CN PEARS
Child Nutrition Program Electronic Application and Reimbursement System

pennsylvania
DEPARTMENT OF EDUCATION

SMART SNACKS IN SCHOOLS - QUICK REFERENCE

I. Background

a. Portion of a package policy standards enacted in the Healthy Hunger Free Kids Act of 2010.
b. Implementation to begin July 1, 2014.

II. Where to locate the law

a. http://www.gpo.gov/fdsys/pkg/FR-2013-06-28/pdf/2013-15249.pdf

III. Definitions and Applicability

a. Competitive Foods: all foods and beverages **sold** to students **outside the school meal programs**, **on the school campus**, and **at any time during the school day**.
    i. "Sold" refers to the exchange of money, tokens, or the use of some type of prepaid account to purchase an item.
    ii. Includes: items sold a la carte, in vending machines, at school stores, during fundraisers, or at any other venue that sells food/beverages to students during the school day.
    iii. School Campus: All areas of the property under the jurisdiction of the school that are accessible to students during the school day.
    iv. School Day: Period from the midnight before to 30 minutes after the end of official school day.

IV. Food

a. Nutrition Standards
    i. Apply to all grade levels.
    ii. Must meet two sets of standards:
        1. General Standards - must meet ONE of the following:
            a. Be a whole grain-rich product; OR
            b. Contain one of the other major food groups as the first ingredient (fruits,vegetables, dairy product, or protein food); OR
            c. Be a "combination food" with at least ¼ cup fruit and/or vegetable; OR
            d. Contain 10 percent of the Daily Value of one nutrient of public health concern (only through June 30, 2016).
                1. Calcium, potassium, vitamin-D, dietary fiber
        2. Nutrient Standards - must meet ALL of the following:
            a. Total Fat: $\leq$ 35 percent of total calories per item as packaged/served.
            b. Saturated Fat: < 10 percent of total calories per item as packaged/served.
            c. Trans Fat: Zero grams per portion as packaged/served.
            d. Sodium:
                i. Snack and side items: $\leq$ 230 mg sodium per item package/served until June 30, 2016; $\leq$ 200 mg sodium effective July 1, 2016.
                ii. Entrées (that DO NOT meet NSLP/SBP exemptions): $\leq$ 480 mg sodium per item as packaged/served.
            e. Calories:
                i. Snack or side items: $\leq$ 200 calories per item as packaged/served.
                ii. Entrée: $\leq$ 350 calories per item as packaged/served.
            f. Total Sugar: $\leq$ 35 percent of weight from total sugars per item as packaged/served.

iii. Exemptions:
    1. Fruit and Vegetables:
        a. Fresh, frozen and canned fruit packed in water, 100 percent juice, light syrup or extra light syrup.
        b. Fresh, frozen and canned vegetables with no added ingredients except water.
        c. Canned vegetables that contain a small amount of sugar for processing purposes.
        d. Combinations of fresh, frozen or canned fruits and vegetables are exempt as long as there are no other added ingredients except for water.
    2. Entrees:
        a. Entrée items offered as part of the reimbursable meal are exempt from all competitive food standards on the day they are served and the school day after service.
    3. Sugar-Free Chewing Gum

V. Beverages

a. Vary by grade level:
    i. Plain water may be sold to all students without limits on size, including plain carbonated water with no added ingredients.
    ii. Unflavored low fat milk, and unflavored or flavored non-fat milk (including nutritionally equivalent milk alternatives as permitted in the school meal programs):
        a. Elementary Schools: may be sold in up to 8 ounce servings.
        b. Middle and high school: may be sold up to 12 ounces.
    iii. 100% fruit and/or vegetable juice (100% juice diluted with water, carbonated or not carbonated with no added sweeteners or additives):
        a. Elementary schools: maximum serving size is 8 ounces.
        b. Middle and high schools: maximum serving size is 12 ounces.
b. Rule allows additional beverages for high school students (grades 9-12):
    i. Calorie-Free Beverages: maximum serving size 20 fluid ounces.
        1. Calorie-free flavored water, with or without carbonation.
        2. Other “calorie-free” beverages with less than 5 calories per 8 fluid ounces, or up to 10 calories per 20 fluid ounces.
    ii. Lower Calorie Beverages:maximum serving size 12 fluid ounces.
        1. Up to 60 calories per 12 fluid ounces; or
        2. Up to 40 calories per 8 fluid ounces.
c. Caffeine:
    i. Only caffeine-free beverages allowed for elementary and middle school students.
    ii. Foods and beverages that contain trace amounts of naturally-occurring caffeine substances, such as chocolate milk, are exempt.
    iii. Caffeine-containing products are not prohibited in high schools.

VI. Fundraisers

a. All foods that meet the standards may be sold for fundraising purposes on the school campus during the school day without a limit on frequency.
b. Smart snacks do not apply to items sold during non-school hours, weekends, or off-campus fundraising events.
c. PDE DFN will make a policy decision establishing number of exempt fundraisers that may be held during the school year by July 1, 2014.

VII. Administrative Provisions

a. Recordkeeping

i. Local educational agencies need to ensure that receipts, nutrition labels or product specifications are maintained by those designated as responsible for competitive food service at the various venues in the school
ii. **All** parts of the school involved with selling food to students during the school day will have a role in meeting these requirements.

b. Monitoring and Compliance
i. State Agencies will be responsible for monitoring compliance with the requirements of the competitive food nutrition standards through periodic reviews of local educational agency records and operations.

VIII. Resources

a. For tools that determine whether an item is allowable for you, refer to:
i. Alliance for a Healthier Generation's Smart Snacks Calculator: http://rdp.healthiergeneration.org/calc/calculator/
ii. Colorado Department of Education's Food and Beverage Flowcharts on PEARS:

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b. USDA/FNS Smart Snacks in School Resource Page: http://www.fns.usda.gov/cnd/governance/legislation/allfoods.htm
c. SNA/Alliance for a Healthier Generation's Smart Snacks resource page: https://schools.healthiergeneration.org/focus_areas/snacks_and_beverages/smart_snacks/

VIX. Contact:

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