

Final Rule to Update School Lunches and Breakfasts

U.S. Department of Agriculture
Food and Nutrition Service
January 2012



1

- Good Afternoon! Thank you all for coming today.
- In December 2010, President Obama signed into law the Healthy, Hunger-Free Kids Act. This historic legislation marked the most comprehensive changes to the school nutrition environment in more than a generation.
- The last update to school meals standards was over 15 years ago. Since that time, tremendous advancements in our understanding of human nutrition have occurred. In response to that reality, the Healthy, Hunger-Free Kids Act required USDA to update school meals nutrition standards to reflect the most current dietary science.
- In school year 2010, the National School Lunch Program reached over 32 million children and the School Breakfast Program reached nearly 12 million children nationwide. These meals can make a significant difference in improving children's diets and can help to combat the dual national problems of childhood obesity and childhood hunger. We appreciate all you do for the School Meal Programs and look forward to continue working with you to bring millions of children nutritious school meals.

New Meal Pattern 101

- Very broad overview today
- Further guidance, training, and technical assistance forthcoming

2

•Before continuing, it is important to note that today, we will be providing you with an overview of the content of the rule. This is not intended to be your sole resource for implementation of this rule!

•Much more information will be distributed shortly in the form of trainings, guidance, etc. So, for instance, if you are interested in learning how to credit a vegetable subgroup or whether a product meets the whole-grain rich criteria, you will have to stay tuned- that level of detail will not be provided today.

•Think of today as “School Meal Pattern Rule 101.”

Overview

- Background
 - Law Requirements
 - Changes from Proposed Rule
- New Meal Pattern
- Implementation
 - Timeline
- General Provisions
- Meal Components
- Dietary Specifications
- Current Standards vs. Final Rule
- Offer vs. Serve
- Monitoring and Compliance
- Implementation Assistance
- Questions/Comments

3

•So here is an overview of what we will be discussing today.

•We will start with a brief background on the law requirements and the proposed rule, then move to the new meal pattern.

•We will also take a year-by-year look at the implementation timeline.

•Next we will discuss some general provisions, the meal components, and dietary specifications. A brief review of the current standards versus the new rule will also be addressed.

•We will also talk about some changes to offer versus serve. We will conclude with a discussion on monitoring and compliance with respect to this rule, as well as implementation assistance.

•If time permits, we will then open the floor for questions and comments.

BACKGROUND

4

- To begin, let me share some background information with you on the development of the rule.

Law Requirements

- Sec. 9
 - National School Lunch Act
 - Meals must reflect the Dietary Guidelines
- Sec. 201
 - Healthy, Hunger-Free Kids Act of 2010
 - Regulations based on recommendations from the Institute of Medicine (IOM)

5

•The creation of the new school meal pattern draws from two key pieces of legislation.

•First, the Richard B. Russell National School Lunch Act requires that school meals be consistent with the latest Dietary Guidelines for Americans.

•Additionally, the Healthy, Hunger-Free Kids Act of 2010 requires that USDA propose and issue a rule to update the school meal patterns and nutrition standards as recommended by the Institute of Medicine.

Proposed Rule (Jan 2011)

- Title
 - Nutrition Standards in the National School Lunch and School Breakfast Programs (76 FR 2494)
- Published
 - Jan. 13, 2011
- Based on 2009 IOM report, *School Meals: Building Blocks for Healthy Children*
- 133,268 total comments received
 - <http://www.regulations.gov>

6

• In January 2011, USDA issued a proposed rule based on the IOM's recommendations. The IOM report, entitled "School Meals: Building Blocks for Healthy Children," provided the rationale for the foundation of USDA's proposed rule.

• The IOM committee members included school food service professionals, public health experts, medical practitioners, and economists.

• After publication of the proposed rule, USDA received a total of 133,268 public comments during the comment period of January 13 – April 13, 2011! These comments were then analyzed and coded.

• If you are interested in viewing any of these comments, they remain available for public viewing at www.regulations.gov.

Final Rule (January 2012)

- Title
 - Nutrition Standards in the National School Lunch and School Breakfast Programs (77 FR 4088)
- Published
 - January 26, 2012
- Effective date
 - July 1, 2012

7

•The number of public comments on the proposed standards was unprecedented—and USDA listened. We know that robust public input is essential to a successful rule, and the final rule makes significant changes from the proposal in response.

•The final rule, published this week, makes significant improvements to school meals, while modifying several key proposed requirements to address public comments regarding cost, timing, food waste, and administrative burden.

•Unless otherwise noted, provisions of this rule will go into effect on July 1st, 2012.

Significance of this Rule

- School meal programs impact millions of children every day
- Obesity and food insecurity/hunger are dual threats to many of these children
- Rule informed by current nutrition science

8

•As noted a few minutes ago, the Healthy, Hunger-Free Kids Act marked a great win for the millions of school children that participate in the National School Lunch and School Breakfast Programs each school day. With this Act, USDA is working to implement historic reforms that will mark the most comprehensive change to food in schools in more than a generation. The rule I am discussing today is only one aspect of these changes.

•The timing of this rule is critical. The prevalence of childhood obesity is at an all-time high. Additionally, hunger and food insecurity continue to affect millions of our nation's children.

•Since school meals are a major source of nutrition for many of our nation's children, particularly those in low-income families that are at highest risk for inadequate nutrient intake, it is crucial that we provide meals that can address both hunger and obesity.

•Further, the new standards align school meals with the latest nutrition science. We are working to do what's right for children's health in a way that's achievable in schools across the nation. With this rule, we will soon begin delivering healthier, more nutritious food to our nation's schoolchildren.

Major Changes from Proposed Rule

- Changes to breakfast phased-in gradually over 3 years
- No meat/meat alternate at breakfast
- Additional year for implementation of sodium target #2
- Students may take smaller portions of fruits and vegetables under Offer versus Serve
- Compliance based on 1-week reviews of menus

9

• As I mentioned before, USDA was very responsive to stakeholder concerns with the proposal rule.

• First, changes to the breakfast meal pattern requirements will be phased-in gradually over several years. In the first year, the only change to breakfast is a requirement for non-fat or low-fat milk, which most schools already do.

• We also removed the proposed requirement for meats or meat alternates at breakfast.

• Due to concerns about the ability to reduce sodium in meals as quickly as proposed we have provided an additional year for operators to reach the second sodium target.

• Schools must offer the full amounts of the fruit and vegetable components required. However, to minimize food waste, students may take smaller portions of each under the Offer versus Serve option. A minimum of $\frac{1}{2}$ of a cup of fruit or vegetables is required for a reimbursable meal. This modification to the proposal also reduces the overall cost of the new meal patterns.

• Finally, to reduce administrative burden, State agencies will continue to assess school district compliance with the requirements based on the review of one week of menus, instead of two.

Congressional Action

- Several changes from proposed rule were required as result of Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55)
 - No maximum weekly limit on starchy vegetables (or other vegetable subgroups)
 - Evaluate studies on sodium intake/human health prior to implementing second and final sodium targets
 - Crediting of tomato paste
 - “Whole grain” definition

10

•In addition, several other changes were made to the proposed rule as required by Consolidated and Further Continuing Appropriations Act of 2012 .

•Because Congress has restricted the use of Federal funds for the implementation of regulations that set maximum limits on any vegetable subgroups in school meals, the new rule does not set a limit on starchy vegetables- or any other vegetable subgroups. Instead, the rule requires minimum quantities of all vegetable subgroups as identified in the 2010 Dietary Guidelines for Americans.

•USDA is also required to evaluate studies on sodium intake and human health prior to implementing Target 2 and the Final Target for sodium.

•USDA must also continue to credit tomato paste and puree as a calculated volume based on the whole food equivalency.

•Finally, we have also complied with the Act by providing a definition of whole grains and whole-grain rich foods in the final rule.

NEW MEAL PATTERN

11

•With that, I will now share with you some key aspects of the new School Meal pattern.

Reading the Meal Pattern Chart

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1)^e	5 (1)^e	5 (1)^e	2.5 (0.5)	2.5 (0.5)	5 (1)
Vegetables (cups) ^{c,d}	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green ^f	0	0	0	0.5	0.5	0.5
Red/Orange ^f	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes) ^f	0	0	0	0.5	0.5	0.5
Starchy ^f	0	0	0	0.5	0.5	0.5
Other ^{f,g}	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total ^h	0	0	0	1	1	1.5
Grains (oz eq) ⁱ	7-10 (1) ^j	8-10 (1) ^j	9-10 (1) ^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups) ^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal) ^{m,n,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories) ^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg) ^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat ^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of trans fat per serving.					

- The first column in this chart describes all of the required food components and dietary specifications (calories, saturated fat, sodium and *trans* fat) in the course of a week.

- There are also several places where you may see footnotes (they are represented by small letters a through p). I will not specifically discuss these now, although they are described in the handout. However, I will touch on all of those footnotes indirectly throughout the presentation.

- In this particular slide, we have highlighted the Fruits component. The next three columns in the chart list the weekly requirements for the Breakfast Meal Pattern, based on the three new age-grade groups: Grades K-5, Grades 6-8, and Grades 9-12.

- You can therefore see that for all three age-grade groups at breakfast, there is a requirement for at least 5 cups of fruit per week. You may also note the “one” in parentheses. That is to show that in addition to a weekly requirement, there is also a requirement for at least 1 cup of fruit to be offered *daily* at breakfast.

Reading the Meal Pattern Chart

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1)^e	5 (1)^e	5 (1)^e	2.5 (0.5)	2.5 (0.5)	5 (1)
Vegetables (cups) ^{c,d}	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green ^f	0	0	0	0.5	0.5	0.5
Red/Orange ^f	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes) ^f	0	0	0	0.5	0.5	0.5
Starchy ^f	0	0	0	0.5	0.5	0.5
Other ^{f,g}	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total ^h	0	0	0	1	1	1.5
Grains (oz eq) ⁱ	7-10 (1) ^j	8-10 (1) ^j	9-10 (1) ^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups) ^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal) ^{m,n,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories) ^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg) ^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat ^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of trans fat per serving					

- The last three columns of the chart illustrate the amounts required for the *lunch* meal pattern. Again, there is a column for each of the three age-grade groups.

- So, looking just at Fruits, you can see that the minimum weekly requirement for fruit is 2.5 cups for Grades K-5 as well as Grades 6-8, and a minimum of 5 cups per week for Grades 9-12. Grades K-5 and Grades 6-8 have minimum daily requirements of ½ of a cup (as shown again in parentheses) and Grades 9-12 must be offered a minimum of 1 cup of fruit per day.

- Each other food component and dietary specification can be viewed in this chart the same way.

- Hopefully, this brief tutorial will help you better understand how the meal pattern chart can be read and understood. Again, I encourage you to refer to this handout throughout the presentation, and ask questions at the end if something on this chart does not seem clear to you.

GENERAL PROVISIONS

16

- I would like to begin with some general provisions contained in this rule.

Menu Planning Approach Changes

- Food-Based Menu Planning approach for all age/grade groups
 - NSLP operators must use FBMP
 - Beginning SY 2012-2013
 - SBP operators must use FBMP
 - Beginning SY 2013-14

17

•The first change that I will discuss is menu planning. A single food-based menu planning approach will be required for both school breakfast and lunch operators.

•This approach simplifies menu planning, serves as a teaching tool to help children choose a balanced meal, and ensures that students nationwide have access to key food groups recommended by the Dietary Guidelines.

•It also makes it easier for schools to communicate the meal improvements to parents and the community-at-large. Simplifying program management, training and monitoring is expected to result in program savings.

• Over 70 percent of program operators currently use food-based menu planning, and training and technical assistance resources will be available to help remaining schools successfully transition to the new meal patterns.

• This menu planning approach will be required for lunch operators in SY 2012-2013. However, in response to commenters' concerns about the estimated cost increase of the breakfast meal, this final rule gives breakfast program operators not currently using food-based menu planning additional time to convert to this planning approach.

•Accordingly, breakfast operators may continue with their current menu planning approach until SY 2013-2014.

Age/Grade Groups

- Same age/grade groups for NSLP and SBP
 - K-5
 - 6-8
 - 9-12
- In the SBP, the change takes effect in SY 2013-2014 to ease burden on program operators

18

•The next change I will discuss is new age/grade group classifications. This rule requires schools to use the same age/grade groups for planning lunches and breakfasts.

•The age/grade groups are now narrower to provide age-appropriate meals. However, the rule allows some flexibility to schools that have different grade configurations. This rule permits a school to use one meal pattern for students in grades K through 8 as food quantity requirements for groups K-5 and 6-8 overlap. However, this will require careful planning to ensure requirements are met for both of these two groups.

•These age/grade group changes go into effect in SY 2012-13 for lunch. Breakfast has a one year delay in response to operator concerns, and is required beginning SY 2013-14.

•Therefore, in SY 2012-13 *only*, schools have the option to continue the age/grade group K-12 for planning breakfasts.

Meal Identification

- Identify content of reimbursable meal near or at beginning of serving line(s)
 - School discretion on how to identify these foods
- Assures students do not unintentionally purchase a la carte items

19

•The final rule includes some additional changes that are intended to enhance the overall school nutrition environment and reflect the Dietary Guidelines.

•As in the proposed rule, schools are required to identify the foods that are part of the reimbursable meal near or at the beginning of the serving line.

•This seeks to ensure that students understand the components of the reimbursable meal and do not make unintentional purchases of a la carte foods.

•Schools have discretion as to how to identify the foods that are part of the reimbursable meal.

MEAL COMPONENTS

20

- I will now discuss each of the required meal components in the new meal pattern.

Fruits

Meal Pattern	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	GradesK-5	Grades6-8	Grades9-12
	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1) ^e	5 (1) ^e	5 (1) ^e	2.5 (0.5)	2.5 (0.5)	5 (1)
Vegetables (cups) ^{c,d}	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green ^f	0	0	0	0.5	0.5	0.5
Red/Orange ^f	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes) ^f	0	0	0	0.5	0.5	0.5
Starchy ^f	0	0	0	0.5	0.5	0.5
Other ^{fg}	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total ^h	0	0	0	1	1	1.5
Grains (oz eq) ⁱ	7-10 (1) ^j	8-10 (1) ^j	9-10 (1) ^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups) ^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal) ^{m,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories) ^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg) ^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat ^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of <u>trans</u> fat per serving.					

21

- I will start with fruits, since you are all familiar with this component from the example we walked you through previously.
- First, fruit is now *required* in the breakfast and lunch programs- the lunch requirement is a change from current lunch practices. For instance, as discussed before, schools must offer at least ½ cup of fruit per day at lunch for grades K-5 and 6-8, and at least 1 cup per day for grades 9-12.
- The fruit requirement for lunch goes into effect in SY 2012-2013. Since breakfast now requires significantly more fruit, this change does not go into effect until SY 2014-2015. This modification gives program operators more time to prepare for this important change to breakfast menus.

Fruits

- Fruits/vegetables separated; two components
- Daily serving at breakfast and lunch
 - At breakfast only, vegetables may be offered in place of fruits
- May select fresh, frozen without added sugar, canned in juice/light syrup, or dried
 - No more than half of fruit offerings may be juice
 - 100% juice only
 - $\frac{1}{4}$ cup of dried fruit = $\frac{1}{2}$ cup of fruit
 - Refer to Food Buying Guide for crediting

22

- Additionally, this rule separates fruits and vegetables into two different food components.
- A daily serving of fruit must be offered at *both* breakfast and lunch.
- At lunch, students must select at least a $\frac{1}{2}$ cup of fruit to count toward a reimbursable meal
- At breakfast, students must select at least a $\frac{1}{2}$ cup of fruit to count toward a reimbursable meal. To enhance menu planning flexibility, this rule also gives schools the option to offer vegetables in place of all or part of the required fruit component at breakfast. This can also be a potential cost control measure. However, the first two cups per week of any such substitution must be from the dark green, red/orange, beans and peas (legumes) or the “other” vegetable subgroup.
- Starchy vegetables may also be offered in substitution of fruits, once the first two cups offered have been from non-starchy vegetable subgroups.
- Fruit may be offered in several different forms. These forms include: fresh, frozen without added sugar, canned in juice or light syrup, and dried. However, no more than half of fruit offerings may be in the form of juice, and only 100% juice can be served. For crediting purposes, dried fruit is credited as twice the volume as served. Therefore, $\frac{1}{4}$ of a cup of dried fruit is creditable as $\frac{1}{2}$ of a cup of fruit.
- Menu planners must continue to use the [Food Buying Guide for Child Nutrition Programs](#) to determine how to credit whole fruit. USDA will update the [Food Buying Guide](#) as soon as possible, and will also develop other technical assistance resources as needed.

Vegetables

- Daily lunch serving reflects variety over week
- Vegetable subgroup weekly requirements for
 - Dark Green (e.g., broccoli, collard greens)
 - Red/Orange (e.g., carrots, sweet potatoes)
 - Beans/Peas (Legumes) (e.g., kidney beans, lentils, chickpeas)
 - Starchy (e.g., corn, green peas, white potatoes)
 - Other (e.g., onions, green beans, cucumbers)
 - Additional vegetables to meet 5 cup weekly total

24

•First, I would like to point out that there is *not* a vegetable requirement for breakfast. However, as just discussed, vegetables can be substituted for fruit at breakfast.

•For lunch, the new meal pattern requires a daily serving of vegetables. There are also *weekly* minimums for the vegetable subgroups- this means that over the course of the week, the required amount of each subgroup must be met, but that on any given day there are no specific subgroup requirements.

•The subgroups required each week consist of: dark green, red/orange, beans/peas (legumes), starchy, and other.

•The “other” vegetable subgroup is a distinct grouping of food items, as classified by the 2010 Dietary Guidelines.

•Additionally, there is a catch-all category added for additional vegetables that can come from any subgroup to meet the weekly total.

Vegetables (cont'd)

- Variety of preparation methods available
 - Fresh, frozen, and canned products
 - USDA Foods offers a variety of no salt added or lower sodium products
- Changes in crediting of leafy greens
- Foods from the beans/peas (legumes) subgroup may be credited as a vegetable OR a meat alternate

25

•Schools may select from a variety of vegetable preparation methods to meet these new requirements. Fresh, frozen and canned products are all allowable.

•Schools have access to many nutritious vegetable choices through USDA Foods. For instance, schools can select reduced sodium canned vegetables with no more than 140 mg of sodium per half-cup serving, which is in line with the 2010 Dietary Guidelines. Schools can also order frozen vegetables with no added salt, such green beans, carrots, corn, and peas.

•As is currently practiced, 1/8 of a cup of vegetables is the minimum creditable amount. In this final rule, however, the crediting of leafy greens is changed. Uncooked, leafy greens will credit as half of volume as served. Therefore, one cup of romaine lettuce is creditable as one half of a cup of vegetables.

•Additionally, local menu planners can decide how to incorporate beans and peas (legumes) into the school meal. These foods may count toward *either* the requirement for vegetables *or* the meat/meat alternate component. However, schools may not offer one serving of beans and peas and count it toward both food components during the same meal.

Grains: Breakfast

- Offer daily and weekly serving ranges of grains at breakfast
 - Phased-in implementation of whole grain-rich
- Schools may substitute meat/meat alternate for grains once daily grains minimum met

27

- I will begin by talking about the grains requirement for breakfast. Schools must offer daily and weekly servings of grains at breakfast.
- However, the whole grain-rich requirements will be phased in gradually. Beginning SY 2013-2014, at least **half** of the grains offered must be whole grain-rich.
- Beginning SY 2014-15, **all** grains offered at breakfast must be whole-grain rich.
- As noted at the beginning of the presentation, we have eliminated the requirement for a daily meat/meat alternate at breakfast. However, once schools meet the daily minimum grain quantity required (1 ounce equivalent for all age-grade groups) for breakfast, they are allowed to offer a meat/meat alternate in place of grains.
- The meat/meat alternate can therefore count toward the weekly grains requirement, where a 1 ounce equivalent of a meat/meat alternate will credit as a 1 ounce equivalent of grains.

Grains: Lunch

- Schools must offer daily and weekly serving ranges of grains at lunch
 - Maximums and minimums
- Initially, at least half of grains offered during week must be whole grain-rich
- Beginning in SY 2014-15, all grains offered must be whole grain-rich
 - “Whole grain-rich” foods must contain at least 51 percent whole grains

28

- Now, I will talk about the grains requirement for lunch. Like breakfast, schools must offer daily and weekly servings of grains at lunch. Please note that there are both weekly minimums and weekly maximums.
- Again, the whole grain-rich requirements will be phased in gradually, but over a slightly different time frame than breakfast.
- Beginning SY 2012-2013, at least **half** of the grains offered at lunch must be whole grain-rich. Beginning SY 2014-15, **all** grains offered at lunch must be whole-grain rich- this is the same year all grains at breakfast must be whole grain-rich.

Criteria for Whole Grain-Rich Foods

- Meet serving size requirements in Grains/Breads Instruction and
- Meet at least one of the following
 - Whole grains per serving must be ≥ 8 grams
 - Product includes FDA's whole grain health claim on its packaging
 - Product ingredient listing lists whole grain first (HUSSC criteria)

29

•Until the FDA addresses labeling for the whole grain content of food products, schools will follow USDA guidance on whole grain-rich foods. Our guidance will incorporate the temporary criteria for whole grain-rich foods provided in the IOM report.

•That criteria is based on what is currently possible given the limited information on product packaging regarding the whole grain content of food products.

•First, a product must meet the grains/breads instruction serving size requirements- which are currently being updated.

•Second, a product must also meet one of the following:

- Whole grains per serving must be greater than or equal to 8 grams
- The product includes FDA's whole grain health claim on its packaging, OR
- The product ingredient listing lists whole grain first

•.At this time, the product ingredient listing is the only certain way to tell because manufacturers aren't required to provide information about the grams of whole grains in their products, and the FDA whole grain health claim is not mandatory.

•USDA's Healthier US School Challenge initiative has already developed whole grains guidance, and we will provide more technical assistance as needed. While there isn't time today to discuss this criteria in detail, please be assured that there will ample opportunity for future training and guidance in the near future.

Formulated Grain-Fruit Products

- Cannot be used to meet grain or fruit components at breakfast
- Consist of (1) grain-type products that have grain as the primary ingredient, and (2) grain-fruit type products that have fruit as the primary ingredient
 - Heavily fortified, high in solid fats and added sugars (e.g., fortified pastries)
- Does not apply to granola bars or fortified cereals

30

•This final rule also removes the use of formulated grain-fruit products to meet the grain and fruit components at breakfast. These items are either grain-type products that have grain as the primary ingredient, or grain-fruit type products that have fruit as the primary ingredient. They are often heavily fortified, as well as high in solid fats and added sugars.

•Accordingly, this rule removes the text on Formulated Grain-Fruit Products in its entirety from Appendix A to 7 CFR part 220.

•Note that this provision does *not* apply to granola bars or fortified cereals. Formulated grain-fruit products are a very specific food item.

Other Grain Component Issues

- Grain-Based Desserts
 - Only two creditable grain-based desserts allowed at lunch per school week
 - These items are major source of solid fats and added sugars, per DGA 2010
- Cost and Availability Concerns
 - Important to note that many whole grain options available in USDA Foods: brown rice, whole grain pasta, oatmeal, etc.

31

•There are several other points I would like to make about the grains component in the meal pattern.

•The first issue is regarding grain-based desserts. Due to their contribution toward intake of solid fats and added sugars, USDA has reduced the number of allowable grain-based desserts at lunch to a maximum of 2 per week.

•A second point I would like to make is that we recognize that there are cost and availability concerns associated with the move toward whole grain-rich foods. However, it is important to note that there are many whole grain options available from USDA Foods, including brown rice, whole grain pasta, oatmeal, etc.

Meat/Meat Alternates

- Daily and weekly requirements for lunch only
 - 2 oz eq. daily for students in grades 9-12
 - 1 oz eq. daily for younger students
- Variety of meat/meat alternates encouraged
- Tofu and soy yogurt will be allowable as meat alternate
 - Crediting instruction memo to follow

33

•Offering a meat/meat alternate daily as part of the school lunch supplies protein, B vitamins, vitamin E, iron, zinc, and magnesium to the diet of children, and also teaches them to recognize the components of a balanced meal.

•Students in grades 9-12 must be offered at least 2 ounce equivalents daily, and younger students must be offered at least one ounce equivalent daily. Meal planners have flexibility to determine how to reach the required weekly ranges.

•USDA encourages schools to offer a variety of protein foods such as lean or extra lean meats, seafood, and poultry; beans and peas; fat-free and low-fat milk products such as cheese and yogurt; and unsalted nuts and seeds, to meet the meat/meat alternate requirement. However, there is no requirement to offer the protein subgroups as described in the 2010 Dietary Guidelines.

•Additionally, both tofu and soy yogurt will be creditable as meat alternates. This allows schools to diversify the sources of protein available to students and better meet the dietary needs of vegetarians and culturally diverse groups in schools. Stay tuned for further instruction on crediting in the near future.

Fluid Milk

Meal Pattern	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	GradesK-5	Grades6-8	Grades9-12
	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1) ^e	5 (1) ^e	5 (1) ^e	2.5 (0.5)	2.5 (0.5)	5 (1)
Vegetables (cups)^{c,d}	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green ^f	0	0	0	0.5	0.5	0.5
Red/Orange ^f	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes) ^f	0	0	0	0.5	0.5	0.5
Starchy ^f	0	0	0	0.5	0.5	0.5
Other ^{f,g}	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total^h	0	0	0	1	1	1.5
Grains (oz eq)ⁱ	7-10 (1) ^j	8-10 (1) ^j	9-10 (1) ^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups)^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal)^{m,n,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories)^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg)^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of <u>trans</u> fat per serving.					

34

- The last meal component I will discuss is the fluid milk requirement.
- These milk requirements go into effect for both breakfast and lunch in SY 2012-2013.

Fluid Milk

- Allowable milk options include
 - Fat-free (unflavored or flavored)
 - Low-fat (unflavored only)
 - Fat-free or low-fat (lactose-reduced or lactose-free)
- Must offer at least two choices
- Does not alter nutrition standards for milk substitutes (e.g., soy beverages)
- Students *may* decline milk component under OVS
- Milk provisions also apply to children ages 3-4

35

- Schools may offer a variety of milk options. These include: fat-free (unflavored or flavored), low-fat (unflavored only), and fat-free or low-fat (lactose reduced or lactose-free). Note that if *flavored* lactose reduced or lactose-free milk is offered, it also must be fat-free. Schools are not allowed to offer 2% or whole milk.
- Schools must offer at least two choices within the types of milk listed.
- This final rule does not change the nutrition standards for optional non-dairy drinks offered to students with special dietary needs in place of milk at the request from parents.
- Students are able to decline the milk component of a meal in accordance with offer versus serve.
- Lastly, the milk fat and flavor restrictions established by this final rule also apply to meals for children in the 3-4 year-old age group. USDA notified program operators of this requirement for all school meals through implementation memorandum SP-29-2011.

DIETARY SPECIFICATIONS

36

- That concludes the discussion of the meal components. We will now focus on dietary specifications within the meal pattern. These are also more commonly known as “nutrients.”

Four Dietary Specifications

- Weekly average requirements
 - Calories
 - Sodium
 - Saturated fat
- Daily requirement
 - Trans fat

37

•In addition to complying with the meal pattern components, schools must also meet a few dietary specifications. This is intended to improve consistency with the Dietary Guidelines and the Dietary Reference Intakes.

•These specifications are calories, sodium, saturated fat, and trans fat.

•These standards are to be met on average over the school week. This means that the levels of any of these in any ONE MEAL COULD EXCEED THE STANDARD AS LONG AS THE AVERAGE NUMBER FOR THE WEEK MEETS THE STANDARD.

•However, with regard to trans fat, food products and ingredients used daily will have to contain zero grams of trans fat per serving.

Calorie Ranges

- Minimum and maximum calorie (kcal) levels
 - Average over course of the week
- Effective SY 2013-14 for SBP
- Effective SY 2012-13 for NSLP

GRADES	LUNCH (kcal)	BREAKFAST (kcal)
K-5	550-650	350-500
6-8	600-700	400-550
9-12	750-850	450-600

38

•The first dietary specification is calorie ranges. Current regulations establish only a minimum calorie level. These calorie ranges are to be met **ON AVERAGE** over the school week.

•These requirements are effective SY 2013-14 for breakfast, and SY 2012-13 for lunch. The modification to the breakfast timeline from the proposed rule is intended to give program operators additional time to implement the new meal requirements in breakfast.

•The calorie ranges displayed here are based on evidence about children's intakes at meals and snacks.

•The intent is not to reduce the amount of food but to avoid excessive calories. The meal patterns provide more fruits, vegetables and whole grains than current school meals and should result in nutrient-dense meals. The required maximum calorie levels are expected to drive menu planners to select nutrient dense foods and ingredients to prepare meals, and avoid products that are high in fats and added sugars.

Saturated Fat

- Limit saturated fat
 - Less than 10 percent of total calories
 - Same as current regulatory standard
- No total fat standard

39

- The next dietary specification is saturated fat.

- This rule continues to emphasize saturated fat reduction, and the standard – less than 10% of calories -- is the same as the one we have in the current regulations.

- Offering fat-free and low-fat milk will help schools reduce the saturated fat content of the meals.

- Note that this rule does not require schools to meet a **total** fat standard, a change from existing requirements.

Sodium Reduction

- Intermediate targets help schools reach final targets
 - Target 1: SY 2014-2015
 - Target 2: SY 2017-2018
 - Final Target: SY 2022-2023

40

• This final rule requires schools to make a gradual reduction in the sodium content of the meals, as recommended by the IOM. USDA recognizes that it is difficult to achieve substantial reductions in sodium immediately.

• Therefore, schools are required to meet two intermediate sodium limits, as well as a final limit.

• Target 1 will be required beginning SY 2014-2015 for both breakfast and lunch.

• Target 2 will be required beginning SY 2017-2018 for both breakfast and lunch.

• And finally, the Final Target will be required beginning SY 2022-2023 for both breakfast and lunch.

• As noted previously, prior to the implementation of Target 2 and the Final sodium targets contained in this rule, USDA will evaluate relevant data on sodium intake and human health, as required by Section 743 of the Consolidated and Further Continuing Appropriations Act of 2012.

Sodium Reduction Timeline

Sodium Reduction in Final Rule for <u>Breakfast</u> : Timeline & Amount					
Age/ Grade Group	<u>Baseline</u> Current Average Sodium Levels As Offered (mg)	Target 1: Meet by July 1, 2014 (SY 2014-15) (mg)	Target 2: SY 2017-18 (mg)	<u>Final</u> <u>Target</u> : SY 2022-23 (mg)	% Change (Current Levels vs. Final Targets)
K-5	573 (elementary)	≤ 540	≤ 485	≤ 430	-25%
6-8	629 (middle)	≤ 600	≤ 535	≤ 470	-25%
9-12	686 (high)	≤ 640	≤ 570	≤ 500	-27%

41

•This chart is a summary of the required sodium reductions in at breakfast. The changes to lunch are contained in the chart on the following slide, but let me first demonstrate how to read this chart.

•Column 1 lists age/grade groups.

•Column 2 lists baseline sodium levels of school meals offered for each grade group. This is a *national average* baseline, gathered from SNDA-III data that was collected in the school year 2004-05. Individual schools may actually be much higher or lower than this national average.

•Column 3 lists Target 1 limits. This reflects sodium reductions that menu planners can achieve through menu changes and recipe modifications.

•Column 4 lists Target 2 limits. This is based on sodium reductions that can be feasibly achieved with product reformulations by food industry, using currently available technology.

•Column 5 lists Final Target limits. Meeting the Final Target will require new technology and/or food products and, therefore, we are allowing a 10-year period to meet the new requirement.

•The last column of the chart shows the percent change between the average current levels and the final target. Again, these figures are based on a *national average*, and the adjustments individual schools will have to make to meet the intermediate and final targets will vary.

Sodium Reduction Timeline

Sodium Reduction in Final Rule for <u>Lunch</u> : Timeline & Amount					
Age/ Grade Group	<u>Baseline:</u> Current Average Sodium Levels As Offered (mg)	<u>Target 1:</u> Meet by July 1, 2014 (SY 2014- 15) (mg)	<u>Target 2:</u> SY 2017-18 (mg)	<u>Final Target:</u> SY 2022-23 (mg)	% Change (Current Levels vs. Final Targets)
K-5	1,377 (elementary)	≤ 1,230	≤ 935	≤ 640	-54%
6-8	1,520 (middle)	≤ 1,360	≤ 1,035	≤ 710	-53%
9-12	1,588 (high)	≤ 1,420	≤ 1,080	≤ 740	-53%

42

- This chart likewise shows the average weekly sodium limits for school lunches. It can be read just like the chart on the previous slide.

Sodium Reduction Efforts

- Procurement specifications and recipes will be modified
- Technical assistance and training resources will be available
- USDA Foods reducing sodium in foods available to schools
 - Already reduced for products such as most cheeses

43

•We understand that reducing sodium in school meals is a formidable challenge. Procurement specifications and recipes will have to be modified.

•Therefore, FNS has developed resources to help plan meals with lower sodium content. Team Nutrition and the National Food Service Management Institute both provide guidance for reducing sodium.

• In addition, USDA Foods continues to make low-sodium food products available to schools and has targeted specific commodities to be made available at lower sodium levels. These include processed cheeses, chicken fajita strips, and turkey taco filling.

Trans Fat

- New trans fat restriction
- Nutrition label or manufacturer's specs must specify zero grams of trans fat per serving (less than 0.5 gram per serving)
 - Begins SY 2013-2014 for SBP
 - Begins SY 2012-2013 for NSLP
- Naturally-occurring trans fat excluded
 - e.g., beef, lamb, dairy products

44

- The fourth and final dietary specification is trans fat.

- Current regulations do not include a limit on trans fat. This rule establishes a practical approach to keeping the amount of trans fat in the meals as low as possible.

- Beginning in SY 2013-14 for breakfast and SY 2012-13 for lunch, schools will have to make sure that the nutrition label or manufacturer specifications for food products, or ingredients used to prepare meals, indicate zero grams of trans fat per serving.

- It will be important for menu planners to develop food procurement specifications and recipes to meet the trans fat specification.

- However, naturally occurring trans fat found in products such as beef and lamb is excluded from the requirement.

TIMELINE OF CHANGES

45

- As a quick recap, I will now review what changes are happening to both breakfast and lunch year by year.

SBP Changes Effective SY 2012-2013

- Offer only
 - Fat-free (flavored or unflavored) and
 - Lowfat (unflavored) milk
- Saturated fat limit <10% calories

46

- As previously noted, there are essentially no changes to breakfast in SY 2012-13, with the exception of the milk requirement.
- Additionally, the saturated fat limit is not a change from current standards, so it remains in place.

NSLP Changes Effective SY 2012-2013

- Offer fruit daily
- Offer vegetable subgroups weekly
- Half of grains must be whole grain-rich
- Offer weekly grain ranges
- Offer weekly meat/meat alternate ranges
- Offer only
 - Fat-free (flavored or unflavored) and
 - Low-fat (unflavored) milk
- Calorie ranges

47

- However, there are several changes that go into effect beginning July 1st, 2012 in (SY 2012-2013) for lunch. At that time, schools must:
 - Offer fruit daily
 - Offer vegetable subgroups weekly
 - Half of grains must be whole grain-rich
 - Offer weekly grain ranges
 - Offer weekly meat/meat alternate ranges
 - Offer *only* fat-free (flavored or unflavored) and low-fat (unflavored) milk; and
 - Calorie ranges are required

NSLP Changes Effective SY 2012-2013

- Saturated fat limit <10% calories
- Zero grams of trans fat per portion
- A single Food-Based Menu Planning approach
- Establish age/grade groups: K-5, 6-8, 9-12
- Reimbursable meals contain fruit or vegetable
- State Agencies conduct weighted nutrient analysis on 1 week of menus

48

- Other changes effective SY 2012-2013 for lunch are:
 - Saturated fat limit of <10% calories continues
 - Zero grams of *trans* fat per portion
 - A single Food-Based Menu Planning approach
 - Age/grade groups K-5, 6-8 and 9-12 must be used
 - Reimbursable meals must contain a fruit or vegetable, and
 - State agencies will conduct a weighted nutrient analysis on one week of menus

SBP Changes Effective SY 2013-2014

- Half of grains must be whole grain-rich
- Offer weekly grain ranges
- Calorie ranges
- Zero grams of trans fat per portion
- Single Food-Based Menu Planning approach
- Establish age/grade groups: K-5, 6-8, 9-12
- 3-year administrative review cycle
- Conduct weighted nutrient analysis on 1 week of menus

49

- In SY 2013-2014, most of the changes to breakfast go into effect. These include:
 - Half of grains offered must be whole grain-rich;
 - Weekly grain ranges and
 - Calorie ranges apply;
 - Zero grams of *trans* fat per portion is required;
 - Schools must use single Food-Based Menu Planning approach;
 - The age/grade groups: K-5, 6-8 and 9-12 apply;
 - A 3-year administrative review cycle begins;
 - And schools must conduct a weighted nutrient analyses on one week of menus

NSLP Changes Effective SY 2013-2014

- 3-year administrative review cycle

50

- In SY 2013-2014, only one additional change to the lunch program takes effect:
- The new 3-year administrative review cycle begins.
- However, schools must still implement changes to lunch that are effective for SY 2012-2013.
- We will discuss more about this and other monitoring requirements later on in this presentation.

SBP Changes Effective SY 2014-2015

- Fruit quantity to increase to 5 cups/week (minimum 1 cup/day)
- All grains must be whole grain-rich
- Target 1 for average weekly sodium limit
- Reimbursable meals must contain fruit (or vegetable, if using substitution)

51

- Several changes to the breakfast program are not required until SY 2014-2015. These include:
 - The required fruit quantity increases to 5 cups/week (minimum 1 cup/day)
 - All grains must be whole grain-rich
 - Target 1 for average weekly sodium limit goes into effect, and
 - Reimbursable meals must contain a fruit, or a vegetable if schools choose to substitute vegetables for the fruit component.

NSLP Changes Effective SY 2014-2015

- All grains must be whole grain-rich
- Target 1 for average weekly sodium limit

52

- Only two additional requirements go into effect for the lunch program in SY 2014-2015. These are:
 - All grains must be whole grain-rich, and
 - Target 1 for the average weekly sodium limit goes into effect.

Additional NSLP and SBP Changes

- SY 2017-2018
 - Target 2 sodium restriction
- SY 2022-2023
 - Final Target sodium restriction

53

- Beyond SY 2014-2015, the only additional requirements that will go into effect are Target 2 and the Final Target for the weekly average sodium limit.
- Target 2 goes into effect for SY 2017-2018.
- Likewise, the Final Target goes into effect for SY 2022-2023.
- As noted previously, prior to the implementation of Target 2 and the Final sodium targets contained in this rule, USDA will evaluate relevant data on sodium intake and human health, as required by Section 743 of the Consolidated and Further Continuing Appropriations Act of 2012 .

CURRENT STANDARDS VS. THE FINAL RULE

54

- I will now do a quick review of the major differences between current practices at breakfast and lunch and the final rule discussed today.

Comparison Current SBP vs. Final Rule

School Breakfast Program Meal Pattern		
Food Group	Current Requirements K-12	Final Rule Requirements
Fruit	½ cup per day (vegetable substitution allowed)	Beginning SY 2014-15, 1 cup per day (vegetable substitution allowed) <i>Note: Students are allowed to select ½ cup of fruit under OVS.</i>
Grains and Meat/Meat Alternate (M/MA)	2 grains, or 2 meat/meat alternates, or 1 of each per day	Beginning SY 2013-14, min. and weekly grain ranges: Grades K-5: 1 oz eq. min. daily (7-10 oz weekly) Grades 6-8 : 1 oz eq. min. daily (8-10 oz weekly) Grades 9-12 : 1 oz eq. min. daily (9-10 oz weekly) <i>No requirement for separate meat/meat alternate component.</i>

Let's first look at changes to breakfast in the new rule:

-There is now an increased daily fruit requirement beginning SY 2014-2015.

-There is also now a daily grains requirement, and there is no meat/meat alternate component required at breakfast. Similar to current requirements, there is some flexibility in the final rule for grain and meat/meat alternate combinations at breakfast. This means that 2 meat/meat alternates will be rarely served as breakfast due to the minimum daily grain requirement.

Comparison Current SBP vs. Final Rule

School Breakfast Program Meal Pattern		
Food Group	Current Requirements K-12	Final Rule Requirements
Whole Grains	Encouraged	At least half of the grains must be whole grain-rich beginning July 1, 2013. Beginning July 1, 2014, all grains must be whole grain rich.
Milk	1 cup daily (variety of fat contents allowed; flavor not restricted)	1 cup, must be fat-free (unflavored/flavored) or 1% low fat (unflavored) daily

56

- Whole grain-rich foods are now required in the new meal pattern, although this begins in SY 2013-2014.

- And finally, there are fat and flavor restrictions on fluid milk.

Comparison Current NSLP vs. Final Rule

Food Group	Current Requirement	Final Rule Requirement
Fruit and Vegetables	½ - ¾ cup of fruit and vegetables combined per day	¾ - 1 cup of vegetables <u>plus</u> ½ - 1 cup of fruit per day <i>Students allowed to select ½ cup fruit or vegetable under OVS.</i>
Vegetables	No specifications as to type of vegetable subgroup	Weekly requirement for: dark green; red/orange; beans/peas (legumes); starchy; other (as defined in 2010 DGA) 57

- Now let's look at changes to the food components at lunch.
- First, fruits and vegetables are now two separate food components, and the required amounts of each have increased.
- There are now also vegetable subgroups, with required subgroup minimums offered each week.

Comparison Current NSLP vs. Final Rule

Food Group	Current Requirement	Final Rule Requirement
Whole Grains	Encouraged	At least half of the grains must be whole grain-rich beginning July 1, 2012. Beginning July 1, 2014, all grains must be whole grain rich.
Milk	1 cup daily (variety of fat contents allowed; flavor not restricted)	1 cup, fat-free (unflavored/flavored) or 1% low fat (unflavored) daily

59

- One significant change is the whole grain-rich requirement, which is phased in over time.
- And finally, as for breakfast, amounts of milk do not change but there are new flavor and fat restrictions in this rule.

OFFER VERSUS SERVE (OVS)

60

- Another important topic to discuss at this point is Offer versus Serve.

Offer Versus Serve

- For a reimbursable meal
 - Student must select fruit component OR vegetable component
 - Student may select ½ cup serving under OVS
 - Full component MUST be offered to student

61

•The Dietary Guidelines stress the importance of increasing consumption of fruits and vegetables.

•Consistent with these Guidelines and IOM's recommendations, this final rule requires that the reimbursable lunch selected by a student includes a fruit or a vegetable. At breakfast, this requirement is effective in SY 2014-2015, when the fruit quantities for breakfast are required to increase.

•The requirement goes into effect for lunch in SY 2012-2013.

•However, this rule allows students to take ½ of a cup of a fruit or a vegetable, rather than the full component, to have a reimbursable meal under offer versus serve. The student does NOT have to select the full component amount for a reimbursable meal, as is currently required under offer versus serve.

•However, the full component must be **offered** to the student.

Offer Versus Serve

- Under OVS, student may decline
 - One food item at breakfast
 - If school serves 4 items (i.e., additional grain item or a meat/meat alternate), student may decline one
 - If school serves 3 food items on any given day, student may not decline any
 - Two food components at lunch
 - Same as current OVS in food-based menu planning

62

•At breakfast, offer versus serve applies to food *items*, rather than food components, because of the flexibility to substitute meats/meat alternates for grains (once the daily grain requirement is met). In breakfast, schools must offer fruit, milk, and grains daily. On multiple days per week, schools will need to offer more than the minimum daily grains requirement of 1 ounce-equivalent per day to meet the weekly grain requirement.

•Therefore, on any given day, to meet the daily fruit, milk and grain requirements, schools will have to offer at least 3-4 items daily at breakfast.

•Under offer versus serve, when a school offers four food items at breakfast, students may decline one food item. If only three food items are offered, students must take all the food items to preserve the nutritional integrity of the breakfast- and the offer versus serve option is not available.

•For lunch, students may decline as many as two food *components*.

•More details about offer versus serve will be provided in guidance.

MONITORING AND COMPLIANCE

63

- One of the final aspects of the rule discussed today is monitoring and compliance.
- We will begin with the monitoring and compliance provisions in this regulation, and then describe additional guidance- which will be coming soon!

Meal Record Reviews

- Administrative review will use records for 1-week meal period
 - No change from current practice
 - Modified from proposed rule (2 weeks worth of menus reviewed) in consideration of increased burden from shortened review cycle

64

•The administrative review will use records for a 1-week meal period, as is currently practiced.

•However, reviewers must now also include breakfast menus in the one-week review. This requirement for States begins SY 2013-2014.

Ensuring Compliance

- Immediate focus on technical assistance and corrective action
 - USDA assisting with implementation
- Compliance remains expected
 - Immediate fiscal action if a food component is missing (as currently done)

65

•In the immediate future, technical assistance and corrective action will be the main focus of State agencies to help schools transition to the new meal requirements.

•Accordingly, USDA is currently working to develop training and technical assistance for school food service operations.

•However, State agencies are expected to make a serious effort to enforce the new meal requirements. Therefore, this rule expands the ability of State agencies to take fiscal action to enforce the meal requirements.

•As is currently done, State agencies must apply immediate fiscal action if the meals offered are completely missing one of the required food components.

Ensuring Compliance

- Fiscal action required for unresolved, repeat violations of
 - Vegetable subgroup requirement
 - Milk type requirement
- SAs have discretion to take fiscal action for repeat violations of
 - Food quantity
 - Whole grain requirement
 - Dietary specifications (calories, sodium, saturated fat, trans fat)

66

•The State agency is also required to take fiscal action for repeated violations of the vegetable subgroup and milk type requirements- for example, when a State agency finds the same violation of offering 2% milk after technical assistance and corrective action have taken place.

•In addition, State agencies have *discretion* to take fiscal action for repeated violations of the food quantity and whole grain-rich requirements, and for repeated violations of the dietary specifications (calories, saturated fat, sodium and trans fats) because they require specific knowledge or tools from the school food service staff or a careful assessment from a State reviewer.

Six Cent Reimbursement Increase

- Provision of HHFKA
- Interim rule published Spring 2012
- Funding available to SFAs October 2012
- Payment system updates may be needed

67

•As you know, there will be a six cent reimbursement rate increase for school food authorities in compliance with the new meal pattern, as specified in the Healthy, Hunger-Free Kids Act.

•The interim rule on this reimbursement is expected to be published in Spring 2012. This rule will address the specific process that will be used to determine School Food Authorities' eligibility for the six cents.

•This additional funding, for school food authorities determined to be in compliance with the new meal standards, will be available in October 2012.

•Therefore, States should begin updating their payment systems to ensure they are able to pay the additional reimbursement *only* to those school food authorities who are eligible and remain eligible to receive it.

Monitoring

- Rule implementation/reimbursement timeline
 - Spring 2012
 - Interim six cent reimbursement provision in administrative review requirements
 - SY 2012-2013
 - Final year of current 5-year review cycle
 - SY 2013-2014
 - 3-year cycle for administrative reviews begins
 - Applies to lunch and breakfast
 - Weighted nutrient analysis
 - SBP Assessment based on phase-in of new requirements

68

•Now let's take a minute to recap the timing of implementation of this final rule and how it relates to the timing of the 6 cent reimbursement rate increase and the changes in State oversight of the School Meal Programs. As we've described throughout this presentation, the meal patterns are in effect beginning July 1, 2012, and schools are expected to comply with the requirements at that time.

•In Spring 2012, we will be releasing an interim rule on the six cent reimbursement rate increase, which will describe how States are expected to determine which schools are eligible for the additional funding, as well as the administrative review requirements. This rule will describe monitoring requirements in both the coming year (SY 2012-2013) and in future years.

•SY 2012-13 concludes the final year of the current 5-year review cycle. As I mentioned, the forthcoming interim rule will contain information on the content of reviews in SY 2012-2013. It will also address how States should monitor these new standards in the coming school year.

•In SY 2013-14, the new three-year review cycle requirement will take effect. State agencies will monitor compliance with the lunch and breakfast meal patterns and dietary specifications, including a weighted nutrient analysis for menus *as offered*. Schools will not be required to conduct nutrient analyses.

•More frequent monitoring provides additional opportunities to provide technical assistance and guidance to the school food service staff.

•Also note that the assessment for breakfast, until all requirements are fully phased in, will be based on a combination of new requirements (in § 220.8) and existing requirements (which are now in § 220.23)- whatever requirements are applicable to the year the review takes place.

Concurrent Adoption of Meal Requirements

- Some of new school meal requirements being phased in over several years
 - Designed to reduce operator burden
- Some SFAs may prefer to adopt changes to NSLP and SBP concurrently
 - SFAs must seek permission of States to implement new standards earlier than required (see implementation chart)

69

•Finally, a word on the concurrent adoption of breakfast and lunch meal requirements.

•Some of the new school meal requirements are being phased in over several years, which is designed to reduce operator burden.

•However, some School Food Authorities may prefer to adopt changes to breakfast and lunch concurrently. In this case, School Food Authorities must seek permission by States to implement new standards earlier than required, to ensure that the nutritional integrity of the meal is not compromised.

IMPLEMENTATION ASSISTANCE

70

- USDA is committed to helping State and local operators implement these changes.

Assistance from USDA

- Updates to Food Buying Guide
- Working with National Food Service Management Institute to offer training
- Updating menu planning resources and issuing guidance and technical assistance
 - Child Nutrition Database
 - CN Labeling Program updates re: whole grains
- Offering other support through Team Nutrition and Regional Offices

71

•One of the ways USDA is working to facilitate this transition is to update the Food Buying Guide and other necessary resources.

•We are also collaborating with the National Food Service Management Institute and the National Agricultural Library to develop training opportunities.

• In addition, we are updating the Child Nutrition Database. We will also re-evaluate the nutrient analysis software systems available from industry to assist State agencies with monitoring calories, saturated fat, and sodium in the meals offered to students in grades K through 12 during the administrative review.

•The Child Nutrition Labeling Program is also being updated to report vegetable subgroups and whole grain-rich contributions to the grains component, as well as to provide standardized crediting claims.

•Finally, we are offering additional support through Team Nutrition and our Regional Offices.

State Funding Assistance

- Funding from HHFKA for first 2 years of new meal requirements
 - To assist SAs in implementing new requirements
- Expected increases in State Administrative Expense funding in 2 years
 - Based on increased reimbursement with additional 6 cents

72

•I would also like to note some funding assistance opportunities for the States. The HHFKA provides USDA with \$3 million and the States with \$47 million for the first two years of the new meal requirements.

•This funding will be used for assisting State agencies in implementing the new requirements. This funding will be provided shortly, in the amounts noted in a recent memo provided to the States.

•These funds, combined with expected increases in State Administrative Expense funding in two years (based on increased reimbursement with additional 6 cents), should assist States and local operators in improving the quality of school meals provided to children.

USDA's Next Steps

- Continue revising technical assistance materials
- Work with State Agencies to facilitate training and implementation
 - March 6th training for States

73

•To help with implementation of the new requirements, USDA is revising and developing technical assistance materials, training, and other resources.

•As also noted, we are working with State Agencies to facilitate training and implementation. There will be a March 6th training for the States.

QUESTIONS AND COMMENTS

74

- That concludes our presentation for you today.
- Thank you very much for your time. I now welcome your questions and comments.