



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Thomas R. Bice  
State Superintendent of Education

June 17, 2015

**MEMORANDUM**

**TO:** County and City Superintendents of Education

**FROM:** Thomas R. Bice *TRB*  
State Superintendent of Education

**RE:** USDA Smart Snacks in School and Fundraising

On May 12, 2015, members of the Alabama State Board of Education adopted an amended resolution that endorses changes for the Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities Policy for the local education agencies and other sponsors participating in the National School Lunch and Breakfast Programs. The USDA Smart Snacks in School and Fundraising Activities resolution is effective July 1, 2015, with implementation to begin school year 2015-16.

The purpose of the policy is for all school districts and organizations participating in USDA programs to focus on improving food quality by offering healthy food choices on their campus in vending machines, school stores, and cafeterias. This means that school administrators and child nutrition directors must evaluate all foods served and sold on campus to validate Smart Snacks standard compliance of the nutrition content of products as established by the USDA and the *Hunger-Free Kids Act of 2010*. School administrators and child nutrition staff will evaluate and maintain each product evaluation.

In addition to serving healthy food options in school vending machines, school stores, and cafeterias, fundraising activities shall also reinforce food choices that promote good health of children. Fundraisers that are compliant with USDA Smart Snacks standards may be sold on school campuses during the school day after school breakfast and school lunch periods have concluded. At no time may fundraisers compete with the sale of breakfast and lunch. The USDA has provided states with an option for selling food fundraisers that do not meet the Smart Snacks standards. This option is known as "Exempt Fundraisers." Alabama has determined that "Exempt Fundraisers," which involve food items that do not meet the Smart Snacks standards, may not exceed 30 fundraisers of no more than one (1) day per school year. Therefore, the number of fundraisers may not exceed 30 school days per year. The Exempt Fundraisers do not include food items sold in school stores, vending machines, before school on school campus, or as ala carte items in cafeterias. Exempt Fundraisers may not be sold one (1) hour before and one (1) hour after meal periods. Superintendents, principals, and child nutrition directors will implement the fundraiser programs following the procedures detailed in the attached information.

The implementation of this policy will require strong commitment of all district administrators, faculty, and parent organizations. Each school district superintendent and non-public school administrator will complete an attestation statement annually stating that all school campuses will comply with the policy. Each principal will complete the Exempt Fundraiser form and approve school fundraisers semiannually, July 1 and January 1.

If you have questions or need clarification of the policy implementation, please contact June Barrett, Child Nutrition Program Coordinator, at (334) 242-1988.

TRB/JBB/LR  
Attachments

cc: Administrators of Private Schools and Residential Child Care Institutions

FY15-3041

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# **Alabama**

## **Implementation of USDA Smart Snacks in School and Fundraising Activities**

### **Nutrition Implementation Guidelines**

#### **School Settings (Cafeteria and Vending Machines)**

Beginning SY 2015-2016, schools shall provide a consistent environment that is conducive to healthful eating behaviors during school hours. The school campus shall reflect healthy nutrition environments. Schools must not establish policies, class schedules, bus schedules or other barriers that directly or indirectly restrict access to and compete with meal schedule. After being seated with their meal, students must have a minimum of 15-20 minutes to consume their meal.

Healthy and appealing foods shall be available through cafeteria meals and a la carte items. Foods served and/or sold through the cafeteria shall adhere to the Smart Snacks in School standards established by USDA and the Healthy Hunger-Free Kids Act of 2010. Portion sizes, calories, sodium, fat, and sugar limits must comply with the requirements as described by the USDA Smart Snacks in School standards.

Schools must review the items offered as a la carte sales and evaluate the nutritional contribution of each item. Single items and additional portions of foods that constitute the reimbursable meal may be sold as a la carte so long as these items are also in compliance with the USDA Smart Snacks in School standards. Foods sold as the "entrée" of any single meal are exempt from the USDA Smart Snacks in School standards, and may be sold a la carte on the day of, and the day after, the item is on the menu. Except in the case of entrees, as outlined above, all foods sold a la carte during the school day must meet the USDA Smart Snacks in School standards as outlined below. Food items that do not meet these standards should be eliminated from a la carte sales, or be sold in reduced portion sizes in order to comply with the USDA requirements.

Schools should focus on improving food quality in the school meal programs by offering whole grain-rich breakfast and lunch items, having one percent or less fat milk as the standard beverage, and increasing fruit and vegetables preferably using freshly grown, Alabama produce. Preparation of foods in the cafeteria must use cooking techniques to reduce fat, sugar, and sodium in school meals. School districts must not prepare foods by deep or pan frying and should reduce the number of pre-prepared (i.e. processed) food items that are planned and served each week. Food flash-fried by the manufacturer may be served but should be prepared by a food preparation method other than frying. The State staff in the Child Nutrition Program (CNP) will work with local school system CNP employees to address modifications necessary to offer healthier school meals.

Every school shall ensure that all foods sold in vending machines, school stores, and cafeterias are in compliance with the USDA Smart Snacks in Schools standards. The School Food Authority (SFA) may wish to utilize focus group(s), surveys and other methods to evaluate and approve items that are in compliance with USDA Smart Snacks in Schools standards. Healthy products must be priced at a level that encourages students to purchase them.

Amendments made by Section 208 of the Healthy Hunger-Free Kids Act of 2010 required the Secretary of Agriculture to establish nutrition standards for all foods sold in schools, other than food sold under the school lunch and breakfast programs. Foods sold will follow the Smart Snacks in School Standards, or "Nutrition Standards for All Foods Sold in School FNS-2011-0019. Food items in competition with the CNP scheduled meal time may not be sold or provided free of charge to students. This includes, but is not limited to food items purchased through school organizations and those donated from outside sources. To encourage students to eat healthy meals, schools are required to restrict student access to concessions,

extra sales, vending, and fundraisers one hour before or after meal periods. Therefore, schools may not schedule sales of such items immediately before or after meals that would compete with the meal service. If sales should occur that are in competition with the meal, then all income generated from such sales will be required to be given to Child Nutrition for depositing in the school cafeteria account. The policy is not intended to restrict access to healthy snacks during recess, or at times other than the meal service.

### **Nutrition Standards for Foods Sold Individually (exempts reimbursable meals)**

#### **Smart Snacks in Schools guidelines as established by the USDA:**

*Any food sold in schools must:*

- *Be a "whole grain-rich" grain product; **or***
- *Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; **or***
- *Be a combination food that contains at least ¼ cup of fruit and/or vegetable; **or***
- *Contain 10% of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D, or dietary fiber)\**

*\*On July 1, 2016, foods may not qualify using the 10% DV criteria.*

*Foods must also meet several nutrient requirements:*

- *Calorie Limits*
  - *Snack items: 200 calories or less*
  - *Entrée items: 350 calories or less*
- *Sodium Limits*
  - *Snack items: 230 mg or less\*\**
  - *Entrée items: 480 mg or less*
- *Fat Limits*
  - *Total fat: 35% of calories or less*
  - *Saturated fat: Less than 10% of calories*
  - *Trans fat: zero grams*
- *Sugar Limit*
  - *35% or less of weight from total sugars*

*\*\*On July 1, 2016, snack items must contain 200 mg sodium or less per item.*

#### **Accompaniments**

- *Must be included in the nutrient profile as part of the food item sold to help control the amount of calories, fat, sugar, and sodium added to foods.*
- *Examples include: cream cheese, salad dressing, catsup, mustard, pickles, pickle relish, dips, sauces, and butter.*

#### **School Definitions:**

- |                             |                      |
|-----------------------------|----------------------|
| • <b>Elementary Schools</b> | <i>Pre K-Grade 5</i> |
| • <b>Middle Schools</b>     | <i>Grades 6-8</i>    |
| • <b>High Schools</b>       | <i>Grades 9-12</i>   |

#### **Beverages Portion Sizes**

*All schools may sell:*

- *Plain water (with or without carbonation)*
- *Unflavored low fat milk*
- *Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SBP*
- *100% fruit or vegetable juice*
- *100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.*

*Portion size limitations by school categories:*

- *Elementary schools may sell up to 8-ounce portions of milk or juice*
- *Middle schools and high schools may sell up to 12 ounce portion of milk and juice.*
- *There is no portion size limit for plain water.*

***Additional “no calorie” and “lower calorie” beverage options for high school students:***

- ***No more than 20-ounce portions of calorie-free, flavored water (with or without carbonation); and other flavored and/or carbonated beverages that are labeled to contain less than 5 calories per 8 fluid ounces or 10 calories or less per 20 fluid ounces.***
- ***No more than 12 ounce portions of beverages with 40 calories or less per 8 fluid ounces, or 60 calories or less per 12 fluid ounces.***

**School Day**

*School Day means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day.*

**Fundraising Activities**

Fundraising activities that involve the selling of food should reinforce food choices that promote good health.

**Allowable Fundraising on School Campuses:**

- Foods that meet the USDA Smart Snacks in School standards, but are not sold in competition with school meals. Example: Fruit
- Foods that do not meet the USDA Smart Snacks in School standards, but are not consumed at school. Example: Cookie Dough Sales
- Non-food items. Example: School Supplies
- Food fundraisers which meet exempt fundraising definition.

**Exempt Fundraiser Definition**

An exempt food fundraiser is defined as the sale of food items that do not meet the USDA Smart Snacks in School standards and are sold during the school day. A school may sponsor up to and not to exceed **30 exempt fundraisers per year**, for no more than one (1) day each in length. Exempt fundraiser food is prohibited from being sold as a la carte item, in vending machines or in school stores, or before school on school campus.

Foods sold as part of exempt fundraisers may not be sold one (1) hour before or after meal periods. Example: If lunch ends at 12:30 p.m., then the fundraiser could not start until 1:30 p.m. Exempt Food Fundraiser Procedure:

- School principal
  - Alabama's Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form.
    - Complete, approve and sign form (attachment 3).
    - Provide copy to CNP Director.
    - Provide documentation of approval upon request by Alabama State Department of Education (ALSDE) for audit review.
- Superintendent
  - Attestation of Compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities.
    - Complete and sign the attestation document (attachment 4).
    - Provide to CNP Director's to support the annual online application renewal
- Child Nutrition Director
  - Place a copy of the Alabama's Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form (signed by the school principal) in the wellness plan file.
  - Provide documentation of approval upon request by ALSDE.

Semi-annual due dates are: July 1 and January 1 of each school year. The completed Alabama's Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form is required to be signed and on file as described above before exempt food fundraisers commence.

<sup>a</sup> Richard B. Russell National School Lunch Act (79 P.L. 396, 60 Stat.230)

<sup>b</sup>Healthy Hunger Free Kids Act of 2010

<sup>c</sup>Federal Register, Vol. 78, No. 125, Friday, June 28, 2013, Rules and Regulations

<sup>d</sup>U.S. Department of Agriculture, Food and Nutrition Service, FNS-466, December 2013

<sup>e</sup>U.S. Department of Agriculture Memo SP 36-2014, Smart Snacks Nutrition Standards and Exempt Fundraisers

## Alabama's Implementation of USDA Smart Snacks in School and Exempt Fundraisers Form

School Food Authority (SFA) \_\_\_\_\_

School Name \_\_\_\_\_

Please check one: ☐ July 1 ☐ January 1

Form should be completed and signed by the principal before the fundraisers commence.

	Sponsoring Organization	Item Sold	Date of Sale
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Principal Signature \_\_\_\_\_

Date \_\_\_\_\_

Original: Principal File At School Copy: SFA CNP Wellness File

## Annual Attestation Statement

DATE:

FROM: [School Food Authority Superintendent]

TO: [State Agency Official and Title]

SUBJECT: Attestation of Compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities

**Instruction: The following statement must be signed by the school food authority (SFA) superintendent operating exempt food fundraisers in schools with National School Lunch and/or School Breakfast Programs, and filed as outlined in the Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities.**

I \_\_\_\_\_, as the superintendent of \_\_\_\_\_ [SFA Name], do hereby attest that the aforementioned SFA and all schools under its jurisdiction operating the National School Lunch Program authorized under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq), and/or the School Breakfast Program authorized under the Child Nutrition Act of 1966 ( 42 U.S.C. 1773), are in compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities for School Year \_\_\_\_\_.

I certify that this attestation is true and correct, and therefore, I believe

\_\_\_\_\_ [SFA Name] is in compliance with Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities.

In addition, I understand that Alabama Implementation of USDA Smart Snacks in School and Fundraising Activities Form must be completed semi-annually and filed by the following dates: July 1 and January1 of each School Year.

\_\_\_\_\_  
*Superintendent Signature*

\_\_\_\_\_  
*Date*

*Original: CNP Director*