Section 22

Competitive Foods

Section 22, Competitive Foods

Update Guide

June 8, 2026	Incorporated guidance from the Final Rule: Expanding Fluid Milk Options in Child Nutrition Programs.
February 14, 2025	Incorporated the following provisions from the final rule, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans*: - Items Exempt from Competitive Food Standards (Bean Dips) - Removal of "Trans Fat" from the Nutrient Standards
December 7, 2023	Clarified guidance on the allowability of coffee beverages.
May 19, 2023	Created new *Definitions* and *Contact Information* sections, located at the beginning of the *Administrator's Reference Manual (ARM)*. Removed definitions and contact information from this section.
January 4, 2022	Updated *Section 22, Competitive Foods* to correct minor typos and clarify guidance on the following topics: - Flavored milk

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Competitive Foods

The Competitive Food Nutrition Standards guidance in this section applies to all contracting entities (CEs)[1] operating the National School Lunch Program (NSLP) and School Breakfast Program (SBP) in which food and/or beverage items are sold to students during the school day on a school campus that are not part of a reimbursable meal. The Competitive Food Nutrition Standards are also called Smart Snacks or the competitive rule. For guidance on the dietary specifications that apply to reimbursable meals, see the *Administrator's Reference Manual (ARM), Section 7, Breakfast Meals* and *Section 8, Lunch Meals*.

A *competitive food* is defined as

> Foods and/or beverages sold to students that compete with the school's operation of the NSLP and/or SBP. This definition includes, but is not limited to, food and/or beverages sold a la carte in a meal service line, in vending machines, in school stores, or as part of fundraisers.

Four Competitive Food Nutrition Standards

CEs that sell food and/or beverages that are not part of a reimbursable meal during the school day on the school campus—*competitive foods*— must use the following Competitive Food Nutrition Standards.

Beverage Standards for Competitive Foods (Beverage Standards)
Set of criteria that establish beverage types, sizes, and nutrient values to ensure that students are able to purchase healthy beverages.

General Food Nutrition Standards for Competitive Foods (General Food Nutrition Standards)
Set of general characteristics for food items sold—type of food item and nutritional values for the food item—that determine if a food item is allowable as a competitive food.

Nutrient Standards for Competitive Foods (Nutrient Standards)
Set of nutritional values for calories, saturated fats, sodium, and sugar that determine if food items can be sold under the competitive rule.

Entrée Criteria for Competitive Foods
Set of criteria that establish the Competitive Food Nutrition Standards for entrée items.

When Competitive Food Nutrition Standards Apply

The Competitive Food Nutrition Standards apply only to food and/or beverages sold during the school day on the school campus. CEs may establish local policies or rules that are more restrictive than Texas or USDA regulations as long as those policies and rules are not in conflict with Texas or USDA regulations.

Definition for Transactions that Constitute a *Sale*
Sale of a food and/or beverage includes all direct or indirect sales such as (1) cash or credit transactions; (2) tokens, tickets, or other representations of value in exchange for cash or credit that a student may use to purchase food and/or beverages; or (3) food and/or beverages given to students in exchange for donations, whether those donations occur by cash or credit. If a student receives a food and/or beverage as a result of any form of payment, donation, or other

[1] For some requirements, residential child care institutions (RCCIs) may not be required to follow the regulation described. In those instances, the exception will be noted in the guidance or in a footnote.

contribution, the food and/or beverage item must meet the Competitive Food Nutrition Standards.

Food and/or Beverages Given to Students

If a student is given food and/or beverage items at no charge (no form of payment, donation, or other contribution exchanged for the item), these items are not subject to the Competitive Food Nutrition Standards. Food given to students is a transaction that does not result from a payment, donation of funds, or a contribution of value by the student or parent.

Food Provided by Parents or Guardians

Food provided by parents or guardians is considered to be food given to students and is not subject to the Competitive Food Nutrition Standards.[2]

Accompaniments or Condiments

An accompaniment or condiment intended to be used with a competitive beverage and/or food item is considered to be part of the competitive food and/or beverage item—even if the accompaniment or condiment is provided at a different location in the serving area.[3]

Food and/or Beverages Purchased with Classroom Funds

When the parents of students in a classroom agree to donate funds toward the purchase of treats to be shared by all children in the classroom for special occasions, food and beverage items served are not subject to the Competitive Food Nutrition Standards.

Food and/or Beverages Purchased with Tickets or Tokens Given as a Reward

If a ticket or token is given to a student for good behavior or good grades—i.e., a behavioral or performance award—and no money or other form of payment is exchanged in order to acquire the ticket or token, the exchange of the reward ticket or token is not considered a sale to the student.

School Day

School day is defined as the period from the midnight before the beginning of the official instructional day to 30 minutes after the end of the official instructional day. Competitive Food Nutrition Standards apply during this time period.

Afterschool Programs

The Competitive Food Nutrition Standards do not apply to afterschool programs, events, or activities except during the 30 minutes after the end of the official instructional day.

Operating Extended NSLP or SBP in the Summer

If a CE extends the operation of the traditional NSLP or SBP into the summer, the Competitive Food Nutrition Standards do apply to all food and/or beverages sold on the school campus during the school day. The Competitive Food Nutrition Standards do not apply to sites where the CE is operating the Seamless Summer Option (SSO) or Summer Food Service Program (SFSP) and is not operating extended traditional NSLP or SBP.

School Campus

School campus is defined as all areas of the property under the jurisdiction of the school that are accessible to students during the school day. Competitive Food Nutrition Standards apply to these places.

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2 See the *Food and/or Beverages Brought from Home or Food Given to Students* subsection in this section for additional information on parents or guardians providing food to their children.

3 See the *Accompaniments or Condiments* subsection in this section for additional information on this topic.

Combined Campuses

Combined campuses must follow the Competitive Food Nutrition Standards for the youngest age/grade group unless access to food and/or beverages is separated by age/grade group.

Locations Other Than the Cafeteria

If food and/or beverages are sold in any location where students have access, the food and/or beverages must meet the Competitive Food Nutrition Standards. This includes, but is not limited to, performing arts centers and sports facilities. This does not include any area restricted to adults or staff as long as students are not allowed to have access to the area.

Restricted Areas

If students are allowed access to an area that is labeled *staff only*, the area is considered to be accessible by students and is, therefore, subject to the Competitive Food Nutrition Standards.

Exceptions to the Competitive Food Nutrition Standards

Food and/or beverages sold or served in the following special situations are not required to meet the Competitive Food Nutrition Standards:

Accommodating Students with Special Needs

The requirements in this section do not apply to special needs students whose Individualized Education Program (IEP) plan indicates the use of a food and/or beverage item of any type for behavior modification (or other suitable need).

Competitions and Other Events

The requirements in this section do not apply to any location students travel to for competitions or other events if a school nutrition program (SNP) does not provide the students with meals as long as the competitive or event location is not an extended area of a school campus that operates NSLP or SBP.

Food and/or Beverages Brought from Home or Food Given to Students

The Competitive Food Nutrition Standards do not restrict (1) food and/or beverages that parents provide for their own children's lunches or snacks or (2) food and/or beverages that are given to students. This includes, but is not limited to, food and/or beverages provided for birthday parties or special events.

Acting on Behalf of a Parent

It is not uncommon for a parent to designate another adult to act for the child in the place of the parent. This authority is granted for the best interests of the child and the parent. However, there are instances when it may be difficult for school staff to determine when a parent has given *official* authority to another adult to act on his/her behalf.

CEs may establish policies to clearly define how and when a parent gives authority to another adult to provide food and/or beverages to a child on behalf of the parent during the school day on the school campus.

Food and/or Beverages Ordered and Paid for Off Campus

If the CE allows students to have food and/or beverages delivered to them on campus, students or their parents may order and pay for food and/or beverages off campus that do not meet the competitive rules and have the food and/or beverages

delivered to the students to consume on the school campus during the school day. In these cases, the delivery of food or beverages must meet local policies or regulations.

CEs should include information on whether they do or do not allow food and/or beverage deliveries on campus and any applicable policies or rules in their local wellness policy.[4]

School Nurses

The requirements in this section do not apply to school nurses or another school official permitted by local policy to assist school nurses using a food and/or beverage item of any type during the course of providing health care to individual students.

Supporting Students' Nutritional Needs Outside of the School Day

If a CE participates in a program that is designed to support students' nutritional needs outside of the school day (i.e., over the weekend or during extended breaks), the food and/or beverage items sent home with these children are not intended to be consumed during the school day or on school campus. Therefore, these food packets are not subject to the Competitive Food Nutrition Standards.

For Example: Weekend backpack program

Fundraisers

A fundraiser is an event that includes any activity during which currency, tokens, tickets, donation for, or other forms of payment are exchanged for the sale or purchase of a product. Giving away food but suggesting a donation would be considered a fundraiser since funds will be raised as a result. A vending machine for which profits are used to support a school-sponsored club or activity such as the school band or football team is a fundraiser. Purchasing tickets or tokens to be exchanged later during the school day for food items would also be considered to be a sale of food for a fundraiser.

There is no limit on fundraisers that meet the Competitive Food Nutrition Standards. Any food and/or beverage item that meets the standards may be sold on the school campus during the school day.

CEs must define what types of food and/or beverages are allowed to be sold on campus.[5]

Exempt Fundraisers

Texas public, charter, and private schools that participate in NSLP or SBP may sell food and/or beverages as part a fundraiser that does not meet the Competitive Food Nutrition Standards during the school day for up to six (6) days per school year on each school campus. Food and/or beverages sold during an exempt fundraiser must not be sold in competition with school meals in the food service area during the school meal service.

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4 See *Administrator's Reference Manual (ARM), Section 29, Local Wellness Policy & Stakeholder Engagement* for additional guidance on this topic.

5 See *Administrator's Reference Manual (ARM), Section 29, Local Wellness Policy & Stakeholder Engagement* for additional guidance on the requirements in the local wellness policy that must address all food sold and given away on the school campus.

CEs should include information on exempt fundraisers in their local wellness policies to ensure that students, parents, and staff understand when fundraising exemptions apply.

Food Sold During the School Day Not Intended for Consumption in Schools

Competitive Food Nutrition Standards do not apply to fundraising activities that include the ordering and distribution of food and/or beverages not intended to be consumed during the school day on the school campus. This includes ordering food items that will be picked up a later time in the future. Typically, these food items need further preparation before they can be served.

For Example: Cookie dough or frozen sausage.

Concession Stands or Other Events Where Food and/or beverages Are Sold During the School Day

Foods and/or beverages sold to students at concession stands or other events must meet the Competitive Food Nutrition Standards if the sale occurs during the school day on the school campus as defined in this section.

CEs may find that providing training or assistance to concession operators about acceptable products to sell to students will help to ensure that the Competitive Food Nutrition Standards are met. See the *Records Retention* and the *Compliance* subsections in this section for additional information related to concession activities or other events that operate under the Competitive Food Nutrition Standards.

USDA's Competitive Food Nutrition Standards

All food and/or beverage items sold during the school day on the school campus that are not part of the reimbursable meal must meet the Beverage Standards, General Food Nutrition Standards, and the Nutrient Standards for Competitive Foods:[6]

Information Box 1

Common Nutrition Measurement Abbreviations

fl = fluid	≤ = equal to or less than
g = gram	≥ = equal to or greater than
mg = milligram	
oz = ounce	

[6] See the *Exceptions to the Competitive Food Nutrition Standards* and the *Items Exempt from Competitive Food Nutrition Standards* subsections in this section for additional information on situations, contexts, and specific food and/or beverage items that are not subject to the Competitive Food Nutrition Standards.

Competitive Food Nutrition Standards Chart

(Competitive food or beverage items sold during the school day must meet the standards as described in this chart.)

Beverage Standards

Type of Beverage	School Level		
	Elementary	Middle	High
Water (With No Added Ingredients)			
• Plain water	Any Size	Any Size	Any Size
• Plain Carbonated Water	Any Size	Any Size	Any Size
Milk[7]			
• Unflavored or flavored whole, reduced-fat, low-fat, or fat-free milk	≤8 fl oz	≤12 fl oz	≤12 fl oz
• Plain or flavored approved milk alternatives	≤8 fl oz	≤12 fl oz	≤12 fl oz
Fruit or Vegetable Juice			
• 100% Fruit or vegetable juice	≤8 fl oz	≤12 fl oz	≤12 fl oz
• 100% fruit or vegetable juice diluted with water—with or without carbonation—with no added sweeteners	≤8 fl oz	≤12 fl oz	≤12 fl oz
Other Beverages for High School Students			
• Other lower calorie flavored and/or carbonated beverages that are labeled to contain ≤40 calories per 8 fl oz, or ≤60 calories per 12 fl oz.	–	–	≤12 fl oz
• Other very low calorie flavored and/or carbonated beverages that are labeled to contain ≤5 calories per 8 fl oz, or ≤10 calories per 20 fl oz	–	–	≤20 fl oz

General Food Nutrition Standards

Meet all of the Competitive Food Nutrition Standards

and

Be a grain product that contains 50% or more of whole grains by weight or have whole grains as the first ingredient.[8]

or

Have one of the non-grain major food groups as a first ingredient* (fruit, vegetable, dairy, or protein food).

or

Be a combination food that contains at least ¼ cup fruit and/or vegetable.

Nutrient Standards

Calorie limits:
- Snack Items: ≤ 200 calories
- Entrée or Main Dish Items: ≤ 350 calories

and

Sodium limits:
- Snack Items: ≤ 200 mg per portion as packaged[9]
- Entrée or Main Dish Items ≤ 480 mg per portion as packaged

and

Fat limits:
- Total Fat: ≤ 35% of calories
- Saturated Fat: < 10% of calories[10]

and

Sugar limits:
- ≤ 35% of weight from total sugars in foods

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7 For more information about approved milk options and nondairy alternatives, see *ARM Section 8, Lunch Meals*.

8 If water is the first ingredient, the second ingredient must be one of the following: (1) grain product that contains 50% or more of whole grains by weight; (2) fruit, vegetable, dairy, or protein foods as a first ingredient; or (3) be a combination food that contains at least ¼ cup fruit and/or vegetable.

9 On July 1, 2016, the sodium standard will move to 200 mg per item as packaged or served.

10 Approved fluid milk options are excluded from the saturated fat requirement for competitive foods.

General Food Nutrition Standards							
Meet all of the Competitive Food Nutrition Standards and							
Be a grain product that contains 50% or more of whole grains by weight or have whole grains as the first ingredient.[11]	or	Have one of the non-grain major food groups as a first ingredient* (fruit, vegetable, dairy, or protein food).	or	Be a combination food that contains at least ¼ cup fruit and/or vegetable.			
Nutrient Standards							
Calorie limits: ▪ Snack Items: ≤ 200 calories ▪ Entrée or Main Dish Items: ≤ 350 calories	and	Sodium limits: ▪ Snack Items: ≤ 200 mg per portion as packaged[12] ▪ Entrée or Main Dish Items: ≤ 480 mg per portion as packaged	and	Fat limits: ▪ Total Fat: ≤ 35% of calories ▪ Saturated Fat: < 10% of calories	and	Sugar limits: ▪ ≤ 35% of weight from total sugars in foods	

Entrée Items for Competitive Foods

For competitive foods, an entrée item is intended to be a main dish and is either

1. A combination food of meat/meat alternate and whole grain.[13]
   or
2. A combination food of vegetable or fruit and meat/ meat alternate.
   or
3. A meat or meat alternate alone with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters, and meat snacks (such as dried beef jerky).
   or
4. A grain only, whole-grain rich entrée that is served as the main dish of the SBP reimbursable meal.

See the *Exempt Entrée Items* subsection in this section for information on entrees that are exempt from the Competitive Food Nutrition Standards.

[11] If water is the first ingredient, the second ingredient must be one of the following: (1) grain product that contains 50% or more of whole grains by weight; (2) fruit, vegetable, dairy, or protein foods as a first ingredient; or (3) be a combination food that contains at least ¼ cup fruit and/or vegetable. The whole grain flexibility allowed for reimbursable meals does not apply to competitive foods.

[12] On July 1, 2016, the sodium standard will move to 200 mg per item as packaged or served.

[13] The whole grain flexibility allowed for reimbursable meals does not apply to competitive foods.

Combination Foods for Competitive Foods

The *Combination Food Criteria for Competitive Chart* provides a detailed description of a combination food item as well as a detailed list of criteria that establish the designation of a combination food. Combination food items must also meet the Nutrient Standards specified for competitive foods.

Combination Food Criteria for Competitive Foods Chart

Combination foods must meet the following criteria:

1. Contain two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein, or grains.
2. Meet one the of the following criteria:
   - Meet all of the nutrient standards specified for a competitive food

     or
   - Be a combination food that contains ¼ cup of fruit and/or vegetable that meets the nutrient standards for a competitive food

For Example:

- Blueberry muffin, containing refined grains and at least a ¼ cup of blueberries
- Harvest stew, containing a least ¼ cup of vegetables
- Cheese sandwich, containing a whole grain-rich bread and a protein food

Special Situations, Combination Foods or Foods Served as a Unit

The following guidance provides information on combination foods or foods served as a unit:

Two Items Packaged Together

Two items that are packaged together are considered to be a combination food. The items must be sold together as one unit and must meet the criteria for a combination food.

For Example: A 100-calorie pouch containing a small chocolate chip cookie and a small banana.

The cookie contains grain and the banana contains about a ½ cup of fruit and together they contain the following nutrient values:

- 190 calories
- 3 g of fat (14% calories from fat)
- 1 g of saturated fat (5% calories from saturated fat)
- 95 mg sodium
- 20 g of sugar (17% sugar by weight)

Yogurt

When yogurt is combined with fruit or vegetables or a whole grain food such as granola, it becomes a combination food and is an acceptable entrée item at lunch if it meets the Competitive Food Nutrition Standards. However, yogurt alone, without fruit or vegetables or a whole grain food, cannot be an entrée item or main dish.

Exempt Entrée Items

If offered in the same or smaller portion on the same day or the next operating day after it was offered as part of a reimbursable meal, an NSLP or SBP entrée item served as a main dish is exempt from the Competitive Food Nutrition Standards.

Moreover, a breakfast entrée item served as main dish may be a lunch exempt entrée item, and a lunch entrée item served as a main dish may be a breakfast exempt entrée item.

To qualify as an exempt entrée item, the entrée must meet the following criteria.

Exempt Lunch Entrée

To qualify as an exempt entrée item, a lunch entrée item must be designated as a main dish on the planned menu and must be one of the following.

- A combination food of meat or meat alternate and whole grain rich food
  or
- A combination food of vegetable or fruit and meat or meat alternate
  or
- A meat or meat alternate alone with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters, and meat snacks (i.e., dried beef jerky).

Exempt Breakfast Entrée

To qualify as an exempt entrée item, a breakfast entrée item must be designated as a main dish on the planned menu. This includes, but is not limited to, a grain only, whole-grain rich entrée that is served as the main dish of the SBP reimbursable meal.

Nutrient Standards, Calculation of Fat and Sugar Nutrient Values

By determining the nutrient values for foods and beverages sold in competition with the reimbursable meal, CEs will ensure that students are served healthy meals and snacks.

To assist CEs in the process, USDA has announced that the Alliance Product Calculator created by the Alliance for a Healthier Generation will help CEs in determining if a specific food item meets the calories, total fat, saturated fat, sodium, and sugar Nutrient Standards. This calculator can be accessed through the SquareMeals website at *www.SquareMeals.org*.

Alliance Product Calculator Accuracy

In order for the calculator tool to provide accurate information, the amounts recorded into the calculator must be correct and must be entered into the correct field. The CE will need the product's nutrition facts label in order to record the product specifications in the calculator.

Combination Foods

If the nutrition fact label ingredient information for a combination food item is entered incorrectly, the calculator result may be incorrect. CEs should read the directions carefully to ensure that all information is entered correctly.

Multiple Servings in One Package

For products that have more than one serving in a package, the calculator will automatically report the nutrition facts for one serving when the CE enters the total number of servings from the nutrition fact label in the calculator.

Zero Amount

When recording the amounts in the Alliance Product Calculator, enter zero if there is no amount listed on the Nutrition Fact label.

If a CE is unable to access a web-based calculator, the following guidance demonstrates how to calculate the Nutrient Standards for a food and/or beverage item.

See *Administrator's Reference Manual (ARM), Section 23, Food Product Labeling* for additional guidance on how to calculate total fat, saturated fat, sugar per serving, and sodium per serving.

Items Exempt from Competitive Food Nutrition Standards

The following food and/or beverage items are exempt from some or all of the Competitive Food Nutrition Standards:

Combination Foods

- Items which include a combination of only dried fruit, nuts, and seeds as long as the product contains no added nutritive sweeteners or fats are exempt from the total fat, saturated fat, and sugar standards.
- Items which include a combination of fruits and/or vegetables as long as there are no added ingredients except water are exempt from all Nutrient Standards.

Fruits and Vegetables

- Fruits[14] and vegetables that are fresh, canned, pureed, or frozen that have no added ingredients except water are exempt from all Nutrient Standards.
- Fruit packed in 100 percent juice, extra light, or light syrup are exempt from all Nutrient Standards.
- Canned vegetables with no added ingredients except water that contain a small amount of sugar for processing purposes are exempt from all Nutrient Standards.
- Canned vegetables that are low sodium or have no salt added that contain no added fat.
- Dried or dehydrated whole fruit or vegetables or pieces of fruit or vegetables with no added nutritive sweeteners are exempt from the sugar standard.
- Dried whole fruit or pieces of fruit with nutritive sweetener required for processing and palatability are exempt from the sugar standard. At this time, the only types of dried fruit that may have added nutritive sweeteners and be exempt from the sugar standard are dried cranberries, dried tart cherries, and dried blueberries.

Paired Exempt Foods

- When two or more food items that are exempt from the Competitive Food Nutrition Standards are paired or packaged together without additional ingredients, the paired exempt items retain their individually designated exemption for total fat, saturated, fat, and/or sugar.

  For Example:

[14] Any fruit product with sugar that meets the Nutrient Standards and has fruit as the first ingredient may still be sold if it meets all Competitive Food Nutrition Standards.

- Reduced Fat Cheese Served with Apples. Reduced fat cheese is exempt from the total fat and saturated fat limits. When it is paired with a vegetable or fruit, such as apples, the paired snack is only required to meet the calorie and sodium limits.
- Celery with Peanut Butter and Unsweetened Raisins. Peanut butter is exempt from the total fat and saturated fat requirements. When it is paired with a vegetable or fruit, such as celery, the paired snack retains the fat exemptions and may be served if it meets the calorie and sodium limits. Dried fruit, such as unsweetened raisins, are exempt from the sugar limit. However, calorie and sodium limits still apply to the snack as a whole.

Proteins

- Reduced fat cheese and part skim mozzarella cheese are exempt from total fat and saturated fat standards.
- Bean dips are excluded from the total fat standard only. The term "bean dip" includes hummus, as well as other dips made with beans, peas, and/or lentils.
- Nuts and seeds and nut/seed butters are exempt from total fat and saturated fat standards.
- Dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat are exempt from the total fat and saturated fat standards.
- Seafood with no added fat is exempt from total fat standard only.
- Whole eggs with no added fat are exempt from the total fat and saturated fat standards but are subject to the calorie and sodium standards.

Other Items

- Sugar-free chewing gum is exempt from the Competitive Food Nutrition Standards.

Special Situations, Food and Beverage Items

The following guidance provides additional information on special situations related to the nutrient values of food and beverage items under the Competitive Food Nutrition Standards:

Accompaniments or Condiments

The nutrient profile for any accompaniment or condiment must be included in a food and/or beverage item's nutrient values—that is, the accompaniment or condiment counts toward the item's total nutrient values. Accompaniments or condiments include, but are not limited to, dressings or toppings, i.e., food items added to a food and/or beverage.

Calculating the Portion Size for an Accompaniment or Condiment

In cases where the CE uses bulk accompaniment or condiment products instead of individually packaged accompaniments or condiments, the CE must establish an average amount used—that is dividing the total amount served by the number of servings taken.[15]

[15] See the *When Competitive Food Nutrition Standards Apply* subsection in this section for additional information related to accompaniments or condiments intended to be used with a food and/or beverage or item that is sold.

After calculating the average portion size, the CE will determine the nutrient values for the portion size and add the average portion's nutrient values to that amount to get the nutrient values for the item.[16]

Calculation Accompaniment or Condiment Nutrient Value Chart				
Average Portion Size				
Total Amount for All Portions Served		**Number of Servings**		**Average Accompaniment or Condiment Portion Size**
48 oz	÷	55	=	.818
Total Item Nutrient Value (Calculate for Each Nutrient Value in the Item Using Information from the Nutrition Fact Label)				
Nutrient Value for Average Portion Size		Nutrient Value for Food and/or beverage Item		Total Nutrient Value for Food and/or beverage Item
2 mg sodium	+	100 mg sodium	=	102 mg sodium

Caffeinated Beverages

CEs may serve caffeinated beverages to high school students as long as all Competitive Food Nutrition Standards are met. However, research on the effect of caffeine on adolescents is only beginning to emerge; schools should exercise caution when selecting caffeinated items for sale to students.

The Competitive Food Nutrition Standards do not allow food and/or beverage items with caffeine to be served to elementary or middle schools students with the exception of trace amounts of naturally occurring caffeine.[17]

Cheese and Crackers

If the cheese and crackers are packaged separately and sold as separate items, cheese and crackers are not considered a combination item. Therefore, each item must meet the nutritional standards individually.

Cheese and Crackers as a Combination Item.

To be a combination item, the cheese and cracker item must be

1. listed on the planned menu as a combination item,
2. served as a unit, and
3. have either a dairy food or whole grain as the first ingredient.

Coffee and Tea, High School Only

Coffee and tea are classified as Other Beverages and must meet the Nutrient Standards for Other Beverages.

[16] CEs must retain calculations documentation or records that demonstrate established average serving sizes for accompaniments or condiments with meal production documentation.

[17] Chocolate milk has naturally occurring caffeine.

Espresso with Steamed Milk

Espresso with steamed milk may be served at the high school level if the following requirements are met:

1. Steamed milk is made from flavored/unflavored approved milk option.
2. No more than a 12 fl oz beverage (including added ice) is served.

Espressos may also be served over ice or blended with ice.

Culinary Education Programs

The Competitive Food Nutrition Standards have no impact on the curriculum for culinary education programs. Food/menu items prepared and tasted in the culinary program classes do not have to meet Competitive Food Nutrition Standards if they are not sold. The culinary program may continue to sell any food prepared to adults or the larger community during the school day on the school campus and to students outside of the school day. However, if the culinary program prepares and sells food to students during the school day, the Competitive Food Nutrition Standards do apply to food and/or beverages sold to students.

Dairy, Milk Beverages

Allowable milk beverages under the competitive rule include flavored (K-12 only) or unflavored whole milk, reduced-fat milk, low-fat milk, or fat-free milk, Kefir (cultured milk), buttermilk, acidified milk, acidophilus milk, or nutritionally equivalent milk alternatives as permitted by the school meal requirements.

Dairy, Deviated Identity Milk Beverages

A deviated identity milk beverage is beverage labeled by the manufacturer as a *milk product* but cannot be counted as milk product because the product profile does not meet the federal standards for identifying the product ingredients as a dairy product. Deviated identity milk beverages cannot be served as a competitive food. Since probiotic dairy drinks, drinkable yogurt, milk shakes, and/or high protein low-fat milk have a deviated statement of identity, these products cannot be served as a dairy product.

Non-Dairy Food and/or Beverages

Under the competitive rules, a dairy product must meet the specific federal standards for identification as a dairy product to count as a dairy product or as one of the non-grain major food groups.[18] Products that do not meet the federal standards might include nut butters, margarine, or rice milk even if the product contains one of the nutrient components of a milk product such as milk fat or milk protein. However, if the product container or the ingredient declaration specifies that the product is *ice cream*, which is a standard identity for dairy food, and has an ingredient list that includes milk fat, milk solids, or cream, the product is a dairy product or one of the non-grain major food groups.

Fruit Concentrate

A fruit juice product may be packaged in a concentrated form that is intended to be diluted as described in the product directions to make 100 percent fruit juice. In

[18] See the *Competitive Food Nutritional Standards Chart, General Food Nutritional Standards* subsection in this section. Non-grain major food groups are fruit, vegetable, dairy, or protein food.

this case, once the concentrated fruit juice has been diluted as described in the directions, it is *100 percent fruit juice*.

However, when *fruit concentrate* or *fruit concentrate puree* is listed as an ingredient on a nutrition fact label or manufacturer's statement for a product that is not intended to be diluted to make 100 percent fruit juice, the *fruit concentrate* or *fruit concentrate puree* is not considered to be fruit or fruit juice. In this case, the fruit concentrate ingredient is considered to be an added sweetener and, therefore, must be counted as an additive sweetener when calculating the nutritional values for a food and/or beverage item.

[NOTE: Typically, when fruit concentrate or fruit concentrate puree is an additive sweetener, it is not the first ingredient listed on the nutrition fact label.]

Fruit Juice Labeled 100% Juiced

Juice products labeled *100% juiced* are not 100% juice products.

Frozen Fruit Product

A CE has the option to serve a frozen fruit product (i.e., slushy, frozen fruit bar) as a food item or a beverage item. The CE must designate whether the frozen fruit product is a food and/or beverage item on its planned menu.

Frozen Fruit, Food Item

If a CE serves a frozen fruit product as a food item, the product must (1) contain one of the main food groups (protein, dairy, fruit, or vegetable) as the first ingredient and (2) meet the appropriate Nutrient Standards.

Frozen Fruit, Beverage Item

If a CE serves a frozen fruit product as a beverage, the following guidance must be used.

- Elementary and Middle Schools—The product must have no added sweeteners since only 100 percent juice and water are allowed. The product must meet the Nutrient Standards for the type of beverage.
- High Schools—The product may be served as (1) a juice item if it is 100 percent juice and water or as (2) an Other Beverage if the frozen fruit product contains added sweeteners or other ingredients. In either case, the product must meet the calorie requirement for the beverage type.

Non-traditional Grain Products

Non-traditional grain products—such as pasta, tortilla chips, or crackers—made with meat alternates with first ingredients such as beans or bean powder are not considered an entrée item[19] for competitive foods unless they are combined with a meat/meat alternate, a meat/meat alternate and a vegetable, or a meat/meat alternate and a fruit.

When sold by themselves, non-traditional grain products which have grain as the first ingredient must meet the General Food Nutrition Standards for food items with a non-grain-food group as the first ingredient.

When sold as part of a combination food, the combination food must meet the Entrée Criteria for competitive foods or qualify as an exempt entrée item.

[19] See Entrée Items for Competitive Foods subsection in this section for additional information on entrée items.

For Example: Lentil crackers combined with hummus may be sold as an entrée item, assuming the combined item meets the Entrée Criteria.

Popcorn

Popcorn is considered a whole grain if the ingredient label lists the first ingredient as popcorn. Popcorn may be sold as a competitive food item if the product meets the Competitive Food Nutrition Standards.

Salad

CEs have the option to menu a salad in the way that best meets their needs. Therefore, a salad may be served as a vegetable food item or a combination food.

Side Dish from Reimbursable Meal

When a side dish from a reimbursable meal is offered as a competitive food item, the side dish must meet the Competitive Food Nutrition Standards—side dishes are not exempt from Competitive Food Nutrition Standards.

Smoothie

Smoothies may be sold as a food item or beverage item, depending on the ingredients used to make the smoothie.

Smoothie, Beverage Item

A smoothie is considered to be a beverage when it is comprised of 100% juice; whole, reduced-fat, low-fat, or nonfat milk (including milk alternatives or substitutes),[20] and water (or ice). To be served as a competitive food, a smoothie beverage item must meet the Beverage Standards for the school level for which it is served—elementary, middle, or high school.

If a beverage smoothie sold at the high school level contains added sweeteners, it would fall in the Other Beverage category, and, therefore, must meet the Other Beverage requirements.

Smoothie, Breakfast Entrée

If a smoothie meets the breakfast meal pattern and was offered the day of or the next operating day after service as a reimbursable meal item, it may be designated as a breakfast entrée which can be served as an exempt entrée item.[21]

Smoothie, Food Item

A smoothie is considered to be a food item if the smoothie meets the (1) General Food Nutrition Standards, containing one of the main food groups other than whole grain (protein, dairy, fruit, and vegetables) as a first ingredient and (2) Nutrient Standards for calories, saturated fats, sodium, and sugar.

If a smoothie also meets the criteria for a food entrée item or main dish item—that is, contains a meat alternate (i.e., yogurt, peanut butter) in addition to a fruit or vegetable, it may be sold as an exempt entrée.
If a smoothie does not meet the criteria for a food entrée item or main dish but meets the General Competitive Food Nutrition Standards and Nutrient Standards, it may be sold as a snack.

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20 See the *Administrator's Reference Manual, Section 8, Breakfast or Section 9, Lunch* for additional information on appropriate milk alternatives or substitutes.

21 See the *Special Situations, Combination Foods* subsection in this section for additional information on this topic.

Soy Products

Soy products, such as tofu and textured vegetable protein (TVP), are considered protein foods. If tofu, TVP, or soybean is listed as the first ingredient in a food item, the product meets the criterion for a protein food and may be served as a competitive food if the item meets Nutrient Standards.

Soy Nuts, Protein Food Item

Soy nuts are dried soybeans that fall into both the protein[22] group and vegetable group. When listed on the planned menu as a protein food item, the vegetable exemption for the Competitive Food Nutrition Standards does not apply.

Soy Nuts, Vegetable Food Item

When soy nuts or dried soybeans are listed on the planned menu as a vegetable, the soy nuts are exempt from the total fat and saturated fat under the nut/seeds exemption. However, soy nuts are still subject to the Nutrient Standards for calories, sugar, and sodium.

Soy-Beverages

Fortified soy-beverages are an allowable milk alternative in schools. Therefore, if the soy-beverage meets the Nutrient Standards for milk, these products are allowable as a competitive food item.

Yogurt with Fruit

Yogurt is a dairy product; however, when yogurt is combined with fruit, vegetables, or whole grain rich food (i.e., granola), it becomes a combination food entrée.[23]

TDA Resources

The following TDA resources may assist CEs in meeting the requirements for the Competitive Food Nutrition Standards: [24]

- *Competitive Food (Smart Snacks) Worksheet*

Information Box 2

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.

Records Retention

CEs have the option to maintain documentation or records on paper or electronically. CEs are encouraged to develop a system of document retention that allows them to readily retrieve documentation. TDA may request documentation as part of the administrative review processes.

All documentation or records must be kept on file for a minimum of five years for public and charter schools or three years for private schools, nonprofit organizations, and residential child care institutions after the end of the fiscal year to which they pertain.

The CE must retain the following types of documentation related to food production in its records retention system:[25]

- Administration of the program

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22 Meat/Meat alternate

23 See the *Combination Foods for Competitive Foods* subsection in the section for additional information on this topic.

24 Available at *www.SquareMeals.org*.

25 See *Administrator's Reference Manual (ARM), Section 30, Records Retention* for additional information on this topic.

- Counting and claiming
- Food purchase and production
- Program review as well as onsite monitoring forms

For more information on the specific types of documentation that is required, see *Administrator's Reference Manual (ARM), Section 30, Records Retention*.

Documentation for Competitive Foods

The CE must keep complete and accurate documentation or records for competitive beverages and foods sold. This documentation is the CE's method to demonstrate that food and/or beverage items sold met the Competitive Food Nutrition Standards. Documentation includes, but is not limited to, child nutrition labels (CN labels), nutrition fact labels, *USDA Food Fact Sheets for Schools & Child Nutrition Institutions*, manufacturer product formulation statements, menus, nutrition value calculations, nutrition fact labels, invoices, and forms or records indicating portion sizes and number of servings.

Alliance Calculator Tool

CEs may use a printed or electronic copy of the results from the calculator tool to demonstrate that a product meets Nutrient Standards; however, relevant nutrition fact labels or product/manufacturer's statement must also be retained to demonstrate the information recorded in the calculator was entered correctly.

While there is no one specific strategy for maintaining documentation on competitive foods, TDA recommends that each CE develop a system that aligns to its menu cycle, particularly if the CE is selling breakfast and/or lunch entrée items or main dishes as competitive food items.

CEs should use the following guidance in maintaining documentation or records:

- Document or form providing information about beverage or food items that includes
  - Serving/portion size information for a la carte beverage and food sales
  - Number of sales for each beverage or food item
- Menus for reimbursable meals, including information on breakfast or lunch entrees to be sold as exempt items
- Invoices for beverage and food products purchased
- Documentation that demonstrates the nutrition profile for competitive food beverage or food that includes, but not limited to,
  - Child nutrition labels (CN Labels)
  - Nutrition facts labels
  - *USDA Food Fact Sheets*
  - Product formulation statements to demonstrate the nutritional profile of all a la carte items[26]

[26] See *Administrator's Reference Manual, Section 24, Child Nutrition (CN) Labeling and Product Documentation* for additional information on this topic.

- Print out from the USDA competitive food calculator with appropriate product documentation

Documentation should be organized in an easily accessible format on a daily basis with cumulative accounting weekly or monthly as appropriate and ready for review on request.

If a CE chooses to hold exempt fundraisers, the CE must maintain adequate documentation to indicate the dates for each site's exempt fundraisers.

Documentation or Records for Concession Stands or Other Events Where Food and/or Beverages Are Sold During the School Day on the School Campus

If food and/or beverage items are sold during the school day on the school campus for a concession stand or other event, the CE must have a system in place to retain documentation or records demonstrating that the food and beverage items sold at the concession stand or other event met the Competitive Food Nutrition Standards. The CE, not the school nutrition program, is responsible for the retention of all documentation or records relating to the sale of food and/or beverages during school day on the school campus that are not sold by the SNP. This responsibility is not assigned to the SNP.[27]

Currently, there is no state or federally required method for keeping this documentation, TDA recommends that the CE establish a CE-wide policy about maintenance of documentation or records for a concession stand or other event.

[NOTE: Although the CE is required to retain appropriate documentation or records for all food and beverage items sold, the school nutrition program itself is not responsible for maintaining documentation or records related to the sale of food and beverage items during the school day on the school campus when those food and beverage items are not sold by the school nutrition program.]

CEs may find it helpful to provide training to operators of concession stands or other events so that operators understand the requirements.

Compliance

TDA will assess compliance with Competitive Food Nutrition Standards during an administrative review (AR) or at other times as appropriate. TDA's assessment will include an analysis of food and/or beverage items sold in competition with reimbursable meals.

TDA will take fiscal action, as appropriate, for the following violations:

- Not meeting the Competitive Food Nutrition Standards
- Inadequate or unavailable documentation related to competitive foods

CEs with findings in these areas will be required to complete adequate Corrective Action Documentation (CAD).

[27] 7 Code of Federal Regulations (CFR) 210.11 (b)(2), Recordkeeping, Federal Register, Volume 78, Number 125, June 28, 2013, Page 39091.