

CACFP New Meal Pattern Proposed Rule “Seeking Comment” Topics

Full text of the proposed rule can be found at:

<https://www.federalregister.gov/articles/2015/01/15/2015-00446/child-and-adult-care-food-program-meal-pattern-revisions-related-to-the-healthy-hunger-free-kids-act>

Below is a list of topics where the Proposed Rule specifically states USDA/FNS is “seeking comment” in order to determine the direction the Final Rule will take. Please note, you can and should comment on any and all areas of this Proposed Rule and you are not, in any way, limited to comments focused on areas included in this document. This list is intended only as a helpful tool and does not take the place of your own research and due diligence. Any language in quotations has been cut/pasted directly from the full text Proposed Rule (access the full text version via the above link)

Special note on comments:

“Your written comments on the proposed rule should be specific, should be confined to issues pertinent to the proposed rule, and should explain the reason(s) and/or provide supporting information for any change you recommend or proposal(s) you oppose. Where possible, you should reference the specific section or paragraph of the proposal you are addressing.”

Section: Flavored Milk and Yogurt – Proposed Alternatives

“For flavored milk served to children 2 through 4 years,

- Alternative A1 would prohibit the service of flavored milk to children 2 through 4 years of age. This provision would be considered a requirement under the meal pattern components, which could result in corrective action and/or disallowance of meals if not followed;
- Alternative A2 would require that flavored milk served to children 2 through 4 years of age contain no more than 22 grams of sugar per 8 fluid ounce serving. This provision would be considered a requirement under the meal pattern components, which could result in corrective action and/or disallowance of meals if not followed.

For flavored milk served to children 5 years and older,

- Alternative B1 would require that flavored milk, when served to children 5 years and older and adults, contain no more than 22 grams of sugar per 8 fluid ounce serving. This provision would be considered a requirement under the meal pattern components, which could result in required corrective action and/or disallowance of meals if not followed;
- Alternative B2 would recommend that flavored milk, when served to children 5 years of age and older and adults, contain no more than 22 grams of sugar per 8 fluid ounce serving. This recommendation would be included as a best practice; providers would be encouraged to adhere to these limitations but would not be required to do so.

For yogurt served to all age groups,

- Alternative C1 would require that yogurt contain no more than 30 grams of sugar per 6 ounce serving. We have converted the IOM's recommendation from 40 grams of sugar per 8 ounce serving because commercially available yogurt is typically sold in 6 ounce containers. This provision would be considered a requirement under the meal pattern components, which could result in required corrective action and/or disallowance of meals if not followed;
- Alternative C2 would recommend that yogurt contain no more than 30 grams of sugar per 6 ounce serving. This recommendation would be included under best practices; providers would be encouraged to adhere to these limitations but would not be required to do so."

Section: Weekly Meal Patterns and Certain Food Specifications

While processed meats are not excluded as part of the Proposed Rule, limiting processed meats is included in the Best Practices. USDA requests "comments on how processed meats could be defined and the feasibility, practicality, and challenges associated with implementing such a limitation are encouraged."

Section: Best Practices

Since many of the IOM recommendations were not included as a required element in the Proposed Rule but rather added as a list of Best Practices... "USDA requests comments on how to encourage more facilities to implement the best practices."

USDA requests "comments on other ways to improve the meals served to children in care without negatively impacting Program participation are encouraged. Specifically, comments on the reasonableness of implementing separate meal pattern requirements for day care centers and day care homes are requested. "

Section: Fluid Milk

"The Proposed Rule would adopt the IOM's recommendation to allow yogurt to be used to meet the fluid milk requirement for adults only, no more than once per day." With that said, "there is concern about the types of beverages that will be served at meals if yogurt is served as the milk component (*i.e.* sugary beverages, soft drinks, etc). Comments from the general public regarding this recommendation are encouraged."

Section: Food Preparation

The Proposed Rule "would prohibit facilities from frying foods (*i.e.*, cooking in added fat or oil) as a method of onsite preparation. Purchased foods that are pre-fried, flash-fried, or par-fried by the manufacturer may still be served, but must be reheated using a method other than frying. This approach is being taken because prohibiting all fried, pre-fried, flash-fried, and par-fried foods from being served would lead to increased food and preparation costs. Additional guidance on what constitutes "frying" would be provided by FNS prior to implementation. Comments are requested regarding the feasibility, practicality, and any challenges associated with such a restriction." *One question that came up multiple*

times in the webinars was whether stir frying would be prohibited. This has yet to be defined and would be an example of where we seek your input on what defines frying.

Section: Proposed Corresponding Changes to Other Child Nutrition Programs

School Breakfast Program and National School Lunch Programs will be required to follow CACFP meal pattern requirements for breakfasts, snack and lunches served to children ages 1-4 rather than the current SBP and NSLP meal pattern – “Comments from the general public are encouraged as to whether referring to the CACFP regulations for the meal patterns for children under 5 years of age is sufficient or whether meal pattern components, quantities, and charts should be reproduced in SBP [and NSLP] regulations, as they are currently.”

Section: Technical Assistance

“To further extend the reach of the technical assistance provided, comments are requested on strategies that can be used for providing additional technical assistance on the new meal pattern requirements.” *A good example of this is Iowa’s recommendation for a CACFP-specific meal cost calculation method/tool as used in NSLP.*