

Snack Foods and Beverages In Washington D.C. Schools

A comparison of state policy with USDA's nutrition standards

In 2010, the D.C. Council passed the Healthy Schools Act to address health and wellness in D.C. public, public charter, and participating private schools. Section 206 of the act requires that snack food and beverages provided by or sold in participating schools meet the requirements of the U.S. Department of Agriculture's HealthierUS School Challenge (HUSSC) program at the Gold Award level for competitive foods. The standards outlined here are those of the HUSSC Gold Award level.

Policy Applications		
	USDA interim final rule	District of Columbia standards ¹
What is covered by the policy?	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 provided by or sold in public schools, public charter schools, and participating private schools or provided by organizations participating in the Afterschool Meal Program. [*]
Does the policy address preemption?	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.	The state superintendent of education may adopt standards that exceed requirements.
Definition of "school day"	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	Some aspects of this policy apply to the extended school day, defined as 90 minutes before the instructional day begins until 90 minutes after it ends. An exception to the standards is provided for food sold or provided at official after-school events. However, third parties—other than school-related organizations and school meal service providers—are prohibited from selling food or beverages of any type to students on school property from 90 minutes before the school day begins until 90 minutes after the school day ends. [*]
Definition of "school campus"	All areas of the school's property accessible to students during the school day are considered part of the school campus.	This policy applies across the school campus to vending machines, a la carte lines, snack bars, school stores, fundraisers, student rewards, after-school meals, or other means. The nutrition standards do not apply to food and beverages available only to staff and faculty, food provided at no cost by parents, food sold or provided at official after-school events, food and beverages served at adult education programs, or food not consumed or marketed to students.

¹ This chart reflects the District's policies in place as of Aug. 1, 2014, and federal standards as of Sept. 11, 2014.

Foods		
	USDA interim final rule	District of Columbia standards
General	<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"> • be a whole-grain product containing 50% or more whole grains by weight or have whole grains listed as the first ingredient, or • have as the first ingredient one of the non-grain major food groups: a fruit, vegetable, dairy product, protein food, or • be a combination food that contains at least ¼ cup of fruit and/or vegetable, or • 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). <p>If water is the first ingredient, the second must be one of the food items above.</p>	<p>All snack food provided or sold must meet the USDA's HealthierUS School Challenge program at the Gold Level for competitive foods.*</p> <p>Fruit and vegetables may be fresh, frozen, canned, or dried; dried fruit must have no added sweetener; canned fruit must be packed in juice or light syrup.</p>
Calories (per item as packaged or served)	<p>≤ 200 calories for snacks and side dishes</p> <p>≤ 350 calories for entree items</p>	<p>≤ 200 calories for snacks or</p> <p>Portion size must be equal to or smaller than items served in the school lunch program</p>
Total fat	≤ 35% of total calories	≤ 35% of total calories
Saturated fat	≤ 10% of total calories	< 10% of total calories
Trans fat	Zero grams	Trans-fat free (< 0.5g of trans fat per serving)
Sugar (per item as packaged or served)	≤ 35% of weight from total sugars in foods	≤ 35% of weight from total sugars in foods
Sodium (per item as packaged or served)	<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>	<p>≤ 480 mg of sodium for snacks or side dishes</p> <p>≤ 600 mg of sodium per entree item</p>
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>	

Beverages		
	USDA interim final rule	District of Columbia standards
General	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.	All beverages provided or sold must meet the USDA's HealthierUS School Challenge program at the Gold Level for competitive foods.*
Juice		
Elementary	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	100% fruit/vegetable juice with no added sweeteners or nonnutritive sweeteners ≤ 6 fl oz*
Middle	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	100% fruit/vegetable juice with no added sweeteners or nonnutritive sweeteners ≤ 6 fl oz*
High	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	100% fruit/vegetable juice with no added sweeteners or nonnutritive sweeteners ≤ 8 fl oz*
Milk and milk alternatives		
Elementary	Low-fat milk, unflavored ≤ 8 fl oz Nonfat milk, plain or flavored ≤ 8 fl oz Nutritionally equivalent milk alternatives ≤ 8 fl oz	Low-fat or nonfat milk ≤ 8 fl oz Nutritionally equivalent milk alternatives ≤ 8 fl oz
Middle	Low-fat milk, unflavored ≤ 12 fl oz Nonfat milk, plain or flavored ≤ 12 fl oz Nutritionally equivalent milk alternatives ≤ 12 fl oz	Low-fat or nonfat milk ≤ 8 fl oz* Nutritionally equivalent milk alternatives ≤ 8 fl oz*
High	Low-fat milk, unflavored ≤ 12 fl oz Nonfat milk, plain or flavored ≤ 12 fl oz Nutritionally equivalent milk alternatives ≤ 12 fl oz	Low-fat or nonfat milk ≤ 8 fl oz* Nutritionally equivalent milk alternatives ≤ 8 fl oz*
Water		
All grades	Potable water must be available at no charge during meal service where breakfast and lunches are served. There is no ounce restriction on plain water for sale (carbonated or noncarbonated).	Schools are required to make cold, filtered water available free to students, through water fountains or other means, when meals are served to students. Non-flavored, non-sweetened, noncarbonated, non-caffeinated, without non-nutritive sweeteners allowed; no ounce restriction

Beverages		
	USDA interim final rule	District of Columbia standards
Other beverages		
	<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 ≤ 5 calories per 8 fluid oz serving (or ≤ 10 calories per 20 fluid oz), in no more than 20 oz servings.</p> <p>Beverages ≤ 40 calories per 8 fluid oz serving (or ≤ 60 calories per 12 fluid oz serving) in no more than 12 oz servings are also allowed.</p>	No other beverages are allowed'
Caffeine		
Elementary	Not allowed	No caffeine
Middle	Not allowed	No caffeine
High	Caffeinated beverages allowed	No caffeine'
Artificial sweeteners		
	No standard	Non-nutritive sweeteners prohibited in juice or water'

Other		
	USDA interim final rule	District of Columbia standards
Fundraisers	<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 beverages and snack food for sale as a fundraiser must meet nutrition standards.</p> <p>Exemptions for food and drink available only to faculty and staff members, food provided at no cost by parents, food sold or provided at official after school events, adult education programs, and food not consumed by or marketed to students.</p> <p>As of July 1, 2014, all fundraisers conducted on campus during the school day will meet the standards outlined above, with no exemptions.</p>
Class parties/school celebrations	No standard	<p>Nutrition standards apply to food provided in school with an exception for food and beverages provided by parents at no cost.</p> <p>Food and beverages that do not meet the nutrition standards may not be used as incentives, prizes, or awards.'</p>
Food marketing	No standard included in the USDA Smart Snacks interim final rule; however, USDA's proposed rule on Local Wellness Policies addresses this component.	Food and beverages that do not meet the nutritional standards of this policy are prohibited from being advertised or marketed in public schools and public charter schools through posters, signs, book covers, scoreboards, supplies, equipment, or other means.'
Positive nutritional value	No standard	No standard
Nutrition labeling requirements	No standard	Food service providers must provide the menu for each breakfast and lunch meal served, nutritional content of each menu item, ingredients (if requested), and the location where fruit and vegetables served are grown and processed, and whether growers use sustainable agriculture practices.'
Local Wellness Policy	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.	Each school is required to develop, adopt, and update a local wellness policy, to be revised once every three years. Each Local Wellness Policy program must meet federal requirements and include goals for improving environmental sustainability of schools, increasing local produce and products, and increasing physical activity. Schools must promote their wellness policy to faculty, staff, parents, and students through their website, food service staff, PTOs, and the policy must be available in each school's office. The D.C. Office of the State Superintendent of Education is responsible for monitoring policy compliance with federal requirements and school compliance with their local wellness policies.
Other		Schools are required to provide at least 30 minutes for students to eat lunch and sufficient time during the lunch period for every student to pass through the food service line.'

Exemptions to food and beverage standards		
	USDA interim final rule	District of Columbia standards
General		
General exemptions	<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>	
Exemptions from total fat	<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>Seafood with no added fat</p> <p>Combination foods are not exempt and must meet all nutrient standards.</p>	<ul style="list-style-type: none"> • Nuts, seeds, nut butters • Reduced-fat cheeses
Exemptions from saturated fat	<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>	<ul style="list-style-type: none"> • Reduced-fat cheeses
Exemptions from sugar (per item as packaged or served)	<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>	<ul style="list-style-type: none"> • Fruits and vegetables • Milk

^{*} Components of the standards that are considered to be stronger than the USDA standards.

[†] 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).

Council of the District of Columbia (2010). "Healthy Schools Act of 2010," <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Healthy%20Schools%20Act%20as%20Amended%2020121231%20%282%29.pdf>.

Office of the State Superintendent of Education. "HSA Requirements–School Nutrition and Wellness," accessed June 1, 2014: <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/HSA%20RequirementsSchoolNutritionandWellness.pdf>.

School Nutrition Association (2014), "Smart Snacks: State Agency Fundraising Exemptions," http://schoolnutrition.org/uploadedFiles/News_and_Publications/News/SmartSnacksFundraisingExemption.pdf.

**KIDS' SAFE &
HEALTHFUL
FOODS PROJECT**


Robert Wood Johnson
Foundation

 **THE
PEW**
CHARITABLE TRUSTS

Contact: Michelle Mendes, associate, communications **Email:** mmendes@pewtrusts.org **Project website:** healthyschoolfoodsnow.org

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.