

Snack Foods and Beverages In Rhode Island Schools

A comparison of state policy with USDA's nutrition standards

In 2006 and 2007, the Rhode Island General Assembly passed legislation requiring that only healthier beverages and snacks be sold and/or distributed in state schools. The 2006 Law (Statute 16-21-29) defines the healthier beverages and snacks and requires that elementary, middle, and junior high schools sell and/or distribute only healthier beverages and snacks by Jan. 1, 2008. The 2007 Law (Statute 16-21-7) amends Statute 16-21-29 to add high schools and requires that they sell and/or distribute only healthier beverages and snacks, as defined by Statute 16-21-29, by Jan. 1, 2008. The state Department of Education also requires each school district administration to adhere to the "RI Healthy Schools Coalition Nutrition Guidelines for School Vending and A La Carte" throughout the campus, including but not limited to fundraisers, school stores, vending machines, classroom rewards, celebrations, and special events (Rule R16-21-SCHO).

Policy Applications		
	USDA interim final rule	Rhode Island 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.	All Rhode Island elementary, middle, junior, and senior high schools must sell or distribute only healthier snacks and beverages.
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.	No standard
Definition of "school day"	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	The school day ends 60 minutes (or more) after the end of the instructional day. ²
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.	Nutrition guidelines apply to the entire school campus. Healthier snack and beverage requirements extend to all items sold and distributed on school premises. ³

¹ 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	Rhode Island 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>Statute requires elementary, middle, and high schools to sell or distribute only healthier snacks.</p> <p>Healthier snacks are defined as:</p> <ul style="list-style-type: none"> • Enriched, fortified, or whole grains <ul style="list-style-type: none"> • Whole grain and multi-grain products with a minimum of 1g fiber are encouraged • Individually sold portions of: <ul style="list-style-type: none"> • Nuts, nut butters, seeds • Eggs • Legumes • Low-fat yogurt • Reduced-fat and low-fat cheese • Fruit • Vegetables that have not been deep-fried <p>A la carte items sold or offered by school food service in elementary schools are limited to fresh milk, whole or cut fresh fruits and/or vegetables, or kitchen-prepared (unprocessed) fruit and/or vegetable side dishes.’</p> <p>Middle and high school food service may sell only snack items that meet the Rhode Island Healthy Schools Coalition’s nutrition guidelines for school vending and a la carte and/or that appear on the Approved Product List prepared by the Department of Health.</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>≤ 250 calories for combination foods</p> <p>≤ 300 calories from nuts and dried fruit trail mixes</p> <p>≤ 250 calories for vegetable and/or fruit salad, including produce, salad, and dressing</p>
Total fat	<p>≤ 35% of total calories</p>	<p>≤ 30% of total calories from fat for grain products, combination foods, frozen desserts, and pudding’</p> <p>≤ 7 grams per single serving package of meat, beans, protein, and protein alternatives</p>
Saturated fat	<p>≤ 10% of total calories</p>	<p>≤ 10% of total calories from saturated fat for grain products, combination foods, frozen desserts, and pudding</p> <p>≤ 2 grams per serving of meat, beans, protein, and protein alternatives</p>
Trans fat	<p>Zero grams</p>	<p>0 grams</p>

Foods		
	USDA interim final rule	Rhode Island standards
Sugar (per item as packaged or served)	<p>≤ 35% of weight from total sugars in foods</p>	<p>≤ 7 grams per ounce for grain products and combination foods¹</p> <p>≤ 5 grams added sugar per serving for meat, beans, nuts, seeds, protein, and protein alternatives¹</p> <p>≤ 4 grams per ounce for yogurt, frozen desserts, and pudding</p> <p>Dried fruits with no added sugar¹</p> <p>Canned and frozen fruits in natural juice or water pack with no added sugar¹</p>
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>	No standard
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>Limit single-serving food items for vending and a la carte to the following portion sizes:</p> <ul style="list-style-type: none"> • 2 oz or less for grain products (includes bagels, muffins, cereal bars, baked chips, crackers, popcorn) • 1.5 oz or less for dried fruits • 1.75 oz or less for trail mix, nuts, or seeds • 2 tbsp or less for nut butters • 3 oz or less for meat, poultry, or fish • 1 cup for beans and legumes • 4 oz or less for tofu • 1 cup/8 oz or less for fresh, frozen, canned fruits, and vegetables • 4 oz or less for frozen desserts and pudding • 1.5 oz or less for cheese <ul style="list-style-type: none"> ▪ 100% real cheese, reduced- or low-fat varieties • 8 oz or less for yogurt

Beverages		
	USDA interim final rule	Rhode Island 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.	
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 juice/vegetable juice ≤ 12 fl oz Water including carbonated water, flavored or sweetened with 100% fruit juice containing no added sugar or sweetener ≤ 12 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 juice/vegetable juice ≤ 12 fl oz Water including carbonated water, flavored or sweetened with 100% fruit juice containing no added sugar or sweetener ≤ 12 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 juice/vegetable juice ≤ 12 fl oz Water including carbonated water, flavored or sweetened with 100% fruit juice containing no added sugar or sweetener ≤ 12 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 and nonfat milk ≤ 12 fl oz <ul style="list-style-type: none"> • ≤32 grams sugar per 8 fl oz or 4 grams sugar per fl oz • Sugar will not be listed as the first ingredient Soy, rice, almond beverages ≤ 12 fl oz <ul style="list-style-type: none"> • ≤ 32 grams of sugar per 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 and nonfat milk ≤ 12 fl oz <ul style="list-style-type: none"> • ≤32 grams sugar per 8 fl oz or 4 grams sugar per fl oz • Sugar will not be listed as the first ingredient Soy, rice, almond beverages ≤ 12 fl oz <ul style="list-style-type: none"> • ≤ 32 grams of sugar per 8 fl oz
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Beverages		
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Water		
All grade	<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>Water plain, with or without carbonation, no added sugar or sweeteners, no portion limit</p> <p>Water including carbonated water, flavored or sweetened with 100% fruit juice containing no added sugar or sweetener ≤ 12 fl oz</p>
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>	<p>Diet drinks excluded'</p> <p>Other beverages with ≤7 grams total fat, ≤2 g saturated fat, and zero grams trans fat</p>
Caffeine		
Elementary	Not allowed	Not allowed
Middle	Not allowed	Not allowed
High	Caffeinated beverages allowed	Not allowed'
Artificial sweeteners		
	No standard	Not allowed'

Other		
	USDA interim final rule	Rhode Island 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>	As of July 1, 2014, all fundraisers conducted on campus during the school day must adhere to USDA's Smart Snacks nutrition standards, with no exemptions allowed.
Class parties/school celebrations	No standard	No standard
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.	No standard
Positive nutritional value	No standard	Naturally nutrient-rich foods containing 10% or more of at least one of the following: calcium, vitamin C, vitamin A, iron or fiber encouraged.
Nutrition labeling requirements	No standard	No standard
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.	No standard

Exemptions to food and beverage standards		
	USDA interim final rule	Rhode Island 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>	Nuts, seeds, nut butters, unless they contain 3 grams of added fat per individual serving package
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>	Nuts, seeds, nut butters
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>	Dried cherries, blueberries, and pineapple use a small amount of sugar in processing for appearance, but are still acceptable as a dried-fruit choice.

^{*} 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).

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**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.