

# OAKDALE JOINT UNIFIED SCHOOL DISTRICT FOOD SERVICES

## NUTRITION GUIDELINES

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### Definitions (EC 49430)

- a. "Elementary school" includes kindergarten through grade 6, but no grade higher than grade 6
- b. "Middle schools" include grades seven or eight, 7 to 9 but no grade higher than grade nine.
- c. "High school" includes grades ten to twelve, inclusive.
- d. A "full meal" means any combination of food items that meet USDA-approved School Breakfast Program or National School Lunch Program meal pattern requirements.
- e. "Sold" means the exchange of food for money, coupons, or vouchers.

### Beverage Sales (EC 49431.5)

#### 1. Elementary Schools

The only beverages that may be sold to students in elementary schools during the school day are water, milk, including, but not limited to chocolate milk, soy milk, rice milk, and other similar dairy or nondairy milk; 100 percent fruit juices, and fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweeteners. This does not preclude the sale of carbonated beverages that meet the above requirements.

Beverages that do not meet the above criteria may be sold for fundraising under the following circumstances:

Students sell the beverages off the school grounds or

Students sell the beverages on school grounds at least one-half hour after the end of the school day.

#### 2. Middle, Junior High, and High Schools

The only beverages that may be sold to students in middle and junior high schools are water; milk, including, but not limited to chocolate milk, soy milk, rice milk, and other similar dairy or nondairy milk; 100 percent fruit juices; fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweeteners; and electrolyte replacement beverages that contain no more than 42 grams of added sweetener per 20-ounce serving. This does not preclude the sale of carbonated beverages that meet the above requirements.

This law applies from one-half hour before the start of the school day to one-half hour after the end of the school day.

Beverages that do not meet the above criteria may be sold for fundraising under the following circumstances:

The sale occurs during and at the location of a school-sponsored event after the end of the school day or

The sale occurs via vending machines, student stores, and cafeterias no sooner than one-half hour after the end of the school day.

#### 3. Vending Machine Policy

Elementary, middle, or junior high schools may use vending machines to offer beverages that comply with the above criteria at any time of day.

Middle or junior high schools may use vending machines to offer beverages that do not comply with the above criteria if they are made available no later than one-half hour before the start of the school day and no sooner than one-half hour after the end of the school day.

#### 4. Definition of "Added Sweetener"

"Added sweetener" means any additive that enhances the sweetness of the beverage, including, but not limited to, added sugar, except the natural sugar or sugars that are contained within any fruit juice that is a component of the beverage.

## Food Sales

### 1. Elementary Schools (EC Section 49431)

The only food that shall be sold during breakfast and lunch periods is food that is sold as a full meal through a federal reimbursable meal program. In addition, individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes may be sold. Individually sold dairy items and whole grain food items may be sold, provided they meet the following:

#### The 35/10/35 principle

- a. Not more than 35 percent of its total calories shall be from fat.
- b. Not more than 10 percent of its total calories shall be from saturated fat.
- c. Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar, this does not apply to the sale of fruits or vegetables that have not been deep fried.
- d. do not exceed 175 calories per individual food item.

### 2. Middle, Junior High, and High Schools (EC Section 49431.2)

The only food that may be sold outside the federal reimbursable meal programs must meet the following requirements:

- a. Not more than 35 percent of its total calories shall be from fat.
- b. Not more than 10 percent of its total calories shall be from saturated fat.
- c. Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar, this does not apply to the sale of fruits or vegetables that have not been deep fried.
- d. Calories shall not exceed 250 calories per food item.
- e. Entrée\* items (i.e., foods generally regarded as being the primary food in a meal, including but not limited to, sandwiches, burritos, pasta, and pizza) shall not exceed 400 calories per food item and 4 grams of fat per 100 calories.

\* Entrée means a food that is generally regarded as being the primary food in a meal, and shall include, but not be limited to, sandwiches, burritos, pasta, and pizza.

"Snack" means a food that is generally regarded as supplementing a meal, including, but not limited to, chips, crackers, onion rings, nachos, French fries, donuts, cookies, pastries, cinnamon rolls, and candy.

Snacks sold to a pupil, except food served as part of a USDA meal program, shall meet all of the above standards.

## Competitive Foods

### 1. Competitive foods means:

*Any foods sold in competition with the program to children in food service areas during the meal periods.*

State agencies and school food authorities shall establish such rules or regulations as are necessary to control the sale of foods in competition during meal periods served under the Program. Such rules or regulations shall prohibit the sale of foods of minimal nutritional value in the food service areas during the meal periods. *(continued)*

The sale of other competitive foods may, at the discretion of the State agency and school food authority; be allowed in the food service area during the lunch period only if all income from the sale of such foods accrues to the benefit of the nonprofit school food service or the school or student organizations approved by the school. State agencies and school food authorities may impose additional restrictions on the sale of and income from all foods sold at any time throughout schools participating in the Program.

## USDA Policy on Foods of Minimal Nutritional Value

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In general, the USDA prohibits the sale of FMNV (e.g., carbonated beverages [with some exceptions], water ices, chewing gum, and candies made predominantly from sugar and corn syrup) during meal periods anywhere reimbursable meals are sold or eaten, as in a food service area. To the extent that schools lack a cafeteria or students eat their reimbursable meals anywhere on campus, FMNV may not be sold anywhere on the campus during the meal period.

- a. Defines the "food service area" as any area on school premises where program meals are served and/or eaten.
- b. Defines the "meal period" to include both the time it takes to serve and to eat the meal.
- c. Prohibits serving FMNV: during a meal service period in the area where reimbursable meals are served and/or eaten; and as part of a reimbursable meal "at no additional charge." Since meals are priced/reimbursed as a unit, any FMNV provided as part of the unit is considered "sold" if the FMNV is available as part of a reimbursable meal.

### 1. Categories of Foods of Minimal Nutritional Value

1. **Soda Water** - a class of beverages made by absorbing carbon dioxide in potable water. The amount of carbon dioxide used is not less than that which will be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 60° F. It either contains no alcohol or only such alcohol, not in excess of 0.5 percent by weight of the finished beverage, as is contributed by the flavoring ingredient used. No product shall be excluded from this definition because it contains artificial sweeteners or discrete nutrients added to the food such as vitamins, minerals, and protein.
2. **Water Ices** - does not include water ices which contain fruit or fruit juices.
3. **Chewing Gum**.
4. **Certain Candies** - processed foods made predominantly from a sweetener or artificial sweetener with a variety of minor ingredients, which characterize the following types:
  - a. **Hard Candy** - a product made predominately from sugar (sucrose) and corn syrup which may be flavored and colored, is characterized by a hard, brittle texture, and includes such items as sour balls, fruit balls, candy sticks, lollipops, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers, and cough drops.
  - b. **Jellies and Gums** - a mixture of carbohydrates that are combined to form a stable gelatinous system of jelly-like character, and are generally flavored and colored, and include gum drops, jelly beans, jellied and fruit-flavored slices.
  - c. **Marshmallow Candies** - an aerated confection composed of sugar, corn syrup, invert sugar, 20 percent water, and gelatin or egg white to which flavors and colors may be added.
  - d. **Fondant** - a product consisting of microscopic-sized sugar crystals that are separated by a thin film of sugar and/or invert sugar in solution, such as candy corn and soft mints.
  - e. **Licorice** - a product made predominantly from sugar and corn syrup that is flavored with an extract made from the licorice root.
  - f. **Spun Candy** - a product made from sugar that has been boiled at high temperature and spun at a high speed on a special machine.
  - g. **Candy Coated Popcorn** - popcorn that is coated with a mixture made predominantly from sugar and corn syrup.