Food Reference - Public Schools

A resource to assist groups or individuals that sell foods and beverages to students, during the school day, on the school campus, outside of the school meal program.

## Middle/High School – Food Restrictions

References: *Education Code* sections 49430, 49431.2, 49431.7, *California Code of Regulations* sections 15575, 15577, 15578, *Code of Federal Regulations* sections 210.11, 220.12

- A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.
- A **high school** contains any of grades 10 to 12.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** foods sold to students by any entity.
- **Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

### "Snack" foods must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item\* (or have one of these be the first ingredient), or
- Be a combination food containing at least a quarter cup of fruit or vegetable.

### Must meet the following nutrition standards:

- Less than or equal to 35 percent calories from fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, eggs, dried fruit and nut/seed combo, fruit, non-fried vegetables, seafood), and
- Less than 10 percent calories from saturated fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, eggs, dried fruit and nut/seed combo), and
- Less than or equal to 35 percent sugar by weight (except fruit\*\*, non-fried vegetables, dried fruit and nut/seed combo), and

- Less than 0.5 grams trans fat per serving (no exceptions), and
- Less than or equal to 200 milligrams sodium per item/container (no exceptions), and
- Less than or equal to 200 calories per item/container (no exceptions).

## Paired foods

- If exempt food(s) are combined with nonexempt food(s) or added fat/sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet for trans fat, sodium, and calories.

### **“Entree” foods must be intended as the main dish and be a:**

- Meat/meat alternate and whole grain rich food; or
- Meat/meat alternate and fruit or non-fried vegetable; or
- Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks = these are considered a “snack” food),

### **A competitive entree sold by District/School Food Service the day of or the day after it appears on the reimbursable meal program menu must be:**

- Less than or equal to 400 calories, and
- Less than or equal to 35 percent calories from fat, and
- Less than 0.5 grams trans fat per serving

### **A competitive entree sold by Food Service if not on the menu the day of or day after or any other entity (PTA, student organization, etc.) must meet one of the following general food standards:**

- Be a fruit, vegetable, dairy, protein, or whole grain item (or have one of these as the first ingredient), or
- Be a combination food containing at least ¼ cup fruit or vegetable.

### **And meet the following nutrition standards:**

- Less than or equal to 35 percent calories from fat, and
- Less than 10 percent calories from saturated fat, and
- Less than or equal to 35 percent sugar by weight, and
- Less than 0.5 grams trans fat per serving, and
- Less than or equal to 480 milligrams sodium, and
- Less than or equal to 350 calories

Check your district's wellness policy for stricter rules.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

## Middle/High School – Beverage Restrictions

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.10, 210.11, 220.8, 220.12

- A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.
- A **high school** contains any of grades 10 to 12.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** beverages sold to students by any entity.
- **Sold** means the exchange of beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, water, electrolyte replacement beverage/sports drink, or flavored water **and** meet all criteria under that specific category.

Compliant beverages:

- Fruit or Vegetable juice:
  - At least 50 percent juice, and
  - No added sweeteners, and
  - Less than or equal to 12 fluid ounce serving size
- Milk:
  - Cow's or goat's milk, and
  - 1 percent (unflavored), nonfat (flavored, unflavored), and
  - Contains Vitamins A and D, and
  - At least 25 percent of the calcium Daily Value per 8 fluid ounces, and
  - Less than or equal to 28 grams of total sugar per 8 fluid ounces, and
  - Less than or equal to 12 fluid ounce serving size
- Non-dairy milk:
  - Nutritionally equivalent to milk (see 7 *CFR* 210.10(d)(3), 220.8(i)(3)), and
  - Less than or equal to 28 grams of total sugar per 8 fluid ounces, and
  - Less than or equal to 5 grams fat per 8 fluid ounces, and
  - Less than or equal to 12 fluid ounce serving size
- Water:

- No added sweeteners
- No serving size limit
- **Electrolyte Replacement Beverages (High Schools Only):**
  - Must be either less than or equal to 5 calories per 8 fluid ounces (no calorie)
  - OR less than or equal to 40 calories per 8 fluid ounces (low calorie), and
  - Water as the first ingredient, and
  - Less than or equal to 16.8 grams added sweetener per 8 fluid ounces, and
  - 10-150 milligrams sodium per 8 fluid ounces, and
  - 10-90 milligrams potassium per 8 fluid ounces, and
  - No added caffeine, and
  - Less than or equal to 20 fluid ounce serving size (no calorie)
  - OR less than or equal to 12 fluid ounces per serving size (low calorie)
- **Flavored Water (High Schools Only):**
  - Must be either less than or equal to 5 calories per 8 fluid ounces (no calorie)
  - OR less than or equal to 40 calories per 8 fluid ounces (low calorie), and
  - No added sweetener, and
  - No added caffeine, and
  - Less than or equal to 20 fluid ounce serving size (no calorie)
  - OR less than or equal to 12 fluid ounce serving size (low calorie)

All beverages must be caffeine-free (trace amounts are allowable).

## **Middle/High Schools – Student Organizations**

Reference: *California Code of Regulations* Section 15501

Student organization is defined as a group of students that are **not** associated with the curricula or academics of the school or district.

Effective from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards **and** all of the following:

1. Up to three categories of foods or beverages may be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) must be pre-approved by the governing board of the school district.
3. Only one student organization is allowed to sell each day.

4. Food(s) or beverage(s) cannot be prepared on campus.
5. The food or beverage categories sold cannot be the same as the categories sold in the food service program at that school during the same school day.
6. In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year. School administration may set these dates.

**Questions: Nutrition Services Division | [COMPETITIVEFOODS@cde.ca.gov](mailto:COMPETITIVEFOODS@cde.ca.gov)**

Last Reviewed: Tuesday, January 25, 2022