

Snack Foods and Beverages In Washington Schools

A comparison of state policy with USDA's nutrition standards

This policy was instituted in 2010 by the Revised Code of Washington 28A.210.365, which establishes a model policy with recommended minimum nutrition standards for available food and beverages. This policy is recommended, not required.

Policy Applications		
	USDA interim final rule	Washington 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 model policy applies voluntarily statewide to all snack food and beverages available in elementary, middle, and high schools outside of meals served as part of the U.S. Department of Agriculture meal programs.
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.	This policy outlines minimum standards for available food and beverages.
Definition of "school day"	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	The period during school hours or for school-sponsored activities. This policy recommends standards apply to the extended school 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.	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	Washington 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>Washington state recommends schools provide only healthy food and beverages during school hours or for school-sponsored activities on campus. Recommended minimum standards for food items are outlined in this chart.</p>
Calories (per item as packaged or served)	<p>≤ 200 calories for snacks and side dishes</p> <p>≤ 350 calories for entree items</p>	No standard
Total fat	≤ 35% of total calories	≤ 35% total calories
Saturated fat	≤ 10% of total calories	≤ 10% of total calories
Trans fat	Zero grams	No standard
Sugar (per item as packaged or served)	≤ 35% of weight from total sugars in foods	≤ 35% of weight from total sugars or 15 grams per food item, including naturally occurring and added sugar
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>	

Beverages		
	USDA interim final rule	Washington 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.	Washington state recommends schools provide only healthy food and beverages during school hours or for school-sponsored activities on campus. Recommended minimum standards for beverages are outlined in this chart.
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 or vegetable juice
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 or vegetable juice
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 or vegetable juice
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, plain or flavored, ≤30 grams of sugar per serving Nonfat or low-fat rice or soy beverages
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, plain or flavored, ≤30 grams of sugar per serving Nonfat or low-fat rice or soy beverages
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 and nonfat milk, plain or flavored, ≤30 grams of sugar per serving Nonfat or low-fat rice or soy beverages
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).	No standard

Beverages		
	USDA interim final rule	Washington 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 standard
Caffeine		
Elementary	Not allowed	No standard
Middle	Not allowed	No standard
High	Caffeinated beverages allowed	No standard
Artificial sweeteners		
	No standard	No standard

Other		
	USDA interim final rule	Washington 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>As of July 1, 2014, all fundraisers conducted on campus during the school day must comply with USDA's Smart Snacks interim final rule.² At this time, Washington state will defer the decision to set a state policy until later in the 2014-15 school year. Therefore, until then, all food and beverage fund raisers sold to students on campus during the school day must meet the Smart Snacks nutrition standards.</p>
Class parties/school celebrations	No standard	<p>No specific mention of celebrations, however Washington state recommends that schools only provide "healthy food and beverages" during school hours or for school-sponsored activities on school campuses.</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.	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 district board of directors is required to adopt a policy on access to nutritious food and appropriate exercise.

² Per an April 2014 memo from the Office of the Superintendent of Public Instruction to local education agencies. Retrieved from: <https://www.k12.wa.us/ChildNutrition/Programs/NSLBP/pubdocs/CNSUpdateSmartSnacks.pdf>

Exemptions to food and beverage standards		
	USDA interim final rule	Washington 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, nut butters</p> <p>Eggs</p> <p>Fresh or dried fruit, vegetables that have not been deep-fried</p> <p>Legumes</p> <p>Reduced-fat cheese, part-skim cheese, low-fat and nonfat dairy products</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>Eggs</p> <p>Reduced-fat cheese, part-skim cheese, low-fat and nonfat dairy products</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>	<p>Fresh or dried fruit and vegetables that have not been deep-fried</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).

Washington State Legislature (2007). "Food choice, physical activity, childhood fitness — Minimum standards — District waiver or exemption policy," RCW 28A.210.365, <http://app.leg.wa.gov/rcw/default.aspx?cite=28A.210.365>.

Washington State Legislature (2004). "Model policy on access to nutritious foods and developmentally appropriate exercise—School district policies," RCW 28A.210.360, <http://app.leg.wa.gov/rcw/default.aspx?cite=28A.210.360>.

**KIDS' SAFE &
HEALTHFUL
FOODS PROJECT**


Robert Wood Johnson
Foundation

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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.