



State of Arizona
Department of Education

HNS# 06-2014

MEMORANDUM

TO: Sponsors of the National School Lunch Program

FROM: Mary Szafranski, Associate Superintendent
Arizona Department of Education, Health and Nutrition Services

DATE: March 28, 2014

SUBJECT: Revised Arizona Nutrition Standards in Response to Healthy Hunger Free Kids Act 2010, Competitive Food Standards

Original Signed

I would like to take this opportunity to present the revised Arizona Nutrition Standards for Kindergarten through Eighth grade, effective July 1, 2014. These new standards amend the current Arizona Nutrition Standards released in 2006, which were created in response to ARS 15-242. These revised Arizona Nutrition Standards will replace the current Arizona Nutrition Standards of 2006 to ensure consistency with the federal nutrition standards for all foods sold outside of program meals, as required by ARS 15-242.

As you may be aware, the United States Department of Agriculture, Food and Nutrition Service published Competitive Food Service Standards, commonly known as Smart Snacks. These are the federal nutrition standards that were used to revise the Arizona Nutrition Standards, in accordance with ARS 15-242.

This regulation is expected to improve the health and well-being of the Nation's children, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.

Comment Date: Arizona Department of Education is open to written comments on the revised standards. To submit a written comment, please email ADESchoolNutrition@azed.gov.

Implementation date: The revised Arizona Nutrition Standards must be implemented July 1, 2014.



Arizona Revised Statute (ARS) 15-242:

- Requires the Arizona Department of Education (ADE) to develop nutrition standards that meet at least the federal guidelines and regulations of foods and beverages sold or served on the school grounds specific to elementary schools, middle schools and junior high schools during the normal school day.
 - Arizona created the Arizona Nutrition Standards effective July 1, 2006.

Section 208 of the Healthy Hunger Free Kids Act of 2010 (HHFKA):

- Requires the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) to establish federal nutrition standards for all foods sold in schools other than food sold under the lunch and breakfast programs.
 - USDA has released 7CFR§210.11, “Competitive Food Service and Standards” (USDA Smart Snacks) effective July 1, 2014.
- Removal of categorization of Foods of Minimal Nutritional Value defined in 7CFR§210.11 and the regulation that prohibits the sale of Foods of Minimal Nutritional Value.

Per the release of the Competitive Food Service Standards of the Healthy Hunger Free Kids Act of 2010, the Arizona Nutrition Standards must be revised to align with the federal guidelines.

In order to comply with ARS 15-242:

ARS 15-242 section A and C:

- ADE revised all sections of the Arizona Nutrition Standards made effective July 1, 2006, to align with the federal competitive foods standards of the federal law, 7CFR§210.11. All foods and beverages must follow the federal standards as it pertains in 7CFR§210.11, effective July 1, 2014.
- ADE will uphold ARS 15-242 so that all federal standards for foods and beverages sold on the school grounds will also extend to all foods and beverages served to elementary schools, middle schools and junior high schools during the normal school day as it pertains in 7CFR§210.11.
- **Federal guidelines stipulate that the nutrition standards for competitive food apply to all foods and beverages sold: (a) Outside the school meals programs; (b) on the school campus; and (c) at any time during the school day. For the purposes of competitive foods, ARS 15-242 definitions will assume the federal definitions 7CFR§210.11: school grounds will assume the definition of *school campus*, all areas of the property under the jurisdiction of the school that are accessible to students during the school day; normal school day will assume the definition of *school day*, the period from the midnight before, to 30 minutes after the end of the official school day.**

ARS 15-242 section D:

- Due to the removal of 7CFR§210.11 Foods of Minimal Nutritional Value, the revised Arizona Nutrition Standards will not regulate against Foods of Minimal Nutritional Value and has removed Appendix C of the Arizona Nutrition Standards.

In response to Section 208 of the Healthy Hunger Free Kids Act of 2010 (HHFKA):

- Authorizes the State Agency to determine a number of fundraisers exempt from the standards.
 - Arizona will continue to uphold the current zero exemption policy as written in ANS in effect for K-8. Arizona will extend this policy to all grades, “K-12”. Therefore, all fundraising must follow the food and beverage standards as it pertains in 7CFR§210.11.



Section 1: Written Standards of Arizona Nutrition Standards have been revised to be consistent with the federal food and beverage standards per the interim final rule 7CFR§210.11 and ARS 15-242. At a minimum, all competitive food or beverages sold or served on the school grounds of elementary schools, middle schools and junior high schools during the school day must meet the nutrition standards and exemptions to the nutrition standards as specified in 7CFR§210.11.

Competitive Food Standards

A competitive food item must meet *at least one of the general standards* and meet all the *competitive food nutrient standards* as outlined.

Competitive Food General Standards

An allowable competitive food item would be required to:

- Be a grain product that contains 50 percent or more whole grains by weight or have as the first ingredient a whole grain; or
- Have as the first ingredient one of the non-grain major food groups: fruits, vegetables, dairy or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); or
- Be a combination food that contains 1/4 cup of fruit and/or vegetable; or
- For the period through June 30, 2016, contain 10 percent of the Daily Value of a nutrient of public health concern based on the most recent Dietary Guidelines for Americans (i.e., calcium, potassium, vitamin D or dietary fiber). Effective July 1, 2016, the criterion in this paragraph is obsolete and may not be used to qualify as a competitive food.

Competitive Food Nutrient Standards

Non-NSLP/SBP entrées (including accompaniments):

- Less than 35% of total calories from fat
- Less than 10% of total calories from saturated fat
- 0 grams of trans fat
- No more than 35% total sugar by weight
- Maximum 350 calories per serving as packaged or served
- Maximum 480mg of sodium as packaged or served

Snack Items and Side Dishes (including accompaniments):

- Less than 35% of total calories from fat
- Less than 10% of total calories from saturated fat
- 0 grams of trans fat
- No more than 35% total sugar by weight
- Maximum 200 calories per serving as packaged or served
- Maximum 230mg of sodium as packaged or served



Competitive Beverage Standards

Water

- Must be plain, cannot contain natural or non-caloric sweeteners (no size limit)
- Plain carbonated water, cannot contain natural or non-caloric sweeteners (no size limit)
- Cannot contain caffeine or a caffeine derivative

Juice

- Must contain 100% fruit and/or vegetable juice (Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)
- 100% fruit and/or vegetable juice diluted with water (with or without carbonation) with no added sweeteners (Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)

Milk and Alternatives

- Low fat milk (1%), unflavored (Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)
- Non-fat milk, flavored or unflavored (Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)
- Nutritionally equivalent milk alternatives as permitted by the school meal requirements CFR210.10 and CFR 220.8 (Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)



Exempt from all Competitive Food General Standards and Competitive Food Nutrient Standards

- NSLP/SBP entrées sold a la carte
 - Any entrée item offered as part of the lunch program or the breakfast program under 7CFR§220 is exempt from all competitive food standards if it is offered as a competitive food on the day of, or the school day after, it is offered in the lunch or breakfast program. Exempt entrée items offered as a competitive food must be offered in the same or smaller portion sizes as in the lunch or breakfast program. Side dishes offered as part of the lunch or breakfast program and served à la carte must meet the nutrition standards in this section.
- Sugar-free chewing gum are exempt from all competitive food standards

Exempt from all Competitive Food Nutrient Standards

- Fruits and Vegetables 210.11(d)
 - Fresh, frozen, and canned fruits and vegetables with no added ingredients except water or, in case of fruit, packed in 100% fruit juice or light syrup with extra light syrup are exempt from all nutrient standards
 - Canned vegetables that contain a small amount of sugar for processing purposes, to maintain the quality and structure of the vegetable, are also exempt from the nutrient standards included in this section

Exempt from specific Competitive Food Nutrient Standards

- 35% or less of total calories from fat
 - Reduced fat cheese (including part-skim mozzarella)
 - Nuts and seeds and nut/butters
 - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat
 - Seafood with no added fat

Combination items are not exempt and must meet all the nutrient standards

- 10% or less of total calories from saturated fat
 - Reduced fat cheese (including part-skim mozzarella)
 - Nuts and seeds and nut/butters
 - Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat

Combination items are not exempt and must meet all the nutrient standards

- No more than 35% total sugar by weight
 - Dried fruits and vegetables with or without nutritive sweeteners for processing and/or palatability purposes may exceed sugar by weight standard
 - Products that consist of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat



Section 2: Maximum Portion Sizes

Section 2: Maximum Portion Sizes of Arizona Nutrition Standards have been revised to be consistent with the federal food and beverage standards per the interim final rule 7CFR§210.11 and ARS 15-242. At a minimum, all competitive food or beverages sold or served on the school grounds of elementary schools, middle schools and junior high schools during the school day must meet the nutrition standards and exemptions to the nutrition standards as specified in 7CFR§210.11.

Juice	Max Portion Size
100% fruit and/or vegetable juice	(Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)
100% fruit and/or vegetable juice diluted with water (with or without carbonation) with no added sweeteners	(Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)

Fluid Milk and Alternatives	Max Portion size
Low fat milk (1%), unflavored Non-fat milk, flavored or unflavored	(Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)
Nutritionally equivalent milk alternatives	(Elementary \leq 8 fl. oz, Middle/Junior High \leq 12 fl. oz)

Entrée	Max Portion Size
Cannot exceed the served portion size of the NSLP reimbursable meal	



Classroom Party: a celebration that occurs within a given classroom (or respective area) and is limited to only those students enrolled in that one classroom. Examples of classroom parties are holiday parties and birthday parties that occur in the classroom limited to only those enrolled students.

Combination Foods: products that contain two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein or grains.

Competitive Food: means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the School campus during the School day.

Entrée Item: an item that includes only the following three categories of main dish food items: (1) A combination food of meat or meat alternate and whole grain rich bread; (2) A combination food of vegetable or fruit and meat or meat alternate; or (3) A meat or meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters.

Foods of Minimal Nutritional Value (FMNV): As defined in 7CFR§210.11(2), foods and beverages that do not provide at least 5% of the Recommended Daily Intake (RDI) for any one of several key nutrients. Soda water (carbonated beverages) water ices, chewing gum, and certain candies are included. FMNVs remain in effect through June 30, 2014.

Fundraisers: an event that includes any activity during which currency/tokens/tickets are exchanged for the sale/purchase of a product in support of the school or school-related activities.

Juice, 100%: Undiluted liquid fraction of a whole vegetable, fruit or vegetable/fruit blend.

Milk: Pasteurized, homogenized fluid cow's milk.
Skim/Fat Free Milk: Containing less than .5% milk fat
Low fat Milk: Containing 1% milk fat

National School Lunch Program (NSLP): Program under which participating schools operate a nonprofit lunch program authorized by 7CFR§210 of the National School Lunch Act.

Portion Size: A quantity of food or beverage intended as “per item as packaged or served” for consumption by one individual.

School Breakfast Program: Program under which participating schools operate a nonprofit breakfast program authorized by 7CFR§220 of the Child Nutrition Act.

School Campus: for the purpose of competitive food standards implementation, all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

School Day: for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day.

School Sponsored Event: an event that occurs outside of the enrolled single classroom and involves several members of the student body. Examples of school sponsored events include field days, spirit days, pep rallies, socials, or other school celebrations.

Whole Grain Rich Food: Be a grain product that contains 50 percent or more whole grains by weight or have whole grains as the first ingredient.

