

# Snack Foods and Beverages In Alabama Schools

A comparison of state policy with USDA's nutrition standards

Alabama's Healthy Snack Standards for Foods and Beverages at School were developed by a committee appointed by the state superintendent of education. The standards were adopted by the Alabama State Board of Education on July 12, 2005, and compliance is monitored by the state Department of Education. These policies are under review in order to better align them with the USDA's Smart Snacks in School interim final rule.

Policy Applications		
	USDA interim final rule	Alabama standards <sup>1</sup>
<b>What is covered by the policy?</b>	This policy applies to all snack foods and beverages sold in schools—elementary, middle, and high—operating the National School Lunch Program (NSLP) and School Breakfast Program (SBP) effective July 1, 2014.	This policy applies to all snack food and beverages available to students in elementary, middle, and high schools across the state.
<b>Does the policy address preemption?</b>	The interim final rule sets minimum standards for foods and beverages that local educational agencies, school food authorities, and schools must meet. State agencies and/or local school districts may establish other standards if they are consistent with or stricter than the national policy.	Schools have the discretion to prohibit any specific items according to standards established by the school or school district.
<b>Definition of "school day"</b>	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	The period of time from children's arrival at school until after the end of the last scheduled class.  This policy does not apply to the extended school day and thus does not cover any after-school activities.  Schools are prohibited from selling or providing free of charge any food or meal that is in competition with the scheduled school meal. Schools are required to restrict student access to concessions, extra sales, vending, and fundraisers during the meal periods. Schools may not schedule sales immediately before or after meals that would in effect compete with the meal service.
<b>Definition of "school campus"</b>	All areas of the school's property accessible to students during the school day are considered part of the school campus.	All areas of the school, including a la carte sales in the cafeteria, vending machines, school stores, fundraisers, classroom parties, and other school events.

<sup>1</sup> This chart reflects state policies in place as of Aug. 1, 2014, and federal standards as of Sept. 11, 2014.

Foods		
	USDA interim final rule	Alabama standards
<b>General</b>	<p>A food item must meet all the competitive food-nutrient standards, as outlined in this chart, and</p> <ul style="list-style-type: none"> <li>• be a whole-grain product containing 50% or more whole grains by weight or have whole grains listed as the first ingredient, or</li> <li>• have as the first ingredient one of the non-grain major food groups: a fruit, vegetable, dairy product, protein food, or</li> <li>• be a combination food that contains at least ¼ cup of fruit and/or vegetable, or</li> <li>• Through June 30, 2016, a competitive food can contain 10 percent of the Daily Value of a nutrient of public health concern as identified in the <i>Dietary Guidelines for Americans</i> (i.e. calcium, potassium, vitamin D or dietary fiber).</li> </ul> <p>If water is the first ingredient, the second must be one of the food items above.</p>	The following food standards outline maximum levels for a single portion size.
<b>Calories (per item as packaged or served)</b>	<p>≤ 200 calories for snacks and side dishes</p> <p>≤ 350 calories for entree items</p>	No standard
<b>Total fat</b>	≤ 35% of total calories	< 10% daily value, or DV, for total fat (snacks and vending)
<b>Saturated fat</b>	≤ 10% of total calories	No standard
<b>Trans fat</b>	Zero grams	No standard
<b>Sugar (per item as packaged or served)</b>	≤ 35% of weight from total sugars in foods	No standard
<b>Sodium (per item as packaged or served)</b>	<p>≤ 230 mg of sodium for snack items (July 2014-June 30, 2016)</p> <p>≤ 200 mg of sodium for snack items (as of July 1, 2016)</p> <p>≤ 480 mg of sodium for entree items</p>	< 360 mg sodium (snacks and vending)

Foods		
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Other	<p>NSLP and SBP entrees sold a la carte are exempt from the rule's nutrient standards if sold on the day that they are offered as part of a reimbursable meal, or sold on the following school day.</p> <p>Accompaniments, such as condiments or salad dressing, must be included in the nutrient profile as a part of the item served.</p>	<p>&lt; 30 g of carbohydrate / <math>\leq</math> 10% DV of total carbohydrate (snacks and vending)</p> <p><math>\geq</math> 5% DV of at least one nutrient: Vitamin A, Vitamin C, iron, calcium, or fiber (snacks and vending)</p> <p>For some foods, portion sizes are defined:</p> <ul style="list-style-type: none"> <li>1.25 oz for baked chips, popcorn, rice cakes, puffed snacks, crackers, pretzels, pita chips, snack mix, peanut butter and/or cheese-filled crackers, trail mix, nuts and seeds, and cereals</li> <li>1.33 oz for low-fat cookies, animal crackers, graham crackers, and cereal bars</li> <li>2 oz for bakery items such as pastries, toaster pastries, muffins, bagels, and soft pretzels</li> <li>4 oz for low-fat frozen desserts, ice cream and pudding, fruit bowls</li> <li>8 oz for low-fat yogurt</li> <li>12 oz for smoothies made with low-fat yogurt or dairy alternative</li> </ul> <p>Fruits and vegetables prepared or packaged without added fat, sugar, or sodium must be available at any place snack items are sold.</p> <ul style="list-style-type: none"> <li><math>\leq</math> 10 percent of DV calories from fat</li> <li><math>\leq</math> 10 percent of DV or 30 grams carbohydrate per serving</li> <li>Portion sizes: <ul style="list-style-type: none"> <li>1/2 cup minimum for fruits and vegetables prepared without added fat, sugar, or sodium</li> <li>1/2 cup maximum for vegetables or fruits with added fat</li> <li>1.25 oz maximum for dried fruit</li> </ul> </li> </ul> <p>Foods of minimal nutritional value (FMNV), such as water ices, chewing gum, and certain candies, may not be sold in schools.</p> <p>For cafeteria meals and a la carte items, fried potato products (fries, tater tots, etc.) should be limited to a three-ounce portion size. Baked potato products that have not been pre-fried, flash-fried, or deep fat-fried in any way may be served more frequently, replacing the fried potato products. Food flash-fried by the manufacturer may be served but should be prepared in a manner other than frying.</p> <p>Single items that constitute the reimbursable meal may be sold a la carte; additional portions of those items may be sold by the cafeteria.</p>

Beverages		
	USDA interim final rule	Alabama standards
<b>General</b>	Elementary and middle schools may only sell low-fat or nonfat milk, 100 percent fruit and/or vegetable juice, and water per USDA's portion guidelines. High schools may sell additional beverages meeting calorie and serving size limits.	In elementary and middle schools, only water, milk, and juice may be sold; no carbonated drinks may be sold.  Other beverages are allowed in high schools.
Juice		
<b>Elementary</b>	100% fruit/vegetable juice ≤ 8 fl oz  100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 8 fl oz	Snack standards: 100% fruit/vegetable juice and low-sugar fruit smoothies ≤ 12 fl oz  Vending: 100% juice ≤ 8 fl oz and 120 calories, no added sweeteners, must contain at least 10% of the recommended DV for three or more vitamins and minerals
<b>Middle</b>	100% fruit/vegetable juice ≤ 12 fl oz  100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 12 fl oz	Snack standards: 100% fruit/vegetable juice and low-sugar fruit smoothies ≤ 10 fl oz, ≤ 15 calories per ounce  Vending: 100% juice ≤ 10 fl oz and 150 calories (120 calories per 8 ounces), no added sweeteners, must contain at least 10% of the recommended DV for three or more vitamins and minerals
<b>High</b>	100% fruit/vegetable juice ≤ 12 fl oz  100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 12 fl oz	Snack standards: 100% juice and low-sugar fruit smoothies ≤ 12 fl oz, no more than 180 calories  Vending: 100% juice ≤ 12 fl oz and 180 calories (120 calories per 8 ounces), no added sweeteners, must contain at least 10% of the recommended DV for three or more vitamins and minerals
Milk and milk alternatives		
<b>Elementary</b>	Low-fat milk, unflavored ≤ 8 fl oz  Nonfat milk, plain or flavored ≤ 8 fl oz  Nutritionally equivalent milk alternatives ≤ 8 fl oz	Snack standards: <ul style="list-style-type: none"><li>• Low-fat or nonfat, plain or flavored milk ≤ 16 fl oz</li><li>• Nutritionally equivalent milk alternatives ≤ 12 fl oz</li><li>• ≤ 10% DV from fat</li><li>• ≤ 30 grams sugar per 8 fl oz, no artificial sweeteners*</li></ul> Vending: <ul style="list-style-type: none"><li>• Low-fat or nonfat, plain or flavored milk or nutritionally equivalent milk alternatives, ≤ 8 fl oz</li><li>• ≤ 150 calories*</li></ul>

Beverages		
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<b>Milk and milk alternatives</b>		
<b>Middle</b>	<p>Low-fat milk, unflavored ≤ 12 fl oz</p> <p>Nonfat milk, plain or flavored ≤ 12 fl oz</p> <p>Nutritionally equivalent milk alternatives ≤ 12 fl oz</p>	<p>Snack standards:</p> <ul style="list-style-type: none"> <li>• Low-fat or nonfat, plain or flavored milk ≤ 16 fl oz</li> <li>• Nutritionally equivalent milk alternatives ≤ 12 fl oz</li> <li>• ≤ 10% from fat</li> <li>• ≤ 30 grams sugar per 8 fl oz, no artificial sweeteners*</li> </ul> <p>Vending:</p> <ul style="list-style-type: none"> <li>• Low-fat or nonfat, plain or flavored milk or nutritionally equivalent milk alternatives, ≤ 10 fl oz</li> <li>• ≤ 187 calories (150 calories per 8 ounces)*</li> </ul>
<b>High</b>	<p>Low-fat milk, unflavored ≤ 12 fl oz</p> <p>Nonfat milk, plain or flavored ≤ 12 fl oz</p> <p>Nutritionally equivalent milk alternatives ≤ 12 fl oz</p>	<p>Snack standards:</p> <ul style="list-style-type: none"> <li>• Low-fat or nonfat, plain or flavored milk ≤ 16 fl oz</li> <li>• Nutritionally equivalent milk alternatives ≤ 12 fl oz</li> <li>• ≤ 10% DV from fat</li> <li>• ≤ 30 grams sugar per 8 fl oz, no artificial sweeteners*</li> </ul> <p>Vending:</p> <ul style="list-style-type: none"> <li>• Low-fat or nonfat, plain or flavored milk or nutritionally equivalent milk alternatives, ≤ 12 fl oz</li> <li>• ≤ 270 calories (180 calories per 8 ounces)</li> </ul>
<b>Water</b>		
<b>All grades</b>	<p>Potable water must be available at no charge during meal service where breakfast and lunches are served.</p> <p>There is no ounce restriction on plain water for sale (carbonated or noncarbonated).</p>	<p>Snack standards: Plain and flavored waters without added sugar and caffeine are allowed. Plain water has no portion size limits.</p> <p>Vending: Bottled water with no portion size limits.</p>

Beverages		
	USDA interim final rule	Alabama standards
<b>Other beverages</b>		
	<p>Other beverages allowed only in high school:</p> <p>Calorie-free, flavored and/or carbonated water and other calorie-free beverages that comply with the Food and Drug Administration's requirement of <math>\leq 5</math> calories per 8 fluid oz serving (or <math>\leq 10</math> calories per 20 fluid oz), in no more than 20 oz servings.</p> <p>Beverages <math>\leq 40</math> calories per 8 fluid oz serving (or <math>\leq 60</math> calories per 12 fluid oz serving) in no more than 12 oz servings are also allowed.</p>	<p>In high schools, beverages sold a la carte in the cafeteria may include:</p> <ul style="list-style-type: none"> <li>• Noncarbonated flavored and unflavored water—unlimited portion size</li> <li>• 100% fruit juice <math>\leq 12</math> fl oz</li> <li>• Tea <math>\leq 12</math> fl oz</li> <li>• Sports drinks <math>\leq 12</math> fl oz</li> <li>• Milk <math>\leq 16</math> fl oz</li> </ul> <p>Other beverages sold in vending and school stores in high schools:</p> <ul style="list-style-type: none"> <li>• No- or low-calorie beverages, including carbonated beverages, with <math>\leq 25</math> calories (10 calories per 8 ounces) in no more than 20-ounce servings.</li> <li>• Beverages (light juices, sports drinks, teas) <math>\leq 99</math> calories (66 calories per 8 ounces) in no more than 12-ounce servings are also allowed.</li> </ul> <p>Vending machines in high schools must contain at least 50% water and no- or low-calorie beverages.'</p>
<b>Caffeine</b>		
<b>Elementary</b>	Not allowed	No broad standard, water may not contain caffeine.
<b>Middle</b>	Not allowed	No broad standard, water may not contain caffeine.
<b>High</b>	Caffeinated beverages allowed	No broad standard, water may not contain caffeine.
<b>Artificial sweeteners</b>		
	No standard	Not allowed in 100% juice products or milk

Other		
	USDA interim final rule	Alabama standards
<b>Fundraisers</b>	<p>Exemptions allowed for infrequent school-sponsored fundraisers.</p> <p>Frequency to be defined by state agency.</p> <p>Exempted fundraiser foods or beverages may not be sold in competition with school meals in the food service area during the meal service.</p>	<p>All fundraising activities that involve the selling of food during school hours, or as students gather on the school campus before school begins, or as students wait on transportation or otherwise exit the school campus following school dismissal should reinforce food choices that promote good health. This means all events outside the school day are not affected by this recommendation, and booster clubs, etc., are free to select items for sale for specific fundraising and concession sales as they see fit as long as the activity does not conflict with this position.</p>
<b>Class parties/school celebrations</b>	No standard	<p>Food or beverage items served at school parties should meet nutrition standards, and FMNV should not be provided. Some items such as birthday cakes and/or cupcakes may be allowed on an infrequent basis. Persons responsible for this compliance include school administrators or staff (principals, coaches, teachers, etc.), students or student groups, parents or parent groups, or any other person, company or organization.</p>
<b>Food marketing</b>	No standard included in the USDA Smart Snacks interim final rule; however, USDA's proposed rule on Local Wellness Policies addresses this component.	Vending machine displays in schools are limited to those that display water or 100% juice with no added sweeteners.
<b>Positive nutritional value</b>	No standard	≥ 5% DV of at least one nutrient for food sold as snacks and in vending machines: Vitamin A, Vitamin C, iron, calcium, or fiber
<b>Nutrition labeling requirements</b>	No standard	No standard
<b>Local Wellness Policy</b>	No standard included in the USDA Smart Snacks interim final rule; however, school districts are required by federal law to have a Local Wellness Policy.	No standard

Exemptions to food and beverage standards		
	USDA interim final rule	Alabama standards
<b>General</b>		
<b>General exemptions</b>	<p>Fresh, canned, and frozen fruit or vegetables with no added ingredients except water, or in the case of fruit, packed in 100 percent juice, extra light, or light syrup are exempt from the interim final rule's nutrient standards.</p> <p>Canned vegetables that contain a small amount of sugar to maintain the quality and structure of the vegetable are exempt from the rule's nutrient standards.</p> <p>Sugar-free chewing gum is exempt from competitive food standards and may be sold to students at the discretion of the local educational agency.</p> <p>"Paired exemptions" are items designated as exempt from one or more of the nutrient requirements individually and packaged together without any additional ingredients. These items retain their individually designated exemption for total fat, saturated fat, and/or sugar when packaged together and sold. "Paired exemptions" are required to meet the calorie and sodium limits for Smart Snacks.</p>	
<b>Exemptions from total fat</b>	<p>Nuts, seeds, nut/seed butters</p> <p>Reduced-fat and part-skim mozzarella cheeses</p> <p>Products consisting of only dried fruits with nuts and/or seeds, with no added nutritive<sup>†</sup> sweetener or fat</p> <p>Seafood with no added fat</p> <p>Combination foods are not exempt and must meet all nutrient standards.</p>	Nuts, seeds, peanut butter, and other nut butters may provide more than 10% DV of total fat
<b>Exemptions from saturated fat</b>	<p>Nuts, seeds, nut/seed butters</p> <p>Reduced-fat and part-skim mozzarella cheeses</p> <p>Products consisting of only dried fruits with nuts and or seeds, with no added nutritive sweetener or fat</p> <p>Combination products are not exempt and must meet all nutrient standards.</p>	
<b>Exemptions from sugar (per item as packaged or served)</b>	<p>Dried whole fruit or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruit or vegetables with no added nutritive sweeteners</p> <p>Dried fruit with added nutritive sweeteners required for processing and/or palatability purposes</p> <p>Products consisting of only dried fruits with nuts and or seeds with no added nutritive sweeteners or fat.</p>	<p>Naturally occurring sugars in fruits, vegetables, and dairy products are not included in the maximum carbohydrate amount allowed per serving.</p> <p>100% juice</p>

<sup>\*</sup> Components of the standards that are considered to be stronger than the USDA standards.

<sup>†</sup> Nutritive and non-nutritive sweeteners enhance the flavor and/or texture of food. Nutritive sweeteners provide the body with calories, whereas non-nutritive sweeteners are low in calories or contain none. They can be added to both food and beverages.

## References

Federal Register, 2013, 7 CFR Parts 210 and 220, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in Schools as Required by the Healthy, Hunger-Free Kids Act of 2010; Interim Final Rule*, U.S. Department of Agriculture, 78 (125) (June 28, 2013).

Federal Register, 2014, 7 CFR Parts 210 and 220, *Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act of 2010: Proposed Rule*, U.S. Department of Agriculture, 79 (38) (February 26, 2014).

Alabama Department of Education (2005). "Alabama's Healthy Snack Standards for Foods and Beverages at School," <http://cnp.alsde.edu/NutritionPolicy/AlaHealthySnackStandards.pdf>.

Alabama Department of Education (2007). "Vending Machine Sales Update," <http://cnp.alsde.edu/NutritionPolicy/VendingMachinesMemo.pdf>.

**KIDS' SAFE &  
HEALTHFUL  
FOODS PROJECT**

  
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**The Kids' Safe and Healthful Foods Project**, a collaboration between The Pew Charitable Trusts and the Robert Wood Johnson Foundation, provides nonpartisan analysis and evidence-based recommendations to make sure that all foods and beverages sold in U.S. schools are safe and healthful.