

# CLARIFICATION OF FEDERAL POLICY

In Texas, organizations that contract directly with Texas Department of Agriculture's USDA federally funded nutrition programs are called Contracting Entities or CEs. The Summer Food Service Program (SFSP) is identified as a nutrition program and, as such, sponsors are considered CEs.

## Child Nutrition (CN) Labeling Program and Product Labeled Food

### Child Nutrition (CN) Labeling Program

The Child Nutrition (CN) Labeling Program is a voluntary federal labeling program administered by U.S. Department of Agriculture (USDA). Complete information on the CN Labeling Program can be accessed at: <http://www.fns.usda.gov/cnd/cnlabeling/>.

This program provides the option to food manufacturers of reviewing a product formulation to determine the contribution that a single serving of that product makes toward the Summer Food Service Program (SFSP) meal pattern requirements. The meal pattern requirements specify the foods and the minimum amounts that must be served in the SFSP. The existence of a CN label on a product provides Contracting Entities (CEs) participating in the SFSP with a guarantee that the product contributes to the meal pattern requirements as printed on the label.

Manufacturers must not use the CN label statement to promote a product's nutritional value or acceptability.

Manufacturers are not authorized, under any circumstances, to place the CN logo and contribution statement on fact sheets or any other product information. Manufacturers are only authorized to use and distribute the CN label on actual product manufactured following a Federally-Approved Quality Control Program. For information about requesting copies of federally inspected product labels from manufacturers during the bidding process, please visit:

[http://www.fns.usda.gov/cnd/cnlabeling/copying\\_labels.htm](http://www.fns.usda.gov/cnd/cnlabeling/copying_labels.htm).

### Food Buying Guide for Child Nutrition Programs

Using yields from the *Food Buying Guide for Child Nutrition Programs* will help ensure that various meat/meat alternate items, regardless of cooking methods used or the addition of other ingredients, will be nutritionally equivalent. The *Food Buying Guide for Child Nutrition Programs* can be found at

<http://www.fns.usda.gov/tn/Resources/foodbuyingguide.html>.

## How to Identify a CN Label

A CN label must have this information printed on the principal display panel of the label:

- CN label statement;
- Product name;
- Ingredient listing in descending order of predominance by weight for all ingredients;
- Establishment number (meat, poultry and seafood items only);
- Manufacturer's or distributor's name and address;
- Inspection legend for the appropriate Inspection (see examples on this page)

### Poultry Product Red Meat Product Seafood Product



### Nonmeat Products

(eggs, cheese, beans and peanut butter)



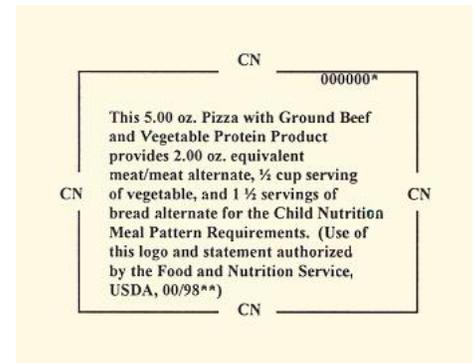
### Juice Drink and Juice Drink Products



## CN Label Statement

The CN label statement must be an integral part of the product label and include this information:

- The CN logo, which is a distinct border around the CN statement.
- A six-digit product identification number assigned by the Agricultural Marketing Service (AMS) – CN Labeling Program, which will appear in the upper right hand corner of the CN label statement.
- The statement of the product's contribution toward meal pattern requirements for the SFSP. This identifies the contribution of a specific portion of a meat/meat alternate product toward the meat/meat alternate, grains/breads and/or vegetable/fruit component of the meal pattern requirements. It also identifies the contribution that juice drinks and juice drink products make toward the vegetable/fruit component of the meal pattern requirements.
- Statement specifying the use of the logo and CN label statement is authorized by Food and Nutrition Service (FNS).
- The month and year the label was approved.



The CN Labeling Program is limited to the following:

- Entrée items: Main dish products which contribute a minimum of 0.5 ounces equivalent of meat/meat alternate towards the meal pattern requirements. Examples of these products include but are not limited to beef patties, cheese or meat pizzas, meat or cheese and bean burritos, egg rolls and breaded fish portions.
- 50-percent juice drinks and juice drink products: Juice drink and juice drink products which contain at least 50 percent full-strength juice by volume. This includes such products as grape drink, fruit punch and juice bars.

### Penalty for Misuse of CN Logo

USDA has developed a logo to protect the integrity of the CN Labeling Program to avoid possible abuse and to make the CN label statement easy to identify. The logo is a distinctive border design that surrounds the label statement. Companies will not be allowed to use the logo or statement without permission.

If a company uses the CN logo inappropriately, USDA will notify it and give it 30 days to discontinue use of the logo. If the company continues to use the label, its name will be put on a list that will be circulated to the states. In addition, other actions may be taken.

### Advantages of Using CN Labeled Products

All CN labeled products that are federally approved and have a CN logo carry a warranty. The CN label statement tells how the labeled product can be “credited” or “counted” toward meeting the meal pattern requirements of the SFSP. A CN label statement does not:

- Assure that a product is “good for children.”
- Assure that a product is “acceptable” to children.
- Suggest that products without CN labels are inferior.
- Cost more.
- Assure that a product meets SFSP meal pattern requirements.

For additional information about the CN Labeling Program, contact:

**Child Nutrition Labeling Program Operations Office**  
USDA, AMS, FV, PPB  
Stop 0247, Room 0710-S  
1400 Independence Ave., SW  
Washington, DC 20250  
E-mail: [CNLabeling@ams.usda.gov](mailto:CNLabeling@ams.usda.gov)  
Phone: (202) 720-9939  
Fax: (202) 690-3824

## Authorized Manufacturers of CN Labeled Products

The USDA Agricultural Marketing Service (AMS) has published a list of manufacturers that have met the FNS's Quality Control Program requirements for the CN Labeling Program. Additionally, AMS has provided a list of authorized CN labels issued to these manufacturers. These lists are updated monthly and can be accessed at:

<http://www.fns.usda.gov/cnd/cnlabeling/authorized.htm>.

The information in these lists is provided in PDF format and contains the following information:

- CN Identification Number;
- Federal or Equal to Federal (ETF) Establishment (EST) Number;
- Product Description;
- Label Approval Expiration Date; and
- Company Name (on a separate directory list).

The following inspection directories with EST number notations can be used to cross reference the EST number with the manufacturer's physical address and in some cases contact information:

FNS assigned EST number end with "FNS", e.g., 12345FNS and ETF establishment numbers end with "ETF:" <http://www.fns.usda.gov/cnd/cnlabeling/FNS ETFdirectory.pdf>

USDC – National Marine Fisheries Service ED numbers end with "F" only in the PDF the "F" is omitted at the following directory:  
[www.seafood.nmfs.noaa.gov/ParticipationList10.pdf](http://www.seafood.nmfs.noaa.gov/ParticipationList10.pdf)

USDA – Food Safety and Inspection Service EST numbers are numeric or alphanumeric and are the remaining majority:  
[www.fsis.usda.gov/regulations/Meat\\_Poultry\\_Egg\\_Inspection\\_Directory/index.asp](http://www.fsis.usda.gov/regulations/Meat_Poultry_Egg_Inspection_Directory/index.asp)

**Note:** The above directories do not include information about CN labeled products issued before 2005.

## Product Labeled Food

Commercially prepared products, including those prepared by restaurants, fast food outlets, etc., must:

- Have a CN label, or
- Be accompanied by a product analysis sheet/product formulation statement.

Food manufacturers frequently will distribute brochures advertising their products to CEs participating in the SFSP. The manufacturer may claim its products are approved for use in the SFSP and offer sample menus that include these products. In order for a manufactured food product to be creditable in any of the child nutrition programs, it must either have a CN label or a product analysis sheet/product formulation statement from the manufacturer.

### Product Analysis Sheet/Product Formulation Statement

Food vendors can provide you with an analysis of products used to meet CN guidelines. If you purchase meat/meat alternate or juice products that do not have CN labels you must request a product analysis sheet/product formulation statement from your vendors. You must retain this documentation in your records.

If you purchase a product **without** a CN label and the product **does not meet** the meal pattern requirements for the food components it contains, **you risk not being reimbursed** for the meals containing the food product. The CE, not the manufacturer or vendor, is responsible for nutritional requirements.

A product analysis sheet/product formulation statement from a food manufacturer must contain:

- A detailed explanation of what the product actually contains;
- The amount of each ingredient in the product by weight or measure, as appropriate;
- A certifying statement as to the contribution of the product to the meal pattern; and
- The signature of a high-ranking official of the manufacturer.

The CE is responsible for:

- Reviewing the manufacturer's product analysis sheet/product formulation statement before purchase to determine the reasonableness of information provided by the manufacturer;
- Ensuring that proper documentation is maintained on each commercially prepared product used to meet USDA meal pattern requirements;
- Ensuring the product received meets specifications and has the correct code number; and
- Providing site managers with serving sizes and crediting information.

A sample product analysis sheet/product formulation statement is available at the end of this policy.

**SAMPLE**  
**Product Analysis Sheet/Product Formulation Statement for Meat/Meat Alternate (M/MA)**  
**Products**

Provide a copy of the label in addition to the following information on company letterhead signed by an official representative of the company.

Product Name: \_\_\_\_\_ Code No.: \_\_\_\_\_

Manufacturer: \_\_\_\_\_ Case/Pack/Count/Portion/Size: \_\_\_\_\_

**I. Meat/Meat Alternate**

Please fill out the chart below to determine the creditable amount of Meat/Meat Alternate.

Description of Creditable Ingredients per Food Buying Guide	Ounces per Raw Portion of Creditable Ingredient	Multiply	Food Buying Guide Yield	Creditable Amount *
		X		
		X		
		X		
<b>A. Total Creditable Amount<sup>1</sup></b>				

\*Creditable Amount - Multiply ounces per raw portion of creditable ingredient by the Food Buying Guide yield.

**II. Alternate Protein Product (APP)**

If the product contains APP please fill out the chart below to determine the creditable amount of APP. If APP is used, you must provide documentation as described in the Example of Documentation on the next page for each APP used.

Description of APP, manufacture's name, and code number	Ounces Dry APP Per Portion	Multiply	% of Protein As-Is*	Divide by 18**	Creditable Amount APP***
		X		÷ by 18	
		X		÷ by 18	
		X		÷ by 18	
<b>B. Total Creditable Amount<sup>1</sup></b>					
<b>C. TOTAL CREDITABLE AMOUNT (A + B rounded down to nearest ¼ oz)</b>					

\*Percent of Protein As-Is is provided on the attached APP documentation.

\*\*18 is the percent of protein when fully hydrated.

\*\*\*Creditable amount of APP equals ounces of Dry APP multiplied by the percent of protein as-is divided by 18.

<sup>1</sup>Total Creditable Amount must be rounded **down** to the nearest 0.25oz (1.49 would round down to 1.25 oz meat equivalent). Do **not** round up. If you are crediting both M/MA and APP, you do not need to round down in box A until after you have added the creditable APP amount from box B.

Total weight (per portion) of product as purchased \_\_\_\_\_

Total creditable amount of product (per portion) \_\_\_\_\_

(Reminder: Total creditable amount cannot count for more than the total weight of product)

I certify that the above information is true and correct and that a \_\_\_\_\_ ounce serving of the above product (ready for serving) contains \_\_\_\_\_ ounces of equivalent meat/meat alternate when prepared according to directions.

I further certify that any APP used in the product conforms to the Food and Nutrition Service Regulations (7 CFR Parts 210, 220, 225, 226, Appendix A) as demonstrated by the attached supplier documentation.

\_\_\_\_\_  
Signature of Company Official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

ARCHIVED - AUGUST 26, 2015