

Beverage Requirements for Connecticut Public Schools



CONNECTICUT STATE
DEPARTMENT OF EDUCATION

**Connecticut State Department of Education (CSDE)
Bureau of Health/Nutrition, Family Services and Adult Education**

About this Presentation

- This presentation provides general guidance regarding the beverage requirements for *public schools* under
 - Section 10-221q of the Connecticut General Statutes (CGS)
 - U.S. Department of Agriculture's (USDA) Smart Snacks nutrition standards of the final rule, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School* (Federal Register, Vol. 81, No. 146, July 29, 2016)
- For specific questions or technical assistance, please contact the Connecticut State Department of Education (see slides 113-114 for contact information)

Disclaimer

- The mention of trade names, commercial products or organizations does not imply approval or endorsement by the Connecticut State Department of Education (CSDE) or the U.S. Department of Agriculture (USDA)
- Product names are used solely for clarification in evaluating compliance with the state and federal beverage requirements

Abbreviations

ASP	Afterschool Snack Program
CGS	Connecticut General Statutes
CNS	Connecticut Nutrition Standards
CSDE	Connecticut State Department of Education
HFC	Healthy Food Certification
NSLP	National School Lunch Program
SBP	School Breakfast Program
USDA	U.S. Department of Agriculture

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Overview of Beverage Requirements



https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221q

State Beverage Requirements

- Apply to *all public schools* regardless of whether they participate in
 - Healthy Food Certification (HFC) under C.G.S. Section 10-215f
 - OR
 - the USDA's school nutrition programs
 - National School Lunch Program (NSLP)
 - School Breakfast Program (SBP)
 - Afterschool Snack Program (ASP)
 - Special Milk Program (SMP)

Connecticut Public Schools

- All local and regional boards of education
- Connecticut Technical High School System (Connecticut Technical Education and Career System)
- Governing authorities for state charter schools, interdistrict magnet schools, and endowed academies

State Beverage Requirements

- Apply to all beverages sold to students on school premises from all sources including beverages sold
 - *as part of* school meals
 - *separately* from school meals



Potential Sources of Beverage Sales

- Cafeteria meals and a la carte sales
- Vending machines accessible to students
- School stores, kiosks, and other school-based enterprises
- Culinary programs
- Fundraisers
- Any other programs, organizations, and activities selling foods and beverages to students on school premises

Other Potential Sources of Beverage Sales *

- Adult education programs operated by the board of education
- Afterschool programs and activities, such as enrichment programs, extracurricular classes, tutoring sessions, and student clubs
- Classroom parties and other celebrations
- Clubs and organizations
- Family and consumer sciences classes
- Family resource centers
- Meetings
- Recipient schools under interschool agreements
- Sports programs and competitions, such as games, matches, and tournaments
- Summer school programs (e.g., enrichment or exploratory) operated by the board of education
- USDA's Afterschool Snack Program (ASP)
- USDA's Seamless Summer Option (SSO) of the NSLP (*only if foods are sold separately from reimbursable meals*)
- USDA's Summer Food Service Program (SFSP) operated by the board of education on school premises (*only if foods are sold separately from reimbursable meals*)
- Vendors on school premises, e.g., food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities that sell foods and beverages to students

* **This list is not all-inclusive**

For detailed guidance, see slides 102-103

School Premises

All areas of the property *under the jurisdiction* of the local or regional board of education, the regional vocational-technical school system (Connecticut Technical Education and Career System (CTECS)), or the governing authority district or school



Sale

The exchange of a determined amount of *money or its equivalent* (such as coupons, tickets, tokens, and similar items) for beverages, including

- programs and activities that charge a fee that includes the cost of beverages provided to students
- activities that suggest a student donation in exchange for beverages



USDA Smart Snacks Beverage Requirements

- Some provisions of Smart Snacks supersede the state beverage statute
- Some provisions of the state beverage statute supersede Smart Snacks
- Beverages must comply with the strictest requirements of each

The beverage requirements in this presentation include the *stricter requirements* of each law

Exemption Criteria



https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221q

Beverage Exemptions

- Not part of the annual HFC Statement (EDD 099 Addendum for Child Nutrition Programs), which applies only to foods
- Board must vote *separately* to allow sale to students of any beverages that do not comply with CGS Section 10-221q
 - CSDE recommends voting on beverage exemptions at the *same time* as the annual HFC Statement

Beverage Exemptions

- Beverages that do not comply with CGS Section 10-221q cannot be sold to students on school premises unless
 - the board *votes* to allow beverage exemptions **AND**
 - the beverage sales meet the *three exemption criteria* (see slide 18)

Beverage sales (including sales at exempted events) must also comply with additional state requirements (see slides 71-89)

Three Exemption Criteria for Beverages

1. The sale is in connection with an *event* occurring *after* the end of the regular school day or on the weekend



2. The sale is at the *location* of the event

3. The beverages are not sold from a vending machine or school store

Regular School Day

The period from *midnight before to 30 minutes after* the end of the official school day



Example

- If the school officially ends at 3:00 p.m., the school day is from midnight through 3:30 p.m.
- If the board has voted to allow exemptions, noncompliant beverages could be sold at the location of an event held anytime from 3:31 p.m. through 11:59 p.m.

Event

An occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity



Event	Not An Event
soccer game	soccer practice
high school debate	debating team practice
school play	play rehearsals
school chess match	chess club

Examples of Events *

- Awards banquets
- Boy Scout Blue & Gold Dinner
- Craft fairs
- Debate team competitions
- Election day (if school is not in session)
- Family bingo nights
- Field days
- Math team competitions
- Mock trial competitions
- School carnivals
- School concerts
- School dances
- School fairs, e.g., health, science, and math
- Silent auctions
- Sports banquets
- Sports games, tournaments and matches, e.g., basketball, football, soccer, tennis, field hockey, volleyball, and cross country
- Talent shows
- Theatrical productions

* **This list is not all-inclusive**

Contact the CSDE to determine whether specific district activities meet the definition of event

Location

The *same place* where the event is being held

Example

If a school allows beverage exemptions, lemonade could be sold on the side of the baseball field during a baseball game, but cannot be sold in the school cafeteria while a baseball game is being played on the baseball field



Beverage Exemptions are Never Allowed for Non-events such as

- Afterschool programs and activities
- Cafeteria a la carte sales
- Classes, e.g., culinary programs, family and consumer sciences
- Fundraisers that are not held at an event
- Meetings
- School stores
- Sports practices
- Vending machines
- Any other programs or activities that are not events

All beverages sold from these sources must **always** comply with the state beverage statute

CSDE Resource

Exemptions for Foods and Beverages in Public Schools

- Summarizes the state requirements and provides guidance and specific motion language for exemptions

Exemptions for Foods and Beverages in Public Schools

This document summarizes the requirements for allowing food exemptions under Healthy Food Certification (HFC), which are mandated by Section 10-215f of the Connecticut General Statutes (C.G.S.); and the requirements for allowing beverage exemptions in public schools, which are mandated by C.G.S. Section 10-221q. It also provides motion language for the board of education or governing authority's votes to allow food exemptions and beverage exemptions.

Each public school sponsor of the National School Lunch Program (NSLP) must complete their annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)) by July 1 of each year. The HFC Statement is completed online in the Connecticut State Department of Education's (CSDE) Online Application and Claiming System for Child Nutrition Programs (CNP System), as part of the sponsor's application module for participation in the U.S. Department of Agriculture's (USDA) Child Nutrition Programs. The final board-approved meeting minutes must be uploaded with the submission of the annual HFC Statement, and must indicate the results of the board votes for whether they will:

- adopt the healthy food option under HFC; and
- allow food exemptions to the healthy food option under HFC (if the district votes to implement the healthy food option); and
- allow beverage exemptions under C.G.S. Section 10-221q (if the district chooses to allow beverage exemptions).

The language in the final board-approved meeting minutes must reflect the specific criteria required by C.G.S. Section 10-215f for participating in the healthy food option of HFC and allowing food exemptions. For detailed guidance on the 2020-21 HFC application process, see CSDE Operational Memorandum 05-20: *Process for Submitting the Healthy Food Certification (HFC) Statement for School Year 2020-21*. For additional information on the HFC application process, visit the "Apply" section of the CSDE's HFC webpage.

If the district chooses to allow beverage exemptions, the CSDE recommends that the board of education or governing authority conducts the vote on beverage exemptions at the same time as the HFC votes. The language in the final board-approved meeting minutes must reflect the specific criteria for beverage exemptions required by C.G.S. Section 10-221q. For more information, see "Beverages" on page 3.

Note: Schedule the HFC votes at a meeting of the board of education or governing authority that occurs **before April 30**, so the district can submit the **final board approved meeting minutes** to the CSDE by the **July 1** deadline. The CSDE cannot accept **draft** meeting minutes to approve the HFC application. Districts must schedule the initial board meeting early enough to enable timely submission of the final board-approved meeting minutes.

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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FoodBeverageExemptions.pdf>

Allowable Beverages



Five Categories of Allowable Beverages

These requirements include the stricter requirements of the state beverage statute and USDA's Smart Snacks beverage standards



Category 1: Milk

- **Must meet fat and flavor restrictions**
 - unflavored or flavored
 - low-fat (1%) or fat-free
- **No more than 4 grams of sugar per fluid ounce**
- **No artificial sweeteners (see slide 30)**



Sweeteners

Ingredients used to sweeten foods and beverages, including natural and artificial



- *nutritive sweeteners* (contain calories) such as sugars and syrups
- *nonnutritive sweeteners* (no or very low calories) such as *artificial sweeteners* (e.g., acesulfame-potassium, aspartame, and sucralose) and *“natural” sweeteners* (e.g., stevia)

Examples of Nutritive Sweeteners *

- Agave nectar
- Beet sugar
- Cane sugar
- Corn syrup
- Crystalline fructose
- Dextrose
- Evaporated cane juice
- Fructose
- Fruit juice concentrate
- Galactose
- Glucose
- High-fructose corn syrup
- Honey
- Rice syrup
- Sorghum syrup
- Sugar
- Malt syrup
- Molasses

*** This list is not all-inclusive**

Examples of Nonnutritive Sweeteners

Nonnutritive Sweeteners		Sugar Alcohols
Artificial	“Natural” *	
<ul style="list-style-type: none">■ Acesulfame Potassium (Acesulfame-K, Sunett, Sweet One)■ Aspartame (NutraSweet, Equal)■ Saccharin (Sweet and Low, Sugar Twin, Sweet Twin, Sweet ‘N Low Brown, Necta Sweet)■ Sucralose (Splenda)■ Neotame■ Tagatose	<ul style="list-style-type: none">■ Stevia (Rebiana, Truvia, PureVia, SweetLeaf, Rebaudioside A) <p>* The term “natural” does not have any consistent meaning when used to describe foods or beverages, and has not been defined by the FDA</p>	<ul style="list-style-type: none">■ Erythritol■ Isomalt■ Lactitol■ Maltitol■ Mannitol■ Sorbitol■ Xylitol■ Hydrogenated starch hydrolysates (e.g., hydrogenated glucose syrups, maltitol syrups, and sorbitol syrups)

Category 2: Nondairy Milk Substitutes

- **Must meet USDA's standards for milk substitutes (see slide 32)**
 - **No artificial sweeteners (see slide 30)**
 - **No more than 4 grams of sugar per fluid ounce**
 - **No more than 35% of calories from fat**
 - **No more than 10% of calories from saturated fat**



USDA's Nutrition Standards for Milk Substitutes

Nutrients per cup (8 fluid ounces)

- Calcium: 276 milligrams (mg)
- Protein: 8 grams (g)
- Vitamin A: 500 international units (IU)
- Vitamin D: 100 IU
- Magnesium: 24 mg
- Phosphorus: 222 mg
- Potassium: 349 mg
- Riboflavin: 0.44 mg
- Vitamin B-12: 1.1 micrograms (mcg)

Need Manufacturer Documentation to Determine if Milk Substitutes Comply

- Nutrition Facts label does not indicate if a product complies with USDA's nutrition standards for milk substitutes
 - Must obtain documentation from manufacturer
- Only certain brands of *soy beverages* comply
 - Included on the CSDE's List of Acceptable Foods and Beverages webpage (see slide 91)



CSDE Resource

Allowable Milk Substitutes for Children Without Disabilities in School Nutrition Programs

- Summarizes USDA's requirements for milk substitutes and required documentation, and identifies allowable milk substitutes

Allowable Milk Substitutes for Children Without Disabilities in School Nutrition Programs

Public schools, private schools, and residential child care institutions (RCCIs) participating in the U.S. Department of Agriculture's (USDA) school nutrition programs must follow the federal requirements for meal modifications for children without disabilities who cannot drink milk. School nutrition programs include the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), and Child and Adult Care Food Program (CACFP) At-risk Supper Program implemented in schools.

Each school food authority (SFA) has the option to make this accommodation by offering one or more allowable fluid milk substitutes for children without disabilities. If a SFA chooses to make allowable milk substitutes available, they must be available for all children when requested by their parent or guardian. These substitutions are at the expense of the SFA. The USDA does not provide additional reimbursement.

For children without disabilities, SFAs cannot claim reimbursement for meals that contain any other beverages in place of milk, such as juice, water, or nondairy beverages that do not meet the USDA's nutrition standards for fluid milk substitutes.

Note: The following criteria apply only to milk substitutes for children without disabilities. Meal modifications for children with disabilities must comply with the USDA's requirements. For more information, see the Connecticut State Department of Education's (CSDE) guide, *Accommodating Special Diets in School Nutrition Programs*.

Allowable Milk Substitutes

SFAs may choose to offer one or more allowable milk substitutes for children whose special dietary needs do not constitute a disability. The two types of allowable substitutes for children without disabilities include:

- **nondairy milk substitutes** that meet the USDA's nutrition standards for fluid milk substitutes (see table 1), such as certain brands of soy milk; and
- **lactose-reduced or lactose-free milk** with the appropriate fat content for each grade group, i.e., low-fat milk (unflavored or flavored) and fat-free milk (unflavored or flavored) for grades K-12; whole unflavored milk for age 1; and unflavored low-fat or fat-free milk for ages 2-4.



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<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milksub.pdf>

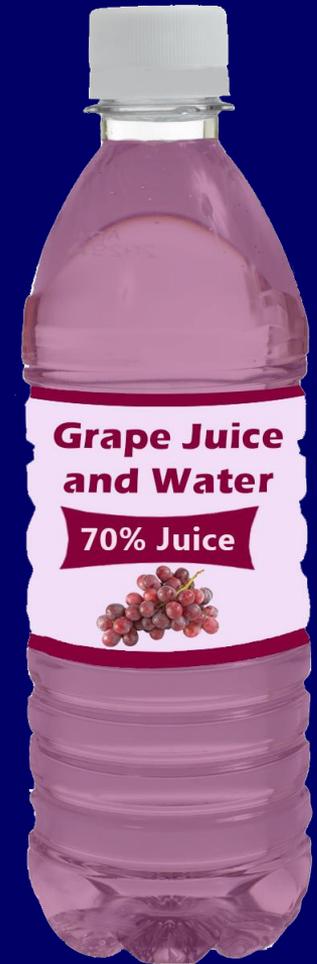
Category 3: 100% Juice

- Can be fruit juice, vegetable juice, or combination
- No added sugars or sweeteners (see slides 28-30)



Category 4: Water and Juice Beverages

- Contain only water mixed with some portion of 100% juice (fruit, vegetable, or combination)
- No added sugars or sweeteners, including nonnutritive artificial and natural sweeteners (see slides 28-30)
- Must meet additional requirements (see slide 37)



CSDE Resource

Requirements for Beverages Containing Water and Juice

- Summarizes Connecticut's requirements for beverages that contain water mixed with some portion of 100 percent juice

Requirements for Beverages Containing Water and Juice Complying with Section 10-221q of the Connecticut General Statutes

Section 10-221q of the Connecticut General Statutes specifies five categories of beverages that are allowed for sale to students in public schools, including "beverages that contain **only** water and fruit or vegetable juice and have no added sugars, sweeteners or artificial sweeteners." However, no water and juice beverages actually meet the criteria specified in the statute because all currently available products contain additional ingredients besides water and juice, such as natural flavors, vegetable color, vitamin C, and other nutrients.



Based on the intent of the statute to have beverages available in this category, the state committee responsible for revising the Connecticut Nutrition Standards developed specific standards for the category of water and juice beverages in 2008. These standards took effect on July 1, 2009, and are revised by the committee as needed to reflect current nutrition science. They apply to all water and juice beverages sold to students on public school premises including the cafeteria, vending machines, school stores, fundraisers, and any other sources of beverage sales to students.

Requirements for Water and Juice Beverages

"Water and juice beverages" are beverages made with some portion of 100 percent juice mixed with water. To be allowed for sale to students in schools, all water and juice beverages must meet the criteria below.

- Must contain only water and fruit or vegetable juice and have no added sugars or sweeteners (including artificial, nonnutritive, and natural sweeteners, and sugar alcohols).
- Portion size is limited to 8 fluid ounces for elementary school students and 12 fluid ounces for middle and high school students.
- No more than 100 percent vitamin C.
- No more than 10 percent of calcium, potassium, vitamin D, and fiber (e.g., maltodextrin, inulin).
- No other fortification of vitamins and minerals other than those nutrients listed above.
- No nutrition supplements such as amino acids (e.g., taurine, glutamine, lysine, and arginine), extracts (e.g., green tea extract and gotu kola extract), and herbs or other botanicals (e.g., ginseng and ginkgo biloba).
- May contain vegetable or fruit extracts only, used for color or flavor, such as pomegranate extract, beet extract, or red cabbage extract.
- May contain natural flavors, as defined by the Food and Drug Administration (FDA) food labeling requirements (Title 21 Code of Federal Regulations Section 101.22) and natural colors (such as fruit or vegetable juice).

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<https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/WaterJuiceBev.pdf>

Category 5: Water

- May be plain or carbonated
- May be flavored or unflavored
- No added sugars or sweeteners, including nonnutritive artificial and natural sweeteners (see slides 28-30)
- No caffeine



Portion Size Limits for Allowable Beverages (Fluid Ounces ¹)

Beverage	Grade Level		
	Elementary	Middle	High
Milk	8	12	12
Nondairy milk substitutes	8	12	12
100% juice	8	12	12
Water and 100% juice beverages	8	12	12
Water	Unlimited	Unlimited	Unlimited

¹ Portion sizes are based on the stricter requirements of CGS Section 10-215f and Smart Snacks

Prohibited Beverages



Prohibited Beverages

- Beverages that do not comply with the state beverage statute cannot be sold to students unless
 - the board of education or governing authority *votes* to allow beverage exemptions **AND**
 - the beverage sales meet the three exemption criteria (see slide 18) **AND**
 - the beverage sales comply with all other state requirements (see slides 71-89)

Examples of Prohibited Beverages

- Slides 43-70 show some examples of prohibited beverages



Prohibited: Soda

- Regular
- Diet



Prohibited: Coffee

- Regular
- Decaffeinated
- Herbal
- Iced



Prohibited: Tea

- Regular
- Decaffeinated
- Herbal
- Iced



Prohibited: Hot Chocolate/Cocoa

- Regular
- Low-calorie
- Low-sugar



Prohibited: Juice Drinks

- Not 100 percent juice
- Juice drink = a product resembling juice that contains *some portion of full-strength juice with added water* (plain or carbonated) and possibly other ingredients, such as sweeteners and flavorings



Prohibited: Juice Drinks

- Label might indicate “contains juice,” “fruit flavored” or give the percentage of juice, such as “contains 15% juice”
- Might be labeled drink, beverage, cooler, cocktail, “ade” (e.g., lemonade, limeade), nectar or punch



Prohibited: Juice Drinks

Examples

- Cranberry cocktail
- Fruit nectars
- Fruit punch drinks
- Grape juice drink
- Lemonade
- Limeade
- Orange juice drink
- Pineapple-grapefruit beverage



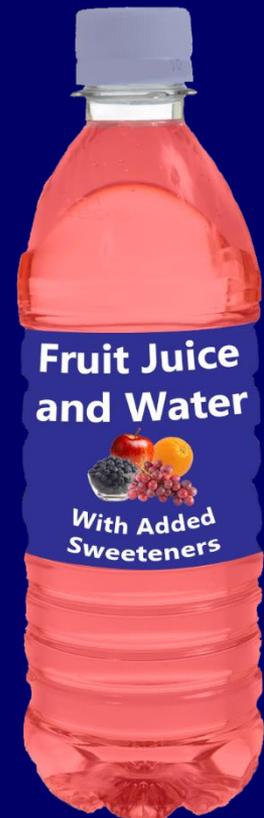
Prohibited: 100% Juice with Added Sweeteners

- 100 percent juice (with or without carbonation) with *added sweeteners* (see slides 28-30)



Prohibited: Water/Juice Beverages with Added Sweeteners

- Beverages containing 100% juice diluted with water (with or without carbonation) with *added sweeteners* (see slides 28-30)



Prohibited: Certain Types of Milk

- Milk that does not meet USDA's fat restrictions
 - Reduced-fat (2%) milk
 - Whole milk
- Milk that contains artificial sweeteners (see slide 30)



Prohibited: Nondairy Milk Substitutes

Nondairy milk substitutes that do not meet USDA's nutrition standards for fluid milk substitutes (see slide 32) such as

- some brands of soy milk
- rice milk
- almond milk
- cashew milk



Prohibited: Energy Drinks

- **Energy drinks**
 - Often contain high amounts of caffeine, sugar, and other ingredients such as nutrition supplements
 - Associated with serious adverse effects in children and adolescents



Prohibited: Waters with Added Sweeteners

- Waters (with or without carbonation) with *added sweeteners* (see slides 28-30)
- Waters (with or without carbonation) with *calorie-free nonnutritive sweeteners* (see slides 28-30)



Slides 56-63 show examples of waters with added sweeteners

Fruit 2O Flavored Sparkling Beverage, Sunny Delight Beverages Co

Contains 3% juice

Ingredients: Carbonated water, contains less than 2% of strawberry juice concentrate, natural flavor, citric acid, malic acid, potassium citrate, **SUCRALOSE**, calcium disodium EDTA (to protect flavor), potassium benzoate (to ensure freshness, red 40).

Contains sucralose, which is an artificial nonnutritive sweetener (see slide 30)



Propel Fitness Water, Stokely-Van Camp, Inc

Ingredients: water, citric acid, sodium hexametaphosphate (to protect flavor), natural flavor, potassium sorbate (preserves freshness), ascorbic acid (vitamin C), **SUCRALOSE**, sodium citrate, **ACESULFAME POTASSIUM**, niacinamide (vitamin B3), calcium disodium EDTA (to protect flavor), vitamin e acetate, calcium pantothenate (vitamin B5), pyridoxine hydrochloride (vitamin B6)

Contains sucralose and acesulfame potassium, which are artificial nonnutritive sweeteners (see slide 30)



Sonu Water (10 calories)

Ingredients: Filtered water, **ORGANIC AGAVE SYRUP**, organic and natural flavors, organic vegetable extract for color, citric acid, ascorbic acid, niacin (B3), pantothenic acid (B5), pyridoxine (B6), cyanocobalamin (B12), palm carotene (source of vitamin A), electrolytes (potassium carbonate, calcium chloride, magnesium chloride)

Contains organic agave syrup, which is a nutritive sweetener (see slide 29)



Sonu Water (25 calories)

Ingredients: Filtered water, **ORGANIC EVAPORATED CANE JUICE**, organic and natural flavors, citric acid, niacin (B3), pantothenic acid (B5), pyridoxine (B6), cyanocobalamin (B12), palm carotene (source of vitamin A), electrolytes (potassium carbonate, calcium chloride, magnesium chloride)



Contains organic evaporated cane juice, which is a nutritive sweetener (see slide 29)

Sonu Water (45 calories)

Ingredients: Filtered water, *EVAPORATED CANE JUICE*, organic and natural flavors, citric acid, niacin (B3), pantothenic acid (B5), pyridoxine (B6), cyanocobalamin (B12), palm carotene (source of vitamin A), electrolytes (potassium carbonate, calcium chloride, magnesium chloride)

Contains organic evaporated cane juice, which is a nutritive sweetener (see slide 29)



Glaceau Vitamin Water, Coca-Cola

Ingredients: Reverse osmosis water, **CRYSTALLINE FRUCTOSE, CANE SUGAR**, less than 0.5% of: vitamin C (ascorbic acid), citric acid, natural flavors, vegetable juice (color), magnesium lactate and calcium lactate and potassium phosphate (electrolyte sources), taurine, vitamin B5 (calcium pantothenate), zinc gluconate, vitamin B6 (pyridoxine hydrochloride), vitamin B12 (cyanocobalamin), chromium polynicotinate



Contains crystalline fructose and cane sugar, which are nutritive sweeteners (see slide 29)

Glaceau Vitamin Water Zero, Coca-Cola

Ingredients: Reverse osmosis water, less than 1% of: **ERYTHRITOL**, citric acid, calcium phosphate, magnesium lactate and calcium lactate and potassium phosphate (electrolyte sources), gum acacia, phosphoric acid, vitamin C (ascorbic acid), **STEVIA LEAF EXTRACT**, natural flavors, zinc gluconate, glycerol ester of rosin, vitamin B5 (calcium pantothenate), vitamin E (alpha-Tocopheryl acetate), vitamin B6 (pyridoxine hydrochloride), vitamin A palmitate



Contains erythritol (sugar alcohol), which is a nonnutritive sweetener, and stevia leaf extract, which is a natural nonnutritive sweetener (see slide 30)

Karma Wellness Water

Ingredients: Spring water (includes coconut), *STEVIA REBAUDIANA LEAF EXTRACT*, *CANE SUGAR*, *ERYTHRITOL*, gum arabic, citric acid, ascorbic acid (vitamin C), D-calcium pantothenate (vitamin B5), niacinamide (vitamin B3), D-alpha-tocopheryl acetate (vitamin E), vitamin A palmitate (vitamin A), pyridoxine hydrochloride (vitamin B6), green tea leaf extract, panax ginseng root extractives, yerba mate (*ilex paraguariensis*) leaf extractives, cholecalciferol (vitamin D3), cyanocobalamin (vitamin B12)



Contains stevia rebaudina leaf extract, which is a natural nonnutritive sweetener (see slide 30), cane sugar, which is a nutritive sweetener (see slide 29) and erythritol (sugar alcohol), which is a nonnutritive sweetener (see slide 30)

Prohibited: Sports Drinks

- Regular
- Low-calorie
- Zero calorie



Slides 65-70 show
examples of sports drinks

Gatorade Thirst Quencher Sports Drink (80 calories)

Ingredients: Water, **SUGAR**, **DEXTROSE**, citric acid, natural flavor, salt, sodium citrate, monopotassium phosphate, gum arabic, sucrose acetate isobutyrate, glycerol ester of rosin, yellow 6

Contains sugar and dextrose
(nutritive sweeteners)



Gatorade Thirst Quencher Low-calorie Sports Drink (30 calories)

Ingredients: Water, *SUGAR*, citric acid, natural flavor, salt, sodium citrate, monopotassium phosphate, *SUCRALOSE, ACESULFAME POTASSIUM*, yellow 5, red 40

Contains sugar (nutritive sweetener), sucralose (artificial nonnutritive sweetener) and acesulfame potassium (artificial nonnutritive sweetener)



Powerade Sports Drink (80 calories)

Ingredients: Water, **HIGH FRUCTOSE CORN SYRUP**, less than 0.5% of: citric acid, natural flavors, salt and magnesium chloride and calcium chloride and mono-potassium phosphate (electrolyte sources), modified food starch, glycerol ester of rosin, calcium disodium EDTA (to protect color), medium chain triglycerides, vitamin B3 (niacinamide), vitamin B6 (pyridoxine hydrochloride), vitamin B12, red 40, ascorbic acid (to protect taste)

**Contains high fructose corn syrup
(nutritive sweetener)**



Powerade Zero Sports Drink (80 calories)

Ingredients: Water, less than 1% of: citric acid, salt and mono-potassium phosphate and magnesium chloride and calcium chloride (electrolyte sources), natural flavors, **SUCRALOSE, ACESULFAME POTASSIUM**, vitamin B3 (niacinamide), vitamin B6 (pyridoxine hydrochloride), vitamin B12, yellow 5, yellow 6, ascorbic acid (to protect taste), calcium disodium EDTA (to protect color)

Contains sucralose and acesulfame potassium (artificial nonnutritive sweeteners)



V8 Splash Soar Sports Hydration Drink (50 calories)

Contains 5% juice

Ingredients: Water, **SUGAR**, carrot juice concentrate, purple carrot juice concentrate (for color), citric acid, natural flavoring, salt, sour red cherry juice concentrate, vitamin C (ascorbic acid), beta carotene for color, pomegranate juice concentrate

Contains sugar (nutritive sweetener)



Aspire Natural Sports Drink (35 calories)

Ingredients: Pure water, *PURE CANE SUGAR*, *ERYTHRITOL*, natural flavors, calcium lactate, citric acid, sea salt, sodium citrate, monopotassium phosphate, niacin (vitamin B3), *STEVIA EXTRACT (REBAUDIOSIDE A)*, monk fruit extract, pantothenic acid (vitamin B5), zinc lactate, goji extract, vitamin B6 and vitamin B12

Contains pure cane sugar (nutritive sweetener), erythritol (sugar alcohol nonnutritive sweetener) and stevia extract (natural nonnutritive sweetener)



Additional Beverage Requirements



Other Requirements for Selling and Giving Beverages to Students

■ Regulations of Connecticut State Agencies

- **Section 10-215b-1: Competitive Foods**
(see slides 75-82)
- **Section 10-215b-23: Accrual of Income**
(see slides 83-89)

State Statutes and Regulations Sometimes Supersede Each Other

- Depending on when USDA's Child Nutrition Programs (CNP) operate
 - the state beverage statute (CGS Section 10-221q) may supersede Section 10-215b-1 of the state competitive foods regulations **OR**
 - Section 10-215b-1 of the state competitive foods regulations may supersede the state beverage statute

USDA Child Nutrition Programs

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Afterschool Snack Program (ASP) of the NSLP
- Seamless Summer Option (SSO) of the NSLP
- Special Milk Program (SMP)
- Fresh Fruit and Vegetable Program (FFVP)
- Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools
- Summer Food Service Program (SFSP) operated in schools

CSDE Resource

Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools

- Summarizes the federal and state requirements for selling and giving competitive foods to students in HFC public schools
- Includes charts of state and federal laws and how they apply to different sources of food and beverage sales

Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools

This document summarizes the federal and state requirements for selling and giving competitive foods to students in public schools that participate the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP), and choose to implement the healthy food option of Healthy Food Certification (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under [Section 10-215b-1](#) of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

The state HFC statute requires that each board of education or school governing authority for all Connecticut public schools participating in the NSLP must certify annually to the CSDE whether they will comply with the [Connecticut Nutrition Standards \(CNS\)](#) for all foods sold to students separately from reimbursable meals. Public schools are not required to comply with the CNS, but are required by the state HFC statute to certify each year whether they will or will not comply with the CNS. For information on HFC, visit the Connecticut State Department of Education's (CSDE) [HFC](#) webpage.

For an overview of the requirements for competitive foods in HFC public schools, see the CSDE's handout, [Requirements for Competitive Foods in HFC Public Schools](#). For detailed guidance on the requirements for competitive foods in HFC public schools, see the CSDE's [Guide to Competitive Foods in HFC Public Schools](#).

Overview of Requirements

All foods available for sale to students separately from reimbursable meals in HFC public schools must comply with the CNS. The CNS also applies to reimbursable snacks in the Afterschool Snack Program (ASP).

All beverages available for sale to students in HFC public schools separately from reimbursable meals and ASP snacks must comply with the USDA's Smart Snacks nutrition standards ([81 FR 50131](#)) and any stricter requirements of the state beverage statute ([C.G.S. Section 10-221q](#)). The state beverage statute also applies to reimbursable meals and ASP snacks.

Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S. Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. The references to Smart Snacks in this document refer to the beverage standards. For a comparison of the CNS and Smart Snacks, see the CSDE's handout, [Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards](#).



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<https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/SummaryChartHFC.pdf>

Section 10-215b-1 of State Regulations: Competitive Foods



Regulations of State Agencies

Section 10-215b-1: *Competitive foods*

- Prohibits *selling* and *dispensing* coffee, tea, and soft drinks to students anywhere on school premises from **30 minutes before up through 30 minutes after** the operation of any CNPs
 - *Dispensing* means to give, provide, or distribute beverages to students, e.g., food rewards and classroom parties



State beverage statute is stricter

Coffee, Tea and Soft Drinks in HFC Public Schools



- The state beverage statute *supersedes* Section 10-215b-1's timeframe for sales of coffee, tea, and soft drinks (30 minutes before up through 30 minutes after the operation of any CNPs) because the state beverage statute applies at *all times*
- Coffee, tea, and soft drinks do not comply with CGS Section 10-221q

Coffee, Tea and Soft Drinks in HFC Public Schools



- Coffee, tea, and soft drinks cannot be *sold* to students anywhere on school premises unless
 - the board of education has voted to allow beverage exemptions **AND**
 - the sales are at the location of an event held after the school day or on the weekend **AND**
 - the event does not occur while any CNPs are operating (see slide 20)

Soft drinks

Beverages (with or without carbonation) that contain water and/or juice and added sweeteners (including nutritive sweeteners and artificial or natural nonnutritive sweeteners), and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients

Examples

- ***Soda*** (regular and diet)
- ***Sports drinks*** (regular, low-calorie, and zero calorie)
- ***Sweetened beverages*** (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks)
- ***Flavored water with added sweeteners*** (with or without carbonation)

Coffee, Tea and Soft Drinks in HFC Public Schools



- Section 10-215b-1 of state regulations *supersedes* the beverage exemptions allowed under the state beverage if the event occurs *while any CNPs are operating*
 - Coffee, tea, and soft drinks cannot be *sold* to students at an exempted event on school premises that occurs while any CNPs are operating
 - Coffee, tea, and soft drinks cannot be *given* to students anywhere on school premises (including exempted events) while any CNPs are operating

How Section 10-215b-1 Applies to Coffee, Tea and Soft Drinks



Example 1

- If the ASP operates from 4:30 to 5:30 PM
 - a concession stand located at an event on school premises cannot *sell* coffee, tea, and soft drinks to students from 4:00 to 6:00 PM
 - an afterschool program on school premises cannot *sell or give* coffee, tea, and soft drinks to students from 4:00 to 6:00 PM

How Section 10-215b-1 Applies to Coffee, Tea and Soft Drinks



Example 2

- If the SBP operates from 7:00 AM to 8:00 AM and the NSLP operates from 11:30 AM to 1:00 PM
 - a classroom party cannot *give* coffee, tea, and soft drinks to students from 6:30 AM to 8:30 AM and 11:00 AM to 1:30 PM
 - teachers cannot *give* coffee, tea, and soft drinks to students as food rewards from 6:30 AM to 8:30 AM and 11:00 AM to 1:30 PM

Section 10-215b-23 of State Regulations: Accrual of Income



Regulations of State Agencies

Section 10-215b-23: *Accrual of Income*

- Any income (gross income) from the sale of foods and beverages to students anywhere on school premises from **30 minutes before until 30 minutes after** any state or federally subsidized CNP must accrue to the ***school food service program***



Example: How Section 10-215b-23 Applies

- If the SBP operates from 7:00 AM to 8:00 AM, the NSLP operates from 11:30 AM to 1:00 PM, and the ASP operates from 3:30 PM to 4:30 PM, the nonprofit food service account must receive the *income from all foods and beverages sold to students anywhere on school premises* from 6:30 AM to 8:30 AM, 11:00 AM to 1:30 PM, and 3:00 PM to 5:00 PM
 - Includes income from sales of foods and beverages at *exempted events* held after the school day *while any CNPs are operating*

Example: How Section 10-215b-23 Applies to Vending Machines

- The school's *vending machine contract* specifies that the school food service department receives *20 percent* of total vending sales
- The vending machine operates from 30 minutes before up through 30 minutes after the NSLP
- The school food service department must receive *100 percent* of the total vending sales (gross income) during this time, not the 20 percent specified in vending machine contract



CSDE Resource

Connecticut's Competitive Foods Regulations

- Guidance on complying with Sections 10-215b-1 (competitive foods) and 10-215b-23 (accrual of income) of the Regulations of Connecticut State Agencies

Connecticut Competitive Foods Regulations

This guidance applies to schools and institutions that participate in the U.S. Department of Agriculture's (USDA) Child Nutrition Programs (CNPs), including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), Fresh Fruit and Vegetable Program (FFVP), Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools, and Summer Food Service Program (SFS) operated in schools.

Note: Residential child care institutions (RCCIs) may be eligible to participate in the ASP if they operate an afterschool care program with enrichment or education activities that meet the criteria for ASP participation. RCCIs may be eligible to serve At-risk Afterschool Meals if they have non-residential care programs and these programs offer afterschool education and enrichment programs for nonresidential children.



Effective August 25, 1992, Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies address restrictions for sale and dispensing competitive foods to students on school premises and the accrual of income from competitive foods.

- "Competitive foods" are all foods and beverages available for sale to students on school premises separately from reimbursable meals and snacks in the CNPs.
 - The USDA's Smart Snacks nutrition standards address sales of competitive foods during the school day, which is the period from the midnight before to 30 minutes after the end of the official school day.
 - The state competitive foods regulations address sales of competitive foods from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. They also restrict giving certain foods and beverages to students during this time.
 - The Connecticut General Statutes (C.G.S.) for Healthy Food Certification (HFC) (C.G.S. Section 10-215f) and allowable beverages (C.G.S. Section 10-221q) address sales of competitive foods at all times, except for sales that meet specific exemption criteria (see "Food exemptions for HFC public schools" on page 4 and "Beverage exemptions for HFC public schools" on page 7).
- "Sales" means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students, and activities that suggest a student donation in exchange for foods and beverages.

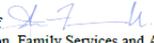
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CSDE Operational Memorandum

CSDE Operational Memorandum No. 1-18: *Accrual of Income from Sales of Competitive Foods in Schools*

 STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION 

TO: Sponsors of the School Child Nutrition Programs

FROM: John D. Frassinelli, Chief 
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: October 18, 2017

SUBJECT: Operational Memorandum No. 1-18
Accrual of Income from Sales of Competitive Foods in Schools

The Connecticut State Department of Education (CSDE) has recently observed numerous compliance issues with competitive foods in schools. This memo serves as a reminder of the state requirements for the accrual of income from the sales of food items in schools, as legislated by Section 10-215b-23 of the Regulations of Connecticut State Agencies. Section 10-215b-23 requires that the income from any sales of competitive foods to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any school nutrition programs must accrue to the nonprofit food service account. This regulation applies to all Connecticut public schools, private schools, and residential child care institutions (RCCIs) that participate in the United States Department of Agriculture (USDA) school nutrition programs.

- “Income” means gross income.
- “Competitive foods” means all foods and beverages available for sale to students on school premises separately from reimbursable school meals, e.g., fundraisers, vending machines (including those operated by a contractor), school stores, culinary programs, and any other sources of food and beverage sales to students that occur on school premises.
- “Sales” means the exchange of foods and beverages for a determined amount of money or its equivalent, such as tickets, coupons, tokens, and similar items. Sales also include any activities that suggest a student donation in exchange for foods and beverages.
- “School premises” means all areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system, or the governing authority district or school.
- “Nonprofit food service account” means the restricted account in which all of the revenue from all food service operations conducted by the school food authority principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-Federal funds used to support paid lunches as provided in 7 CFR 210.14(e), and proceeds from nonprogram foods as provided in 7 CFR 210.14(f).

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<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Evaluating Commercial Beverages



Commercial Beverages

- CSDE evaluates commercial products for compliance with the state beverage statute and USDA's Smart Snacks beverage standards
- Compliant beverages are included on CSDE's List of Acceptable Foods and Beverages webpage (see slide 91)



CSDE Webpage

List of Acceptable Foods and Beverages

■ Lists of brand-specific commercial

- food products that comply with the CNS
- beverages that comply with the state beverage requirements of CGS Section 10-221q

The screenshot shows the CSDE website page for the 'List of Acceptable Foods and Beverages'. The page includes a navigation bar with the CT.gov logo and a search bar. The main content area features a left-hand navigation menu with options: Overview (selected), Documents/Forms, Related Resources, Laws/Regulations, and Contact. The main text area is titled 'List of Acceptable Foods and Beverages' and includes an 'Overview' section. The overview text states: 'The Connecticut State Department of Education's (CSDE) *List of Acceptable Foods and Beverages* is a brand-specific list of commercially prepared food products that comply with the [Connecticut Nutrition Standards \(CNS\)](#) and beverages that comply with the beverage requirements of [Section 10-221q](#) of the Connecticut General Statutes (C.G.S.). These foods and beverages also meet the USDA's Smart Snacks nutrition standards.' Below this text is a bulleted list of key points: 'Minimally processed naturally nutrient-rich foods such as fresh fruits, vegetables and legumes comply with the CNS, but are not included on the *List of Acceptable Foods and Beverages*, unless they are individually packaged.'; 'The CSDE encourages schools and vendors to submit new product information to the CSDE for evaluation. The handout, [Submitting New Products for Approval](#), summarizes the information required to submit products for review.'; 'The CSDE updates the *List of Acceptable Foods and Beverages* every few months. The handout, [Summary of Recent List Updates](#), lists products that have been added or deleted since the last online update.'; 'The CSDE's [Vendor Contact Information](#) is a list of manufacturers, brokers, and distributors selling foods and beverages on the CSDE's *List of Acceptable Foods and Beverages*.' At the bottom of the page, a blue box contains the text: 'Go to the [Documents/Forms](#) section in the left navigation bar to access the *List of Acceptable Foods and Beverages*.'

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

Evaluating Commercial Beverages

- *Before* purchasing, check CSDE's webpage to verify that products are listed
 - Approval of products is specific to the *brand and variety* of food item
 - Must check that each variety is listed
- Submit information to CSDE for new products or products not listed



CSDE Resource

Submitting Food and Beverage Products for Approval

- Indicates the information required to submit food and beverage products to the CSDE to review for compliance with the CNS and state beverage statute

Submitting Food and Beverage Products for Approval

Connecticut's List of Acceptable Foods and Beverages

The Connecticut State Department of Education (CSDE) reviews foods and beverages for compliance with the state nutrition standards for foods and beverages in schools. Foods that meet the [Connecticut Nutrition Standards](#), and beverages that meet the [state beverage requirements](#) of Section 10-221q of the Connecticut General Statutes and the U.S. Department of Agriculture (USDA) Smart Snacks standards, will be added to the CSDE's [List of Acceptable Foods and Beverages](#) webpage.

To submit a food or beverage product to the CSDE for review, provide a PDF of the actual product package, artwork for the product package, or a product specification sheet. The CSDE prefers that the submission includes the actual product packaging because it contains the most complete and accurate information. The product submission must include the following:

1. **Name of manufacturer**, exactly as it appears on the product label.
2. **Name of product**, exactly as it appears on the product label.
3. **Flavor or variety of product**, exactly as it appears on the product label.
4. **Nutrition facts label**, which must include the following nutrients: calories, total fat, saturated fat, trans fat, sugars, sodium, and fiber.
5. **List of ingredients**, which *must be in a format that can be electronically copied*.
6. **Actual package size**, which must list both individual serving size and actual package size. For frozen desserts, the serving size must include both volume (fluid ounces) and weight (ounces or grams) of one serving of the product.
7. **UPC code for the individual package** (12-digit code, i.e., 0-00000-00000-0) and case (14-digit code, i.e., 000-00000-00000-0) or the manufacturer product code if the product does not have a UPC code.
8. **List of distributors** that sell the products to schools in Connecticut. The CSDE's [Contact Information for Vendors](#) provides schools with contact information for manufacturers, brokers, and distributors that sell foods and beverages included on the List of Acceptable Foods and Beverages webpage. For any vendor not already listed, please provide the following contact information:
 - contact name
 - contact title
 - company name
 - company address (street, city, zip code)
 - phone
 - fax
 - e-mail
 - website (if available)

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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/SubmitProduct.pdf>

Avoiding Compliance Issues for Commercial Products

 *Verify that commercial products* comply with CGS Section 10-221q *before* selling to students

- Use CSDE's List of Acceptable Foods and Beverage webpage
- For products not listed, submit to CSDE for approval *before* selling

Avoiding Compliance Issues for Commercial Products

- ☑ *Check vendor assurances* of product compliance before purchasing
 - If a vendor indicates the product complies with the state beverage statute, verify using CSDE webpage
- ☑ *Check deliveries* against product orders
- ☑ Train food service staff to *monitor beverages in vending machines* stocked by an outside vendor

More Resources



CSDE Webpage

Beverage Requirements

- Requirements for public schools
- Requirements for private schools and residential child care institutions
- Prohibited beverages
- Resources

The screenshot shows the CSDE website page for Beverage Requirements. The page header includes the CT.GOV logo, the text "Connecticut's Official State Website", a search bar, and a "Language + Settings" button. The breadcrumb trail reads "CT.GOV HOME / DEPARTMENT OF EDUCATION / BEVERAGE REQUIREMENTS". The main heading is "Beverage Requirements". A left sidebar contains a table of contents with links for "Overview", "Documents/Forms", "Laws/Regulations", and "Contact". The "Overview" section is active and contains the following text: "HFC | [Competitive Foods](#) | [CNS](#) | [List of Acceptable Foods and Beverages](#)". The main content area begins with "Section 10-221q of the Connecticut General Statutes (C.G.S.) governs beverages sold to students in public schools at all times. It applies to beverages sold as part of school meals and separately from school meals anywhere on school premises, such as cafeteria sales, school stores, vending machines, fundraisers, and any other locations where beverages are sold." Below this, it states: "The U.S. Department of Agriculture's (USDA) [Smart Snacks](#) nutrition standards apply to beverages sold to students separately from school meals during the school day on school premises, e.g., cafeteria a la carte sales, school stores, vending machines, fundraisers, and any other locations where beverages are sold. It applies to public schools, private schools, and residential child care institutions (RCCIs) that participate in the USDA school nutrition programs, e.g., [National School Lunch Program \(NSLP\)](#), [School Breakfast Program SBP](#), [Afterschool Snack Program \(ASP\)](#), and [Special Milk Program \(SMP\)](#)." The final paragraph reads: "Public schools must comply with Smart Snacks and the stricter provisions of Connecticut's beverage statute. All schools (public and private) and institutions that participate in the USDA school nutrition programs must also comply with the state [competitive foods regulations](#) (Sections 10-215b-1 and 10-215b-23)."

<https://portal.ct.gov/SDE/Nutrition/Beverage-Requirements>

CSDE Resource

Allowable Beverages for Connecticut Public Schools

- Identifies the state and federal requirements for beverages sold to students in public schools

Allowable Beverages in Connecticut Public Schools

The requirements for beverages sold in Connecticut public schools are governed by Section 10-221q of the Connecticut General Statutes (C.G.S.) and the U.S. Department of Agriculture's (USDA) Smart Snacks nutrition standards in the final rule, *National School Lunch Program and School Breakfast Program: Nutritive Standards for All Foods Sold in School as Required by the HFCA of 2010*.

- "Sale" means the exchange of foods and beverages for a determined amount of money or its equivalent, such as tickets, coupons, tokens and similar items. This includes any activities that suggest a student donation in exchange for foods and beverages.
- "Public schools" include regional educational service centers, the Connecticut Technical High School System, charter schools, interdistrict magnet schools, and endowed academies.



All beverages sold to students in Connecticut public schools must comply with the Smart Snacks beverage standards and any stricter beverage requirements of C.G.S. Section 10-221q. The state beverage statute applies to beverages sold to students at all times, both as part of school meals and separately from school meals, anywhere on school premises, such as cafeterias, vending machines, school stores, and fundraisers. It applies to all Connecticut public schools, even if they do not choose the healthy food option of HFC under C.G.S. Section 10-215f or do not participate in the USDA Child Nutrition Programs.

Beverage Categories

Table 1 lists the five categories of beverages allowed by C.G.S. Section 10-221q for sale to students in Connecticut public schools. **Note:** The beverage requirements in these resources include the stricter provisions of both the state and federal beverage standards.

Portion sizes of allowable beverages cannot exceed 8 fluid ounces for elementary schools and 12 fluid ounces for middle and high schools, except for plain water (with or without carbonation), which is unlimited. Flavored carbonated water (such as sparkling water and seltzer) is allowed only for high schools, and is limited to 1 fluid ounces.

For more information on the specific beverage requirements, see the Connecticut State Department of Education's (CSDE) presentation, [Beverage Requirements for Connecticut Public Schools](#); and visit the CSDE's [Beverage Requirements](#) webpage.

CSDE Resource

Presentation: Beverage Requirements for Connecticut Public Schools

- Overview of beverage requirements
- Exemption criteria
- Allowable beverages
- Prohibited beverages
- Resources



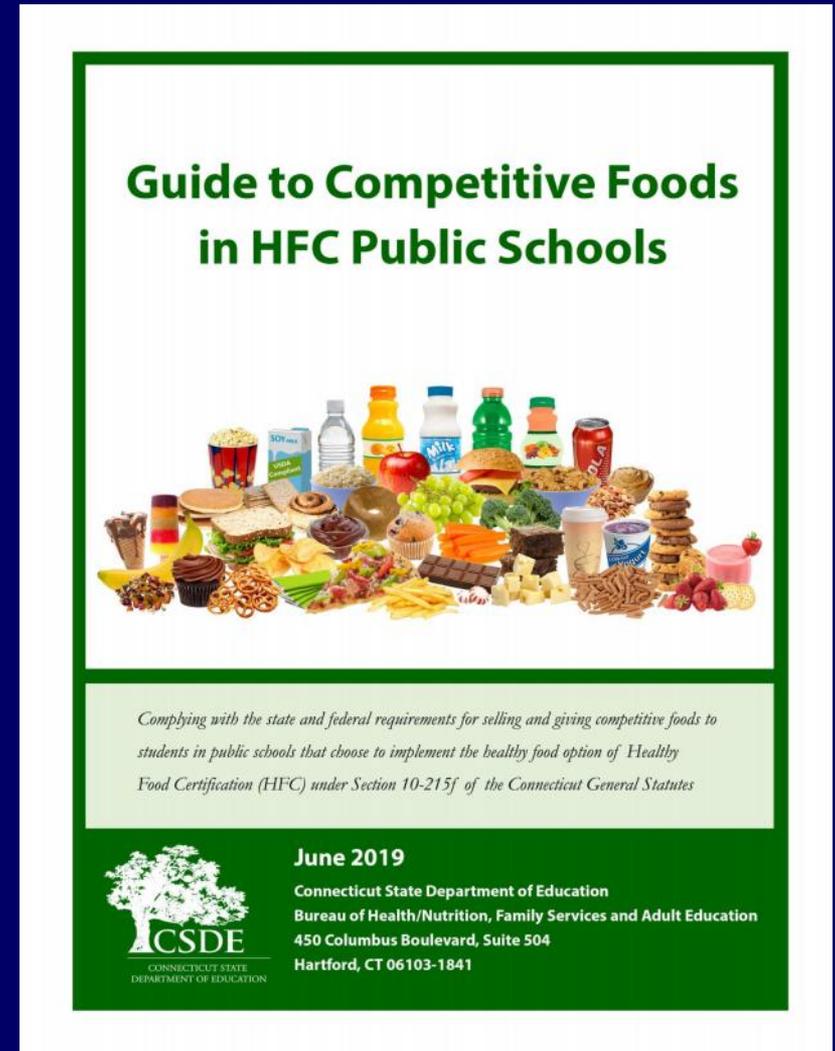
The thumbnail shows a presentation slide with a green background. At the top, the title "Beverage Requirements for Connecticut Public Schools" is written in white. Below the title is a horizontal strip of three photographs: a young girl drinking from a water bottle, a boy looking at a vending machine, and another boy drinking from a water bottle. At the bottom of the slide, there is a logo for CSDE (Connecticut State Department of Education) featuring a tree, and the text "Connecticut State Department of Education (CSDE) Bureau of Health/Nutrition, Family Services and Adult Education". A footer at the very bottom of the slide reads "Connecticut State Department of Education • Revised February 2020" and a small number "1" in the bottom right corner.

<https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/BeveragesPresentation.pdf>

CSDE Resource

Guide to Competitive Foods in HFC Public Schools

- Provides comprehensive guidance on complying with the federal and state requirements for selling and giving competitive foods to students in HFC public schools



CSDE Resource

Requirements for Competitive Foods in HFC Public Schools

- Summarizes the federal and state requirements for selling and giving competitive foods to students in HFC public schools

Requirements for Competitive Foods in HFC Public Schools

This document summarizes the federal and state requirements for selling and giving competitive foods to students in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

For guidance on how the federal and state requirements apply to different sources of foods and beverages in HFC public schools, see the Connecticut State Department of Education's (CSDE) handout, *Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools*. For detailed guidance on the requirements for competitive foods in HFC public schools, see the CSDE's *Guide to Competitive Foods in HFC Public Schools*. For information on HFC, visit the CSDE's HFC webpage.

Overview of Federal and State Requirements

All foods available for sale to students separately from reimbursable meals in HFC public schools must comply with the Connecticut Nutrition Standards (CNS). All beverages available for sale to students in HFC public schools separately from reimbursable meals must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131) and any stricter requirements of the state beverage statute (C.G.S. Section 10-221q). The state beverage statute also applies to beverages sold as part of reimbursable meals.

Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S. Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. The references to Smart Snacks in this document refer to the beverage standards. For a comparison of the CNS and Smart Snacks, see the CSDE's handout, *Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards*.

In addition to the nutrition standards, HFC public schools must also comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p);
- Connecticut's competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);

CSDE Resource

Requirements for Competitive Foods in Non-HFC Public Schools

- Summarizes the federal and state requirements for selling and giving competitive foods to students in non-HFC public schools

Requirements for Competitive Foods in Non-HFC Public Schools

This document summarizes the state and federal requirements for selling and giving competitive foods to students in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose **not** to implement the healthy food option of Healthy Food Certification (HFC) under *Section 10-215f* of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under *Section 10-215b-1* of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

For guidance on how the state and federal requirements apply to different sources of foods and beverages in non-HFC public schools, see the Connecticut State Department of Education's (CSDE) handout *Summary Chart: State and Federal Requirements for Competitive Foods in Non-HFC Public Schools*. For detailed guidance on the requirements for competitive foods in non-HFC public schools, see the CSDE's *Guide to Competitive Foods in Non-HFC Public Schools*.

Summary of State and Federal Requirements

All foods and beverages available for sale to students separately from reimbursable meals in non-HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131). Beverages must also comply with any stricter requirements of the state beverage statute (C.G.S. *Section 10-221q*). In addition to these nutrition standards, non-HFC public schools must comply with the following state and federal requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. *Section 10-221p*);
- Connecticut's state competitive foods regulations (*Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies*);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (*Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010*); and
- the USDA's regulation for revenue from nonprogram foods (7 CFR 210.14 (f)).

These state and federal requirements determine what and when foods and beverages may be sold or given to students in non-HFC public schools. They also regulate the accrual of income from sales of foods and beverages to students.

- "Sales" means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students, and activities that suggest a student donation in exchange for foods

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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/RequirementsNonHFC.pdf>

CSDE Resource

Questions and Answers on Connecticut Statutes

- Provides answers to commonly asked questions regarding the requirements and implementation of the Connecticut General Statutes for school foods and beverages

Questions and Answers on
Connecticut Statutes
for School Foods and Beverages



Connecticut State Department of Education
Bureau of Health/Nutrition, Family Services and Adult Education
450 Columbus Boulevard, Suite 504
Hartford, CT 06103-1841

Revised February 2020

<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CTStatutesQA.pdf>

CSDE Resource

Requirements for Foods and Beverages in Vending Machines in HFC Public Schools

- Summarizes the federal and state requirements for selling and giving foods and beverages to students from vending machines in HFC public schools

Requirements for Foods and Beverages in Vending Machines in HFC Public Schools

This document summarizes the federal and state requirements for selling and giving foods and beverages to students from vending machines on school premises in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). For guidance on the federal and state requirements and how they apply to different sources of foods and beverages in HFC public schools, see the Connecticut State Department of Education's (CSDE) handouts, *Requirements for Competitive Foods in HFC Public Schools* and *Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools*. For detailed guidance on the requirements for competitive foods in HFC public schools, see the CSDE's *Guide to Competitive Foods in HFC Public Schools*. For information on HFC, visit the CSDE's HFC webpage.

Overview of Federal and State Requirements

All foods available for sale to students from vending machines in HFC public schools must comply with the Connecticut Nutrition Standards (CNS). All beverages available for sale to students from vending machines in HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131) and any stricter requirements of the state beverage statute (C.G.S. Section 10-221q).

Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S. Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. The references to Smart Snacks in this document refer to the beverage standards. For a comparison of the CNS and Smart Snacks, see the CSDE's handout, *Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards*.

In addition to the nutrition standards, vending machines must also comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p);
- Connecticut's competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010); and



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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/VendingHFC.pdf>

CSDE Resource

Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools

- Summarizes the federal and state requirements for selling and giving foods and beverages to students from vending machines in non-HFC public schools

Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools

This document summarizes the federal and state requirements for selling and giving foods and beverages to students from vending machines on school premises in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose **not** to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

Overview of Federal and State Requirements

All foods and beverages available for sale to students from vending machines in non-HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131). Beverages must also comply with any stricter requirements of the state beverage statute (C.G.S. Section 10-221q). In addition to these nutrition standards, vending machines must comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p);
- Connecticut's state competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010); and
- the USDA's regulation for revenue from nonprogram foods (7 CFR 210.14 (f)).



These federal and state requirements determine what and when foods and beverages may be sold or given to students from vending machines in non-HFC public schools. They also regulate the accrual of income from sales of foods and beverages to students.

- "Sales" means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students, and activities that suggest a student donation in exchange for foods

CSDE Resource

Requirements for Foods and Beverages in School Stores in HFC Public Schools

- Summarizes the federal and state requirements for selling and giving foods and beverages to students from school stores in HFC public schools

Requirements for Foods and Beverages in School Stores in HFC Public Schools

This document summarizes the federal and state requirements for selling and giving foods and beverages to students from school stores, kiosks, and other school-based enterprises on school premises in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). For guidance on the federal and state requirements and how they apply to different sources of foods and beverages in HFC public schools, see the Connecticut State Department of Education's (CSDE) handouts, *Requirements for Competitive Foods in HFC Public Schools* and *Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools*. For detailed guidance on the requirements for competitive foods in HFC public schools, see the CSDE's *Guide to Competitive Foods in HFC Public Schools*. For information on HFC, visit the CSDE's HFC webpage.

Overview of Federal and State Requirements

All foods available for sale to students from school stores in HFC public schools must comply with the [Connecticut Nutrition Standards \(CNS\)](#). All beverages available for sale to students from school stores in HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131) and any stricter requirements of the state beverage statute (C.G.S. Section 10-221q).

Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S. Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. The references to Smart Snacks in this document refer to the beverage standards. For a comparison of the CNS and Smart Snacks, see the CSDE's handout, *Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards*.

In addition to the nutrition standards, school stores must also comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p);
- Connecticut's competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010); and



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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/StoresHFC.pdf>

CSDE Resource

Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools

- Summarizes the federal and state requirements for selling and giving foods and beverages to students from school stores in non-HFC public schools

Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools

This document summarizes the federal and state requirements for selling and giving foods and beverages to students from school stores, kiosks, and other school-based enterprises on school premises in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose **not** to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

Overview of Federal and State Requirements

All foods and beverages available for sale to students from school stores in non-HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131). Beverages must also comply with any stricter requirements of the state beverage statute (C.G.S. Section 10-221q). In addition to these nutrition standards, school stores must comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p);
- Connecticut's state competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010); and
- the USDA's regulation for revenue from nonprogram foods (7 CFR 210.14 (f)).



These federal and state requirements determine what and when foods and beverages may be sold or given to students from school stores in non-HFC public schools. They also regulate the accrual of income from sales of foods and beverages to students.

- "Sales" means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages

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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/StoresNonHFC.pdf>

CSDE Resource

Requirements for Food and Beverage Fundraisers in HFC Public Schools

- Summarizes the federal and state requirements for selling foods and beverages to students from fundraisers in HFC public schools

Requirements for Food and Beverage Fundraisers in HFC Public Schools

This document summarizes the federal and state requirements for selling and giving competitive foods to students from fundraisers in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). For guidance on the federal and state requirements and how they apply to different sources of foods and beverages in HFC public schools, see the Connecticut State Department of Education's (CSDE) handouts, *Requirements for Competitive Foods in HFC Public Schools* and *Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools*. For detailed guidance on the requirements for competitive foods in HFC public schools, see the CSDE's *Guide to Competitive Foods in HFC Public Schools*. For information on HFC, visit the CSDE's HFC webpage.

Fundraisers are any activities during which money or its equivalent (such as coupons, tickets, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. This includes any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. Examples of food and beverage fundraisers include sales of commercial products, such as potato chips and other snack foods, candy bars, cookies, muffins, frozen cookie dough, pies, water, and soft drinks; and sales of foods and beverages made from scratch, such as baked goods, popcorn, sandwiches, smoothies, coffee, and hot chocolate.

The CSDE strongly encourages schools to promote consistent health messages to students by selling healthy foods or conducting nonfood fundraisers. The CSDE's handout, *Healthy Fundraising*, provides suggestions for fundraising with nonfood items and activities.

Overview of Federal and State Requirements

All foods available for sale to students from fundraisers in HFC public schools must comply with the *Connecticut Nutrition Standards* (CNS). All beverages available for sale to students from fundraisers in HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131) and any stricter requirements of the state beverage statute (C.G.S. Section 10-221q).

Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S. Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. The references to Smart Snacks in this document refer to the beverage standards. For a comparison of the CNS and Smart Snacks, see the CSDE's handout, *Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards*.

CSDE Resource

Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools

- Summarizes the federal and state requirements for selling foods and beverages to students from fundraisers in non-HFC public schools

Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools

This document summarizes the federal and state requirements for foods and beverages sold and given to students from fundraisers in Connecticut public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose not to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.). "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

Fundraisers are any activities during which money or its equivalent (such as tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. This includes any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. Examples of food and beverage fundraisers include sale of commercial products, such as potato chips and other snack foods, candy bars, cookies, muffins, frozen cookie dough, pies, water, and soft drinks; and sales of foods and beverages made from scratch, such as baked goods, popcorn, sandwiches, smoothies, coffee, and hot chocolate.

The CSDE strongly encourages schools to promote consistent health messages to students by selling healthy foods or conducting nonfood fundraisers. The CSDE's handout, *Healthy Fundraising*, provides suggestions for fundraising with nonfood items and activities.

Overview of Federal and State Requirements

All foods and beverages available for sale to students from fundraisers in non-HFC public schools must comply with the USDA's Smart Snacks nutrition standards (81 FR 50131). Beverages must also comply with any stricter requirements of the state beverage statute (C.G.S. Section 10-221g). In addition to these nutrition standards, fundraisers on school premises must comply with the following federal and state requirements:

- Connecticut's statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221g);
- Connecticut's state competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies);
- the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010); and



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CSDE Resource

Healthy Fundraising

HEALTHY FUNDRAISING



Promoting a Healthy School Environment

Candy, baked goods, salty snacks, soda and other foods with little nutritional value are commonly used for fundraising at school. Schools may make easy money selling these foods, but students pay the price. An environment that constantly provides children with unhealthy foods promotes unhealthy habits that can have lifelong impact. As America faces a national epidemic of overweight children, many schools are turning to healthy fundraising alternatives.

Benefits of Healthy Fundraising

- ▶ **Healthy Kids Learn Better:** Research clearly demonstrates that good nutrition is linked to better behavior and academic performance. To provide the best possible learning environment for children, schools must also provide an environment that supports healthy behaviors.
- ▶ **Provides Consistent Messages:** Fundraising with nonfood items and healthy foods demonstrates a school commitment to promoting healthy behaviors. It supports the classroom lessons students are learning about health, instead of contradicting them.
- ▶ **Promotes a Healthy School Environment:** Students need to receive consistent, reliable health information and ample opportunity to use it. Healthy fundraising alternatives are an important part of providing a healthy school environment. They promote positive lifestyle choices to reduce student health risks and improve learning.

Children's Eating Habits are Poor

Currently, 17 percent of children and adolescents ages 2 to 19 are overweight and 1 in 3 children are overweight or obese.¹ Between 1980 and 2004, obesity tripled among children and adolescents.² Children ages 2 to 18 consume almost 40 percent of their calories from solid fats and added sugars.³ Their diets do not include enough fruits, vegetables (particularly dark green and orange vegetables and legumes), whole grains or calcium-rich foods, and are too high in sodium, saturated fat and added sugars.⁴

Consequences of Unhealthy Fundraising

- ▶ **Compromises Classroom Learning:** Selling unhealthy foods contradicts nutrition messages taught in the classroom. Schools are designed to teach and model appropriate skills and behaviors. Nutrition principles taught in the classroom are meaningless if they are contradicted by other activities that promote unhealthy choices, like selling candy. It's like saying, "You need to eat healthy foods to feel and do your best, but it is more important for us to make money than for you to be healthy and do well."⁵ Classroom learning about nutrition remains strictly theoretical if the school environment regularly promotes unhealthy behaviors.
- ▶ **Promotes the Wrong Message:** Selling unhealthy foods promotes the message that schools care more about making money than student health. Schools would never raise money with anything else that increases student health risks, but food fundraisers are often overlooked. As schools promote healthy lifestyle choices to reduce student health risks and improve learning, school fundraisers must be included.
- ▶ **Contributes to Poor Health:** Foods commonly used as fundraisers (like chocolate, candy, soda and baked goods) provide unneeded calories and displace healthier food choices. Skyrocketing obesity rates among children are resulting in serious health consequences, such as increased incidence of type 2 diabetes and high blood pressure.



Fundraisers Must Meet State Requirements

- Section 10-219b-1 of the Regulations of Connecticut State Agencies prohibits schools from selling or dispensing candy to students anywhere on school premises from 30 minutes before the start of any state or federally subsidized meal or meal program until 30 minutes after the end of the program. Section 10-219b-23 specifies that income from the sale of any foods or beverages anywhere on school premises during this time frame must accrue to the food service account.
- Section 10-221g of the Connecticut General Statutes (C.G.S.), requires that at all times when food is available for purchase by students during the regular school day, nutritious and low-fat foods must also be available for sale. For additional guidance, see *Questions and Answers on Connector Statute for School Food and Beverage* at http://www.sde.ct.gov/sde/lib/sde/FDF/DEPS/Student/NutritionEd/HP_Q&A.pdf.
- C.G.S. Section 10-221g specifies that all beverages sold in public schools must comply with specific requirements. For more information, see *Energy Requirements* at <http://www.sde.ct.gov/sde/csp/view.asp?x=26268eq=322418>.
- Districts that participate in healthy food certification under C.G.S. Section 10-219f must ensure that all food fundraisers meet state requirements. For more information, see *Fundraising with Foods and Beverages* at <http://www.sde.ct.gov/sde/lib/sde/FDF/DEPS/Student/NutritionEd/Fundraising.pdf>.
- Consult the district's school wellness policy, as these may be stricter local requirements regarding food and beverage sales.
- For more information on Connecticut's requirements for foods and beverages, see the Connecticut State Department of Education Web site (School Foods and Beverages page) at <http://www.sde.ct.gov/sde/csp/view.asp?x=26268eq=322416>.

CSDE Resource

Resources for Healthy Foods and Beverages in Schools

- Links to resources on the federal and state requirements for selling and giving competitive foods to students

Resources for Healthy Foods and Beverages in Schools

This document summarizes webpages and resources to assist schools with implementing the federal and state requirements for competitive foods in schools. These resources are from the Connecticut State Department of Education (CSDE), U.S. Department of Agriculture (USDA), and other organizations related to school nutrition. "Competitive foods" are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages (i.e., candy, tea, coffee, and soft drinks) that are given to students while CNPs are operating.

The federal and state requirements include:

- Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes (C.G.S.);
- the Connecticut Nutrition Standards (CNS) under C.G.S. Section 10-215e;
- USDA's Smart Snacks nutrition standards for competitive foods (81 FR 50131);
- Connecticut's beverage statute for public schools (C.G.S. Section 10-221q);
- Connecticut's statute requiring public schools to sell nutritious and low-fat foods whenever foods are sold to students during the school day (C.G.S. Section 10-221p);
- Connecticut's competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies);
- USDA's School Wellness Policy (Section 4 of Public Law 108-265 and the Healthy, Hunger-Free Kids Act of 2010);
- USDA's regulation for revenue from nonprogram foods (7 CFR 210.14 (f)); and
- USDA's policies and guidance for competitive foods (USDA policy memos for the NSLP and SBFP).

These laws determine what and when foods and beverages may be sold or given to students. They also regulate the accrual of income from sales of competitive foods. Some laws apply differently depending on whether the school is a public school, private school, or residential child care institution (RCCI). Some laws apply during the school day, while others apply at all times or while the USDA's CNPs are operating. When the federal and state laws supersede each other, schools must follow the stricter requirements. For an overview of these requirements, see the CSDE's handout, *Overview of Federal and State Laws for Competitive Foods in Connecticut Public Schools, Private Schools, and Residential Child Care Institutions*.



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<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/ResourcesHealthyFB.pdf>

CSDE Child Nutrition Programs

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