



School Year 2019-2020:

Flexibilities for Milk, Whole Grains, & Sodium

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Today's Agenda

Final Rule (83 FR 63775)

- Background
- Permanent Flexibilities
- Next Steps
- Questions



Background



- **May 2017:** USDA issues Commitment to School Meals Proclamation; FNS memorandum grants menu planning flexibilities through SY 2017-2018
- **November 2017:** FNS interim final rule extends menu planning flexibilities through SY 2018-2019
- **December 2018:** Final rule provides long-term menu planning flexibility for Program operators

Developing the Final Rule

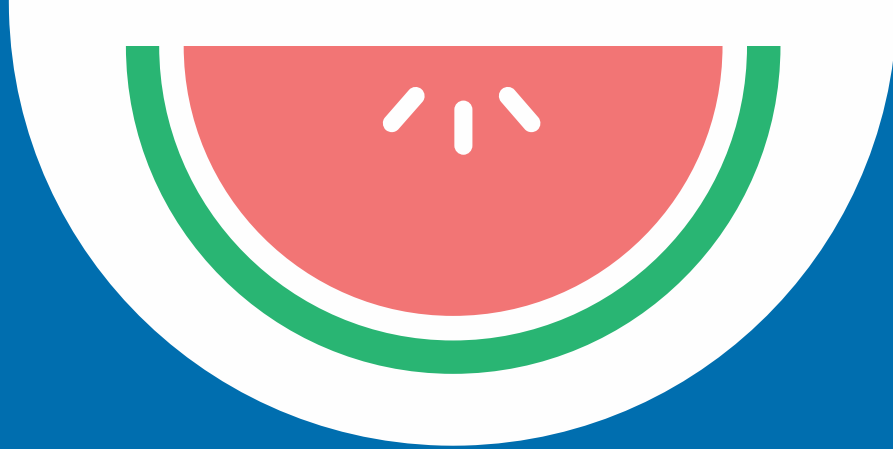
- FNS focused on public comments specific to the three menu planning flexibilities.
- **Intended benefits:**
 - Reduced regulatory burden
 - Increased student participation
 - Reduced food waste



Wholesome and Appealing Meals

Children will continue to have access to fruit, an array of vegetables, whole grains, and fat-free and low-fat milk.





Final Rule Flexibilities

Effective July 1, 2019

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Milk Flexibility

- Allows flavored, low-fat milk in schools (lunch, breakfast, a la carte)
- Also allowed in:
 - Special Milk Program (ages 6+)
 - Child and Adult Care Food Program (ages 6+)
- No exemption request required



Milk Flexibility

- Schools must offer unflavored milk at each meal service in NSLP/SBP.
- Variety must not be limited to flavored milk choices (e.g., flavored fat-free and low-fat milk).
- Milk variety requirement does not apply to CACFP.



Whole Grain-Rich Flexibility

- At least half of the weekly grains offered in the NSLP and SBP must be whole grain-rich.
- Other grains in the weekly menu must be enriched.



Whole Grain-Rich Criteria

- No change to the *whole grain-rich* criteria specified in FNS memo SP 30-2012 (Elements 1 and 2)
- *Whole grain-rich* products must contain at least 50 percent whole grains and the remaining grains in the product must be enriched.



No exemption requests SY 2019/20

- Whole grain-rich exemption requests are not required beginning SY 2019-2020



Sodium Flexibility

- Retains Target 1 through SY 2023-2024
- Moves Target 2 to SY 2024-2025
- Removes Final Target



In Summary: SY 2019-2020

- Flavored, low-fat milk will be allowed in NSLP/SBP, and for participants ≥ 6 years in CACFP and SMP.
- Milk variety in NSLP/SBP must include unflavored milk.
- Half of the weekly grains in NSLP/SBP must be whole grain-rich.



In Summary: SY 2019-2020

- There will be no change to the “whole grain-rich criteria.”
- Enriched grains will be allowed without exemption requests.
- Sodium Target 1 will continue.



Minimum Standards May be Exceeded



- Sodium and whole grain-rich requirements in NSLP/SBP set a floor and not a ceiling.
- State agencies have discretion to set stricter standards that are not inconsistent with Federal requirements.
- Meal reimbursement is based on compliance with Federal standards.



Next Steps



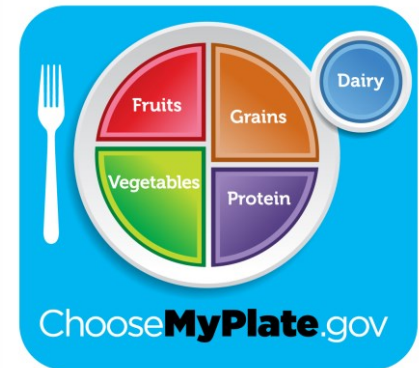
Expected Impact

- More operational flexibility to meet student preferences
- More opportunities to incorporate local and regional favorites
- Increased consumption of wholesome meals



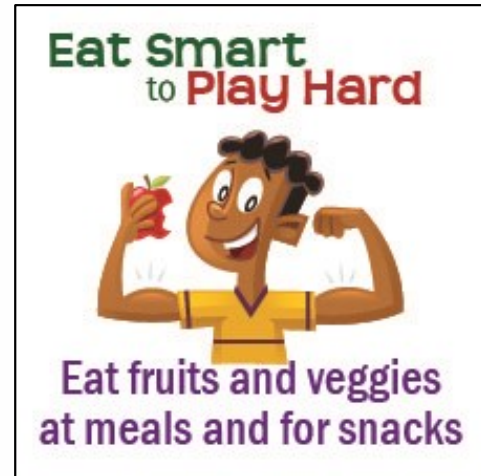
Looking Ahead

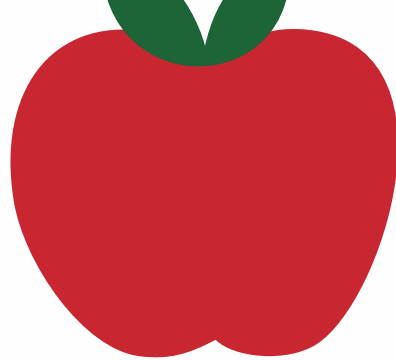
- USDA will continue to provide guidance, resources, and training.
- Beginning SY 2019-2020, the Administrative Review will assess compliance with the updated grains and sodium requirements.
- The Dietary Guidelines for Americans will continue to inform the overarching nutrition requirements.



USDA Resources

- **Nutrition Standards for School Meals:**
<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>
- **Team Nutrition:**
<https://www.fns.usda.gov/tn/team-nutrition>
- **School Meals Policy:**
<https://www.fns.usda.gov/school-meals/policy>





Questions?



United States Department of Agriculture

Does the final rule impact CACFP?

- Only the milk flexibility impacts CACFP operators.
- Flavored, low-fat milk may be offered to participants ages 6 and older.
- Exemption requests are not required.
- The requirement that milk variety must include unflavored milk does not apply to CACFP.

Is compliance with the nutrition standards based on this final rule?

- Yes. Beginning SY 2019-2020, the Administrative Review process will assess compliance with the milk, grains, and sodium standards implemented by this final rule.
- For example, State agencies will ensure that schools offer at least half of the weekly grains as whole grain-rich.

May State agencies impose stricter nutrition standards?

- Yes. For example, a State agency has the option to require that all weekly grains offered in SY 2019-2020 be whole grain-rich, as currently required.
- State agencies must reimburse meals served that meet the Federal standards.
- State agencies may only take back State funds for violations of State standards.

Does the final rule impact milk contracts?

- See **memorandum SP 17-2012** on procurement Q&As
- A material change to a contract depends on the SFA's initial solicitation document and the resulting contract.
- Some current contracts will not be inconsistent with the final rule. Those contracts may require only nonmaterial changes.

Will Exhibit A be updated?

- Exhibit A is the Ounce Equivalency (Oz Eq) Requirements for School Meal Programs. It helps determine how many ounces or grams of a particular grain food must be served to count as an ounce equivalent. Example: a bagel must weight 28 grams (or 1 oz) to count as 1 oz equivalent.
- Minimal updates will be made to Exhibit A to remove the titled reference to Whole Grain-Rich Ounce Equivalency, but the data in the charts will not change.
- Exhibit A will continue to be used as the first step in determining if a product is a whole grain-rich food item.

Is an entrée with enriched grains exempt from the Smart Snacks requirements?

- Yes. Schools may continue to offer entrée items, that include enriched grains, for sale as a la carte foods on:
 - the day they are served as part of the meal, and
 - the day after.