

Snack Foods and Beverages In South Carolina Schools

A comparison of state policy with USDA's nutrition standards

House Bill 3499, enacted in 2005, gave the state Board of Education the authority to establish requirements for elementary school competitive foods operated by the food service department. The standards outlined here are those set by the board in Regulation No. R43-168. The regulation is currently being reviewed by the state Board of Education in order to align it with the U.S. Department of Agriculture's Smart Snacks in Schools interim final rule.

Policy Applications		
	USDA interim final rule	South Carolina 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.	These guidelines apply to snack foods and beverages sold in public elementary schools, grades K-5, by school food service. Each school board of trustees must establish nutrition policies for elementary schools for limiting vending sales and other sales of foods and beverages of minimal nutritional value, as defined by the U.S. Department of Agriculture.
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 policy does not address preemption.
Definition of "school day"	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	This policy does not apply to the extended school day.
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.	No standard

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	South Carolina 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 $\frac{1}{4}$ 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>Food standards are to be applied to one serving of snacks, sweets, and side dishes, as defined below:</p> <ul style="list-style-type: none"> ▪ 1.25 oz for snacks (includes baked chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, and jerky) ▪ 2 oz for cookies or cereal bars ▪ 3 oz for bakery items (such as sweet rolls, muffins) ▪ 4 oz for frozen desserts (includes ice cream) ▪ 8 oz for yogurt (not frozen) ▪ $\frac{1}{2}$ c for fried potatoes or other fried vegetables
Calories (per item as packaged or served)	<p>\leq 200 calories for snacks and side dishes</p> <p>\leq 350 calories for entree items</p>	No standard
Total fat	\leq 35% of total calories	\leq 30% total calories*
Saturated fat	\leq 10% of total calories	\leq 10% of total calories
Trans fat	Zero grams	\leq 1% of calories
Sugar (per item as packaged or served)	\leq 35% of weight from total sugars in foods	\leq 35% of weight from total sugars in foods
Sodium (per item as packaged or served)	<p>\leq 230 mg of sodium for snack items (July 2014-June 30, 2016)</p> <p>\leq 200 mg of sodium for snack items (as of July 1, 2016)</p> <p>\leq 480 mg of sodium for entree items</p>	No standard

Beverages		
	USDA interim final rule	South Carolina 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.	School districts must make the following beverages available to all students: nonfat and low-fat (1%) milk, water, and 100% juices that do not contain added sugars or sweeteners. School districts must not sell beverages—except water or nonfat, low-fat, or reduced-fat milk—in portions larger than 12 ounces.
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	Must be 100% juice ≤ 12 fl oz May not contain added sugars or sweeteners
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	No standard
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	No standard
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	The school must ensure that at least two choices of fluid milk from the following list are offered throughout the meal service on all reimbursable meal lines: flavored or unflavored fat-free milk, low-fat (1%) milk, fat-free or low-fat lactose-reduced milk, fat-free or low-fat lactose-free milk, fat-free or low-fat buttermilk, and fat-free or low-fat acidified milk. Students must be able to choose milk from at least two milk varieties, even in alternate meal service locations.
Middle	Low-fat milk, unflavored ≤ 12 fl oz Nonfat milk, plain or flavored ≤ 12 fl oz Nutritionally equivalent milk alternatives ≤ 12 fl oz	No standard
High	Low-fat milk, unflavored ≤ 12 fl oz Nonfat milk, plain or flavored ≤ 12 fl oz Nutritionally equivalent milk alternatives ≤ 12 fl oz	No standard
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).	Must be made available. ²

Beverages		
	USDA interim final rule	South Carolina 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>	<p>No soda, soft drinks, sports drinks, punches, iced teas and coffees, and fruit-based drinks that contain less than 100% fruit juice or added sweeteners are allowed until after the last scheduled class.</p>
Caffeine		
Elementary	Not allowed	All beverages must be caffeine-free
Middle	Not allowed	No standard
High	Caffeinated beverages allowed	No standard
Artificial sweeteners		
	No standard	No standard

² The policy does not indicate whether this water must be free to students, or bottled water for sale.

Other		
	USDA interim final rule	South Carolina 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>	At the time of publication, the fundraiser exemption policy was under review by the state.
Class parties/school celebrations	No standard	Each local school board sets limits on its vending machine sales and sales of foods and beverages of minimal nutritional value during the school day except for medical emergencies and special occasions celebrated during school hours. No restrictions on food provided by parents or guardians. School districts may adopt a more-restrictive policy.
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	No standard
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.	Each school district shall establish and maintain a Coordinated School Health Advisory Council, or CSHAC, to assess, plan, implement, and monitor district and school health policies and programs, including the development of a district wellness policy. Each district, in collaboration with the CSHAC, shall develop a School Health Improvement Plan that addresses strategies for improving student nutrition, health, and physical activity, and includes the district's wellness policy. The plan's goals and progress toward those goals must be included in the district's strategic plan required in Section 59-20-60.

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>	<p>Nuts, seeds</p> <p>Some cheeses</p>
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>	<p>Nuts, seeds</p> <p>Some cheeses</p>
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>	

^{*} 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).
- South Carolina Code of Laws (2005). Title 59, Chapter 10, Article 3, "Nutritional Standards,"
<http://www.scstatehouse.gov/code/t59c010.php>.
- South Carolina Department of Education (2006). Regulation No.43-168 "Nutrition Standards for Elementary Schools (K-5) School Food Service Meals and Competitive Foods," <http://www.ed.sc.gov/agency/stateboard/documents/168.pdf>.
- South Carolina Department of Education (2014), Memorandum No.9 "SC Smart Snacks Fundraisers/Exemption Guidance."



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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.