## Section 24, Child Nutrition (CN) Labeling and Product Documentation

### Section 24 Update Guide

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 3, 2018</td>
<td>Updated Section 24, Child Nutrition (CN Labeling and Product Documentation) to incorporate the following United States Department of Agriculture guidance:</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo FD-107, National School Lunch Program (NSLP), Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), Commodity Supplemental Food Program (CSFP), Food Distribution Program on Indian Reservations (FDPIR), The Emergency Food Assistance Program (TEFAP), and Charitable Institutions (November 21, 2017)</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo SP 28-2016, Food and Drug Administration Requirements for Vending Machines (March 2, 2016)</td>
</tr>
<tr>
<td></td>
<td>- USDA Child Nutrition Programs: TIPS for Evaluating a Manufacturer’s Product Formula Statement (January 2016)</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo SP 36-2015, Voluntary Menu Labeling in the National School Lunch and School Breakfast Program (May 19, 2015)</td>
</tr>
<tr>
<td></td>
<td>Clarified information on the following topics:</td>
</tr>
<tr>
<td></td>
<td>- Calculating Calories from total fat and saturated fat, sugar, and sodium using product labels</td>
</tr>
<tr>
<td></td>
<td>- CN Labels</td>
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<td></td>
<td>- Compliance</td>
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<td></td>
<td>- Food and beverage product labels, including product origin labeling</td>
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<td>- Records retention</td>
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<td></td>
<td>- Rounding in product formulation statements</td>
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<td></td>
<td>- Standards for meal and poultry products</td>
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<td></td>
<td>- Vending machines labeling</td>
</tr>
<tr>
<td></td>
<td>- Voluntary menu labeling</td>
</tr>
<tr>
<td>February 9, 2015</td>
<td>Updated Section 24, Child Nutrition (CN Labeling and Product Documentation) to incorporate the following United States Department of Agriculture guidance:</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo SP 11-2015, CN Labels Copied with a Watermark (November 26, 2014)</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo TA 07-2010 (v.3), Guidance for Accepting Processed Product Documentation for Meal Pattern Requirements (November 26, 2014)</td>
</tr>
<tr>
<td></td>
<td>- USDA Memo SP 23-2014 (v. 2), Questions and Answers Related to the “Smart Snacks” Interim Final Rule (June 5, 2014)</td>
</tr>
<tr>
<td></td>
<td>Clarified information on the following topics:</td>
</tr>
<tr>
<td></td>
<td>- Child Nutrition Label (CN Label)</td>
</tr>
<tr>
<td></td>
<td>- Compliance</td>
</tr>
<tr>
<td></td>
<td>- Documentation sources</td>
</tr>
<tr>
<td></td>
<td>- Food Buying Guide for School Nutrition Programs</td>
</tr>
</tbody>
</table>
- Nutrition Facts Labels
- Product formulation statement
- Records Retention
- Texas Department of Agriculture (TDA) Resources
- USDA Foods Fact Sheet for Schools & Child Nutrition Programs

February 11, 2013 Created Section 24, Child Nutrition (CN) Labeling and Product Documentation to provide guidance specific to this topic.

Deleted School Meal Initiative Review section as this effort was no longer required.
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Contact Information for the
Texas Department of Agriculture (TDA), Food and Nutrition

When contacting TDA by phone, Contracting Entities (CEs) need to have their CE Identification Number (CE ID) (and site ID, if applicable). CEs should include their name and CE ID (and site name and ID if applicable) in all communication or documentation.

<table>
<thead>
<tr>
<th>General Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Address: 1700 N. Congress, 11th Floor, Austin, TX 78701</td>
</tr>
<tr>
<td>Mailing Address: PO Box 12847, Austin, TX 78711-2847</td>
</tr>
<tr>
<td>Phone: 877-TEXMEAL, (877) 839-6985</td>
</tr>
<tr>
<td>Fax: (888) 203-6593</td>
</tr>
<tr>
<td>Email Contact: <a href="mailto:squaremeals@TexasAgriculture.gov">squaremeals@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Website: <a href="http://www.squaremeals.org">www.squaremeals.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Contact for Issues Related to Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adult Care Food Program: <a href="mailto:CACFP.BOps@TexasAgriculture.gov">CACFP.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>National School Lunch Program, School Breakfast Program, &amp; Special Milk Program: <a href="mailto:NSLP-SBP.BOps@TexasAgriculture.gov">NSLP-SBP.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Seamless Summer Option: <a href="mailto:SSO.BOps@TexasAgriculture.gov">SSO.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Summer Food Service Program: <a href="mailto:SFSP.BOps@TexasAgriculture.gov">SFSP.BOps@TexasAgriculture.gov</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Contact for Issues Related to Program Operation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commodity Operations: <a href="mailto:CommodityOperations@TexasAgriculture.gov">CommodityOperations@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Community Operations (Child &amp; Adult Care Food Program &amp; Summer Food Service Program): <a href="mailto:Community.Ops@TexasAgriculture.gov">Community.Ops@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Local Products: <a href="mailto:LocalProducts.SquareMeals@TexasAgriculture.gov">LocalProducts.SquareMeals@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Procurement, Including Sole Source: <a href="mailto:CE.ProcurementReviews.BOps@TexasAgriculture.gov">CE.ProcurementReviews.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>TX-UNPS Direct Certification Direct Verification System: <a href="mailto:DirectCertification@TexasAgriculture.gov">DirectCertification@TexasAgriculture.gov</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email Contact for CE Flexibility Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast Waiver: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Excessive Balance Plan: <a href="mailto:School.Operations@TexasAgriculture.gov">School.Operations@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Gender Exception: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Grains Exemption: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Milk Exemption: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Milk Substitute Notification: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Paid Lunch Equity (PLE) Exemption: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>RCCI Age/Grade Group Meal Pattern Flexibility: <a href="mailto:School.Operations@TexasAgriculture.gov">School.Operations@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Seamless Summer Operation (SSO) Age/Grade Flexibility: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Child Nutrition Program Requirement Waiver: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Summer Mandate: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
</tbody>
</table>
Child Nutrition (CN) Labeling and Product Documentation

All school nutrition programs (SNP) are required to retain documentation that demonstrates that menus and beverage and food items served are compliant with the meal pattern as well as the Competitive Food Nutritional Standards (competitive foods).¹ There are typically six types of documentation available for contracting entities (CEs) to use for this purpose:

- **Child Nutrition (CN) Labeling**—While general labeling requirements apply to all food and beverage products, CN Labels are guaranteed to contain the contributions listed on the CN Label when the product is manufactured according to the directions.²

- **Food Buying Guide for School Meal Programs**—The Food Buying Guide for School Meal Programs provides detailed information that can assist CEs in determining (1) the number of creditable portions in specific products.³

- **USDA Foods Fact Sheets for Schools & Child Nutrition Institutions (USDA Foods Fact Sheet)**. USDA Foods Fact Sheets provide detailed information about products distributed through the USDA Foods (Commodities) program.⁴

- **Nutrition Facts Labels**—Nutrition Facts Labels provide nutritional information based on the recommended daily dietary values as specified by the United States Food and Drug Administration (FDA).⁵

- **Product Formulation Statements** (also referred to as manufacturer’s product statements and product analysis sheets)—Product formulation statements are signed and certified by the manufacturer to accurately report the crediting contribution of a product toward the meal pattern.

- **Product Advertising**—Advertising materials are commonly not certified and do not provide extensive information on a product formulation.

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¹ See the Administrator’s Reference Manual (ARM), Section 8, Breakfast; Section 9, Lunch; and Section 20, Competitive Food Nutritional Standards for more information on requirements related to specific food items served.

² Detailed information on the CN Labeling Program can be accessed at www.fns.usda.gov/cnd/cnlabeling/.

³ Available at www.fns.usda.gov/tn/foodbuying-guide-school-meal-programs

⁴ Additional information and individual NSLP USDA Food Fact Sheets are available at www.fns.usda.gov/fdd/nslp-usda-foods-fact-sheets

⁵ Detailed information on Nutrition Facts Labels can be found on the U.S. Food and Drug Administration (FDA) website at www.fda.gov/.
The information in this section on product documentation is intended to be used with the guidance provided in the following Administrator’s Reference Manual (ARM) sections:

- Section 8, Breakfast
- Section 9, Lunch
- Section 11, Pre-Kindergarten (Pre-K) Meal Pattern for School Nutrition Program (SNP) Operators
- Section 20, Competitive Food Nutrition Standards
- Section 23, Administrative Review

For this section, when guidance is provided on the use of CN Labels or product documentation for meeting the meal pattern requirements, meal pattern requirements include menu planning, food components, crediting contributions, weekly minimums, and weekly dietary specifications.

**Definitions for This Section**

For this section, the following definitions provide information that may assist CEs in retaining documentation about meal served and competitive foods sold:

<table>
<thead>
<tr>
<th>AMS</th>
<th>Agricultural Marketing Service, United States Department of Agriculture (USDA) agency that administers the CN Labeling Program.</th>
</tr>
</thead>
<tbody>
<tr>
<td>CN Label</td>
<td>Product label that contains a statement that identifies the crediting contribution that a product makes toward the meal pattern.</td>
</tr>
<tr>
<td>Child Nutrition Labels (CN Labels)</td>
<td>A USDA program working directly with commercial food processing firms and in cooperation with USDA and the U.S. Department of Commerce (USDC) to provide standardized food crediting statements on product labels.</td>
</tr>
<tr>
<td>Competitive Food Nutrition Standards (Also Called Smart Snacks)</td>
<td>Standards established by USDA to ensure that students are able to purchase healthy meals and snacks when these items are not part of the reimbursable meal. There are four types of Competitive Food Nutritional Standards in NSLP and SBP: beverage standards, entrée criteria, general competitive food standards, and nutrient standards for beverage and food items. These standards do not apply to the dietary specifications required for a reimbursable meal.</td>
</tr>
</tbody>
</table>
| Food Buying Guide (FBG) for School Meal Programs | USDA resource that contains information that can assist CEs in determining (1) the number of creditable portions in specific products.  


Nutrition Facts Label | U.S. Food and Drug Administration (FDA) label that is added to beverage and food products to provide information about the product’s nutritional profile and serving size by weight or volume |
Product Formulation Statement
Also called the product analysis sheet or manufacturer’s product statement, signed, and certified documentation that provides specific information on a product’s potential crediting contribution toward the meal pattern.

USDA Foods Fact Sheet for Schools & Child Nutrition Institutions
 Documentation for products distributed by the USDA Foods (Commodities) program that provides product specific information on a product’s crediting contribution toward the meal pattern or provides information that may help determine whether a product meets the competitive food requirements.

Vending Machine Operator
Entity that controls or directs the function of a vending machine, including deciding which articles of food are sold from the vending machine or the placement of the articles of food or beverages within the vending machine and is compensated for the control or direction of the function of the vending machine.

Product Labels
For all food and beverage products sold in the United States, the product label must provide information about the product manufacturer or processor, nutrition information, and country of origin. The Food and Drug Administration (FDA) guidance includes five items that must appear on every food or beverage packaging label (sticker) in order for the label to provide the required information:

<table>
<thead>
<tr>
<th>Statement of Identity</th>
<th>Name of the food or beverage—specifically the common name for the food or beverage, not the brand name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>For Example:</em> Sunny Delight is a brand name; orange juice is the product name. Peter Pan is a brand name; peanut butter is the product name.*</td>
</tr>
<tr>
<td>Product Net Weight</td>
<td>Weight of the food or beverage item—net weight which does not include the weight of the container, wrappers, or packing materials</td>
</tr>
<tr>
<td>Manufacturer and Manufacturer’s Address</td>
<td>Location where the food or beverage product is processed and prepared, including country of origin information</td>
</tr>
<tr>
<td>Nutrition Facts</td>
<td>Serving size, nutrients, vitamins, and minerals</td>
</tr>
<tr>
<td>Ingredient List</td>
<td>All ingredients in a food or beverage listed on the product package in the order of highest amount of each ingredient by weight—includes, but is not limited to, water, spices and flavors</td>
</tr>
</tbody>
</table>

7 Product labels are also a key aspect of determining if the purchase meets the Buy American requirements. For additional information on this requirement, see Administrator’s Reference Manual (ARM), Section 17, Procurement.
8 See the Nutrition Facts Label subsection in this section for additional information on this topic.
Acceptable Manufacturer Address

In addition to the name of the manufacturer, the label must also show the address, country of origin for the product and, if a processed product, country of origin where the processing occurred. For School Nutrition Programs (SNPs), country of origin is used to demonstrate compliance with the Buy American provision.9

Location of Labels

Manufacturers must have the manufacturer’s address and country of origin (1) on individual product packaging or (2) on a box or container of smaller packaged items.

The following guidelines will assist CEs in determining if the country of origin information on the product label is acceptable or unacceptable.

*Label Statement about the Ingredients*

<table>
<thead>
<tr>
<th>Acceptable Phrasing:</th>
<th>Product of … or Grown in …</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unacceptable Phrasing:</td>
<td>Regional location that does not list the actual location unless the label lists both the regional location and the actual location</td>
</tr>
<tr>
<td></td>
<td>Unacceptable</td>
</tr>
<tr>
<td></td>
<td>To Be Acceptable</td>
</tr>
<tr>
<td>Flag or other symbols to represent origin location unless the label also provides a location in text as well</td>
<td>Unacceptable</td>
</tr>
<tr>
<td></td>
<td>To Be Acceptable</td>
</tr>
<tr>
<td>Origin location as product name</td>
<td>Unacceptable</td>
</tr>
<tr>
<td></td>
<td>To Be Acceptable</td>
</tr>
</tbody>
</table>

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9 Processing location may include the term *substantially*. For more information on the use of this term for the Buy American provision, see *Administrator’s Reference Manual (ARM), Section 17, Procurement.*
Label Statement about Where Product Was Processed

<table>
<thead>
<tr>
<th>Acceptable Phrasing:</th>
<th>Manufactured in … or Prepared in … or Produced in… or Assembled in … or Processed in …</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unacceptable Phrasing:</td>
<td>Insufficient information to determine actual location where the food was processed</td>
</tr>
<tr>
<td></td>
<td>Unacceptable</td>
</tr>
<tr>
<td></td>
<td>Manufactured in North America</td>
</tr>
<tr>
<td></td>
<td>To Be Acceptable</td>
</tr>
<tr>
<td></td>
<td>Grown in Canada, manufactured in USA¹⁰</td>
</tr>
<tr>
<td></td>
<td>Indication of processing in United States and non-United States locations (unless there is an indication that it was processed substantially in United States)</td>
</tr>
<tr>
<td></td>
<td>Unacceptable</td>
</tr>
<tr>
<td></td>
<td>Manufactured in Texas and Mexico</td>
</tr>
<tr>
<td></td>
<td>To Be Acceptable</td>
</tr>
<tr>
<td></td>
<td>Grown and manufactured substantially in Texas, USA</td>
</tr>
</tbody>
</table>

Size of Print

Any font or size is allowed as long as it is legible, easily seen (conspicuous), and in one color that contrasts with the background color.¹¹

Product Use by or Sell by Dates

Manufacturers are not required to place best if used by, use by, sell by, or date of pack dates on food products with the exception of infant formula. However, manufacturers commonly include these statements to assist consumers and retailers in determining when food is of the best quality.¹²

<table>
<thead>
<tr>
<th>Best If Used by Before or Use by</th>
<th>Indicates when a product will have the best flavor or quality. It is not a purchase or safety date.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sell by</td>
<td>Assists retail stores with knowing when the product will have the best flavor or quality and assists with managing product inventory management. It is not a safety date.</td>
</tr>
<tr>
<td>Date of Pack, Pack Codes, or Manufacturing Dates</td>
<td>Indicates when the product was packaged, processed, or manufactured. These dates do not communicate information related to quality or safety.</td>
</tr>
</tbody>
</table>

¹⁰ While this is acceptable country of origin labeling, a product with this statement would not meet the Buy American requirements described in Administrator’s Reference Manual (ARM), Section 17, Procurement because it does not indicate that the product is grown in the United States and the label does not indicate if the product was substantially processed in the United States.

¹¹ FDA provides additional information on appropriate print sizes at www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm.

Unlabeled Products

Since all food and beverage products sold in the United States must have product labels, any food or beverage products that do not have adequate information on the labels are suspect. CEs should evaluate these products and determine if they should be used in the SNP.\(^\text{13}\)

Child Nutrition (CN) Label

While the general label requirements apply to all products sold, the United States Department of Agriculture (USDA), Food Nutrition Service (FNS), Child Nutrition (CN) Labeling Program works directly with commercial food processing firms and in cooperation with the Food Safety Inspection Service (FSIS), Agricultural Marketing Service (AMS), and National Marine Fisheries Service (NMFS) to approve and manage CN Labels which are designed to meet the specific labeling needs of Child Nutrition Programs (CNPs).

A CN Label is

> a product label that contains a statement that clearly identifies the crediting contribution that a product makes toward the meal pattern.

To obtain a CN Label, the manufacturer has participated in a Quality Control plan administered by the Agricultural Marketing Service (AMS) or National Marine Fisheries Service (NMFS) using guidelines provided by USDA FNS. CN Labels must be authorized by USDA FNS prior to use. CN Labels are designed to provide specific crediting contribution information for meat/meat alternates. However, when meat/meat alternate products contain other components, the CN Label may also provide information related to other meal pattern food components in addition to the meat/meat alternate information.\(^\text{14}\)

The CN Labeling Program is responsible for reviewing a product’s formulation to determine the crediting contribution that a single serving of a product makes toward the meal pattern.

Schools and other program operators are not required to offer products with CN Labels; however, it is important to recognize that a CN Label guarantees that the stated crediting contribution toward meal pattern is correct when the product is prepared and served according to the directions. No other available documentation is guaranteed to meet this standard.

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\(^{13}\) Product labels are also a key aspect of determining if the purchase meets the Buy American requirements. For additional information on this requirement, see Administrator’s Reference Manual (ARM), Section 17, Procurement.

\(^{14}\) Although designed to identify crediting contributions for NSLP/SBP meal pattern, CN Labels may also provide information that may be used to demonstrate whether the food product meets the competitive food requirements.
Label Statement

The CN Label statement is an integral part of the product label and must include the following information:

- The CN logo, a distinct border around the CN statement
- A six-digit product identification number assigned by FNS, located in the upper right corner of the CN Label statement
- The statement of the product’s crediting contribution toward meal pattern requirements for components included in the product
- Statement specifying the use of the logo and CN Label statement is authorized by FNS
- The month and year the label was approved by FNS, located in the lower right side.

CN Labels expire at the end of five years.

The Sample CN Label illustrates the information that is required to be included on a CN Label as well as additional information that may be included on the CN Label.
Source to Verify CN Label Authenticity
USDA provides a list of valid labels that is updated monthly on the FNS CN Labeling Program website at www.fns.usda.gov/cnd/cnlabeling/authorized.htm. CE should check the status of the label before using the product. This list may also provide additional information including the manufacturer’s physical address and, in some cases, contact information.

Federal Inspection
All CN Labeled products must be produced under an appropriate USDA or U.S. Department of Commerce (USDC) federal inspection program to ensure that the label statement accurately reflects the amount of each ingredient used in the product. Federal agencies inspecting these products include the following agencies:\(^\text{15}\)

- Food Safety and Inspection Service (FSIS) of USDA
- Agricultural Marketing Service (AMS) of USDA
- National Marine Fisheries Services (NMFS) of the U.S. Department of Commerce (USDC)

The Federal Inspection Labels Chart illustrates the stamps used by various federal inspectors to indicate that the product has been inspected and meets the requirements for that type of product.

CE Responsibility for Use of CN Labeling
Although USDA monitors manufacturer documentation and guarantees the accuracy of information, the CE is responsible for interpreting the information presented on the label and determining if a product meets the meal pattern.

<table>
<thead>
<tr>
<th>A CN Label statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Does not assure that a product is good for children</td>
</tr>
<tr>
<td>• Does not assure that a product is acceptable to children.</td>
</tr>
<tr>
<td>• Does not suggest that products without CN Labels are inferior</td>
</tr>
</tbody>
</table>

\(^{15}\) Additional information about requesting copies of federally inspected product labels from manufacturers during the bidding process can be found at www.fns.usda.gov/cnd/cnlabeling/copying_labels.htm.
**Acceptable Forms of CN Label Documentation.** CEs may use any of the following methods to retain CN Label documentation or records.

- Original label removed from product package.
- Photocopy of CN Label attached to or printed on the product package if the CN Label is difficult to remove or laser printed.
- Photograph of CN Label attached to or printed on the product package if the CN Label is difficult to remove or laser printed.

TDA recommends the following practices for retaining CN Labeling documentation or records.

- Establish a procedure for designated food service staff to safely remove CN Labels from boxes. Only one CN Label is needed for the same CN Labeled product purchased by the CE.
- File CN Labels in a designated binder for future reference and check CN Labels of reordered products against CN Label on file to make sure the filed label is current.
- File digital photos or electronically scanned labels with applicable SNP documentation or records that can be easily retrieved for future reference.\(^{16}\)

**Food Buying Guide (FBG) for Child Nutrition Programs**

*(NSLP/SBP Specific Guide, Food Buying Guide (FBG) for School Meal Programs)*

The Food Buying Guide for Child Nutrition Programs is

>a USDA resource that provides information that can assist CEs in determining (1) the number of creditable portions in specific products and (2) whether a product fulfills the requirements for a designated food component.\(^{17}\)

USDA developed the FBG for Child Nutrition Programs as a tool to assist CEs to do the following:

1. To determine the number of purchase units needed to obtain the desired number of servings of a particular food.
2. To adjust portion sizes and calculate servings to meet minimum meal pattern requirements.
3. To calculate the quantity of food to buy to obtain the correct amount of ready-to-cook and ready-to-use food for a recipe.
4. To determine correct yields for food purchased, prepared, and ready-to-cook or ready-to-use, especially for fresh fruits and vegetables.
5. To calculate cost comparisons.

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\(^{16}\) School nutrition funds may be used to purchase a camera for food service operational needs. Most cameras can also date stamp the photo.

In 2012, with the implementation of the NSLP and SBP food-based menu planning, USDA updated the *Food Buying Guide (FBG) for School Meal Programs* and continues to do so. When CEs operating NSLP or SBP see a reference to the *Food Buying Guide for Child Nutrition Programs* or *FBG*, CEs should refer to the most recent *FBG for School Meal Programs*. USDA also has online tools associated with the *FBG* that may be useful.

The *Sample Food Buying Guide for School Meal Programs* illustrates the way product information is presented *FBG*.

---

CE Responsibility for Use of the Food Buying Guide (FBG) for School Meal Programs

Although USDA provides nutritional information based on the most accurate available information, the CE is responsible for interpreting the information presented in the FBG and determining if a product meets the meal pattern.

CEs are not required to print and retain copies of the FBG, but may find it helpful to retain copies of pages that are commonly used.

USDA Foods Fact Sheet for Schools & Child Nutrition Institutions

The USDA Foods Fact Sheet for Schools & Child Nutrition Institutions is a type of product documentation distributed by the USDA Foods (Commodities) program that provides product specific information on crediting contribution toward the meal pattern or provides information that may help determine whether a product meets the competitive food requirements.

These documents incorporate nutritional information that is taken from the USDA National Nutrient Database or average values based on information from vendors who provide USDA Foods. Facts Sheet. This includes the following information:

- USDA Foods Material Code—a six-digit number that is unique to the product (located to the left of the product name)
- Food Category—Grains, meat/meat alternates, fruits, and vegetables
- Nutrition Information
- Product yield and crediting information
- Allergen information (available as appropriate and on newer releases)
- Information on Product Preparation
- Food Safety Information

The Sample USDA Foods Fact Sheet illustrates the way product information is presented on the facts sheet.

CE Responsibility for Use of a USDA Foods Fact Sheet

Although USDA provides nutritional information based on the most accurate available information, the CE is responsible for interpreting the information presented on the fact sheet and determining if a product meets the meal pattern or competitive food requirements.

To use a USDA Foods Fact Sheet for documentation, the CE must ensure that it uses the most current fact sheet and must retain the fact sheet with its food documentation or records.
Sample USDA Foods Fact Sheet

(Taken from www.fns.usda.gov/fdd/nslp-usda-foods-fact-sheets)

Newer USDA Foods Fact Sheet

Category: Legume Vegetable/Meat Alternate

PRODUCT DESCRIPTION
This item is Grade A canned, dried black turtle beans. They are packed in a low-sodium brine which contains 36-140 mg sodium per 1/2 cup serving. This product is available in cases with six #10 cans.

NUTRITIONAL VALUES
- Amount Per Serving: Calories 105
- Fat: saturated, high
- Sodium: 5mg

CREDITING/YIELD
- One case of black beans provides about 23 1/2-cup servings of heated, drained beans.
- CN Crediting: 1/2 cup beans credits as 1/2 cup legume vegetable OR 2 oz equivalent meat/refuse alternate.

CULINARY TIPS AND RECIPES
- Black beans can be cooked and used as a meat alternate in dishes such as burritos, tacos, or qu越过.
- Black beans can also be served as a side dish or used in cold salads with other vegetables such as corn and diced peppers.
- Drain and rinse canned beans before adding to recipes to reduce the sodium.
- For more culinary tips and recipe ideas visit NSLP or Food Safety Information.

FOOD SAFETY INFORMATION
- For more information on safe storage and handling of canned foods, visit the Food Safety Information page of the USDA.

Older USDA Foods Fact Sheet

The older USDA Foods Fact Sheet format provides the same categories of information.

Texas Department of Agriculture — April 3, 2018  Child Nutrition Labeling and Product Documentation, 24.17
Nutrition Facts Label
A Nutrition Facts Label

is a label that is added to beverage and food products to provide information about the product’s nutritional profile and serving size by weight or volume.

Nutrition Facts Labels are regulated by the Food and Drug Administration (FDA). The FDA requires that most food and beverage products have Nutrition Facts Labels. The manufacturer is responsible for the accuracy of the information provided on a Nutrition Facts Label based on criteria provided by the FDA. The FDA audits Nutrition Facts Labels but does not review and approve individual Nutrition Facts Labels. Detailed information on Nutrition Facts Labels can be found on the FDA website at www.fda.gov.

The information on Nutrition Facts Labels may be helpful in calculating weekly dietary specifications as well as determining whether a product makes a creditable contribution toward a meal pattern component or provides information that may help determine whether the product meets the competitive food requirements.

A Nutrition Facts Label must contain specific information on a food or beverage’s nutritional profile in the following areas:

- Serving size by weight or volume
- Number of servings in the package
- Nutrient values for a product—calories, saturated fat, trans fat, cholesterol, sodium, carbohydrates, fiber, protein, and vitamins

The Sample Nutrition Facts Label illustrates the way product information is presented on a label.

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**Sample Nutrition Facts Label**
(Taken from [www.fda.gov](http://www.fda.gov))

1. **Start Here**
   - Serving Size: 1 cup (228g)
   - Servings Per Container: 2

2. **Check Calories**
   - Amount Per Serving
     - Calories: 250
     - Calories from Fat: 110

3. **Limit these Nutrients**
   - Total Fat: 12g (18%)
   - Saturated Fat: 5g (18%)
   - Trans Fat: 0g (0%)
   - Cholesterol: 30mg (10%)
   - Sodium: 470mg (20%)
   - Total Carbohydrate: 31g (10%)

4. **Get Enough of these Nutrients**
   - Dietary Fiber: 0g (0%)
   - Sugars: 5g
   - Protein: 5g
   - Vitamin A: 4%
   - Vitamin C: 2%
   - Calcium: 20%
   - Iron: 4%

5. **Footnote**
   - Quick Guide to % DV
     - 5% or less is Low
     - 20% or more is High
   - Percent Daily Values are based on a 2,000 calorie diet.
   - Your Daily Values may be higher or lower depending on your calorie needs.
   - Total Fat: 22g
   - Saturated Fat: 1g
   - Cholesterol: 300mg
   - Sodium: 2,400mg
   - Total Carbohydrate: 300g
   - Dietary Fiber: 25g

---
CE Responsibility for Use of a Nutrition Facts Label

Although FDA monitors the information manufacturers include on the Nutrition Facts Label, the CE is responsible for interpreting the information presented on the label and determining if a product meets the meal pattern or competitive food requirements. To use a Nutrition Fact Label for documentation, the CE must ensure that it uses the most current Nutrition Fact Label and must retain the Nutrition Fact Label with its food documentation or records. When a Nutrition Fact Label provides the needed nutritional information for a product, a CE may use that information as recorded. There are instances where a CE will need to perform calculations using the nutritional information on a Nutrition Facts Label. The following calculation formulas may be helpful:

**Percentage of Calories from Total Fat Per Serving Calculation Chart**

<table>
<thead>
<tr>
<th>Calories from Fat Method — Per Serving</th>
<th>Total Calories Per Serving</th>
<th>100</th>
<th>Percentage of Calories from Fat Per Serving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calories from Fat Per Serving: 50</td>
<td>140</td>
<td>.357</td>
<td>35.7%</td>
</tr>
</tbody>
</table>

**Grams of Total Fat Method — Per Serving**

<table>
<thead>
<tr>
<th>Number of Grams of Fat Per Serving: 9</th>
<th>Total Calories Per Serving: 140</th>
<th>100</th>
<th>Total Percentage of Calories from Fat Per Serving</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 x 9 = 45</td>
<td>140</td>
<td>.32</td>
<td>32.14%</td>
</tr>
</tbody>
</table>

* There are 9 calories in each gram of fat.

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**Nutrition Facts Label, Calculating Calories from Total Fat and Saturated Fat**

The nutrition facts label panel includes total fat in two places:

1. listed as calories from fat near the top and
2. listed as grams (g) on the list of nutrients in the product.

**Calories from Total Fat**

A CE may choose whether to use the calories from fat method or the grams of fat method for this calculation even though each may yield slightly different results. The result of either method should not be rounded.
Percentage of Calories from Saturated Fat Per Serving

To calculate the percentage of calories from saturated fat per serving, the CE will use the following formula.

\[
\text{Percentage of Calories from Saturated Fat Per Serving} = \left( \frac{\text{Number of Grams of Saturated Fat Per Serving} \times 9}{\text{Total Calories Per Serving}} \right) \times 100
\]

<table>
<thead>
<tr>
<th>Number of Grams of Saturated Fat Per Serving</th>
<th>9(^*)</th>
<th>Total Calories Per Serving</th>
<th>100</th>
<th>Total Percentage of Calories from Saturated Fat Per Serving</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.5</td>
<td>4.5</td>
<td>140</td>
<td>0.0321</td>
<td>3.2%</td>
</tr>
</tbody>
</table>

\(^*\) There are 9 calories in each gram of fat

Nutrition Facts Label, Calculating Percentage of Sugar Per Serving

The nutrition facts panel includes grams (g) of sugar on the nutrition facts label. CEs may use the following formula to calculate the percentage of sugar by weight.

\[
\text{Percentage of Sugar by Weight Per Serving} = \left( \frac{\text{Number of Grams of Sugar Per Serving}}{\text{Item Total Weight (Grams) Per Serving}} \right) \times 100
\]

<table>
<thead>
<tr>
<th>Number of Grams of Sugar Per Serving</th>
<th>Item Total Weight (Grams) Per Serving</th>
<th>Percentage Sugar by Weight Per Serving</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>28</td>
<td>7.14%</td>
</tr>
</tbody>
</table>

Nutrition Facts Label, Calculating Sodium

Sodium is reported by milligrams (mg) for each serving on the nutrition facts label for each product. No further calculation is needed to determine if the sodium meets the sodium nutrition standard.
Product Formulation Statement

The product formulation statement is a document that provides product specific information on the product’s potential crediting contribution toward meal pattern.

When a CN Label is not available or the FBG, USDA Foods Fact Sheet, or Nutrition Facts Label does not provide adequate information, a CE may request a product formulation statement from a manufacturer. Product formulation statements are written, designed, signed/certified, and distributed by the individual manufacturer. USDA does not review or approve product formulation statement; therefore, there is no guarantee that the statements made by the manufacturer are accurate.

(Note: Product formulation statements must be written by the manufacturer. A product formulation statement written by a product vendor is not acceptable documentation for any purpose.)

Contents of Product Formulation Statement

A product formulation statement contains a description that clearly identifies the crediting contribution that the product makes toward the meal pattern components.

When a manufacturer provides a product formulation statement, it should

- Be on the manufacturer’s letterhead.
- Be signed and certified by an officer for the manufacturer.
- Include contact information for the officer signing the Product Formulation Statement.
- Provide the product name and product code number.
- Demonstrate how the processed product credits toward the meal pattern or competitive food requirements citing school nutrition program resources and/or regulations.
- Provide specific information about the amount of each food item in the product and crediting contribution for the meal pattern components.

TDA provides sample templates for Product Formulation Statements at www.squaremeals.org.

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19 A product manufacturer is not required to provide a product formulation statement, but may do so at the request of a CE.
CE Responsibility for Use of a Product Formulation Statement

Although an officer for the manufacturer signs/certifies these statements to attest to the information, CEs have to trust that the official for the manufacturer is providing accurate nutritional information. USDA encourages CEs to review product formulation statements carefully since the CE is responsible for ensuring that menus meet meal pattern.

If the formulation of a product changes, the CE will need to obtain a new product formulation statement that reflects the product changes.

General Guidance for CEs Reviewing Product Formulation Statements

At a minimum, CEs should take the following actions before using a product formulation statement as proof for crediting contributions:

- Ensure that the product formulation statement provides specific, not approximate, crediting contribution specifications. Product formulation statements that contain phrases like to the best of our knowledge and/or contribution of the product is approximately do not provide the necessary specificity for a CE to determine if the product provides the crediting contributions as claimed. A CE should not accept a product formulation statement containing such language since it does not certify that the product contains the ingredients described.

- Determine that creditable ingredients listed in the product formulation statement match a description in the FBG. If a product formulation statement for a specific product claims to provide a higher credit than what is listed in the FBG, the CE must ensure that the statement:
  1. clarifies all crediting contributions for ingredients and
  2. demonstrates how the product provides that crediting contributions according to FNS regulations, guidance, and policy.

- Verify that the stated amount of crediting contribution for the product is not greater than the serving size of the product. If the product formulation statement indicates a larger crediting contribution than the actual serving size of the product, the CE cannot use the product formulation statement.

For Example: A 2.2 fl. oz. (¼ cup) frozen fruit pop or bar may not credit for more than 2.2 fl. oz. or ¼ cup of fruit or fruit juice.

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• **Ensure that the total contribution rounds down.** The total creditable amount must be rounded down to the nearest 0.25 oz.

  *For Example:* The total creditable amount of 0.99 oz. must be rounded down to 0.75 oz.

• **Verify that creditable components are visible in the finished product.** It is never acceptable for a CE to rely completely on a manufacturer’s statement that a food item is included in the product. If the manufacturer states that the product includes a crediting contribution for a specific component for the meal pattern, the food item must be visible in the product.

  *For Example:* If the product formulation statement says that a fruit filled pancake product contains a meat/meat alternate, but a meat/meat alternate is not a visible ingredient in the product, the CE cannot assume that the product contains a meat/meat alternate.

### Advertising Literature

Advertising literature is created and distributed by the product manufacturer. It may contain useful information about one or more of the company’s products, including nutritional information. However, the information in an advertisement is not sufficient to provide information on the crediting contribution that a product makes toward the required meal pattern or provide information that may help determine whether a product meets the competitive food requirements.

Instead, the CE must use an acceptable form of documentation to demonstrate the crediting contribution or nutritional profile of a beverage or food product. This includes a CN Label, FBG, USDA Foods Fact Sheet, and Nutrition Facts Label, or product formulation statement.

### Standards for Meat and Poultry Products

USDA standards for meat and poultry products set legal requirements for content, preparation, and labeling before being manufactured and sold in commerce. Standards of identity set specific (and optional) ingredients a food must contain—such as the kind and amount of meat, percent of fat or moisture and additives, if any—when a product is to be labeled or identified by a common product name. See USDA FNS website ([www.fns.usda.gov/fdd/foods/specs.htm](http://www.fns.usda.gov/fdd/foods/specs.htm)) for more information on the standards for meat and poultry products.
Meat and Poultry Inspection in Texas
The Texas Department of State Health Services (DSHS), Division for Regulatory Services, Meat Safety Assurance Unit, is responsible for administering the meat and poultry inspection program in Texas. All State of Texas meat and poultry plant labels are reviewed by the Labels and Standards Program to assure they are truthful and accurate at the time of approval. For additional information, contact DSHS.

Meat Safety Assurance Unit, MC 1872
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347
Telephone: (512) 834-6760 | TDD: 1-800-735-2989
Fax: (512) 834-6763

Other Regulation Applying to Food Labeling
CEs must follow the Food and Drug Administration (FDA) vending machine regulations as applicable and may follow the United States Department of Health and Human Services (HHS) and FDA menu labeling regulations.

Food and Drug Administration (FDA) Vending Machine Guidance
Any CE that owns or operates 20 or more vending machines is required (1) to disclose calorie information for food and beverages sold from the machines and (2) to provide contact information for vending machine operator. However, FDA recommends that all vending machines provide this information.

FDA defines a vending machine owner or operator that is covered by this regulation as a person or entity that

Controls or directs the function of the vending machine, including deciding which articles of food or beverage are sold from the vending machine or the placement of the articles of food or beverages within the vending machine and is compensated for the control or direction of the function of the vending machine.

The calorie statements must meet the following requirements:

- Clear, conspicuous (easily noticeable and visible to users), and prominently placed.
- Disclosed on a sign (e.g., small placard, sticker, or poster) near the food item or selection button. The owner or operator may also use electronic or digital displays to communicate the information. However, if the buyer can easily see the nutrition fact label for the item or the nutrition information is visible at the
point of service (POS) because of the way the product is placed or stored, no statement of calories is required.

Failure to comply with the FDA regulation will render covered vending machine food misbranded under the Federal Food, Drug, and Cosmetic Act.

CNP operators also may wish to incorporate requirements of this FDA regulation into their vending machine contracts in order to ensure that covered vending machine operators contracted by the CNP operator include the calorie information when it is required.

**Additional Information on FDA Vending Machine Labeling Regulation**


- Vending Machines Labeling Requirements At-A-Glance at www.fda.gov/Food/IngredientsPackagingLabeling/LabelingNutrition/ucm248732.htm#vending

**United States Department of Health and Human Services (HHS) and FDA Voluntary Menu Labeling**

CEs may voluntarily follow the retail food establishment rules to (1) provide calorie information for all standard menu items and (2) provide, on request, the following nutritional information: total calories, calories from fat, total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrates, dietary fiber, sugar, and protein.

Providing nutritional information for food and beverage items on menus may help students to make more informed choices about the foods they select and consume at school. Since many schools use nutrition software for menu planning and identifying acceptable competitive foods, CEs are also likely to have all the needed information to provide menu labeling. However, it is the CEs choice to provide this information.

The following resources may be helpful for CEs developing and implementing a menu labeling program:

- Food Labeling: Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments

- Nutrient Analysis Protocols: How to Analyze Menus for USDA’s School Meals Programs
  Available at http://healthymeals.nal.usda.gov/menu-planning/menu-planning-tools
Information Box 1
Records Retention
Public and charter schools are required to keep documentation related to school nutrition programs for 5 years.
Private schools, other nonprofit organizations, and residential child care institutions (RCCIs) are required to keep documentation for 3 years.

TDA Resources
The following TDA forms may assist CEs in obtaining an acceptable product formulation statement from manufacturers:

- Product Formulation Statement for Grains Product—Statement Template
- Product Formulation Statement for Meat/Meat Alternate Products (M/MA)—Statement Template
- Product Formulation Statement for Fruit Products—Statement Template
- Product Formulation Statement for Vegetable Products—Statement Template

These resources are available at www.squaremeals.org.

Records Retention
Appropriate documentation and records are essential to the CE’s ability to demonstrate that reimbursable meals meet the meal pattern and that additional beverages and food sold meet the competitive food requirements. The following Administrator’s Reference Manual (ARM) sections provide additional information on records retention related to meal patterns and competitive foods:

- Section 3, Records Retention
- Section 8, Breakfast
- Section 9, Lunch
- Section 10, Afterschool Meal Programs
- Section 11, Pre-Kindergarten (Pre-K) Meal Pattern for School Nutrition Program (SNP) Operators
- Section 12, Seamless Summer Operation (SSO)
- Section 20, Competitive Food Nutrition Standards

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21 Available at www.squaremeals.org.
22 See Administrator’s Reference Manual, Section 7, Counting and Claiming for additional information on the claims process.
Summary of Product Documentation
The Product Documentation Chart provides a summary of the information contained in the five types of acceptable documentation that a CE may use to demonstrate compliance.

<table>
<thead>
<tr>
<th>Description</th>
<th>Child Nutrition (CN) Labels</th>
<th>Food Buying Guide (FBG) for School Meal Programs</th>
<th>USDA Foods Fact Sheets for Schools &amp; Child Nutrition Institutions</th>
<th>Nutrition Facts Label</th>
<th>Product Formulation Statements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provides information on the product crediting contribution.</td>
<td>Provides detailed product crediting information based on volume or weight.</td>
<td>Provides detailed product information on crediting, yield amounts, nutritional values, preparation, and food safety.</td>
<td>Provides information on product crediting contribution by weight/volume and nutritional values.</td>
<td>Provides information on the product potential crediting contribution.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Standard Information Required</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reviewed and Monitored</td>
<td>Yes, USDA regulates CN Labels</td>
<td>Yes, USDA develops</td>
<td>Yes, USDA develops</td>
<td>Yes, FDA regulates Nutrition Facts Labels</td>
<td>No</td>
</tr>
<tr>
<td>USDA Guarantee Regarding Product Crediting Contribution</td>
<td>Yes</td>
<td>Developed by USDA</td>
<td>Developed by USDA</td>
<td>FDA regulates Nutrition Facts Labels</td>
<td>No</td>
</tr>
<tr>
<td>Product Identification Numbers</td>
<td>Each CN Labeled product has a distinct 6-digit identification number.</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Product must be identifiable by name, code number, weight, ingredient listing, etc.</td>
</tr>
</tbody>
</table>
Compliance
For an Administrative Review, CN Labels, USDA Foods Fact Sheets, the FBG, Nutrition Facts Labels, and signed product formulation statements may be used as documentation to demonstrate the crediting contribution of a particular food or product to a reimbursable meal or compliance with the Competitive Food Nutrition Standards. However, a CN Label is the only documentation that is guaranteed to be accurate as long as the product is prepared as instructed.

If a CE is unable to provide documentation or records that demonstrate that menus and beverage and food items served are compliant with the applicable meal pattern or the Competitive Food Nutritional Standards, TDA will request a bill of lading or invoice with the CN Label identification number for menu items or food or beverage items sold. TDA will take additional steps as appropriate based on a review of the bill of lading or invoice.

TDA will take fiscal action, as appropriate, if documentation or records do not demonstrate compliance with the meal pattern or competitive food requirements. CEs with findings in these areas will be required to complete approvable Corrective Action Documentation (CAD).