

Guide to Competitive Foods in Non-HFC Public Schools



Complying with the state and federal requirements for selling and giving competitive foods to students in public schools that choose not to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes



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450 Columbus Boulevard, Suite 504

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Guide to Competitive Foods in Non-HFC Public Schools

Connecticut State Department of Education

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Project Director

Susan S. Fiore, M.S., R.D.

Nutrition Education Coordinator

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About this Guide

The Connecticut State Department of Education’s (CSDE) *Guide to Competitive Foods in Non-HFC Public Schools* provides comprehensive guidance on complying with the federal and state requirements for competitive foods in 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.). This guide is based on the following federal and state requirements:

- Connecticut’s statute requiring annual HFC for public schools ([C.G.S. Section 10-215f](#));
- 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 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 SBP](#)).

Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. For example, the USDA’s Smart Snacks nutrition standards apply to sales of competitive foods to students during the school day. However, the state beverage statute applies at all times. The state competitive foods regulations apply to sales of competitive foods to students whenever any Child Nutrition Programs are operating, including during and after the school day. They also apply when candy, coffee, tea, and soft drinks are given to students. When the federal and state requirements are different, schools must comply with the strictest requirement. This guide indicates when the federal and state laws supersede each other, and how they apply to different sources of foods and beverages in non-HFC public schools.

This guide provides implementation guidance for meeting the federal and state nutrition standards for foods and beverages required by the USDA’s Smart Snacks nutrition standards and the state beverage statute (C.G.S. Section 10-221q). It also explains how the federal and state requirements for competitive foods apply to a variety of settings, such as cafeterias,



vending machines, school stores, fundraisers, concession stands, culinary arts programs, family and consumer sciences classes, afterschool program and activities, summer school programs, meetings, and other sources of competitive foods in schools. Sections 3 and 4 include charts that summarize how the federal and state requirements apply to selling and giving specific types of foods and beverages to students.

Each section of this guide contains links to other sections when appropriate, and to websites with relevant information and resources. These can be accessed by clicking on the blue text throughout the guide.

The mention of trade names, commercial products or organizations does not imply approval or endorsement by the CSDE or the USDA. Product names are used solely for clarification.

Note: The requirements for competitive foods are different for HFC public schools, private schools, and residential child care institutions (RCCIs). For more information, see the CSDE’s publications, *Guide to Competitive Foods in HFC Public Schools* and *Guide to Competitive Foods in Private Schools and Residential Child Care Institutions*.

The information in this guide is subject to change. The CSDE will update this guide as needed, based on changes to the USDA’s regulations and policies for competitive foods. Please check the CSDE’s [Competitive Foods in Schools](#) webpage for the most current version. For more information, contact Susan S. Fiore, M.S., R.D., Nutrition Education Coordinator, at susan.fiore@ct.gov or 860-807-2075.

CSDE Contact Information

For questions regarding the federal and state requirements for competitive foods, please contact the school nutrition programs staff in the CSDE’s Bureau of Health/Nutrition, Family Services and Adult Education. For question on HFC, please contact Susan Fiore at susan.fiore@ct.gov or 860-807-2075.

CSDE School Nutrition Programs Staff	
County	Consultant
Fairfield County (includes Region 9) Litchfield County (includes Regions 1, 6, 7, 12, and 14)	Fionnuala Brown fionnuala.brown@ct.gov 860-807-2129
Hartford County (includes Region 10) Middlesex County (includes Regions 4, 13, and 17)	Teri Dandeneau teri.dandeneau@ct.gov 860-807-2079
New Haven County (includes Regions 5, 15, and 16)	Jackie Schipke jackie.schipke@ct.gov 860-807-2123
New London County Tolland County (includes Regions 8 and 19) Windham County (includes Region 11)	Susan Alston susan.alston@ct.gov 860-807-2081
 <p> Connecticut State Department of Education Bureau of Health/Nutrition, Family Services and Adult Education 450 Columbus Boulevard, Suite 504 Hartford, CT 06103-1841 </p>	

For a complete listing of the CSDE’s Child Nutrition Programs staff, see the CSDE’s handout, *Child Nutrition Staff and Responsibilities*.

Abbreviations and Acronyms

ASP	Afterschool Snack Program
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CNPs	Child Nutrition Programs
CNS	Connecticut Nutrition Standards
CSDE	Connecticut State Department of Education
CTECS	Connecticut Technical Education and Career System
FDA	Food and Drug Administration
FFVP	Fresh Fruit and Vegetable Program
FNS	Food and Nutrition Service, U.S. Department of Agriculture
HFC	Healthy Food Certification
HHFKA	Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)
LEA	local educational agency
NSLP	National School Lunch Program
RCCI	residential child care institution
SBP	School Breakfast Program
SFA	school food authority
SFSP	Summer Food Service Program
SMP	Special Milk Program
SSO	Seamless Summer Option of the NSLP
USDA	United States Department of Agriculture
WGR	whole grain-rich

1 — Overview

This guide applies to Connecticut public schools that participate in the 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.) Non-HFC public schools are allowed to sell and give competitive foods to students only within certain times and only if they meet specific nutrition standards. This guide provides comprehensive information and resources to help non-HFC public schools comply with the federal and state requirements for selling and giving competitive foods to students.

“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 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 CNPs include the 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), and Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools, and Summer Food Service Program (SFSP) operated in schools.

Competitive foods include creditable and noncreditable foods.

- “Creditable foods” are foods and beverages that credit toward the USDA’s meal patterns for reimbursable meals and snacks in the CNPs. Creditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, pasta, rice, and whole grain-rich crackers, cookies, muffins, and pasta. For information on crediting foods in the school nutrition programs, see the CSDE’s guides, *Menu Planning Guide for School Meals for Grades K-12*, *Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP*, and *ASP Handbook*.
- “Noncreditable foods” are foods and beverages that do not credit toward the USDA’s meal patterns for reimbursable meals and snacks in the CNPs. Noncreditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include bottled water, soft drinks, coffee, tea, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, gelatin, and pudding. For more information, see the CSDE’s

handout, *Noncreditable Foods for Grades K-12 in the NSLP and SBP*, *Noncreditable Foods for Preschoolers in the NSLP, SBP, and ASP*, and *Noncreditable Foods for Grades K-12 in the ASP*.

Regardless of whether competitive foods are creditable or noncreditable, they must comply with the federal and state requirements. Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. For example, the USDA's Smart Snacks nutrition standards apply to sales of competitive foods to students during the school day. However, the state beverage statute applies at all times. The state competitive foods regulations apply to sales of competitive foods to students whenever CNPs are operating, including during and after the school day. They also apply when candy, coffee, tea, and soft drinks are given to students. When the federal and state requirements are different, schools must comply with the strictest requirement. This guide indicates when the federal and state laws supersede each other, and how they apply to different sources of foods and beverages in non-HFC public schools.

Sources of Competitive Foods

Common examples of sources of competitive foods include cafeterias, vending machines, school stores, and fundraisers. Table 1-1 shows more examples of potential sources of competitive foods in public schools. This list is not all-inclusive.



Table 1-1. Potential sources of competitive foods in non-HFC public schools ¹

- Adult education programs operated by the board of education
- Afterschool programs and activities, such as enrichment programs, extracurricular classes, tutoring sessions, and student clubs
- Cafeteria a la carte sales
- Classroom parties and other celebrations
- Clubs and organizations
- Concession stands
- Culinary arts programs
- Family and consumer sciences classes
- Family resource centers
- Fundraisers conducted by school groups and non-school groups
- Programs and meetings
- Recipient schools under interschool agreements
- School stores, kiosks, and other school-based enterprises
- Sports competitions, such as games, matches, and tournaments
- Sports programs
- Summer school programs (e.g., enrichment or exploratory) operated by the board of education or school governing authority
- USDA’s Afterschool Snack Program (ASP)
- USDA’s Seamless Summer Option (SSO) of the NSLP
- USDA’s Summer Food Service Program (SFSP) operated by the board of education on school premises
- Vending machines
- 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 Any other programs, organizations, and activities selling or giving foods and beverages to students on school premises

¹ The Smart Snacks nutrition standards for competitive foods apply to all foods and beverages sold to students on school premises during the school day, separately from reimbursable meals. The state beverage statute (G.C.S. Section 10-221q) applies to all beverages sold to students (as part of and separately from reimbursable meals) on school premises at all times, except for sales that meet the exemption criteria. Section 10-215b-1 of the state competitive foods regulations applies to selling and giving candy, coffee, tea, and soft drinks to students on school premises while any CNPs are operating, including during and after the school day. For more information, see [“Sales to Students”](#) and [“Giving Foods and Beverages to Students”](#) in section 2.

Federal and State Requirements

Non-HFC public schools must comply with the following federal and state requirements:

- USDA’s Smart Snacks nutrition standards for competitive foods ([81 FR 50131](#));
- Connecticut’s statute requiring annual HFC for public schools ([C.G.S. Section 10-215f](#));
- 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 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 SBP](#)).

Table 1-2 summarizes when the federal and state requirements apply to non-HFC public schools, which foods and beverages they restrict, and whether they apply to selling or giving foods and beverages to students. An overview of each requirement begins on page 7.

Federal/state requirement	Applies to	When applies	Applies to	
			Selling ¹	Giving ¹
State: C.G.S. Section 10-215f : Certification that food meets nutrition standards (Healthy Food Certification)	All public schools that participate in the NSLP.	HFC Statement must be submitted to the CSDE by July 1 of each year.	Yes	No
Federal (USDA): Smart Snacks Nutrition Standards (81 FR 50131)	All foods and beverages sold to students on school premises separately from reimbursable meals and snacks through the CNPs.	During the school day. ²	Yes	No

Table 1-2. Requirements for competitive foods in non-HFC public schools, continued

Federal/state requirement	Applies to	When applies	Applies to	
			Selling ¹	Giving ¹
State: C.G.S. Section 10-221q : Sale of beverages	All beverages sold to students on school premises, as part of and separately from reimbursable meals and snacks through the CNPs.	At all times, except for sales that meet the exemption criteria (see “ Beverage exemptions ” in this section).	Yes	No
State: C.G.S. Section 10-221p : Nutritious and low-fat foods available for sale	All foods sold to students on school premises, separately from reimbursable meals and snacks through the CNPs.	During the school day. ²	Yes	No
State: Section 10-215b-1 of the Regulations of Connecticut State Agencies : Competitive foods (candy, coffee, tea, and soft drinks)	Selling and giving candy, coffee, tea, and soft drinks to students on school premises, as part of and separately from reimbursable meals and snacks through the CNPs.	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. ²	Yes	Yes
State: Section 10-215b-23 of the Regulations of Connecticut State Agencies : Accrual of Income	Accrual of income from all sales of foods and beverages to students anywhere on school premises while any CNPs are operating.	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. ²	Yes	No

Table 1-2. Requirements for competitive foods in non-HFC public schools, continued

Federal/state requirement	Applies to	When applies	Applies to	
			Selling ¹	Giving ¹
Federal (USDA): School Wellness Policy (Public Law 108-265) and the Healthy, Hunger-Free Kids Act of 2010	All foods and beverages sold or given to students on school premises, separately from reimbursable meals and ASP snacks. ³	During the school day. ²	Yes	Yes
Federal (USDA): Revenue from Nonprogram Foods (7 CFR 210.14 (f))	All foods and beverages purchased using funds from the nonprofit school food service account, and sold to students and adults on school premises, outside of reimbursable meals and ASP snacks.	At all times.	Yes	No

¹ For the definition of these terms, see the [Glossary](#). For more information, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

² The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the school governing authority are part of the regular school day.

³ The school wellness policy must include standards and nutrition guidelines for all foods and beverages available to students on the school premises during the school day, including foods and beverages sold to students and provided to students free of any charge. For more information, see “[USDA School Wellness Policy](#)” in this section.

Healthy Food Certification

The state HFC statute (C.G.S. Section 10-215f) 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 sales of food items to students on school premises at all times, 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.

Districts that choose to comply with the CNS receive additional funding based on the total number of reimbursable lunches served in the district in the prior school year. For more information on HFC and the CNS, see the CSDE’s handouts, [Overview of Healthy Food Certification](#) and [Summary of Connecticut Nutrition Standards](#), and visit the CSDE’s [Healthy Food Certification](#) and [Connecticut Nutrition Standards](#) webpages.

The annual HFC Statement is completed online in the CSDE’s Online Application and Claiming System for Child Nutrition Programs (CNP System), as part of the NSLP sponsor’s yearly application for the CNPs. For more information, visit the “Apply” section of the CSDE’s [HFC](#) webpage.

Smart Snacks Nutrition Standards

All schools and institutions that participate in the NSLP and SBP must comply with the USDA’s Smart Snacks nutrition standards. Smart Snacks applies to all sales of competitive foods to students on school premises during the school day.

- “Sales” means the exchange of a determined amount of money (including the purchase of 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 beverages provided to students, and activities that suggest a student donation in exchange for beverages. Under the state statutes and competitive foods regulations, sales also include coupons, tickets, tokens, and similar items that are given to students and can be exchanged for certain foods and beverages, such as food rewards. For more information, see [“Sales to Students,”](#) [“Giving Foods and Beverages to Students,”](#) and [“Food Rewards”](#) in section 2.
- “Competitive foods” are all foods and beverages available for sale to students on school premises during the school day, other than meals served through the CNPs. The state beverage statute and competitive foods regulations extend this time beyond the school day. The state beverage statute applies at all times, except for sales that

meet specific exemption criteria. The state competitive foods regulations apply whenever CNPs are operating, including during and after the school day.

- The “school campus” is all areas of the property under the jurisdiction of the school that are accessible to students during the school day. The state beverage statute and competitive foods regulations extend this time beyond the school day. The state beverage statute applies at all times, except for sales that meet specific exemption criteria. The state competitive foods regulations apply whenever CNPs are operating, including during and after the school day.
- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is midnight to 3:30 p.m. Summer school programs operated by the board of education or school governing authority are part of the regular school day.

Smart Snacks does not apply to:

- the ASP, unless it operates before the end of the school day or sells foods and beverages to students separately from reimbursable ASP snacks;
- the SFSP, unless it operates during the summer school day during which NSLP meals are served, and sells foods and beverages to students separately from reimbursable SFSP meals and snacks;
- the SSO; or
- schools that participate only in the SMP.

However, the USDA encourages schools to use Smart Snacks in other CNPs to improve the overall school nutrition environment.

Standards for foods

The Smart Snacks nutrition standards for foods are the same for all grades. Smart Snacks limits calories, fat, saturated fat, trans fat, sodium, and added sugars; and promotes more nutrient-rich foods such as fresh fruits, vegetables, whole grains, low-fat dairy, legumes, and lean meats.

The two Smart Snacks food categories include entrees sold only a la carte and side dishes. Entree items offered as part of the NSLP or SBP are exempt from Smart Snacks if they are sold separately from reimbursable meals on the day of service, or the day after service, in the NSLP or SBP. For example, a cheeseburger that is part of Monday’s reimbursable lunch may be sold a la carte during the lunch service on Monday or Tuesday, and Smart Snacks does not apply. Exempt entrees sold as competitive foods must be offered in

the same or smaller portion sizes as the NSLP and SBP, and with the same accompaniments.

- **Entrees sold only a la carte:** Smart Snacks applies only to entrees that are sold only a la carte, i.e., not as part of a reimbursable meal. For example, if a school sells pizza that is not part of a reimbursable meal on the day of service, or the day after service, the pizza must comply with Smart Snacks. An “entree item” is a main dish food from one of following three categories: 1) a combination food of meat/meat alternate and whole grain-rich food; 2) a combination food of vegetable/fruit and meat/meat alternate; or 3) a meat/meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds, nut and seed butters and meat snacks. At breakfast only, the entree definition also includes whole grain-rich grain-only items, such as bagels, muffins, and waffles. Schools can determine which grain-only items are defined as entree items for breakfasts offered as part of the SBP.
- **Side dishes:** Side dishes are all food items that do not meet the Smart Snacks definition for entrees. Examples include fruits and vegetables; pasta, rice, and cooked cereal grains, e.g., quinoa, bulgur, and bulgur; snack foods such as chips, crackers, popcorn, rice cakes, hard pretzels, pita chips, snack mix, and trail mix; breakfast cereals, e.g., cold ready-to-eat (RTE) cereals and cooked hot cereals such as oatmeal; nuts and seeds; peanut butter and other nut butters; dried meat snacks, e.g., beef jerky and meat sticks; bakery items, e.g., pastries, toaster pastries, muffins, waffles, pancakes, French toast, soft pretzels, rolls, and buns; desserts, e.g., cookies, brownies, cake, pie, and pudding; frozen desserts, e.g., frozen fruit bars, ice cream, and ice cream novelties; cereal bars and granola bars; cheese, e.g., low fat cheese sticks and low-fat cheese cubes; yogurt and soy yogurt; and fruit/vegetable smoothies.

Allowable foods must comply with at least one of three Smart Snacks general nutrition standards, and specific nutrient standards for calories, fat, saturated fat, trans fat, sugar, and sodium. Smart Snacks allows exemptions for certain nutrient-rich food items that are naturally higher in fat (such as nuts and seeds) or sugars (such as dried fruit). All fruits and vegetables without added fat, sugar, and salt are exempt from Smart Snacks.

Schools must evaluate all foods for compliance with the Smart Snacks nutrition standards based on the amount of the food item as served, including any added accompaniments. Accompaniments are foods that accompany another food or beverage item, such as butter, cream cheese, syrup, and condiments, e.g., ketchup, mustard, mayonnaise and salad dressing. Examples include bagels with cream cheese, waffles with syrup, pasta with butter, egg rolls with duck sauce, and fruit crisp with whipped cream. For example, to determine if a bagel with cream cheese complies with Smart Snacks, the school must add the nutrients for the bagel plus the nutrients for the cream cheese, and compare this total with the Smart Snacks requirements for the side dishes category.

For detailed information on the general standards and nutrient standards for each Smart Snacks category, see the CSDE’s handouts, *Summary of Smart Snacks Nutrition Standards* and *Questions and Answers on Smart Snacks*, and visit the CSDE’s [Smart Snacks](#) webpage.

Beverage Requirements for Public Schools

Public schools must comply with the state beverage statute (C.G.S. Section 10-221q) and the Smart Snacks beverage standards. Some of the Smart Snacks beverage standards are stricter than the standards of the state beverage statute, and some standards of the state beverage statute are stricter than the Smart Snacks beverage standards. All beverages sold to students on school premises must comply with the stricter requirement of each federal and state beverage standard.

Smart Snacks applies only to beverages sold to students separately from school meals during the school day. The state beverage statute applies to all beverages sold to students (as part of reimbursable meals and separately from reimbursable meals) on school premises at all times, unless the sales meet specific exemption criteria. Sources of beverage sales include, but are not limited to, cafeterias, vending machines, school stores, and fundraisers. For additional examples, see [table 1-1](#).

- “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for beverages. Sales also include programs and activities that charge a fee that includes the cost of beverages provided to students, and activities that suggest a student donation in exchange for beverages. For more information, see “[Sales to Students](#)” and “[Food Rewards](#)” in section 2. **Note:** Smart Snacks applies only to purchased coupons, tickets, tokens, and similar items; but not when these items are given to students.
- “School premises” include all areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (CTECS), or the governing authority district or school.

For information on the specific beverage requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Public Schools*, and the CSDE’s PowerPoint presentation, *Beverage Requirements for Connecticut Public Schools*. For additional resources, visit the CSDE’s [Beverage Requirements](#) webpage. **Note:** The beverage requirements in these CSDE resources include the stricter requirements of the state beverage statute and the USDA Smart Snacks beverage standards.

Allowable beverages

The state beverage statute allows public schools to sell only five categories of beverages to students. Table 1-3 summarizes the beverage requirements for public schools, which include the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. The CSDE's [List of Acceptable Foods and Beverages](#) webpage includes brand-specific beverages that comply with all federal and state beverage requirements.



Table 1-3. Beverages allowed by C.G.S. Section 10-221q and Smart Snacks ¹

- **Milk**, low-fat (1%) and nonfat, flavored or unflavored, with no more than 4 grams of sugar per fluid ounce and no artificial sweeteners. ²
- **Nondairy milk substitutes** such as soy milk (flavored or unflavored) that comply with the USDA’s nutrition standards for nutritionally equivalent milk alternatives; and contain no artificial sweeteners, no more than 4 grams of sugar per fluid ounce, no more than 35 percent of calories from fat, and no more than 10 percent of calories from saturated fat. ^{2,3}
- **100 percent juice** (fruit, vegetable, or combination), containing no added sweeteners. ²
- **Beverages that contain only water and fruit or vegetable juice** with no added sweeteners, that meet the requirements specified in the CSDE’s handout, *Requirements for Beverages Containing Water and Juice*. ²
- **Water** (plain or carbonated), which may be flavored but contains no added sweeteners or caffeine. ² Water sold to students in elementary and middle schools must be unflavored. Water sold to students in high schools may be flavored or unflavored.

Portion sizes cannot exceed 8 fluid ounces for elementary schools and 12 fluid ounces for middle and high schools, except for water, which is unlimited.

¹ These standards include the stricter requirements of the Smart Snacks beverage standards and the state beverage statute.

² Sweeteners include nutritive (caloric) sweeteners (e.g., sugar, sucrose, honey, fruit juice concentrate, and high fructose corn syrup) and nonnutritive sweeteners without calories. Nonnutritive sweeteners include artificial sweeteners (e.g., acesulfame potassium, aspartame, and sucralose), “natural” sweeteners such as stevia (e.g., Rebiana, Reb A, Truvia, PureVia, and SweetLeaf), and sugar alcohols (e.g., sorbitol, mannitol, maltitol, and erythritol).

³ For information on the USDA’s nutrition standards for nondairy milk substitutes, see the CSDE’s handout, *Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs*.

Beverage exemptions

Beverages that do not comply with the state beverage statute cannot be sold to students in public schools unless the local board of education or school governing authority votes to allow exemptions, and: 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; and 3) the beverages are not sold from a vending machine or school store.

- An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, awards banquets, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. [Table 1-4](#) shows additional examples of events.
- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the board of education or school governing authority on school premises are part of the regular school day.
- “Location” means where the event is being held. For example, lemonade may be sold to students at the baseball field during a baseball game, but cannot be sold to students in the school cafeteria while a baseball game is played on the baseball field.

For example, if the district votes to allow beverage exemptions and school ends at 3:00 p.m., beverages that do not comply with the state beverage statute could be sold at the location of an event held on school premises anytime from 3:31 p.m. through 11:59 p.m.

Note: If any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the exemptions allowed by the state beverage statute for sales of coffee, tea, and soft drinks at events. Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including events that meet the exemption criteria of the state beverage statute) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m., an event on school premises cannot sell or give coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m. For more information, see “[State Competitive Foods Regulations](#)” in this section.

Beverage exemptions are not part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)), which is required for all public schools that participate in the NSLP. The exemption section of the HFC Statement applies only to foods. The board

of education or school governing authority must vote separately to allow any sales of noncompliant beverages to students in public schools. If the vote does not occur, schools cannot sell noncompliant beverages to students on school premise at any time.

Documentation of the approved vote for beverage exemptions must be available in the board of education or school governing authority’s meeting minutes, which are uploaded with the annual HFC Statement. Alternatively, beverage exemptions may be incorporated into the LEA’s policy, e.g., school wellness policy. For more information, see “[Healthy Food Certification](#)” in this section and the CSDE’s handout, *Exemptions for Foods and Beverages in Public Schools*.

Table 1-4. Examples of events for beverage exemptions ¹

- Awards banquets
- Boy Scout Blue & Gold dinner
- Craft fairs
- Debate team competitions
- Election day (if school is not in session)
- Family bingo nights
- Math team competitions
- Mock trial competitions
- School carnivals
- School concerts
- School recitals
- 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 county
- Talent shows
- Theatrical productions

¹ This list is not all-inclusive. For questions regarding whether specific district fundraising activities meet the definition of “event,” contact the CSDE (see “[CSDE Contact Information](#)” at the beginning of this guide).

Prohibited beverages

Prohibited beverages include all beverages that do not meet the requirements of the state beverage statute and Smart Snacks. Beverages that comply with Smart Snacks cannot be sold to students in public schools unless they also comply with the state beverage statute.

Table 1-5 shows examples of beverages prohibited by either the state beverage statute, the Smart Snacks beverage standards, or both. This list is not all-inclusive. For information on the restrictions for selling and giving specific beverages to students in non-HFC public schools, see section 4.

Table 1-5. Examples of prohibited beverages

Note: The mention of trade names and commercial products does not imply approval or endorsement by the CSDE or USDA. Product names are used solely for clarification in identifying unacceptable beverages.

- Coffee (regular, decaffeinated, herbal, and iced)
- Tea (regular, decaffeinated, herbal, and iced)
- Sports drinks (regular, low-calorie, and zero calorie), e.g., Gatorade and Powerade
- Energy drinks, e.g., Red Bull
- Hot chocolate (regular, low-calorie, and low-sugar)
- Whole milk and reduced fat (2%) milk, regular and lactose-free ¹
- Nondairy milk substitutes (such as soy milk, rice milk, and almond milk) that do not meet the USDA's nutrition standards for fluid milk substitutes ²
- Sweetened juice drinks (with or without carbonation) that are not 100 percent juice, e.g., Hawaiian Punch (contains high fructose corn syrup), Tropicana Twisters (contains high fructose corn syrup), Tropicana Trop50 (Reb A), Minute Maid Light Orange Juice Beverage (contains sucralose and acesulfame potassium), and Minute Maid Coolers (contains high fructose corn syrup and sugar) ^{3,4}
- 100 percent juice with added sweeteners ⁴
- Milk-based beverages that do not meet the federal standard of identify for fluid milk, e.g., Yoo-Hoo chocolate drink

Table 1-5. Examples of prohibited beverages, continued

- Waters (with or without carbonation) with added sweeteners, e.g., Propel Flavored Water Beverage with Vitamins (contains sucralose and acesulfame potassium), Glaceau Vitamin Water (contains crystalline fructose and cane sugar), Capri Sun Roarin’ Waters Fruit Flavored Water Beverage (contains high fructose corn syrup and sucralose), Kool-Aid Jammers (contains high fructose corn syrup), Fruit₂0 Flavored Sparkling Water Beverage (contains sucralose), Dasani Flavored Water Beverage (contains sucralose and acesulfame potassium), and Aquafina Flavorsplash Water (contains sucralose),⁴
- Waters mixed with drink mix powders with added sweeteners (regular and diet), e.g., Crystal Light Pure Fitness (contains evaporated cane juice, sugar, and rebiana)⁴
- Water and juice beverages with added sweeteners or ingredients not allowed (see the CSDE’s handout, [Requirements for Beverages Containing Water and Juice](#)), e.g., Minute Maid Fruit Falls Water Beverage (contains sucralose and acesulfame potassium), and Izze Sparkling Juice (contains additional fortification)⁴

¹ The USDA preschool meal patterns require whole milk for age 1. Whole milk can only be sold as part of reimbursable meals and snacks for preschoolers.

² For information on the USDA’s nutrition standards for nondairy milk substitutes, see the CSDE’s handout, [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

³ A juice drink is a product resembling juice that contains some portion of full-strength juice with added water and possibly other ingredients such as sweeteners and flavorings. The label may indicate “contains juice,” “fruit flavored,” or give the percentage of juice, such as “contains 15% juice.” A product labeled “100% natural” or “provides 100% vitamin C” is not an indication of 100 percent juice. Examples of juice drinks include grape juice drink, orange juice drink, pineapple-grapefruit beverage, and cranberry cocktail. These products may be labeled drink, beverage, cooler, cocktail, ade, (e.g., lemonade, limeade), nectar, or punch.

⁴ Sweeteners include nutritive (caloric) sweeteners (e.g., sugar, sucrose, honey, fruit juice concentrate, and high fructose corn syrup) and nonnutritive sweeteners without calories. Nonnutritive sweeteners include artificial sweeteners (e.g., acesulfame potassium, aspartame, and sucralose), “natural” sweeteners such as stevia (e.g., Rebiana, Reb A, Truvia, PureVia, and SweetLeaf), and sugar alcohols (e.g., sorbitol, mannitol, maltitol, and erythritol).

Identifying Allowable Foods and Beverages

The CSDE's [List of Acceptable Foods and Beverages webpage](#) identifies commercial food products that comply with the CNS, and commercial beverages that comply with the state beverage statute and the Smart Snacks beverage standards. Foods on this list also comply with the Smart Snacks food standards because the CNS requirements are stricter; they meet or exceed all Smart Snacks food standards.

Schools must verify that commercial foods and beverages are approved before selling them to students. Products not listed either do not comply with the federal and state nutrition standards, or have not been submitted to the CSDE for review. For information on how to submit products for review, see the CSDE's handout, [Submitting Food and Beverage Products for Approval](#).

Non-HFC public schools may also use the Alliance for a Healthier Generation's [Smart Snacks Product Calculator](#) to assess food products for compliance with Smart Snacks. **Note:** This tool cannot be used to identify allowable beverages because some requirements of the state beverage statute are stricter and supersede the Smart Snacks beverage standards.

For foods made from scratch, schools must conduct a nutrient analysis to determine if the recipes comply with Smart Snacks. Foods made from scratch include foods prepared from a recipe and foods that require some additional processing by adding other ingredients after purchasing.

- Examples of foods prepared from a recipe include entrees that are only sold a la carte (not as part of reimbursable meals), such as pizza, lasagna, stew, chicken stir-fry, and yogurt-fruit parfaits; baked goods such as muffins and cookies; cooked grains such as pasta and rice with added ingredients such as butter, oil, or salt; vegetables with added ingredients such as butter, oil, or salt; salad with dressing; coleslaw; potato salad; and soup.
- Examples of foods that require some additional processing by adding other ingredients after purchasing include popping popcorn kernels with oil; making cookies from a mix and adding butter and eggs; assembling a sandwich; and adding sprinkles to frozen commercial cookie dough before baking.

Each recipe's nutrition information per serving (including any added accompaniments) must be compared with Smart Snacks for the appropriate food category. If the recipe does not indicate the nutrition information per serving, the CSDE's [CNS worksheet 9: Nutrient Analysis](#) can be used to calculate this information.

A recipe is not compliant unless it meets each standard for the appropriate Smart Snacks category. Schools must determine that a recipe complies with the Smart Snacks before the food is sold to students. Documentation of each recipe's compliance with the Smart Snacks must be maintained on file for the CSDE's Administrative Review of school nutrition programs. For more information, see the CSDE's handout, [Guidance on Evaluating School Recipes](#), and visit the "How To" section of the CSDE's CNS webpage.

Note: A nutrient analysis is not required for entrees that are sold as part of reimbursable meals and are also sold a la carte during the meal service on the same day, or the day after. These entrees are exempt from Smart Snacks.

State Competitive Foods Regulations

Effective August 25, 1992, Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies apply to all schools and institutions that participate in the CNPs. Section 10-215b-1 addresses restrictions for sales and dispensing of candy, coffee, tea, and soft drinks to students on school premises. Section 10-215b-23 addresses the accrual of income from sales of foods and beverages to students on school premises.

- "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. For more information, see "[Sales to Students](#)" in section 2.
- "Dispensing" means to give, provide, or distribute foods and beverages to students. This includes foods and beverages that are given to students free of any charge, such as food rewards and classroom parties. For more information, see "[Giving Foods and Beverages to Students](#)" in section 2.
- "Candy" includes all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.
- "Coffee" and "tea" include all types, e.g., regular, decaffeinated, herbal, and iced.
- "Soft drinks" include all 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 of soft drinks include 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), and flavored water with added sweeteners.

Note: Soft drinks do not include beverages that comply with the state beverage statute, such as 100 percent fruit or vegetable juice, plain water (with or without carbonation), and 100 percent juice diluted with water that meets the requirements specified in the CSDE’s handout, *Requirements for Beverages Containing Water and Juice*.

Depending on when CNPs operate, the state beverage statute and Smart Snacks beverage standards may supersede Section 10-215b-1; or Section 10-215b-1 may supersede the state beverage statute and Smart Snacks beverage standards.

Section 10-215b-1: Candy

Smart Snacks prohibits selling candy to students on school premises during the school day. For information on what constitutes selling and giving, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

Section 10-215b-1 of the state competitive foods regulations extends restrictions for candy because it prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. The examples below illustrate this requirement.

- If the SBP operates from 7:00 a.m. to 7:30 a.m., candy cannot be sold or given to students anywhere on school premises from 6:30 a.m. to 8:00 a.m. For example, a fundraiser cannot sell or distribute candy to students during this time and teachers cannot give candy to students at a classroom party during this time. **Note:** Smart Snacks already prohibits candy sales to students during the school day, but does not apply when candy is given to students.
- If the NSLP operates from 11:30 a.m. to 1:00 p.m., candy cannot be sold or given to students anywhere on school premises from 11:00 a.m. to 1:30 p.m. For example, a vending machine cannot sell candy to students during this time and school staff cannot give candy to students as rewards during this time. **Note:** Smart Snacks already prohibits candy sales to students during the school day, but does not apply when candy is given to students.
- If the ASP operates from 3:30 p.m. to 4:30 p.m., candy cannot be sold or given to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. For example, a school store cannot sell candy to students during this time and teachers cannot give

candy to students at a classroom party during this time. **Note:** Smart Snacks does not apply after the school day or when candy is given to students.

- If the At-Risk Afterschool Meals program serves supper from 5:00 p.m. to 6:00 p.m., candy cannot be sold or given to students anywhere on school premises from 4:30 p.m. to 6:30 p.m. For example, a booster club at a sports competition cannot sell candy to students during this time and school staff cannot give candy to students as food rewards during this time. **Note:** Smart Snacks does not apply after the school day or when candy is given to students.

If CNPs are not operating, candy could be sold or given to students on school premises after the school day. For example, if school ends at 3:00 p.m., candy could be sold or given to students from 3:31 p.m. to 11:59 p.m. However, the CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy on school premises. For more information, see the CSDE’s handouts, [Healthy Fundraising](#), [Healthy Celebrations](#), and [Alternatives to Food Rewards](#).

Section 10-215b-1: Coffee, tea, and soft drinks

Section 10-215b-1 prohibits selling and giving 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, including during and after the school day. Effective July 1, 2006, the state beverage statute prohibits sales of coffee, tea, and soft drinks to students in public schools at all times, except for events that meet the beverage exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in this section.

However, if any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the beverage exemptions for coffee, tea, and soft drinks allowed by the state beverage statute; and extends restrictions for these beverages to exempted events.

Coffee, tea, and soft drinks cannot be sold to students anywhere on school premises in non-HFC public schools unless:

- the board of education or school governing authority has voted to allow beverage exemptions;
- the coffee, tea, and soft drinks are sold 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.

Coffee, tea, and soft drinks can never be sold from vending machines or school stores. The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores. For more information, see “[Vending Machines](#)” and “[School Stores](#)” in section 2.

Section 10-215b-23: Accrual of income

Section 10-215b-23 of the state competitive foods regulations requires that the income from all sales of foods and beverages to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs must accrue to the nonprofit food service account.

- “Income” means gross income.
- “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 (SFA) 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\(f\)](#).

All sales of foods and beverages to students anywhere on school premises during this time must comply with this regulation, including:

- foods that comply with Smart Snacks;
- foods that do not comply with Smart Snacks;
- beverages that comply with the state beverage statute and the Smart Snacks beverage standards;
- beverages that do not comply with the state beverage statute and the Smart Snacks beverage standards; and
- beverages sold at events that meet the beverage exemption criteria of the state beverage statute.

For example, if the SBP operates from 7:00 a.m. to 8:00 a.m., the NSLP operates from 11:30 a.m. to 1:00 p.m., and the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m., 11:00 a.m. to 1:30 p.m., and 3:00 p.m. to 5:00 p.m. This includes the income from sales of foods and beverages at events that meet the exemption criteria of the state beverage statute.

If any vending machines operate during this period, the gross income (not just the percentage of the income specified in the vending machine contract) must accrue to the nonprofit food service account. For example, if a vending machine contract specifies that the school food service department receives 20 percent of the total vending sales, and the vending machine operates anytime from 30 minutes before up through 30 minutes after the operation of any

CNPs, the school food service department must receive 100 percent of the total vending sales (gross income) during this period.

For more information, see the CSDE’s [Operational Memorandum No. 1-18: *Accrual of Income from Sales of Competitive Foods in Schools*](#), and the CSDE’s handout, [Connecticut Competitive Foods Regulations](#).

USDA School Wellness Policy

The Child Nutrition and WIC Reauthorization Act of 2004 ([Section 4 of Public Law 108-265](#)) required all schools and institutions participating in the NSLP and SBP to develop a school wellness policy by the first day of school year 2006-07. The [Healthy, Hunger-Free Kids Act of 2010](#) strengthened the school wellness policy law by adding requirements for public participation, transparency, and implementation. At a minimum, the local wellness policy must:

- include goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness;
- include nutrition guidelines to promote student health and reduce childhood obesity for all foods available in each school district (including foods and beverages that are sold to students, and foods and beverages that are given to students at no cost);
- permit parents, students, representatives of the SFA, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, review, and update of the local wellness policy;
- inform and update the public (including parents, students, and others in the community) about the content and implementation of local wellness policies; and
- be measured periodically on the extent to which schools are in compliance with the local wellness policy, the extent to which the local educational agency’s (LEA) local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy, and make this assessment available to the public.



Schools and institutions may choose to include additional features or integrate student wellness with other ongoing programs, such as the [Whole School, Whole Community, Whole Child \(WSCC\)](#) model and community-based programs. Federal law requires that school wellness policies must address the five areas above, but the actual content of each area is locally determined by the individual LEA.

Each LEA's school wellness policy has its own requirements regarding what foods and beverages may be sold or given to students at school. At a minimum, the LEA's school wellness policy for foods and beverages must meet all applicable federal and state nutrition standards and requirements.

The resources below provide more information on school wellness policies.

- Action Guide for Child Care Nutrition and Physical Activity Policies (CSDE): <https://portal.ct.gov/-/media/SDE/Nutrition/CACFP/CCPolicy/CCAG.pdf>
- Action Guide for School Nutrition and Physical Activity Policies (CSDE): https://portal.ct.gov/-/media/SDE/Nutrition/SWP/Action_Guide.pdf
- Local School Wellness Policy (USDA webpage): <https://www.fns.usda.gov/tn/local-school-wellness-policy>
- School Wellness Policies (CSDE webpage): <https://portal.ct.gov/SDE/Nutrition/School-Wellness-Policies>

For additional resources, see the CSDE's resource list, *Wellness Policies for Schools and Child Care*.

Revenue from Nonprogram Foods

Section 7 CFR 210.14 (f) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the nonprofit school food service account. "Nonprogram foods" are foods and beverages purchased using funds from the nonprofit school food service account and sold at any time or location on school premises, other than reimbursable meals and snacks served through the CNPs. Nonprogram foods include all foods and beverages sold in schools, adult meals, outside-of-school hours, and catering or vending activities. They also include competitive foods purchased using funds from the nonprofit school food service account, such as cafeteria a la carte sales or vending machines operated by the food service department. For most school food authorities (SFA), cafeteria a la carte foods and beverages account for the majority of nonprogram foods.

This regulation also requires that when school food service labor is used to prepare foods for an outside entity (such as catering), the SFA must ensure that all costs, including labor and any other costs incurred, are covered by the entity being served by the school food service program. For more information, see [USDA Memo SP 13-2014: School Food Service Account Revenue from the Sale of Nonprogram Foods](#) and [USDA Memo SP 20-2016: Nonprofit School Food Service Account Nonprogram Food Revenue Requirements](#).

Note: Nonprogram foods are different from competitive foods. Competitive foods are all foods and beverages available for sale to students on school premises, separately from

reimbursable meals and snacks served through the CNPs. They may or may not be purchased using funds from the nonprofit school food service account. For example, funds from the nonprofit school food service account might be used to purchase competitive foods sold from vending machines in the cafeteria, but typically are not used to purchase competitive foods sold from school stores and fundraisers.

Requirement to Sell Nutritious Low-fat Foods

C.G.S. Section 10-221p requires that whenever foods are available for purchase by students during the school day separately from reimbursable meals, nutritious and low-fat foods must also be available for sale at the same time, either at the location of the food sales or elsewhere in the school. This includes foods sold to students in the cafeteria and outside of the cafeteria, such as school stores, vending machines, and fundraisers. This statute applies to all public schools, even if they do not choose the healthy food option of HFC or do not participate in the NSLP and SBP.

The statute defines “nutritious and low-fat foods” as low-fat dairy foods (such as low-fat cheese and low-fat or nonfat yogurt) and fresh or dried fruit. Low-fat milk is a beverage and cannot be used to meet the statutory requirement for low-fat foods.

C.G.S. Section 10-221p does not apply to:

- reimbursable meals in the NSLP, SBP, SFSP, and SSO;
- reimbursable ASP snacks, unless service begins before the end of the school day; or
- schools that solely offer reimbursable meals with no a la carte sales.

For fundraisers consisting of preordered foods, C.G.S. Section 10-221p applies when the foods are distributed, not when the foods are ordered. The nutritious low-fat foods specified in the statute must be available for purchase when students pick up the fundraiser foods. The intent of the statute is that when food is made available to students, there are also healthy alternatives.

For more information on the requirement for fundraisers, see “[Fundraiser catalogs and orders](#)” in section 2. For more information on C.G.S. Section 10-221p, see the CSDE’s handout, *Questions and Answers on Connecticut Statutes for School Foods and Beverages*.



2 — When the Requirements Apply

Some of the federal requirements are stricter than the state requirements, and some of the state requirements are stricter than the federal requirements. Some requirements apply during the school day, while others apply at all times or while CNPs are operating. When the federal and state requirements are different, schools must comply with the strictest requirement. This section indicates when the federal requirements supersede the state requirements, and vice versa; and summarizes when the federal and state nutrition standards (state beverage statute and Smart Snacks beverage standards) and other applicable federal and state requirements apply to the following sources of foods and beverages in non-HFC public schools:

- sales to students;
- giving foods and beverages to students;
- sales to adults;
- adult education programs;
- afterschool programs and activities;
- Afterschool Snack Program (ASP);
- celebrations;
- compliant foods and beverages;
- concession stands;
- culinary programs;
- family and consumer science classes;
- food rewards;
- foods and beverages brought from home
- fundraisers;
- interschool agreements;
- meetings;
- noncompliant foods and beverages;
- school cafeterias;
- school stores;
- Special Milk Program (SMP);
- sports competitions;
- sports practices;
- Summer Food Service Program (SFSP) and Seamless Summer Option (SSO);
- summer school programs;
- vending machines; and
- vendors.



2 | When the Requirements Apply

How the federal and state requirements for competitive foods apply to non-HFC public schools depends on the source of foods and beverages, whether foods and beverages are sold or given to students, and when foods and beverages are sold or given to students. For a summary chart of when the federal and state requirements apply to different sources of competitive foods in non-HFC public schools, see the CSDE's handout, *Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools*. The CSDE's handout, *Requirements for Competitive Foods in Non-HFC Public Schools*, provides an overview of the requirements for non-HFC public schools.

Sales to Students

The federal and state requirements for sales of competitive foods apply at different times.

- Smart Snacks applies to all foods and beverages available for sale to students on school premises during the school day, separately from reimbursable meals. For more information, see “[Smart Snacks Nutrition Standards](#)” in section 1.
- The state beverage statute (C.G.S. Section 10-221q) applies to all sales of beverages to students on school premises at all times (including beverages sold as part of and separately from reimbursable meals), unless the sales meet the exemption criteria of the state beverage statute. For more information, see “[Beverage Requirements for Public Schools](#)” and “[Beverage exemptions](#)” in section 1.
- The state statute for nutritious and low-fat foods (C.G.S. Section 10-221p) applies to all sales of foods to students on school premises during the school day, separately from reimbursable meals. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- The state competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies) apply from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Section 10-215b-1 prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises during this time. Section 10-215b-23 requires that the income from all foods and beverages sold to students on school premises during this time must accrue to the nonprofit food service account. This includes foods and beverages sold to students at events on school premises that meet the exemption criteria of the state beverage statute. For more information, see “[State Competitive Foods Regulations](#)” in section 1.

The federal and state requirements for competitive foods have different definitions for sales.

Sales definition for Smart Snacks

“Sales” means the exchange of a determined amount of money (including the purchase of coupons, tickets, tokens, and similar items) for foods and beverages on school premises during the school day. Under the Smart Snacks regulations, foods and beverages are being sold to students when any of the five conditions below applies.

1. Students purchase foods and beverages on school premises during the school day.
2. Students exchange purchased coupons, tickets, tokens, and similar items for foods and beverages on school premises during the school day.
3. Students order and receive distribution of fundraiser foods and beverages that are intended to be consumed by students on school premises during the school day.
4. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises during the school day.
5. Fundraisers on school premises during the school day give foods and beverages to students in exchange for a suggested donation.

Sales definition for state statutes and regulations

“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 on school premises. Under Connecticut’s statutes and competitive foods regulations, foods and beverages are being sold to students when any of the six conditions below applies.

1. Students purchase foods and beverages on school premises.
2. Students exchange purchased coupons, tickets, tokens, and similar items for foods and beverages on school premises.
3. Students are given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages on school premises.
4. Students bring fundraiser orders and money to school, and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.
5. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.
6. Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.

What constitutes sales to students

This section summarizes how the federal and state requirements for competitive foods apply to the six conditions that constitute selling foods and beverages to students in non-HFC public schools.

1. **Students purchase foods and beverages on school premises.** For example, students buy snacks in the cafeteria or beverages from a vending machine or school store.
 - Smart Snacks applies to all foods and beverages available for purchase by students (separately from reimbursable meals) on school premises during the school day.
 - The state beverage statute applies to all beverages available for purchase by students (as part of and separately from reimbursable meals) on school premises at all times, except for events that meet the beverage exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.
 - The state statute for nutritious and low-fat foods applies whenever foods are available for purchase by students (separately from reimbursable meals) on school premises during the school day. It does not apply when beverages are available for purchase by students.
 - The state competitive foods regulations apply to all foods and beverages available for purchase by students (as part of and separately from reimbursable meals) on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes purchases by students at events on school premises that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.



2. **Students purchase coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages on school premises.** For example, students purchase tickets on Monday that can be exchanged for cookies on Friday, or students purchase coupons that can be exchanged for foods and beverages in the school store. For more information, see “[Coupons, tickets, and tokens](#)” in this section.

- Smart Snacks applies to all coupons and similar items that are purchased by students or exchanged by students for foods and beverages (separately from reimbursable meals) on school premises during the school day
- The state beverage statute applies to all coupons and similar items that are purchased by students or exchanged by students for beverages (as part of and separately from reimbursable meals) on school premises at all times, except for events that meet the beverage exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.
- The state statute for nutritious and low-fat foods applies when purchased coupons and similar items are exchanged by students for foods (separately from reimbursable meals) on school premises during the school day. It does not apply at the time the food coupons are purchased, or to coupons that students can exchange for beverages.
- The state competitive foods regulations apply to all coupons and similar items that are purchased by students or exchanged by students for foods and beverages (as part of and separately from reimbursable meals) on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes purchasing or exchanging coupons and similar items at events on school premises that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.



3. **Students are given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages, such as coupons for food rewards.** For example, teachers reward students with coupons that can be exchanged for ice cream in the cafeteria. For more information, see [“Coupons, tickets, and tokens,”](#) [“Giving Foods and Beverages to Students,”](#) [“Food Rewards,”](#) and [“Celebrations”](#) in this section.
- Smart Snacks does not apply to coupons and similar items that can be exchanged by students for foods and beverages, when they are given to students.
 - The state beverage statute applies to all coupons and similar items that are given to students and can be exchanged by students for beverages (as part of and separately from reimbursable meals) on school premises at all times, except for events that meet the beverage exemption criteria of the state beverage statute. Giving students coupons or similar items that can be exchanged for beverages is the same as selling beverages to students, regardless of when or where students exchange them. For more information, see [“Beverage exemptions”](#) in section 1.
 - The state statute for nutritious and low-fat foods applies when coupons and similar items are given to students and exchanged by students for foods (separately from reimbursable meals) on school premises during the school day. It does not apply at the time the food coupons are given to students, or to coupons that students can exchange for beverages.
 - The state competitive foods regulations applies to all coupons and similar items that are given to students and can be exchanged by students for foods and beverages (as part of and separately from reimbursable meals) on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes giving and exchanging coupons and similar items at events on school premises that meet the exemption criteria of the state beverage statute. For more information, see [“Beverage exemptions”](#) in section 1.

4. **Students bring fundraiser orders and money to school, and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.**

For example, students take orders off school premises for frozen cookie dough, frozen pies, and bags of gourmet coffee; and bring the orders and money to school. When the products arrive at school, students pick up the products at school to bring home for delivery to customers. For more information, see “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section.

- Smart Snacks does not apply to foods and beverages ordered by students through a fundraiser when they are intended for consumption at home.
- The state beverage statute applies to all beverages ordered by students through a fundraiser, and the distribution of beverages to students, on school premises at all times, regardless of when the beverages are intended to be consumed by students, except for orders and distribution at events that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.
- The state statute for nutritious and low-fat foods applies when foods ordered through a fundraiser are distributed to students on school premises during the school day, regardless of when the foods are intended to be consumed by students. It does not apply at the time of the student orders for foods, or to student orders for beverages or the distribution of beverages to students.
- The state competitive foods regulations apply to foods and beverages ordered by students through a fundraiser, and distribution of foods and beverages to students, on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day, regardless of when the foods and beverages are intended to be consumed by students. This includes student orders for foods and beverages, and distribution of foods and beverages to students, at events on school premises that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.

5. **Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.** For example, an afterschool program charges a fee that includes the cost of snacks provided to students, or parents send money to school to cover the cost of foods and beverages provided to students at classroom parties. For more information, see “[Afterschool programs and activities](#)” and “[Celebrations](#)” in this section.
- Smart Snacks applies to fee-based programs and activities (excluding classroom parties) that provide foods and beverages to students on school premises during the school day. Smart Snacks does not apply to classroom parties on school premises when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages
 - The state beverage statute applies to all beverages provided to students through fee-based programs and activities, including classroom parties, on school premises at all times. Fee-based programs and activities are ineligible for beverage exemptions. Classroom parties could be eligible for beverage exemptions if they are held after the school day or on the weekend. For more information, see “[Beverage exemptions](#)” in section 1, and “[Celebrations that are events](#)” in this section.
 - The state statute for nutritious and low-fat foods applies when fee-based programs or activities (including classroom parties) provide foods to students on school premises during the school day. It does not apply to fee-based programs or activities that provide beverages to students.
 - The state competitive foods regulations apply to fee-based programs and activities (including classroom parties) that provide foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes celebrations on school premises that meet the definition of an event, and are therefore eligible for beverage exemptions under the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1, and “[Celebrations that are events](#)” in this section.

6. **Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.** For example, students receive a “free” cookie if they donate money to a charity fundraiser. For more information, “[Suggested donations for foods and beverages](#)” in this section.

- Smart Snacks applies when fundraisers on school premises give foods and beverages to students in exchange for a suggested donation during the school day.
- The state beverage statute applies to all fundraisers on school premises that give beverages to students in exchange for a suggested donation, at all times, except for fundraisers at events that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” in this section.
- The state statute for nutritious and low-fat foods applies when fundraisers on school premises give foods to students in exchange for a suggested donation during the school day. It does not apply to fundraisers that provide beverages to students in exchange for a suggested donation.
- The state competitive foods regulations apply when fundraisers on school premises give foods and beverages to students on school premises in exchange for a suggested donation from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes fundraisers giving beverages to students in exchange for a suggested donation at events that meet the exemption criteria of the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1 and “[Fundraisers that are events](#)” in this section.



Giving Foods and Beverages to Students

“Giving” means that foods and beverages are provided free of any charge, contribution, or suggested donations. The federal and state nutrition standards (Smart Snacks and the state beverage statute) and the state statute for nutritious low-fat foods do not apply when foods and beverages are given to students. However, Section 10-215b-1 of the state competitive foods regulations prohibits giving candy, 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, including during and after the school day. For more information, see “[State Competitive Foods Regulations](#)” in section 1.

Under the Smart Snacks regulations, foods and beverages are being given to students when all of the following four conditions apply:

- students do not purchase foods and beverages;
- students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages;
- programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and
- fundraisers do not give foods and beverages to students in exchange for a suggested donation.

Under Connecticut’s statutes and competitive foods regulations, foods and beverages are being given to students when all of the following five conditions apply:

- students do not purchase foods and beverages;
- students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages;
- students are not given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages;
- programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and
- fundraisers do not give foods and beverages to students in exchange for a suggested donation.

For more information, see “[Sales to Students](#),” “[Coupons, tickets, and tokens](#),” and “[Suggested donations for foods and beverages](#)” in this section.



Sales to Adults

The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply to foods and beverages sold to adults on school campus, such as school staff, parents, and other adults. Schools can sell foods and beverages to adults at any time, either on or off school campus.

However, the state beverage statute and state competitive foods regulations apply if students sell foods and beverages to adults off school premises, deliver the fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to customers. An example is a fundraiser catalog that sells candy bars and bags of gourmet coffee.

Foods and beverages are being sold to students when students exchange money or its equivalent for foods and beverages on school premises. Under the state statutes and state competitive foods regulations, foods and beverages are being sold to students whenever students exchange money or its equivalent for foods and beverages on school premises. For more information, see “[Fundraiser catalogs and orders](#)” in this section.



Adult Education Programs

Smart Snacks does not apply to adult education programs. However, Connecticut’s statutes and regulations for foods and beverages have stricter requirements because they do not address an age limit for students or distinguish between regular and adult education programs.

The state beverage statute applies at all times to beverages sold to adults who are “students” in adult education programs on school premises under the board of education’s jurisdiction, if the beverage sales are under the control of the adult education program. This includes fee-based adult education programs that include the cost of beverages provided to students, and adult education programs where students can exchange tickets for foods and beverages (including tickets that are sold or given to students). Adult education programs are not events; they are ineligible for beverage exemptions under the state beverage statute.

The state beverage statute does not apply if the district rents, leases, or borrows building space for an adult education program, and the building owner maintains any sources of beverage sales such as vending machines or food kiosks. These sales are not under the control of the adult education program. For more information, see the CSDE’s memo, [Requirements for Selling Foods and Beverages in Adult Education Programs](#).

Other state requirements for adult education programs

In addition to the state beverage statute, adult education programs on school premises under the board of education’s jurisdiction must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based adult education programs that include the cost of foods and beverages provided to students, and adult education programs where students can exchange tickets for foods and beverages (including tickets that are sold or given to students). For more information, see “[Sales to Students](#)” in this section.

Note: These requirements apply only when the sales of foods and beverages are under the control of an adult education program that operates on school premises during the school day or while CNPs are operating. Since most adult education programs operate after the school day and outside of CNPs, these requirements do not typically apply.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** does not apply unless adult education programs on school premises sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and an adult education program on school premises sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the adult education program or elsewhere on school premises at the same time. However, if the adult education program sells foods to students after 3:30 p.m., the statute does not apply. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits adult education programs on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.
 - **Selling candy:** Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., an adult education program on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Adult education programs on school premises are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students at any time.

- **Giving:** Adult education programs on school premises cannot give candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 5:00 to 6:00 p.m., an adult education program on school premises cannot give candy, coffee, tea, and soft drinks to students from 4:30 p.m. to 6:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages in adult education programs on school premises, and the income from program fees charged to cover the cost of foods and beverages provided to students in adult education programs on school premises. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the adult education program’s income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all beverages sold to students from the adult education program must comply with the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages to students from adult education programs at all times because they are not events; adult education programs are ineligible for beverage exemptions. For more information, see “[Compliant Foods and Beverages](#)” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Afterschool Programs and Activities

Smart Snacks does not apply to afterschool programs and activities on school premises unless they sell foods and beverages to students before the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods and beverages sold to students on school premises through 3:30 p.m. This includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students, and afterschool programs and activities where students can exchange purchased tickets for foods and beverages. For more information, see “[Sales to Students](#)” in this section.

Examples of fee-based afterschool programs include:

- a movie or board game club that provides soda and popcorn;
- enrichment programs, extracurricular classes, tutoring sessions, and clubs (such as art, chess, foreign language, and math) that include a daily snack; and
- cooking classes where students eat the foods they have prepared.



The state beverage statute applies to all beverages available for sale to students from afterschool programs and activities on school premises at all times, including during and after the school day. This includes fee-based afterschool programs and activities that include the cost of beverages provided to students, and afterschool programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students). Afterschool programs and activities are not events; they are ineligible for beverage exemptions under the state beverage statute.

Other state requirements for afterschool programs and activities

In addition to the federal and state nutrition standards, afterschool programs and activities on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students, and afterschool programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** does not apply unless afterschool programs and activities sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and an afterschool program sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the afterschool program or elsewhere on school

premises at the same time. However, if the afterschool program sell foods to students after 3:30 p.m., the statute does not apply. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits afterschool programs and activities from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., an afterschool program cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Afterschool programs and activities are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
 - **Giving candy, coffee, tea, and soft drinks:** Afterschool programs and activities cannot give candy, 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, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., an afterschool program cannot give candy, coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from fees charged to cover the cost of foods and beverages provided to students in afterschool programs and activities, and the income from sales of tickets that students can exchange for foods and beverages in afterschool programs and activities. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the

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nonprofit food service account must receive the afterschool program's income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. For more information, see "[Section 10-215b-23: Accrual of income](#)" in section 1.

Note: In this example, all beverages sold to students from the afterschool program must comply with the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages to students from afterschool programs and activities at all times because they are not events; afterschool programs and activities are ineligible for beverage exemptions. For more information, see "[Compliant Foods and Beverages](#)" and "[Noncompliant Foods and Beverages](#)" in this section, and "[Beverage exemptions](#)" in section 1.

Afterschool Snack Program (ASP)

The ASP operates under the NSLP. Snacks served in the ASP must meet the USDA's ASP meal pattern. For information on the ASP meal pattern requirements, visit the "[Documents/Forms](#)" section of the CSDE's [Afterschool Snack Program](#) webpage.

Smart Snacks does not apply to the ASP unless it operates before the end of the school day, or sells additional foods and beverages to students separately from reimbursable snacks before the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to reimbursable ASP snacks served between 3:00 p.m. to 3:30 p.m. (during the school day), but does not apply to reimbursable ASP snacks served after 3:30 p.m. (after the school day).

The stricter state requirements supersede Smart Snacks. The state beverage statute applies to all beverages served in reimbursable ASP snacks. ASP menus must comply with the state beverage statute, in addition to the ASP meal pattern. The ASP is not an event; it is ineligible for beverage exemptions under the state beverage statute.



For more information, see "[Compliant Foods and Beverages](#)" in this section and "[Identifying allowable foods](#)" in section 1.

Other state requirements for the ASP

In addition to the state beverage statute, the ASP must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** does not apply unless the ASP begins before the end of the school day. For example, if school ends at 3:00 p.m. and the ASP serves reimbursable snacks to students between 3:00 p.m. and 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the ASP or elsewhere on school premises at the same time. However, if the ASP serves reimbursable snacks to students after 3:30 p.m., the statute does not apply. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits the ASP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation.
 - **Selling candy:** Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the ASP. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., candy cannot be sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m., either from the ASP or any other sources on school premises during this time.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The ASP is ineligible for beverage exemptions; it cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
 - **Giving candy, coffee, tea, and soft drinks:** Section 10-215b-1 prohibits giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any ASP. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., candy, coffee, tea, and soft drinks cannot be sold or given to students anywhere on school premises from 3:00 p.m. to 5:00 p.m., either from the ASP or any other sources on school premises during this time.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the ASP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up

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through 30 minutes after the ASP. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all beverages sold to students (as part of and separately from ASP snacks) must comply with the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages to students from the ASP at all times because it is not an event; the ASP is ineligible for beverage exemptions. For more information, see “[Compliant Foods and Beverages](#)” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Celebrations

Smart Snacks applies to celebrations (such as classroom parties) on school premises only when students purchase foods and beverages. Smart Snacks does not apply to classroom parties on school premises when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages; or when students are given coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages. For more information, see “[Sales to Students](#)” in this section.



The state beverage statute applies to all beverages available for sale to students at celebrations (including classroom parties) on school premises at all times, including during and after the school day. This includes fee-based celebrations that include the cost of beverages provided to students, and celebrations where students can exchange tickets for beverages (including tickets that are sold or given to students). For example, if a parent organization collects money from families at the beginning of the school year to pay for beverages provided to students at classroom parties throughout the school year, the beverages must comply with the state beverage statute.

The CSDE strongly encourages public schools to offer healthy choices at celebrations on school premises. For more information, see the CSDE’s handout, [Healthy Celebrations](#).

Celebrations that are events

Celebrations that occur on school premises after the school day or on the weekend are eligible for beverage exemptions because they meet the definition of an event. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports

competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at a celebration (event) on school premises that occurs after the school day or on the weekend. For more information, see “[Beverage exemptions](#)” in section 1. However, if the celebration occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for celebrations” below).

Other state requirements for celebrations

In addition to the federal and state nutrition standards, celebrations (including classroom parties) on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes celebrations that meet the exemption criteria of the state beverage statute; fee-based celebrations that include the cost of foods and beverages provided to students; and celebrations where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if celebrations on school premises sell foods to students during the school day. For example, if school ends at 3:00 p.m. and a school celebration sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the same location or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits celebrations from selling and giving candy, coffee, tea, or soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes celebrations on school premises that meet the definition of an event.
 - **Selling candy:** Smart Snacks does not apply to classroom parties on school premises when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., a celebration on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Celebrations on school premises cannot sell coffee, tea, and soft drinks to students unless the board of education or school governing authority has voted to allow beverage exemptions; the celebration (event) occurs after the school day or on the weekend; and the celebration does not occur while any CNPs are operating.
- **Giving candy, coffee, tea, and soft drinks:** Celebrations on school premises cannot give candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a celebration on school premises cannot give candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from fees charged to cover the cost of foods and beverages provided to students at celebrations, and the income from sales of tickets that students can exchange for foods and beverages at celebrations. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the celebration’s income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, the celebration (event) meets the exemption criteria because it is held after the school day. Noncompliant beverages (excluding coffee, tea, and soft drinks) could be sold to students at the celebration if the board of education or school governing authority has voted to allow beverage exemptions. Coffee, tea, and soft drinks could not be sold to students because the ASP is operating. For more information, see “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

The LEA’s school wellness policy may have other local requirements that address foods and beverages provided to students at celebrations on school premises. For more information, see “[USDA School Wellness Policy](#)” in section 1.

Compliant Foods and Beverages

Compliant foods are foods that comply with Smart Snacks. Compliant beverages are beverages that comply with the state beverage statute and the Smart Snacks beverage standards.

The CSDE’s [List of Acceptable Foods and Beverages](#) webpage identifies commercial food products that comply with Smart Snacks, and commercial beverage products that comply with the state beverage statute and Smart Snacks beverage standards. For foods made from scratch, schools must conduct a nutrient analysis to determine if recipes comply with Smart Snacks. Each recipe’s nutrition information per serving must be compared with the nutrition standards for the appropriate Smart Snacks food category. Documentation of a recipe’s Smart Snacks compliance must be completed before the food is sold to students. For more information, see “[Identifying Allowable Foods and Beverages](#)” in section 1.

Compliant foods and beverages may be sold to students on school premises at any time. For example, a fundraiser held during the school day could sell muffins and cookies listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage, because these foods comply with the Smart Snacks. However, sales that occur during the school day must also comply with C.G.S. Section 10-221p (nutritious low-fat foods). If the sales occur while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions. For more information, see “Other state requirements for compliant foods” below).

Other state requirements for compliant foods

In addition to the federal and state nutrition standards, compliant foods and beverages must comply with C.G.S. Section 10-221p and Sections 10-215b-23 of the state competitive foods regulations. This includes fee-based programs and activities that include the cost of foods and beverages provided to students; programs and activities where students are given or sold tickets or coupons that can be exchanged for foods and beverages; student orders for foods and beverages; distribution of foods and beverages to students; and fundraisers that offer foods and beverages to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the foods and beverages. **Note:** Section 10-215b-1 of the state competitive foods regulations does not apply to compliant foods because this regulation addresses only candy, coffee, tea, and soft drinks; these are noncompliant foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if compliant foods are sold to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a school store sells compliant foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold from the

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school store or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages; the income from program fees charged to cover the cost of foods and beverages provided to students; the income from student orders for foods and beverages; and the income from student donations in exchange for foods and beverages. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the income from all compliant foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Concession Stands

Smart Snacks applies to all foods and beverages available for sale to students from concession stands on school premises during the school day, such as concession stands at sports competitions, concerts, and theatrical productions. This includes concession stands where students can exchange purchased tickets for foods and beverages.

The state beverage statute applies to all beverages available for sale to students from concession stands on school premises at all times, including during and after the school day. This includes concession stands where students can exchange tickets for beverages (including tickets that are sold or given to students).



The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply if concession stands sell foods and beverages only to adults (e.g., teachers, staff, and parents) or are held off school premises. For more information, see “[Sales to Adults](#)” and “[Fundraisers held off school premises](#)” in this section.

Concession stands at events

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students from a concession stand located at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a concession stand located at the high school football field could sell popcorn and soft drinks to students during a football game (exempted event) that occurs after the school day. A concession stand located at an evening concert or theatrical production (exempted events) could sell cookies and lemonade to students during intermission. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for concession stands” below).

Note: Concession stands that are not located at an event cannot sell noncompliant beverages. For example, a concession stand located at the high school football field cannot sell sports drinks (noncompliant beverages) during football practices after the school day because practices do not meet the definition of an event. For more information, see “[Sports practices](#)” and “[Sports competitions](#)” in this section.

Other state requirements for concession stands

In addition to the federal and state nutrition standards, concession stands on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes concession stands at the location of an event that meets the exemption criteria of the state beverage statute, and concession stands where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** does not apply unless concession stands on school premises sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and a concession stand sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the concession stand or elsewhere on school premises at the same time. However, if the concession stand sells foods to students after 3:30 p.m., the statute does not apply. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.

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- **Section 10-215b-1 of the state competitive foods regulations** prohibits concession stands on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes concession stands located at events that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., a concession stand at a football game on school premises cannot sell candy to students from 4:00 to 6:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibits sales of noncompliant beverages from concession stands at all times, unless the board of education or school governing authority has voted to allow beverage exemptions; the concession stands are located at an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “Concession stands at events” above.
 - **Giving candy, coffee, tea, and soft drinks:** Concession stands on school premises cannot give candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., a concession stand on school premises cannot give candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of foods and beverages from concession stands located at events that meet the exemption criteria of the state beverage statute, and the income from sales of tickets that students can exchange for foods and beverages at concession stands. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., and

a concession stand on school premises sells foods and beverages to students at a sports competition (exempted event) during this time, the nonprofit food service account must receive the concession stand’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Culinary Programs

Smart Snacks applies to all foods and beverages sold to students from culinary programs on school premises during the school day. This includes fee-based culinary programs that include the cost of foods and beverages provided to students, and culinary programs where students can exchange purchased tickets for foods and beverages.

The state beverage statute applies to all beverages sold to students from culinary programs on school premises at all times, including during and after the school day. This includes fee-based culinary programs that include the cost of beverages provided to students, and culinary programs where students can exchange tickets for beverages (including tickets that are sold or given to students).

Culinary programs are not events; they are ineligible for beverage exemptions under the state beverage statute. However, a culinary program could prepare beverages to be sold at an event that meets the beverage exemption criteria. For example, culinary students could make punch that is sold to students at a school concert (exempted event) that occurs in the evening (after the school day). For more information, see “[Beverage exemptions](#)” in section 1.

The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply to the culinary education program curriculum. For more information, see the CSDE’s [Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs \(Smart Snacks versus Connecticut Nutrition Standards\)](#).



Other state requirements for culinary programs

In addition to the federal and state nutrition standards, culinary programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based culinary programs that include the cost of foods and beverages provided to students, and culinary programs where students can exchange tickets for beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if culinary programs sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a culinary program sells foods to students on school premises anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits culinary programs from selling and giving candy, coffee, tea, or soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., culinary programs cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Culinary programs are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
 - **Giving candy, coffee, tea, and soft drinks:** Culinary programs cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the culinary program cannot give candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverage in the culinary program, and the income from fees charged to cover the cost of foods and beverages provided to students in the culinary program. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the culinary program’s income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods sold to students from the culinary program must comply with Smart Snacks and all beverages sold to students from the culinary program must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits sales of noncompliant beverages to students from culinary programs at all times because they are not events; culinary programs are ineligible for beverage exemptions. For more information, see “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

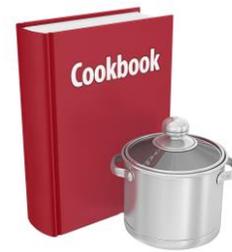


Family and Consumer Sciences Classes

Smart Snacks applies to all foods and beverages sold to students from family and consumer sciences (and similar classes) to students on school premises during the school day. This includes fee-based classes that include the cost of foods and beverages provided to students, and classes where students can exchange purchased tickets for foods and beverages.

The state beverage statute applies to all beverages sold to students from family and consumer sciences classes (and similar classes) on school premises at all times, including during and after the school day. This includes fee-based classes that include the cost of beverages provided to students, and classes where students can exchange tickets for beverages (including tickets that are sold or given to students).

Classes are not events; they are ineligible for beverage exemptions under the state beverage statute. However, a class could prepare beverages to be sold at an event that meets the exemption criteria. For example, a family and consumer sciences class could make punch that is sold to students at a school concert (exempted event) that occurs after the school day. For more information, see [“Beverage exemptions”](#) in section 1.



The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply to the family and consumer sciences curriculum.

Other state requirements for family and consumer sciences classes

In addition to the federal and state nutrition standards, family and consumer sciences classes must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based classes that include the cost of foods and beverages provided to students, and classes where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if family and consumer sciences classes sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a family and consumer sciences class sells foods to students on school premises anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits family and consumer sciences classes from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., family and consumer sciences classes cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Family and consumer sciences classes are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
 - **Giving candy, coffee, tea, and soft drinks:** Family and consumer sciences classes cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a family and consumer sciences class cannot give candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages in the family and consumer sciences class, and the income from fees charged to cover the cost of foods and beverages provided to students in the family and consumer sciences class. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the family and consumer sciences class’ income from all foods

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and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods sold to students from the family and consumer sciences class must comply with Smart Snacks and all beverages sold to students from the family and consumer sciences class must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits sales of noncompliant beverages to students from classes at all times because they are not events; classes are ineligible for beverage exemptions. For more information, see “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Food Rewards

Smart Snacks does not apply to foods and beverages given to students as rewards for good behavior or performance when they are provided free of any charge or contribution. In addition, Smart Snacks does not apply to coupons, tickets, tokens, and similar items that are given to students and can be exchanged for foods and beverages on school campus. For example, if a classroom teacher gives students a reward coupon that can be exchanged for pizza and ice cream, these foods are not required to comply with Smart Snacks. For more information, see “[Giving Foods and Beverages to Students](#)” in this section.

The state beverage statute does not apply to beverages given to students as rewards if they are provided free of any charge or contribution. However, the state beverage statute applies to rewards that consist of coupons and similar items that students can exchange for beverages. Under Connecticut’s statutes and competitive foods regulations, giving students coupons or similar items that can be exchanged for foods and beverages is the same as selling foods and beverages to students, regardless of when or where students can exchange them.

For example, if a classroom teacher gives students a reward coupon that can be exchanged for beverages, the beverages must comply with the state beverage statute. However, the state beverage statute does not apply if the teacher gives the beverages to students without a coupon.

Note: The state statutes and competitive foods regulations do not apply when a student’s Individualized Education Plan (IEP) requires food rewards.



The CSDE strongly discourages the use of foods and beverages to reward students for academic performance or good behavior. Food rewards have many negative consequences that go far beyond the short-term benefits of achieving good student behavior or performance. Districts are encouraged to develop healthy nonfood alternatives. The CSDE’s handout, *Alternatives to Food Rewards*, provides suggestions for rewards that do not involve foods and beverages.

Other state requirements for food rewards

In addition to the state beverage statute, foods and beverages provided as rewards to students on school premises must comply with C.G.S. Section 10-221p and Section 10-215b-1 of the state competitive foods regulations. This includes rewards where students exchange tickets for foods and beverages. Section 10-215b-23 of the state competitive foods regulations does not apply because food rewards do not generate income.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if students can exchange reward coupons for foods on school premises during the school day. For example, if school ends at 3:00 p.m. and students can exchange a reward coupon for cookies anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be available when the students can exchange the coupon, either at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits coupons or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes coupons and similar items that are purchased by students, given to students, or exchanged by students at events that meet the exemption criteria of the state HFC statute and state beverage statute. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school staff cannot give candy, coffee, tea, and soft drinks as rewards to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. In addition, school staff cannot give students coupons that can be exchanged for these items during these times; and students cannot exchange coupons for these items during these times. For more information, see [“Coupons, tickets, and tokens”](#) in this section.

The LEA’s school wellness policy may have other local requirements that address food rewards. For more information, see [“USDA School Wellness Policy”](#) in section 1.

Foods and Beverages Brought from Home

The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply to foods and beverages that students bring from home for their own consumption or to share with other students free of any charge or contribution, including money and items that can be exchanged for foods and beverages (such as coupons, tickets, and tokens). Examples include bag lunches and foods brought from home for a classroom party. Examples include bag lunches and foods brought from home for a classroom party.

However, if any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations requires additional restrictions for certain foods and beverages brought from home. Section 10-215b-1 prohibits candy, coffee, tea, and soft drinks from being given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes candy, coffee, tea, and soft drinks brought from home. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., students cannot give other students candy, coffee, tea, and soft drinks on school premises from 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-1: Candy](#)” and “[Section 10-215b-1: Coffee, tea, and soft drinks](#)” in section 1.

The LEA’s school wellness policy may have other local requirements that address foods and beverages brought from home. For more information, see “[USDA School Wellness Policy](#)” in section 1.



Fundraisers

“Fundraisers” are any activities during which money is exchanged for the purchase of a product in support of the school or school-related activities. This includes the purchase of coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages; and any fundraising activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. For more information, see “[Sales to Students](#)” in this section.



Fundraisers include activities conducted by school-related organizations (such as student clubs, sports teams, and music programs) and outside organizations that are not affiliated with the school (such as scouting programs and other youth-based community organizations). Fundraisers include sales of commercial products such as potato chips, candy bars, frozen cookie dough, muffin mix, and gourmet coffee. They also include sales of foods and beverages made from scratch, such as baked goods, popcorn, sandwiches, and fruit smoothies.

Smart Snacks applies to all foods and beverages available for sale to students from fundraisers on school premises during the school day (including sales of coupons and similar items that can be exchanged for foods and beverages), and student orders for foods and beverages that are intended to be consumed by students on school premises during the school day. An example is a school club that sells tickets on Monday that students can exchange for foods and beverages on school premises during the school day on Friday. This fundraiser would not be allowed unless the foods comply with Smart Snacks and the beverages comply with Smart Snacks and the state beverage statute.

The state beverage statute applies to all beverages available for sale to students from fundraisers (including sales of coupons and similar items that can be exchanged for beverages) and fundraiser orders for beverages on school premises at all times, including during and after the school day, unless the board of education has voted to allow beverage exemptions and:

- the fundraiser is held at the location of an event that meets the exemption criteria of the state beverage statute; or
- the fundraiser meets the definition of an event.

For more information, see “Fundraisers that are events” and “Fundraisers at events” below.

Fundraisers that are events

The majority of fundraisers are ineligible for beverage exemptions under the state beverage statute because they are not events; they must always comply with the state beverage statute. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

Selling beverages is not an event. For example, a school club cannot sell soda to students after the school day because soda does not comply with state beverage statute; selling soda without an event is ineligible for beverage exemptions under the state beverage statute. However, some fundraisers that sell foods and beverages might meet the definition of an event, such as a spaghetti dinner or basket raffle social. Schools are encouraged to contact the CSDE for technical assistance to determine if a school fundraiser meets the definition of an event.

Fundraisers at events

If the board of education or school governing authority has voted to allow beverage exemptions, fundraisers could sell noncompliant beverages to students at an event that occurs after the school day or on the weekend. For example, a fundraiser located at a school concert (exempted event) in the evening (after the school day) could sell soft drinks to students during intermission. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for fundraisers” below).

Other state requirements for fundraisers

In addition to the federal and state nutrition standards, fundraisers on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fundraisers located at events that meet the exemption criteria of the state beverage statute; student orders for foods and beverages; distribution of foods and beverages to students; fundraisers where students can exchange coupons, tickets, tokens, and similar items for foods and beverages (including coupons and similar items that are sold or given to students); and fundraisers that give foods and beverages to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if fundraisers sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a fundraiser sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold from the fundraiser or elsewhere

on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from selling and giving candy, 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, including during and after the school day. This includes fundraisers that are events and fundraisers located at events that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., fundraisers cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibits sales of noncompliant beverages from fundraisers at all times, unless the board of education or school governing authority has voted to allow beverage exemptions; the fundraiser sales are at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see [“Fundraisers at events”](#) and [“Fundraisers that are events”](#) above.
 - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a fundraiser cannot give candy, coffee, tea, and soft drinks to students in exchange for a suggested donation, or distribute these items to students, anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of beverages to students from fundraisers at events that meet the exemption criteria of the beverage statutes; the income from sales of tickets that students can exchange for foods and beverages at fundraisers; the income from student orders for foods and beverages; and the income from student donations in exchange for beverages. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the fundraiser’s income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all fundraiser beverages must comply with Smart Snacks and the state beverage statute. Fundraisers on school premises during the school day do not meet the definition of an event; they are ineligible for beverage exemptions under the state beverage statute. Smart Snacks prohibits sales of noncompliant beverages to students on school premises during the school day. For more information, see “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

The LEA’s school wellness policy may have additional local restrictions for food and beverage fundraisers. For more information, see “[USDA School Wellness Policy](#)” in section 1.



Guidance for Different Types of Fundraisers

This section provides guidance on complying with the requirements for different types of fundraisers in non-HFC public schools. It summarizes when the federal and state nutrition standards (Smarts Snacks and the state beverage statute), the state statute for nutrition low-fat foods, and the state competitive foods regulations apply to the following fundraisers:

- bake sales;
- candy;
- coupons, tickets, and tokens;
- fundraiser catalogs and orders;
- fundraisers held off school premises; and
- gift cards and entertainment books;
- gum;
- nonfood fundraisers;
- suggested donations for foods and beverages;
- timing of distribution and consumption.

The CSDE’s handout, [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#), summarizes the requirements for fundraisers in non-HFC public schools.

Bake sales

Smart Snacks applies to all foods and beverages sold to students from bake sales on school premises during the school day. This includes bake sales where students can exchange purchased tickets for foods and beverages. For more information, see “Sales to Students” in this section.

The state beverage statute applies to all beverages available for sale to students from bake sales on school premises at all times, including during and after the school day. This includes bake sales where students can exchange tickets for beverages (including tickets or coupons that are sold or given to students). Bake sales are not events; they are ineligible for beverage exemptions under the state beverage statute.



The federal and state nutrition standards (Smart Snacks and the state beverage statute) do not apply when bake sales sell foods and beverages only to adults (such as teachers, staff, and

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parents), or are held off school premises. For more information, see “[Sales to Adults](#)” and “[Fundraisers held off school premises](#)” in this section.

Bake sales at events

If the board of education or school governing authority has voted to allow beverage exemptions, bake sales could sell noncompliant beverages to students at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a bake sale located at a school concert (exempted event) in the evening (after the school day) could sell lemonade to students during intermission. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for bake sales” below).

Other state requirements for bake sales

In addition to the federal and state nutrition standards, bake sales on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes bake sales held located at events that meet the exemption criteria of the state beverage statute, and bake sales where students can exchange tickets for foods and beverages (including tickets or coupons that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if bake sales sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a bake sale sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the bake sale or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits bake sales from selling and giving candy, 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, including during and after the school day. This includes bake sales located at events that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling

candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., a bake sale on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Bake sales are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
- **Giving candy, coffee, tea, and soft drinks:** Bake sales cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a bake sale on school premises cannot give candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of foods and beverages to students at bake sales held located at events that meet the exemption criteria of the state beverage statute, and the income from sales of tickets that students can exchange for foods and beverages at the bake sale. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the bake sale's income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see "[Section 10-215b-23: Accrual of income](#)" in section 1.

Note: In this example, all foods sold to students from the bake sale must comply with Smart Snacks and all beverages sold to students from the bake sale must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits sales of noncompliant beverages to students from bake sales at all times because they are not events; bake sales are ineligible for beverage exemptions. For more information, see "[Identifying allowable foods and](#)

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beverages,” “Compliant Foods and Beverages,” and “Noncompliant Foods and Beverages” in this section, and “Beverage exemptions” in section 1.

The LEA’s school wellness policy may have other local requirements for bake sales to students on school premises. For more information, see “USDA School Wellness Policy” in section 1.

Candy

Smart Snacks prohibits sales of candy (regular and sugar-free) to students during the school day. This includes fee-based programs and activities that include the cost of candy provided to students; programs and activities where students can exchange purchased tickets for candy; student orders for candy that is intended for consumption by students during the school day; distribution of candy to students that is intended for consumption by students during the school day; and fundraisers that offer candy to students in exchange for a suggested donation. For more information, see “Timing of distribution and consumption” in this section.

Examples of candy include all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.

The CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy on school premises. For more information, see the CSDE’s handouts, *Healthy Fundraising*, *Healthy Celebrations*, and *Alternatives to Food Rewards*.



Other state requirements for candy

In addition to the federal and state nutrition standards, candy on school premises must comply with Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based programs and activities that include the cost of candy provided to students; programs and activities where students can exchange tickets for candy (including tickets that are sold or given to students); student orders for candy; distribution of candy to students; and fundraisers that offer candy to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the candy. The state statute for nutritious low-fat foods (C.G.S. Section 10-221p), which applies only during the school day, does not apply because Smart Snacks already prohibits sales of candy to students during the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits selling and giving candy to students anywhere on school premises from 30 minutes

before up through 30 minutes after the operation of any CNPs, including during and after the school day.

- **Selling:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., a concession stand at a football game on school premises cannot sell candy to students from 4:00 to 6:00 p.m.
- **Giving:** Fundraisers cannot give candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give candy to students in exchange for a suggested donation, or distribute candy to students, anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for candy; the income from program fees charged to cover the cost of candy provided to students; the income from student orders for candy; and the income from student donations in exchange for candy. For example, if the At-risk Afterschool Meals program operates from 4:30 p.m. to 6:00 p.m., and a fundraiser sells candy and gum to students at a soccer game on school premises during the same time, the nonprofit food service account must receive the income from all candy and gum sold to students from 4:00 p.m. to 6:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

The LEA’s school wellness policy may have other local requirements for selling and giving candy to students on school premises. For more information, see “[USDA School Wellness Policy](#)” in section 1.

Coupons, tickets, and tokens

Smart Snacks applies when students purchase coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages on school premises during the school day. For example, if a student club sells tickets that students can exchange for ice cream on school premises during the school day, the ice cream must comply with Smart Snacks.

Smart Snacks does not apply when coupons or similar items:

- are given to students on school premises, free of any charge or contribution;
- are purchased by students on school premises but can only be exchanged for beverages that are not intended to be consumed on school premises during the school day; or
- are purchased by students on school premises but can only be exchanged for beverages off school campus.



For more information, see [“Sales to Students,”](#) [“Fundraiser catalogs and orders,”](#) and [“Timing of distribution and consumption”](#) in this section.

The state beverage statute applies to all beverages that students can obtain by exchanging coupons or similar items on school premises at all times, including during and after the school day (regardless of when students receive or consume the beverages). This includes coupons and similar items that are purchased by students and those that are given to students at no charge, such as coupons for food rewards. The examples below illustrate these requirements.

- A teacher gives students coupons that can be exchanged for beverages. The beverages must comply with the state beverage statute and be listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage.
- A school club sell coupons to students on Monday for beverages that will be distributed on school premises to students on Friday. The beverages must comply with the state beverage statute and be listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage.

For more information, see [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section.

Coupons, tickets, and tokens at events

If the board of education or school governing authority has voted to allow beverage exemptions, students could purchase or be given coupons, tickets, tokens, or similar items, and could exchange them for noncompliant beverages, at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, students could purchase and exchange coupons for soda and lemonade at a school fair (exempted event) on school premises in the evening (after the school day). However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for coupons, tickets, and tokens” below).

Other state requirements for coupons, tickets, and tokens

In addition to the federal and state nutrition standards, coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes coupons and similar items that are purchased by students, given to students (such as coupons for food rewards), or exchanged by students; and purchasing, giving, and exchanging coupons and similar items at events that meet the exemption criteria of the state beverage statute. These requirements apply regardless of when students will receive or consume the foods and beverages. For more information, see “[Sales to Students](#),” “[Giving Foods and Beverages to Students](#),” and “[Food Rewards](#)” in this section.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if students can exchange coupons or similar items for foods on school premises during the school day. For example, if a student club sells coupons to students that can be exchanged for ice cream on school premises during the school day, low-fat dairy foods and fresh or dried fruit must be available for purchase when the ice cream is distributed to students. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in this section. **Note:** In this example, the ice cream must comply with Smart Snacks because student can exchange the coupons for ice cream during the school day. For more information, see “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods and Beverages](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits coupons or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises

from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. or exchanged by students, at events that meet the exemption criteria of the state beverage statute.

- **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., fundraisers cannot sell candy coupons to students, and students cannot exchange candy coupons, anywhere on school premises from 3:00 p.m. to 5:00 p.m.
- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot purchase or exchange coupons on school premises for coffee, tea, and soft drinks, unless the board of education or school governing authority has voted to allow beverage exemptions; the coupons are purchased and exchanged at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “Coupons, tickets, and tokens at events” above.
- **Giving candy, coffee, tea, and soft drinks:** Coupons that can be exchanged for candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., coupons for candy, coffee, tea, and soft drinks cannot be given to or exchanged by students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of coupons and similar items that can be exchanged for foods and beverages, and are sold to students at exempted events. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from

11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the income from all food and beverage coupons sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods that students can obtain by exchanging the coupons must comply with Smart Snacks and all beverages that that students can obtain by exchanging coupons must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of coupons for noncompliant foods and beverages that students will consume on school premises during the school day. The state beverage statute prohibits sales of coupons that can be exchanged for noncompliant beverages at all times because these sales are not events; they are ineligible for beverage exemptions. For more information, see “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Fundraiser catalogs and orders

Smart Snacks does not apply to foods and beverages sold off school premises through fundraising catalogs, fliers, and similar promotions. Foods and beverages purchased through a fundraiser may be delivered on the school premises during the school day if:

- the foods and beverages being sold comply with Smart Snacks; or
- are not intended to be consumed on school premises during the school day.

However, the USDA encourages organizations to deliver the food items at a time when parents and caregivers are more likely to be present to collect them, for example, during specific drop-off or pick-up times.

The state beverage statute applies whenever students exchange money for beverages on school premises, including during and after the school day, regardless of when students will receive or consume the beverages. This includes orders for beverages from fundraising catalogs, fliers, and similar promotions on school premises.



Students can bring fundraiser catalogs home and sell beverages to anyone off school premises. However, if students deliver the fundraiser orders and money to school, and pick up the beverages at school, the fundraiser is selling beverages to students on school premises. Under Connecticut’s statutes and competitive foods regulations, students exchanging money (orders)

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for beverages on school premises is the same as selling beverages to students. In this situation, all beverages sold from the fundraiser must comply with the state beverage statute.

Allowable procedures for fundraiser catalogs and orders

Fundraisers where students sell foods and beverages through catalogs and fliers will comply with the Connecticut’s statutes and regulations for competitive foods when they follow the procedures below.

1. Students bring the fundraiser orders and money to school.
2. The distribution of the fundraiser foods and beverages complies with one of the following procedures: a) parents or other adults pick up the foods and beverages on school premises; b) students pick up the foods and beverages at an event on school premises that occurs after the school day or on the weekend, when CNPs are not operating; or c) the pick-up location for the foods and beverages is off school premises.
3. The district’s pick-up policy for foods and beverages is clearly indicated on the school’s fundraising flier and any written communication regarding the fundraiser.

Fundraiser catalogs and orders at events

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be ordered by students, or distributed to students, at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, students could order or pick up gourmet coffee beans from a fundraiser at a school concert (exempted event) in the evening (after the school day). However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for fundraiser catalogs and orders” below).

Other state requirements for fundraiser catalogs and orders

In addition to the federal and state nutrition standards, fundraiser catalogs and orders must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes student orders for foods and beverages at events that meet the exemption criteria of the state beverage statute. These requirements apply

regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if fundraisers distribute orders of foods to students on school premises during the school day. Low-fat dairy foods and fresh or dried fruit must be available for purchase when the fundraiser foods are distributed to students, either at the location of the distribution or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in this section.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders (selling) and distribution of candy, 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, including during and after the school day. This includes fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., students cannot order candy from a fundraiser on school premises from 3:00 p.m. to 5:00 p.m. **Note:** Students can order and received distribution of candy if it is not intended for consumption by students on school premises during the school day.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot order coffee, tea, and soft drinks from a fundraiser on school premises unless the board of education or school governing authority has voted to allow beverage exemptions; students order the coffee, tea, and soft drinks at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “Fundraiser catalogs and orders at events” above.
 - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m.

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to 1:00 p.m., a fundraiser cannot distribute orders of these items to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from student orders for foods and beverages anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from student orders for beverages at events that meet the exemption criteria of the state beverage statute. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the fundraiser’s income from all student orders for foods and beverages anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, all fundraiser foods ordered by and distributed to students must comply with Smart Snacks, if the foods are intended to be consumed by students on school premises during the school day. All fundraiser beverages ordered by and distributed to students must comply with Smart Snacks, if the beverages are intended to be consumed by students on school premises during the school day. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. In addition, all fundraiser beverages sold or distributed to students must comply with the state beverage statute, regardless of when the beverages will be delivered to or consumed by students. The state beverage statute prohibits sales of noncompliant foods and beverages to students from fundraiser catalogs and orders at all times; fundraiser catalogs and orders are not events and are ineligible for beverage exemptions. For more information, see [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

Fundraisers held off school premises

The federal and state nutrition standards (Smart Snacks and the state beverage statute), the state statute for nutritious low-fat foods, and the state competitive foods regulations do not apply to fundraising activities that take place off school premises, such as bake sales at a supermarket or candy bar sales at a town community center. However, the state statutes and regulations apply if students sell foods and beverages off school premises, deliver fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to

customers. Under Connecticut’s statutes and regulations, students exchanging money (orders) for foods and beverages on school premises is the same as selling foods and beverages to students. For more information, see [“Sales to Students”](#) and [“Fundraiser catalogs and orders”](#) in this section.

Gift cards and entertainment books

Smart Snacks applies when students purchase gift cards or similar items that can be exchanged for foods and beverages on school premises during the school day. However, Smart Snacks does not apply when gift cards or similar items:

- are given to students on school premises, free of any charge or contribution;
- are purchased by students on school premises but can only be exchanged for foods and beverages that are not intended to be consumed by students on school premises during the school day; or
- are purchased by students on school premises but can only be exchanged for foods and beverages off school campus. Examples include gift cards that can be exchanged at businesses selling foods and beverages, e.g., restaurants, convenience stores, fast food chains, and local dining establishments. Examples include gift cards that can be exchanged at businesses selling foods and beverages, e.g., restaurants, convenience stores, fast food chains, and local dining establishments. For more information, see [“Giving Foods and Beverages to Students”](#) in this section.

The state beverage statute applies to all sales of gift cards and similar items that can be exchanged for beverages at all times, including during and after the school day, regardless of when students receive or consume the beverages. This includes gift cards and similar items that can be exchanged for beverages on school premises; and gift cards and similar items that are exchanged off school premises at businesses selling foods and beverages (e.g., restaurants, convenience stores, fast food chains, and local dining establishments), excluding gift cards that can be exchanged only at supermarkets.

Under Connecticut’s statutes and competitive foods regulations, selling gift cards and similar items (that can be exchanged for foods and beverages) to students on school premises is the same as selling foods and beverages to students, regardless of where or when students can exchange them. This includes gift cards and similar items that are given to students free of any charge. For more information, see [“Sales to Students,”](#) [“Fundraiser catalogs and orders,”](#) and [“Timing of distribution and consumption”](#) in this section.

Connecticut’s statutes and competitive foods regulations do not apply to gift cards that can be exchanged for foods and beverages only at supermarkets. Students may purchase supermarket gift cards on school premises, or bring orders and money for supermarket gift cards to school and take the supermarket gift cards home for delivery to customers. Supermarkets are

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intended to provide basic foods that feed families, versus the wide array of unhealthy choices at convenience stores, fast food chains, local dining establishments, and other similar establishments. The CSDE strongly encourages districts to provide guidance to families on exchanging gift cards for healthy choices, such as nutrient-rich fruits, vegetables, whole grains, low-fat or nonfat dairy products, lean meat, skinless poultry, fish, eggs and beans.

Allowable procedures for gift cards and entertainment books

Fundraisers of gift cards and entertainment books are allowable when they comply with the following procedures. Supermarket gift cards are exempt from these procedures.

1. Students bring the fundraiser orders and money to school.
2. The distribution of the gift cards and entertainment books complies with one of the following methods: a) parents or other adults pick up the gift cards and entertainment books on school premises; b) students pick up the gift cards and entertainment books at an event on school premises that occurs after the school day or on the weekend, when CNPs are not operating; or c) the pick-up location for the gift cards and entertainment books is off school premises.
3. The district's pick-up policy for gift cards and entertainment books is clearly indicated on the school's fundraising flier and any written communication regarding the fundraiser.

Gift cards and entertainment books at events

If the board of education or school governing authority has voted to allow beverage exemptions, gift cards and entertainment books that can be exchanged for noncompliant beverages could be sold to students at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).



For example, students could purchase or exchange gift cards for soda at a school fair (exempted event) on school premises in the evening (after the school day). However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for gift cards and entertainment books” below).

Other state requirements for gift cards and entertainment books

In addition to the federal and state nutrition standards, fundraisers of gift cards and entertainment books must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes sales of gift cards and entertainment books at events that meet the exemption criteria of the state beverage statute.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if students can exchange gift cards for foods on school premises during the school day. Low-fat dairy foods and fresh or dried fruit must be available for purchase when students receive the foods, either at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits gift cards and entertainment books that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits sales of gift cards that students can exchange for candy, if the candy is intended to be consumed by students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy (including gift cards that can be exchanged for candy) to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., gift cards that can be exchanged for candy cannot be purchased or exchanged by students anywhere on school premises from 4:00 to 6:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot purchase gift cards or similar items on school premises that can be exchanged for coffee, tea, and soft drinks unless the board of education or school governing authority has voted to allow beverage exemptions; the gift cards or similar items are purchased at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see [“Gift cards and entertainment books at events”](#) above.

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- **Giving candy, coffee, tea, and soft drinks:** Gift cards that can be exchanged for candy, coffee, tea, and soft drinks cannot be distributed to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. In addition, students cannot exchange gift cards and similar items for candy, coffee, tea, and soft drinks on school premises during this time. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., gift cards that can be exchanged for candy, coffee, tea, and soft drinks cannot be given or distributed to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m., and students cannot exchange them during these times.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of food and beverage gift cards and similar items at events that meet the exemption criteria of the state beverage statute. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., and a fundraiser sells food gift cards during this time, the nonprofit food service account must receive the income from all gift cards sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Gum

The [Federal Food, Drug, and Cosmetic Act](#) defines gum as a food. Regular chewing gum does not comply with Smart Snacks and cannot be sold to students on school premises during the school day. Sugar-free chewing gum is exempt from Smart Snacks and may be sold to students on school premises during the school day.



Other state requirements for gum

In addition to the federal and state nutrition standards, gum on school premises must comply with C.G.S. Section 10-221p and Section 10-215b-23 of the state competitive foods regulations. This includes fee-based programs and activities that include the cost of gum provided to students; activities where students can exchange tickets for gum (including tickets that are sold or given to students); student orders for gum; distribution of gum orders to

students; and fundraisers that offer gum to students in exchange for a suggested donation. Section 10-215b-1 of the state competitive foods regulations does not apply to gum because this regulation addresses only candy, coffee, tea, and soft drinks.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if fundraisers sell or distribute gum to students anywhere on school premises during the school day. Low-fat dairy foods and fresh or dried fruit must be available for purchase when the gum is sold or distributed to students, either at the location of the fundraiser or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in this section.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods (including regular and sugar-free gum) and beverages sold to students anywhere on from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for gum; the income from program fees charged to cover the cost of gum provided to students; the income from student orders for gum; and the income from student donations in exchange for gum. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the income from all gum sold to students on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, only sugar-free gum could be sold to students because regular gum does not comply with Smart Snacks. Smart Snacks prohibits sales of noncompliant foods (including regular gum) and beverages to students on school premises during the school day. For more information, see [“Compliant Foods and Beverages”](#) and [“Noncompliant Foods and Beverages”](#) in this section.

The LEA’s school wellness policy may have other local requirements for gum. For more information, see [“USDA School Wellness Policy”](#) in section 1.

Nonfood fundraisers

The federal and state laws for competitive foods do not apply to fundraisers selling nonfood items. Any requirements for sales of nonfood items to students are locally determined by the LEA. The CSDE strongly encourages schools to promote consistent health messages to students by conducting nonfood fundraisers. The CSDE’s handout, [Healthy Fundraising](#), provides suggestions for fundraising with nonfood items and activities.

Suggested donations for foods and beverages

Suggesting a student donation in exchange for foods and beverages is the same as selling foods and beverages to students. An example is a fundraiser that offers students a “free” cookie for a donation to a charity, school organization, or similar entity. For more information, see “[Sales to Students](#)” in this section.

Smart Snacks applies when fundraisers on school premises offer foods and beverages to students in exchange for a suggested donation during the school day.

The state beverage statute prohibits fundraisers on school premises from giving beverages to students in exchange for a suggested donation at all times, including during and after the school day. These fundraisers are not events; they are ineligible for beverage exemptions under the state beverage statute.

Suggested donations for beverages at events

If the board of education or school governing authority has voted to allow beverage exemptions, fundraisers could give beverages to students in exchange for a suggested donation at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a fundraiser located at a school concert (exempted event) in the evening (after the school day) could give hot chocolate to students in exchange for a suggested donation to a charity. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for suggested donations for foods and beverages” below).

Other state requirements for suggested donations

In addition to the federal and state nutrition standards, fundraisers that offer foods and beverages to students in exchange for a suggested donation must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if fundraisers offer foods to students in exchange for a suggested donation on school premises during the school day. For example, if a fundraiser after lunch offers students a cookie for donating money to a charity, low-fat dairy products and fresh or dried fruit must also

be available for sale at the location of the fundraiser or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.

Note: In this example, the cookies must comply with Smart Snacks because the fundraiser occurs during the school day. For more information, see “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods and Beverages](#)” in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from giving candy, coffee, tea, or soft drinks to students in exchange for a suggested donation anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes fundraisers located at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., fundraisers cannot offer (sell) candy to students in exchange for a suggested donation anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Fundraisers cannot offer (sell) candy, coffee, tea, and soft drinks to students in exchange for a suggested donation anywhere on school premises unless the board of education or school governing authority has voted to allow beverage exemptions; the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “[Fundraisers at events](#)” and “[Fundraisers that are events](#)” in this section.
 - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give candy, coffee, tea, and soft drinks to students in

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exchange for a suggested donation anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the fundraiser’s income from all student donations (sales) in exchange for foods and beverages from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from student donations in exchange for beverages at events that meet the exemption criteria of the state beverage statute. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the fundraiser’s income from all student donations in exchange for foods and beverages from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods given to students in exchange for a suggested donation must comply with Smart Snacks and all beverages given to students in exchange for a suggested donation must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits fundraisers that give noncompliant beverages to students because they are not events; fundraisers that give students beverages in exchange for donations are ineligible for beverage exemptions. For more information, see “[Suggested donations for beverages at events](#),” “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#)” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Timing of distribution and consumption

Some fundraisers are distributed or consumed at a different time from when they are purchased. For example, students order and pay for foods and beverages in advance, and receive the products at a future date.

Smart Snacks applies to fundraiser orders if the foods and beverages are distributed to students, and are intended to be consumed by students, on school premises during the school day. Smart Snacks does not apply to foods and beverages intended for consumption at home. Examples include products distributed on school premises in a precooked state, such as frozen cookie dough, frozen pies, and frozen pizza; and products distributed on school premises in bulk quantities (multiple servings per package), such as boxes or bags of candy

bars, Girl Scout cookies, popcorn, tea bags, hot chocolate packets, and gourmet coffee. However, the USDA encourages organizations to deliver foods at a time when parents are more likely to be present to collect them, for example, during specific drop-off or pick-up times.

The state beverage statute applies to all beverages available for sale to students from fundraisers on school premises at all times, including during and after the school day, regardless of when students will receive or consume the beverages. Examples include boxes of tea bags, hot chocolate packets, and gourmet coffee.

The scenarios below illustrate how the federal and state nutrition standards (Smart Snacks and the state beverage statute) apply to timing of the distribution and consumption of fundraiser foods and beverages.

- A school club cannot sell tickets to students on Monday for hot chocolate that will be distributed to students on school premises during the school day on Friday. Hot chocolate does not comply with Smart Snacks or the state beverage statute. The ticket sales are ineligible for beverage exemptions under the state beverage statute because they do not occur at the location of an event held after the school day or on the weekend.
- A fundraiser can distribute noncompliant frozen cookie dough to students on school premises during the school day. Smart Snacks allows fundraisers to distribute noncompliant foods when they are not intended for consumption by students on school premises during the school day.
- A school organization cannot take orders from students for holiday “candygrams” that will be distributed to and consumed by students on school premises during the school day. Smart Snacks prohibits fundraisers from distributing noncompliant foods to students when they are intended for consumption by students on school campus during the school day.
- Students on school premises cannot order bags of coffee from a fundraiser catalog. Coffee does not comply with the state beverage statute, regardless of when it will be consumed. This fundraiser is ineligible for beverage exemptions under the state beverage statute because it does not occur at the location of an event held after the school day or on the weekend.

Fundraiser orders and distribution of beverages are not events; they are ineligible for beverage exemptions under the state beverage statute. For more information, see [“Fundraiser catalogs](#)

and orders” and “[Coupons, tickets, and tokens](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Other state requirements for timing of distribution and consumption

In addition to the federal and state nutrition standards, fundraisers where foods and beverages are ordered by or distributed to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if the fundraiser distributes preordered foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be available for sale when the fundraiser foods are distributed to students or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders and distribution of candy, 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, including during and after the school day. This includes fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., students cannot order candy from fundraisers anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Students cannot order (purchase) coffee, tea, and soft drinks from a fundraiser on school premises unless the board of education or school governing authority has voted to allow beverage exemptions; the coffee, tea, and soft drinks are ordered at an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “[Fundraiser catalogs and orders at events](#)” in this section.

- **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a fundraiser cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from student orders for foods and beverages (including orders at events that meet the exemption criteria of the state beverage statute); the income from sales of tickets that students can exchange for foods and beverages; and the income from student donations in exchange for foods and beverages. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the fundraiser’s income from all student orders for foods and beverages anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, all fundraiser foods ordered by and distributed to students must comply with Smart Snacks and all fundraiser beverages ordered by and distributed to students must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits orders and distribution of noncompliant foods and beverages that students will consume on school premises during the school day. The state beverage statute prohibits orders and distribution of noncompliant foods and beverages to students at all times, unless they occur at an event that meets the exemption criteria of the state beverage statute. For more information, see [“Fundraisers at events,”](#) [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

For more information, see [“Coupons, tickets, and tokens”](#) and [“Fundraiser catalogs and orders”](#) in this section.

Fundraiser resources

The resources below provide additional information on the fundraiser requirements for non-HFC public schools.

- CSDE Operational Memorandum No. 11-15: Implementation of Smart Snacks in School: State Agency Fundraiser Elections and Exemptions:
<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2015/OM11-15.pdf>
- CSDE Operational Memorandum No. 30-14: Smart Snacks Nutrition Standards and Exempt Fundraisers
<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM30-14.pdf>
- Fundraisers and Smart Snacks: Foods Not Intended for Consumption at School:
<https://fns-prod.azureedge.net/sites/default/files/cn/fundraisersfactsheet.pdf>
- Healthy Fundraising:
<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FundraisersHFC.pdf>
- Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools:
<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FundraisersNonHFC.pdf>



Interschool Agreements

When a school district or school provides another district or school with reimbursable meals or snacks through the CNPs, the providing sponsor and recipient school must enter into an interschool agreement.

- A “providing sponsor” is a district or school that sells USDA meals or snacks to another district or school, and maintains its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.
- A “recipient school” is a district or school that receives USDA meals or snacks from a providing sponsor. It does not maintain its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.

For information on interschool agreements, visit the “[Interschool Agreements](#)” section of the CSDE’s “[Forms for School Nutrition Programs](#)” webpage.

Smart Snacks applies to all foods and beverages sold to students separately from reimbursable meals in recipient schools during the school day. This includes fee-based programs and activities that include the cost of foods and beverages provided to students; programs and activities where students can exchange purchased tickets for noncompliant foods and beverages; student orders for foods and beverages that will be consumed on school premises during the school day; distribution of foods and beverages that will be consumed by students on school premises during the school day; and fundraisers that offer foods and beverages to students in exchange for a suggested donation. For more information, see “[Sales to Students](#)” in this section.

The state beverage statute applies to all beverages available for sale to students (including beverages sold as part of reimbursable meals and separately from reimbursable meals) on school premises at all times, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales comply with the exemption criteria. This includes fee-based programs and activities that include the cost of beverages provided to students; programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students); student orders for beverages; distribution of beverages to students; and fundraisers that offer beverages to students in exchange for a suggested donation. The state beverage statute applies regardless of when students will receive or consume the beverages. For more information, see “[Sales to Students](#)” in this section and “[Beverage exemptions](#)” in section 1.

Beverage sales at events in schools with interschool agreements

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a fundraiser located at a concert (exempted event) on school premises in the evening (after the school day) could sell cake and lemonade to students. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for recipient schools” below).

Other state requirements for schools with interschool agreements

In addition to the federal and state nutrition standards, recipient schools must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based programs and activities that include the cost of foods and beverages provided to students; programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students); student orders for foods and beverages; distribution of foods and beverages to students; and fundraisers that offer foods and beverages to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if recipient schools sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and foods are sold to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits recipient schools from selling and giving candy, 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, including during and after the school day. This includes events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling

candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., candy cannot be sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Candy, coffee, tea, and soft drinks cannot be sold to students anywhere on school premises unless the board of education or school governing authority has voted to allow beverage exemptions; the sales are at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “Beverage sales at events” above.
- **Giving candy, coffee, tea, and soft drinks:** Candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., recipient schools cannot give candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages; the income from program fees charged to cover the cost of foods and beverages provided to students; the income from student orders for foods and beverages; and the income from suggested donations from students in exchange foods and beverages. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods sold to students in recipient schools must comply with Smart Snacks and all beverages sold to students in recipient schools must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits sales of noncompliant beverages to students at all times, unless the sales occur at an event that meets the exemption criteria of the state beverage statute. For more information, see [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

Meetings

Smart Snacks applies to all foods and beverages available for sale to students at meetings held on school premises during the school day. This includes fee-based meetings that include the cost of foods and beverages provided to students, and meetings where students can exchange purchased tickets for foods and beverages. For example, if a meeting on school premises charges a fee that includes the cost of lunch provided to students, these foods and beverages must comply with Smart Snacks.

The state beverage statute applies to all beverages available for sale to students during meetings on school premises at all times, including during and after the school day. This includes fee-based meetings that include the cost of foods and beverages provided to students, and meetings where students can exchange tickets for foods and beverages (including tickets that are sold or given to students). Meetings are not events; they are ineligible for beverage exemptions under the state beverage statute.

Other state requirements for meetings

In addition to the federal and state nutrition standards, meetings on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based meetings that include the cost of foods and beverages provided to students, and meetings where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if meetings on school premises sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and a meeting sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the meeting or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits meetings on school premises from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., meetings on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Meetings on school premises are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students at any time.
 - **Giving candy, coffee, tea, and soft drinks:** Meetings on school premises cannot give candy, 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, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., a meeting on school premises cannot give candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages at meetings, and the income from fees charged to cover the cost of foods and beverages provided to students at meetings. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the meeting’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all beverages sold to students from the meeting must comply with the state beverage statute. The state beverage statute prohibits sales of

noncompliant beverages to students from meetings at all times because they are not events; meetings are ineligible for beverage exemptions. Smart Snacks does not apply after the school day. For more information, see [“Compliant foods and beverages”](#) and [“Noncompliant foods and beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

Noncompliant Foods and Beverages

Noncompliant foods are foods that do not comply with Smart Snacks. Noncompliant beverages are beverages that do not comply with the state beverage statute and the Smart Snacks beverage standards.

Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. This includes fee-based programs and activities that include the cost of noncompliant foods and beverages provided to students; programs and activities where students can exchange purchased tickets for noncompliant foods and beverages; student orders for noncompliant foods and beverages that will be consumed on school premises during the school day; distribution of noncompliant foods and beverages that will be consumed by students on school premises during the school day; and fundraisers that offer noncompliant foods and beverages to students in exchange for a suggested donation.

The state beverage statute prohibits sales of noncompliant beverages to students on school premises at all times, including during and after the school day, regardless of when students will receive or consume the beverages. Selling noncompliant foods and beverages is not an event; these sales are ineligible for beverage exemptions under the state beverage statute. This includes fee-based programs and activities that include the cost of noncompliant beverages provided to students; programs and activities where students are given or sold tickets or coupons that can be exchanged for noncompliant beverages; student orders for noncompliant beverages; distribution of beverages to students; and fundraisers that offer noncompliant beverages to students in exchange for a suggested donation. For more information, [“Timing of distribution and consumption”](#) in this section.

Noncompliant beverages at events

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at an event that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a fundraiser located at a dance recital (exempted event) on school premises in the evening (after the school day) could sell lemonade to students during intermission. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for noncompliant foods and beverages” below).

Other state requirements for noncompliant foods and beverages

In addition to the federal and state nutrition standards, noncompliant foods and beverages on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based programs and activities that include the cost of noncompliant foods and beverages provided to students; programs and activities where students can exchange tickets for noncompliant foods and beverages (including tickets that are sold or given to students); student orders for noncompliant foods and beverages; distribution of noncompliant foods and beverages to students; and fundraisers that offer noncompliant foods and beverages to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if foods are sold to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a fundraiser sells noncompliant foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the fundraiser or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits selling and giving candy, 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, including during and after the school day. This includes fundraisers at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day, but does not apply after the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., fundraisers cannot sell candy to students anywhere on school premises from 4:00 to 6:00 p.m.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Coffee, tea, and soft drinks cannot be sold to students anywhere on school premises unless the board of education or school governing authority has voted to allow beverage exemptions; the sales are at the location of an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see [“Fundraisers at events”](#) and [“Fundraisers that are events”](#) in this section.
- **Giving candy, coffee, tea, and soft drinks:** Candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of noncompliant foods and beverages to students at events that meet the exemption criteria of the state beverage statute; the income from sales of tickets that students can exchange for noncompliant foods and beverages; the income from program fees charged to cover the cost of noncompliant foods and beverages provided to students; the income from student orders for noncompliant foods and beverages; and the income from student donations in exchange for noncompliant foods and beverages. For example, if the At-risk Afterschool Meals program operates from 4:30 p.m. to 6:00 p.m., and a school club sells foods and beverages to students at a sports competition (exempted event) on school premises during this time, the nonprofit food service account must receive the income from all foods and beverages sold to students from 11:00 a.m. to 1:30 p.m. and 4:00 p.m. to 6:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

The LEA’s school wellness policy may have additional local restrictions for food and beverage fundraisers. For more information, see [“USDA School Wellness Policy”](#) in section 1.

School Cafeterias

Many school cafeterias offer a la carte sales of foods and beverages in addition to reimbursable meals. A la carte sales are foods and beverages that are sold separately from reimbursable meals in the NSLP and SBP, and any other CNPs operating in the cafeteria. Examples of a la carte sales include ice cream, cookies, chips, pretzels, crackers, bagels, muffins, pasta, rice, bottled water, milk, juice, fresh fruit, salads, vegetables, soups, and entrees such as pizza and sandwiches.

Smart Snacks applies to all a la carte foods and beverages available for sale to students at from school cafeterias during the school day. The state beverage statute applies to all a la carte beverages sold to students from school cafeterias at all times, including during and after the school day. The state beverage statute also applies to all beverages sold to students as part of reimbursable meals. Cafeteria sales are not events; they are ineligible for beverage exemptions under the state beverage statute.

Other state requirements for school cafeterias

In addition to the federal and state nutrition standards, school cafeterias must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes tickets that students can exchange for a la carte foods and beverages in the school cafeteria (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies to all school cafeterias that sell a la carte foods to students during the school day. Whenever a la carte foods are sold to students, low-fat dairy products and fresh or dried fruit must also be sold, either in the school cafeteria or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits school cafeterias from selling and giving candy, coffee, tea, or soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school cafeterias cannot sell candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. School cafeterias are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students at any time.
- **Giving candy, coffee, tea, and soft drinks:** School cafeterias cannot give candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., school cafeterias cannot give candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from sales of a la carte foods and beverages in the NSLP and SBP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the NSLP and SBP. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the income from all foods and beverages sold to students on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all a la carte foods sold to students from the school cafeteria must comply with Smart Snacks and all a la carte beverages sold to students from the school cafeteria must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant beverages to students on school premises during the school day. The state beverage statute prohibit sales of noncompliant beverages to students from school cafeterias at all times because they are not events; school cafeterias are ineligible for food and beverage exemptions. For more information, see “[Compliant foods and beverages](#)” and “[Noncompliant foods and beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

School Stores

Smart Snacks applies to all foods and beverages available for sale to students during the school day from school stores, kiosks, and other school-based enterprises on school campus. This includes school stores where students can exchange purchased coupons, tickets, tokens, and similar items for foods and beverages.

The state beverage statute applies to all beverages available for sale to students from school stores, kiosks, and other school-based enterprises on school premises at all times, including during and after the school day. This includes school stores where students can exchange tickets for beverages (including tickets that are sold or given to students).

Beverages that do not comply with the state beverage statute can never be sold from school stores. The state beverage statute specifically prohibits beverage exemptions for school stores. For more information, see “[Beverage exemptions](#)” in section 1.



Other state requirements for school stores

In addition to the federal and state nutrition standards, school stores must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes school stores where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if school stores sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a school store sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold from the school store or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits stores on school premises from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling

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candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., school stores cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. School stores are ineligible for beverage exemptions; they can never sell coffee, tea, and soft drinks to students.
- **Giving candy, coffee, tea, and soft drinks:** School stores cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school stores cannot give candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages in school stores. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the school store’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, all foods sold to students from the school store must comply with Smart Snacks and all beverages sold to students from the school store must comply with Smart Snacks and the state beverage statute. The state beverage statute specifically prohibits beverage exemptions for school stores; noncompliant beverages can never be sold to students from school stores on school premises. Smart Snacks prohibits sales of noncompliant beverages to students on school premises during the school day. For more information, see [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

The CSDE's handout, *Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools*, summarizes the requirements for school stores.

Special Milk Program (SMP)

Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the USDA's school meal programs. Milk served in the SMP must meet the USDA's requirements. Schools must serve flavored whole milk to age 1, unflavored low-fat (1%) or fat-free milk to ages 2-5, and low-fat (1%) or fat-free milk (unflavored or flavored) to ages 6 and older. For more information, visit the CSDE's [SMP](#) webpage.

Smart Snacks does not apply to schools that participate only in the SMP. Smart Snacks applies only if the school participates in the NSLP or SBP, in addition to the SMP.



The state beverage statute applies to all milk served in the SMP. The SMP is not an event; it is ineligible for beverage exemptions under the state beverage statute.

Other state requirements for the SMP

In addition to the state beverage standards, the SMP must comply with Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. The state statute for nutritious low-fat foods (C.G.S. Section 10-221p) does not apply because the SMP does not sell foods to students.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SMP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation.
 - **Selling candy:** Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP. For example, if the SMP operates from 11:30 a.m. to 1:00 p.m., candy, coffee, tea, and soft drinks cannot be sold or given to students anywhere on school premises from 11:00 a.m. to 1:30 p.m., either from the SMP or any other sources on school premises during this time.

Note: If the school also participates in the NSLP or SBP, Smart Snacks already prohibits candy sales to students on school premises during the school day.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The SMP is ineligible for beverage exemptions; it cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
- **Giving candy, coffee, tea, and soft drinks:** Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP. For example, if the SMP operates from 11:30 a.m. to 1:00 p.m., candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 11:00 a.m. to 1:30 p.m., either from the SMP or any other sources on school premises during this time.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SMP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the SMP. For example, if the SMP operates from 11:00 a.m. to 12:00 p.m., the nonprofit food service account must receive the income from all compliant foods and beverages sold to students anywhere on school premises from 10:30 a.m. to 12:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, all beverages sold to students must comply with the state beverage statute. Beverages must also comply with Smart Snacks if the school also participates in the NSLP or SBP. The state beverage statute prohibits sales of noncompliant foods and beverages to students at all times, unless the sales occur at an event that meets the exemption criteria of the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises in NSLP and SBP schools during the school day. For more information, see [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

Sports Competitions

Smart Snacks applies to all foods and beverages available for sale to students at sports competitions (such as games, matches, and tournaments) on school premises during the school day. This includes sports competitions where students can exchange purchased tickets for foods and beverages. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods and beverages sold to students at sports competitions on school premises between 3:00 p.m. to 3:30 p.m. (during the school day), but does not apply if the foods and beverages are sold to students after 3:30 p.m. (after the school day).

The state beverage statute applies to all beverages available for sale to students at sports competitions on school premises at all times, including during and after the school day. This includes sports competitions where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

Sports competitions that are events

Sports competitions on school premises that occur after the school day or on the weekend are eligible for beverage exemptions because they meet the definition of an event. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be sold to students at the location of a sports competition (event) that occurs after the school day or on the weekend. However, if the sports competition occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions (see “Other state requirements for sports competitions” below).



Other state requirements for sports competitions

In addition to the federal and state nutrition standards, sports competitions on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes sports competitions where students can exchange tickets for foods and beverages (including tickets that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if sports competitions on school premises sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and foods are sold to students at a soccer game that occurs anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the soccer game or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports competitions on school premises from selling and giving candy, 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, including during and after the school day. This includes sports competitions that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m., sports competitions on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibits sales of noncompliant beverages from sports competitions on school premises at all times, unless the board of education or school governing authority has voted to allow beverage exemptions; the sports competition (event) occurs after the school day or on the weekend; and the sports competition does not occur while any CNPs are operating. For more information, see [“Sports competitions that are events”](#) above.

- **Giving candy, coffee, tea, and soft drinks:** Sports competitions on school premises cannot give candy, 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, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., sports competitions on school premises cannot give candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of foods and beverages at sports competitions that meet the exemption criteria of the state beverage statute, and the income from sales of tickets that students can exchange for foods and beverages at sports competitions. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the sports competition’s income from all foods and beverages sold to students on school premises from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, the sales meet the exemption criteria because they occur at a sports competition (event) held after the school day. Noncompliant beverages (excluding coffee, tea, and soft drinks) could be sold to students at the sports competition if the board of education or school governing authority has voted to allow beverage exemptions. For more information, see “[Sports competitions that are events](#),” “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.



Sports Practices

Smart Snacks applies to all foods and beverages available for sale to students during practices of any sports teams, sports clubs, and sports organizations on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to fee-based sports programs that include the cost of beverages provided to students between 3:00 p.m. to 3:30 p.m. (during the school day), but does not apply if the foods and beverages are provided to students after 3:30 p.m. (after the school day).

The beverage statute applies to all beverages available for sale to students during practices of any sports teams, sports clubs, and sports organizations on school premises at all times, including during and after the school day. This includes fee-based sports programs that include the cost of beverages provided to students at practices. Sports practices are not events; they are ineligible for beverage exemptions under the state beverage statute. For more information, see [“Beverage exemptions”](#) in section 1.

Other state requirements for sports practices

In addition to the federal and state nutrition standards, sports practices on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based sports programs that include the cost of foods and beverages provided to students during practices on school premises.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if sports practices on school premises sell foods to students before the end of the school day. For example, if school ends at 3:00 p.m. and a fee-based sports program provides foods to students at practices anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the sports practice or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports practices on school premises from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., sports practices anywhere on school premises cannot sell candy to

students, or provide candy to students through the program’s fee, from 3:00 p.m. to 5:00 p.m.

- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Sports practices are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time. **Note:** Soft drinks include sports drinks (see the definition of “soft drinks” in the [Glossary](#)).
- **Giving candy, coffee, tea, and soft drinks:** Sports practices on school premises cannot give candy, 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, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., sports practices on school premises cannot give candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m. **Note:** Soft drinks include sports drinks (see the definition of “soft drinks” in the [Glossary](#)).

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sports program fees charged to cover the cost of foods and beverages provided to students during practices on school premises. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., the nonprofit food service account must receive the sports program’s income from all foods and beverages sold to students (or provided to students thorough the program’s fee) at practices from 3:00 p.m. to 5:00 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all beverages sold to students during the sports practices must comply with the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages to students from sports practices at all times because they are not an event; sports practices are ineligible for food and beverage exemptions. The Smart Snacks beverage standards do not apply after the school day. For more information, see “[Compliant Foods and Beverages](#)” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section.

Summer Food Service Program (SFSP) and Seamless Summer Option (SSO)

The SFSP and SSO must serve meals and snacks that meet the USDA meal patterns. For information on the SFSP meal pattern requirements, see the CSDE's handout, [SFSP Meal Pattern](#).

Smart Snacks does not apply to the SSO unless the site is also operating a summer school program and serving NSLP meals on school campus. The SSO follows the meal patterns for the NSLP and SBP. For information on the SSO meal pattern requirements, visit the CSDE's [Meal Patterns for Grades K-12 in School Nutrition Programs](#) and [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpages.



Smart Snacks does not apply to the SFSP unless it operates at a school during the school day, during which summer school NSLP meals are being served on campus, and sells foods to students separately from reimbursable SFSP meals and snacks. The SFSP is not part of the school day unless it operates on school premises during a summer school program operated by the board of education or school governing authority.

The stricter state requirements superseded Smart Snacks. The state beverage statute applies to all beverages sold to students on school premises, including beverages served in the SSO and SFSP. This includes beverages that are sold as part of and separately from reimbursable meals and snacks. The SFSP and SSO are not events; they are ineligible for beverage exemptions under the state beverage statute.

Other state requirements for the SFSP and SSO

In addition to the state beverage statute, the SFSP and SSO on school premises must comply with Sections 10-215b-1 and 10-215b-23 of the state competitive foods.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if the SFSP or SSO operates on school premises during a summer school program operated by the board of education or school governing authority, and sells foods to students separately from reimbursable meals during the school day. For example, if the summer school day ends at 2:00 p.m. and the SSO sells a la carte foods to students anytime through 2:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location

of the SSO or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SFSP and SSO from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation.
 - **Selling candy:** Section 10-215b-1 prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SFSP and SSO. For example, if the SSO serves breakfast from 7:00 a.m. to 7:30 a.m. and lunch from 11:30 a.m. to 1:00 p.m., candy cannot be sold to students anywhere on school premises from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m., either from the SSO or any other sources on school premises during these times.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The SFSP and SSO are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students anywhere on school premises at any time.
 - **Giving candy, coffee, tea, and soft drinks:** The SFSP and SSO cannot give candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the SFSP operates on school premises from 11:00 a.m. to 12:00 p.m., candy, coffee, tea, and soft drinks cannot be given to students from 10:30 a.m. to 12:30 p.m., either from the SFSP or any other sources on school premises during this time.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SFSP and SSO already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the SFSP and the SSO. For example, if the SSO operates from 11:00 a.m. to 12:00 p.m., the nonprofit food service account must

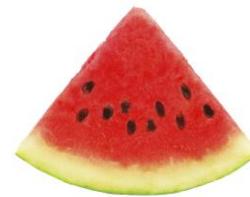
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receive the income from all foods and beverages sold to students anywhere on school premises from 10:30 a.m. to 12:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all beverages sold to students as part of and separately from reimbursable SSO meals must comply with the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages to students from the SSO at all times because it is not an event; the SSO is ineligible for food and beverage exemptions. Smart Snacks does not apply to the SSO unless the site is also operating a summer school program and serving NSLP meals on school campus. For more information, see “[Compliant Foods and Beverages](#)” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

Summer School Programs

Summer school programs operated by the board of education or school governing authority on school premises are part of the regular school day. Smart Snacks applies if foods and beverages are sold to students in summer school programs on school premises during the summer school day. This includes fee-based summer school programs that include the cost of beverages provided to students; summer school programs where students can exchange purchased tickets for beverages; student orders for foods and beverages that are intended to be consumed by students on school premises during the summer school day; distribution of foods and beverages that are intended to be consumed by students on school premises during the summer school day; and fundraisers that offer beverages to students in exchange for a suggested donation. For more information, see “[Sales to Students](#)” in this section.



The state beverage statute applies to all beverages available for sale to students during summer school programs on school premises at all times, including during and after the school day. This includes fee-based summer school programs that include the cost of foods and beverages provided to students; programs and activities where students can exchange tickets or coupons for foods and beverages (including tickets that are sold or given to students); student orders for foods and beverages; distribution of foods and beverages to students; and fundraisers that offer foods and beverages to students in exchange for a suggested donation. Summer school programs are not events; they are ineligible for beverage exemptions under the state beverage statute. For more information, see “[Beverage exemptions](#)” in section 1.

Other state requirements for summer school programs

In addition to the federal and state nutrition standards, summer school programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes fee-based summer school programs that include the cost of foods and beverages provided to students; programs and activities where students can exchange tickets or coupons for foods and beverages (including tickets that are sold or given to students); student orders for foods and beverages; distribution of foods and beverages to students; and fundraisers that offer foods and beverages to students in exchange for a suggested donation.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if summer school programs sell foods to students on school premises during the summer school day. For example, if the summer school program’s day ends at 2:00 p.m. and the summer school program sells foods to students anytime through 2:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the same location or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits summer school programs on school premises from selling and giving candy, 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, including during and after the school day.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., summer school programs on school premises cannot sell candy to students from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Summer school programs on school premises are ineligible for beverage exemptions; they cannot sell coffee, tea, and soft drinks to students at any time.

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- **Giving candy, coffee, tea, and soft drinks:** Summer school programs cannot give candy, 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, including during and after the school day. For example, if the SSO serves breakfast from 7:00 to 8:00 a.m. and lunch from 12:00 p.m. to 1:00 p.m., a summer school program on school premises cannot give candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:30 a.m. to 1:30 p.m.

For more information, see [“State Competitive Foods Regulations”](#) in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tickets that students can exchange for foods and beverages; the income from summer school program fees charged to cover the cost of foods and beverages provided to students; the income from student orders for foods and beverages; and the income from student donations in exchange for foods and beverages. For example, if the SSO serves breakfast from 7:00 a.m. to 8:00 a.m. and lunch from 11:00 a.m. to 12:00 p.m., the nonprofit food service account must receive the summer school program’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see [“Section 10-215b-23: Accrual of income”](#) in section 1.

Note: In this example, all foods sold to students from the summer school program must comply with Smart Snacks and all beverages sold to students from the summer school program must comply with Smart Snacks and the state beverage statute. The state beverage statute prohibits sales of noncompliant beverages because summer school programs are not events; they are ineligible for food and beverage exemptions. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the summer school day. For more information, see [“Identifying allowable foods and beverages,”](#) [“Compliant Foods and Beverages,”](#) and [“Noncompliant Foods and Beverages”](#) in this section, and [“Beverage exemptions”](#) in section 1.

Vending Machines

Smart Snacks applies to all foods and beverages available for sale to students from vending machines on school premises during the school day. This includes vending machines where students can exchange purchased tokens for foods and beverages.

The state beverage statute applies to all beverages available for sale to students from vending machines on school premises at all times, including during and after the school day. This includes vending machines where students can exchange tokens for beverages (including tokens that are sold to students and tokens that are given to students). Beverages that do not comply with the state beverage statute can never be sold from vending machines. The state beverage statute specifically prohibits beverage exemptions for vending machines at all times. For more information, see “[Beverage exemptions](#)” in section 1.



Other state requirements for vending machines

In addition to the federal and state nutrition standards, vending machines on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes vending machines where students can exchange tokens for foods and beverages (including tokens that are sold or given to students).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if vending machines on school premises sell foods to students during the school day. For example, if school ends at 3:00 p.m. and a vending machine sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold from the vending machine or elsewhere on school premises at the same time. For more information, see “[Requirement to Sell Nutritious Low-fat Foods](#)” in section 1.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., vending machines cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m. They must be turned off during this time.

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- **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Vending machines on school premises are ineligible for beverage exemptions; they can never sell coffee, tea, and soft drinks to students.
- **Giving candy, coffee, tea, and soft drinks:** Vending machines on school premises cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., vending machines cannot dispense candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. They must be turned off during these times.

For more information, see “[State Competitive Foods Regulations](#)” in section 1.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of tokens that students can exchange for foods and beverages in vending machines.

If any vending machines operate during this period, the gross income (not just the percentage of the income specified in the vending machine contract) must accrue to the nonprofit food service account. For example, a vending machine contract specifies that the school food service department receives 20 percent of the total vending sales. If the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive 100 percent of the total vending sales (gross income) from all foods and beverages sold to students from vending machines on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods sold to students from the vending machines must comply with Smart Snacks and all beverages sold to students from the vending machine must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute specifically prohibits beverage exemptions for vending machines; noncompliant beverages can never be sold to

students from vending machines on school premises. For more information, see “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” and “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.

The CSDE’s handout, *Requirements for Foods and Beverages in Vending Machines in in Public Schools Choosing Healthy Food Certification*, summarizes the requirements for vending machines. For more information, see the CSDE’s [Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools](#).

Vendors

Vendors that sell or give foods and beverages to students on school premises must comply with the federal and state requirements. Examples of vendors include 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 on school premises. This also includes vendors that operate fee-based activities that include the cost of beverages provided to students, and vendors from whom students can exchange purchased tickets for beverages.

Smart Snacks applies to all foods and beverages available for sale to students from vendors on school premises during the school day. This includes vendors that operate fee-based programs and activities that include the cost of noncompliant foods and beverages provided to students; programs and activities where students can exchange purchased tickets for noncompliant foods and beverages; student orders for noncompliant foods and beverages that will be consumed on school premises during the school day; distribution of noncompliant foods and beverages that will be consumed by students on school premises during the school day; and fundraisers that offer noncompliant foods and beverages to students in exchange for a suggested donation. For more information, see “[Sales to Students](#)” in this section.

For example, an ice cream truck cannot sell ice cream to students on school premises during the school day unless all ice cream products comply with Smart Snacks.

The state beverage statute applies to all beverages available for sale to students (including beverages sold as part of reimbursable meals and separately from reimbursable meals) from vendors on school premises at all times, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales comply with the exemption criteria. This includes vendors that operate fee-based programs and activities that include the cost of beverages provided to students; programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students); student orders for beverages; distribution of beverages to students; and fundraisers that offer beverages to

students in exchange for a suggested donation. The state beverage statute applies regardless of when students will receive or consume the beverages. For more information, see “[Sales to Students](#)” in this section and “[Beverage exemptions](#)” in section 1.

Vendors are not events; they are ineligible for beverage exemptions under the state beverage statute. For example, a food truck cannot sell noncompliant beverages to students anywhere on school premises during or after the school day. Selling beverages is not an event and is therefore ineligible for beverage exemptions. For more information, see “[Beverage exemptions](#)” in section 1.

Smart Snacks and the state beverage statute do not apply when vendors sell foods and beverages to students at a location off school premises that is not under the jurisdiction of the board of education or school governing authority. For more information, see “[Fundraisers held off school premises](#)” in this section.

Vendors at events

If the board of education or school governing authority has voted to allow beverage exemptions, vendors could sell noncompliant beverages to students at an event on school premises that occurs after the school day or on the weekend. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For more examples of events, see [table 1-3](#).

For example, a food truck could sell soft drinks to students at a school carnival (exempted event) held on school premises after the school day. However, if the event occurs while any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations require additional restrictions (see “Other state requirements for vendors” below).

Other state requirements for vendors

In addition to the federal and state nutrition standards, vendors on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. This includes vendors that operate fee-based programs and activities that include the cost of beverages provided to students; programs and activities where students can exchange tickets for beverages (including tickets that are sold or given to students); student orders for beverages; distribution of beverages to students; and fundraisers that offer beverages to students in exchange for a suggested donation. These requirements apply regardless of when students will receive or consume the foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** applies if vendors sell foods to students on school premises during the school day. For example, if school ends at 3:00 p.m. and a vendor sells foods to students anytime through 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold by the vendor or elsewhere on school premises at the same time. For more information, see [“Requirement to Sell Nutritious Low-fat Foods”](#) in section 1.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits vendors on from selling and giving candy, 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, including during and after the school day. This includes vendors at events on school premises that meet the exemption criteria of the state beverage statute.
 - **Selling candy:** Smart Snacks prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m., vendors cannot sell candy to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.
 - **Selling coffee, tea, and soft drinks:** The state beverage statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. The state beverage statute prohibits sales of noncompliant beverages from vendors at all times, unless the board of education or school governing authority has voted to allow beverage exemptions; the vendor is located at an event that occurs after the school day or on the weekend; and the event does not occur while any CNPs are operating. For more information, see “Vendors at events” above.
 - **Giving candy, coffee, tea, and soft drinks:** Vendors cannot give candy, 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, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., vendors cannot distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the nonprofit food service account must receive the income from all foods and beverages

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sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales of foods and beverages at events that meet the exemption criteria of the state beverage statute; the income from sales of tickets that students can exchange for foods and beverages; the income from vendor fees charged to cover the cost of foods and beverages provided to students; the income from student orders for foods and beverages; and the income from student donations in exchange for foods and beverages. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the vendor’s income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, see “[Section 10-215b-23: Accrual of income](#)” in section 1.

Note: In this example, all foods sold to students from the vendor must comply with Smart Snacks and all beverages sold to students from the vendor must comply with Smart Snacks and the state beverage statute. Smart Snacks prohibits sales of noncompliant foods and beverages to students on school premises during the school day. The state beverage statute prohibits sales of noncompliant beverages to students at all times, unless the sales occur at an event that meets the exemption criteria of the state beverage statute. For more information, see “[Vendors at events](#),” “[Identifying allowable foods and beverages](#),” “[Compliant Foods and Beverages](#),” “[Noncompliant Foods and Beverages](#)” in this section, and “[Beverage exemptions](#)” in section 1.



3 — Summary of Food Restrictions

Table 3-1 summarizes the restrictions for selling and giving competitive foods to students in non-HFC public schools, based on the federal and state requirements. For more information, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2. For definitions of terms, see the [Glossary](#).

Smart Snacks applies to foods sold to students on school premises during the school day, separately from reimbursable meals. C.G.S. 10-221p (nutritious low-fat foods) applies if foods are sold to students during the school day. Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if foods are sold or given to students while any CNPs are operating, including during and after the school day.

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools	
Food	Requirements
<p>Candy, including all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.</p> 	<p>Smart Snacks prohibits selling candy to students on school premises during the school day.</p> <p>If any CNPs are operating, Section 215b-1 of the state competitive foods regulations prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-1: Candy” in section 1 and “Candy” in section 2.</p> <p>Section 215b-23 of the state competitive foods regulations does not apply because candy sales are not allowed while any CNPs are operating.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>Gum, regular</p> 	<p>The Federal Food, Drug, and Cosmetic Act defines gum as a food. Smart Snacks prohibits sales of regular gum to students on school premises during the school day.</p> <p>If regular gum is sold to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, see “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods (including gum) and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-1: Candy” in section 1 and “Gum” in section 2.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p data-bbox="240 369 462 405">Gum, sugar-free</p> 	<p data-bbox="548 369 1377 485">The Federal Food, Drug, and Cosmetic Act defines gum as a food. Smart Snacks allows sales of sugar-free gum to students during the school day.</p> <p data-bbox="548 510 1377 705">If sugar-free gum is sold to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, see “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p data-bbox="548 747 1377 1066">If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires additional restrictions. Section 215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-1: Candy” in section 1 and “Gum” in section 2.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>All foods sold separately from school meals (except entree items), e.g., cookies, crackers, pretzels, popcorn, chips, puffed snacks, cereals, ice cream, pudding, yogurt, cheese, nuts/seeds, nut/seed butters, baked goods (e.g., pastries, toaster pastries, bagels, muffins, waffles, pancakes, rolls and buns), cooked grains (e.g., rice and pasta), soup, fruits, vegetables, and combination foods</p>	<p>Compliant foods</p> <p>Foods that comply with Smart Snacks may be sold to students on school premises at any time. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating foods for compliance with Smart Snacks. Consult the CSDE’s List of Acceptable Foods and Beverages for allowable commercial products.</p> <p>For foods made from scratch, schools must compare the recipe’s nutrition information per serving (including any added accompaniments) with each nutrition standard for the appropriate Smart Snacks category. Foods made from scratch must be evaluated for Smart Snacks compliance before they are sold to students. For more information, see “Identifying allowable foods and beverages” in section 1 and “Compliant Foods and Beverages” in section 2.</p> <p>If foods are sold to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, see “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p><i>Continued on next page</i></p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>All foods sold separately from school meals (except entree items), e.g., cookies, crackers, pretzels, popcorn, chips, puffed snacks, cereals, ice cream, pudding, yogurt, cheese, nuts/seeds, nut/seed butters, baked goods (e.g., pastries, toaster pastries, bagels, muffins, waffles, pancakes, rolls and buns), cooked grains (e.g., rice and pasta), soup, fruits, vegetables, and combination foods, <i>continued</i></p>	<p>Noncompliant foods Smart Snacks prohibits sales of noncompliant foods to students on school premises during the school day, but allows sales after the school day. For more information, see “Noncompliant Foods and Beverages” in section 2.</p> <p>If noncompliant foods are sold to students during the school day, they must also comply with C.G.S. Section 10-221p (nutritious low-fat foods). For more information, see “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools	
Food	Requirements
<p>Entree items sold separately from school meals, e.g., pizza, chicken nuggets, chef’s salad, burritos, lasagna, hamburgers, and fruit-yogurt parfaits</p>	<p>Smart Snacks does not apply to entree items that are sold a la carte during the meal service on the same day, or the day after, that they are planned and served as part of a reimbursable meal in the NSLP or SBP. These entrees may be sold a la carte during the meal service if they are the same or smaller portion size as the NSLP and SBP; and have the same accompaniments.</p> <p>Entrees sold only a la carte</p> <p>Smart Snacks applies only to entree items that are sold only a la carte, i.e., entrees that are not part of reimbursable meals. For example, if a school sells pizza that is not part of a reimbursable meal on the day of service or the day after service, the pizza must comply with Smart Snacks. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when must be included when evaluating entrees for compliance with Smart Snacks.</p> <ul style="list-style-type: none"> <p>Compliant entrees sold only a la carte: Entrees that comply with Smart Snacks may be sold to students anywhere on school premises at any time. Added accompaniments (such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing) must be included when evaluating foods for compliance with Smart Snacks. For example, to determine if a hamburger on a bun complies with Smart Snacks, schools must add the nutrition information per serving for the hamburger and bun plus the nutrition information per serving for any condiments (such as ketchup and mustard), and compare this total with the Smart Snacks requirements for the entrees category. Consult the CSDE’s <i>List of Acceptable Foods and Beverages</i> for allowable commercial products.</p> <p>For foods made from scratch, schools must compare the recipe’s nutrition information per serving (including any added accompaniments) with each nutrition standard for the</p> <p><i>Continued on next page</i></p>

Table 3-1. Restrictions for foods in Connecticut Non-HFC public schools

Food	Requirements
<p>Entree items sold separately from school meals, e.g., pizza, chicken nuggets, chef’s salad, burritos, lasagna, hamburgers, and fruit-yogurt parfaits, <i>continued</i></p>	<p>Smart Snacks category. Foods made from scratch must be evaluated for Smart Snacks compliance before they are sold to students. For more information, see “Identifying allowable foods and beverages” in section 1.</p> <p>If entrees are sold only a la carte during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, see “Requirement to Sell Nutritious Low-fat Foods” in section 1.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <ul style="list-style-type: none"> • Noncompliant entrees sold only a la carte: Smart Snacks prohibits sales of noncompliant entrees to students on school premises during the school day. Noncompliant entrees may be sold after the school day. For more information, see “Noncompliant Foods and Beverages” in section 2. <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires additional restrictions. The nonprofit food service account must receive the income from foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>



4 — Summary of Beverage Restrictions

Table 4-1 summarizes the restrictions for selling and giving competitive beverages to students in non-HFC public schools, based on the federal and state requirements. For more information, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2. For definitions of terms, see the [Glossary](#).

Smart Snacks applies to beverages sold to students on school premises during the school day, separately from reimbursable meals. The state beverage statute (C.G.S. Section 10-221q) applies to all beverages sold to students on school premises at all times, as part of reimbursable meals and separately from reimbursable meals.

Beverages that do not comply with the state beverage statute cannot be sold to students on school premises, unless the board of education or school governing authority has voted to allow exemptions and the beverages are sold at the location of an event that occurs after the school day or on the weekend. Noncompliant beverages can never be sold from vending machines or school stores. For more information, see “[Beverage exemptions](#)” in section 1.

Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if beverages are sold or given to students while any CNPs are operating, including during and after the school day.

[Table 1-4](#) summarizes the federal and state beverage requirements.

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Almond milk products that do not meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p>See “Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes”</p> <p>Note: The commercial almond milk products that are currently available do not meet the USDA’s nutrition standards for fluid milk substitutes.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Beverages containing 100 percent juice diluted with water, with added sweeteners, with or without carbonation ¹</p> 	<p>The state beverage statute prohibits sales of beverages containing juice and water with added sweeteners to students on school premises at all times, except for sales at events that meet the beverage exemption criteria. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because beverages containing juice and water with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving soft drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

4 | Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Beverages containing 100 percent juice diluted with water, without added sweeteners, with or without carbonation</p> 	<p>Beverages containing 100 percent juice diluted with water without added sweeteners comply with the Smart Snacks beverage standards. To comply with the state beverage statute, products must meet the requirements indicated in the CSDE’s handout, Requirements for Beverages Containing Water and Juice. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Beverages containing 100 percent juice diluted with water without added sweeteners, and that comply with the Smart Snacks beverage standards and the state beverage statute, may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>
<p>Club soda</p>	<p>See “Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”</p>
<p>Cocoa</p>	<p>See “Hot chocolate (cocoa), regular, low-calorie and sugar-free.”</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 448 464">Coffee, regular, decaffeinated, herbal, and iced</p> 	<p data-bbox="537 352 1349 548">The state beverage statute prohibits sales of coffee (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events that meet the beverage exemption criteria. For more information, see “Beverage exemptions” in section 1.</p> <p data-bbox="537 590 1349 701">If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul data-bbox="586 743 1365 1346" style="list-style-type: none"> <li data-bbox="586 743 1365 989">• Section 10-215b-1 prohibits selling and giving coffee to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving coffee to students at events that meet the beverage exemption criteria of the state beverage statute. <li data-bbox="586 1031 1365 1346">• Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p data-bbox="537 1388 1349 1465">For more information, see “State Competitive Foods Regulations” in section 1.</p>

4 | Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Hot chocolate (cocoa), regular, low-calorie and sugar-free</p> 	<p>The state beverage statute prohibits sales of hot chocolate to students on school premises at all times, except for sales at events that meet the beverage exemption criteria. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>
<p>Juice, 100 percent full-strength (fruit juice, vegetable juice, or combination)</p> 	<p>Juice (100 percent full-strength) complies with the state beverage statute and Smart Snacks beverage standards; it may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p>Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Juice, 100 percent full-strength, carbonated (fruit juice, vegetable juice, or combination)</p> 	<p>Carbonated juice (100 percent full-strength) complies with the state beverage statute and Smart Snacks beverage standards; it may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p>Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Juice drinks (not 100 percent juice), regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars ¹</p> 	<p>Juice drinks are products resembling juice that contain full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.</p> <p>The state beverage statute prohibits sales of juice drinks to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because juice drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving soft drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>

¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the [Glossary](#).

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Lemonade (not 100 percent juice) ¹</p>	<p>See “Juice drinks (not 100 percent juice), regular or low-calorie, regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars.”</p>
<p>Milk, fat-free, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee</p> 	<p>Fat-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, fat-free milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Milk, low-fat, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee</p> 	<p>Low-fat milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Low-fat milk that complies with the Smart Snacks beverage standards and the state beverage statute may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 488 464">Milk, reduced fat (2%), unflavored or flavored</p> 	<p data-bbox="537 352 1370 632">Smart Snacks prohibits sales of reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p data-bbox="537 674 1360 1031">If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p data-bbox="537 1073 1349 1184">For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 423 464">Milk, whole, unflavored or flavored</p> 	<p data-bbox="548 352 1349 632">Smart Snacks prohibits sales of whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p data-bbox="548 674 1370 1031">If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p data-bbox="548 1073 1357 1188">For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 496 506">Milk, lactose-free, low-fat (1%), unflavored or flavored</p> 	<p data-bbox="548 352 1360 632">Low-fat lactose-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p data-bbox="548 680 1365 877">Low-fat lactose-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p data-bbox="548 926 1370 1289">If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Milk, lactose-free fat-free, unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee</p> 	<p>Fat-free lactose-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free lactose-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 488 506">Milk, lactose-free reduced-fat (2%), unflavored or flavored</p> 	<p data-bbox="548 352 1365 632">Smart Snacks prohibits sales of lactose-free reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p data-bbox="548 667 1365 1031">If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p data-bbox="548 1073 1365 1188">For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Milk, lactose-free whole, flavored or unflavored</p> 	<p>Smart Snacks prohibits sales of lactose-free whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes</p> 	<p>Milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes comply with the Smart Snacks beverage standards. Currently, certain brands of soy milk are the only nondairy milk substitute products that meet the USDA's nutrition standards for fluid milk substitutes.</p> <p>To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot not exceed 12 fluid ounces. Consult the CSDE's List of Acceptable Foods and Beverages webpage for allowable products that comply with the federal and state standards.</p> <p>Milk substitute products that comply with the Smart Snacks beverage standards and the state beverage statute may be sold to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see "Section 10-215b-23: Accrual of income" in section 1.</p> <p>For information on the USDA's requirements for milk substitutes, see the CSDE's handout, <i>Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</i>. For information on the USDA's requirements for milk substitutes in school meals for children with disabilities, see the CSDE's guide, <i>Accommodating Special Diets in School Nutrition Programs</i>.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p>Smart Snacks prohibits sales of milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes to students on school premises during the school day. Note: Only certain brands of soy milk meet the USDA’s nutrition standards for fluid milk substitutes. Most milk substitute products (such as almond milk, cashew milk, rice milk, and many brands of soy milk) do not meet these standards.</p> <p>Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p> <p>For more information on milk substitutes, see the CSDE’s handout, <i>Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</i>. For information on milk substitutes in school meals for children with disabilities, see the CSDE’s guide, <i>Accommodating Special Diets in School Nutrition Programs</i>.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Rice milk products that do not meet the USDA's nutrition standards for fluid milk substitutes</p> 	<p>See “Milk substitute products that do not meet the USDA's nutrition standards for fluid milk substitutes.”</p> <p>Note: The commercial rice milk products that are currently available do not meet the USDA's nutrition standards for fluid milk substitutes.</p>
<p>Seltzer, flavored</p>	<p>See “Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water.”</p>
<p>Seltzer, unflavored</p>	<p>See “Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”</p>

4 | Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 505 632">Soy milk substitute products that meet the USDA’s nutrition standards for fluid milk substitutes</p> 	<p data-bbox="548 352 1321 422">See “Milk substitute products that do not meet the USDA’s nutrition standards for fluid milk substitutes.”</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 396 384">Soda, diet ¹</p> 	<p data-bbox="548 352 1365 506">The state beverage statute prohibits sales of diet soda to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p data-bbox="548 548 1360 701">If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul data-bbox="597 747 1370 1310" style="list-style-type: none"> <li data-bbox="597 747 1370 1024">• Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving soft drinks to students at events that meet the beverage exemption criteria of the state beverage statute. <li data-bbox="597 1073 1370 1310">• Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p data-bbox="548 1352 1203 1423">For more information, see “State Competitive Foods Regulations” in section 1.</p>
<p data-bbox="250 1482 1343 1551">¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Soda, regular ¹</p> 	<p>The state beverage statute prohibits sales of regular soda to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving soft drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>
<p>Sparkling water, flavored, without added sweeteners</p>	<p>See “Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water.”</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
Sparkling water, plain, without added sweeteners	See “ Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”
Sports drinks, regular ¹ 	<p>The state beverage statute prohibits sales of regular sports drinks to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving sports drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Sports drinks, low-calorie and zero calorie ¹</p> 	<p>The state beverage statute prohibits sales of low-calorie and zero calorie sports drinks to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving sports drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>

¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the [Glossary](#).

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p data-bbox="250 352 448 464">Tea, regular, decaffeinated, herbal, and iced</p> 	<p data-bbox="548 352 1357 548">The state beverage statute prohibits sales of tea (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p data-bbox="548 590 1357 701">If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul data-bbox="597 747 1357 1310" style="list-style-type: none"> <li data-bbox="597 747 1357 1024">• Section 10-215b-1 prohibits selling and giving tea to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving tea to students at events that meet the beverage exemption criteria of the state beverage statute. <li data-bbox="597 1073 1357 1310">• Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p data-bbox="548 1352 1203 1423">For more information, see “State Competitive Foods Regulations” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Water with added sweeteners (with or without carbonation) ¹</p> 	<p>The state beverage statute prohibits sales of water with added sweeteners to students on school premises at all times, except for sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Beverage exemptions” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because waters with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> • Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling and giving soft drinks to students at events that meet the beverage exemption criteria of the state beverage statute. • Section 10-215b-23 requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. <p>For more information, see “State Competitive Foods Regulations” in section 1.</p>

¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the [Glossary](#).

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Water, flavored, without added sweeteners (with or without carbonation), e.g., flavored seltzer and flavored sparkling water</p> 	<p>Flavored water without added sweeteners (with or without carbonation) complies with the state beverage statute and the Smart Snacks beverage standards for high schools. However, the Smart Snacks beverage standards are different for elementary and middle schools, and require additional restrictions.</p> <ul style="list-style-type: none"> • High schools: Flavored water without added sweeteners complies with the Smart Snacks beverage standards for high schools; it may be sold to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products. • Elementary and middle schools: The Smart Snacks beverage standards prohibit flavored water without added sweeteners in elementary and middle schools; it cannot be sold until after the school day. Portion sizes are unlimited. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products. <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water</p> 	<p>Water without added sweeteners complies with the state beverage statute and Smart Snacks beverage standards; it may be sold to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE’s List of Acceptable Foods and Beverages webpage for allowable products.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from sales at events that meet the beverage exemption criteria of the state beverage statute. For more information, see “Section 10-215b-23: Accrual of income” in section 1.</p>

Table 4-1. Restrictions for beverages in Connecticut Non-HFC public schools

Beverage	Requirements
<p>Water fortified with vitamins, with added sweeteners (with or without carbonation) ¹</p> 	<p>See “Water with added sweeteners (with or without carbonation)”</p>
<p>Water, plain (no added ingredients)</p>	<p>See “Water, plain, without added sweeteners (with or without carbonation), e.g., club soda, seltzer, sparkling water.”</p>
<p>¹ These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, see the Glossary.</p>	

6 — Resources

This section provides information on resources to assist non-HFC public schools with implementing the federal and state requirements for competitive foods and beverages. It includes links to federal and state regulations, policy memoranda, websites and the CSDE’s guides, handouts, and resource lists.

Regulations and Policy

C.G.S. Section 10-215. Lunches, breakfasts and other feeding programs for public school children and employees:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215

C.G.S. Section 10-215a. Nonpublic school and nonprofit agency participation in feeding programs:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215a

C.G.S. Section 10-215e. Nutrition standards for food that is not part of lunch or breakfast program:

<https://www.cga.ct.gov/2011/pub/chap169.htm#Sec10-215e.htm>

C.G.S. Section 10-215f. Certification that food meets nutrition standards:

https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215f

C.G.S. Section 10-221o. Lunch Periods and Recess:

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

C.G.S. Section 10-221p. Boards to make available for purchase nutritious and low-fat foods:

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

C.G.S. Section 10-221q. Sale of beverages:

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

Code of Federal Regulations (CFR) for the School Breakfast Program (7 CFR 220) (USDA):

<https://www.fns.usda.gov/part-220—school-breakfast-program>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215) (USDA):

<https://www.fns.usda.gov/part-215—special-milk-program-children>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215):

<https://www.fns.usda.gov/part-215%E2%80%9Aspecial-milk-program-children>

Comparison of Programs SFSP/NSLP/Seamless Summer Option (USDA):

<https://www.fns.usda.gov/comparison-programs-sfspnslpseamless-option>

CSDE Operational Memorandum No. 01-18: Accrual of Income from Sales of Competitive Foods in Schools:

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

CSDE Operational Memorandum No. 11-14: Overview of Federal versus State Nutrition Standards for Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM11-14.pdf>

CSDE Operational Memorandum No. 11-15: Implementation of Smart Snacks in School: State Agency Fundraiser Elections and Exemptions:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2015/OM11-15.pdf>

CSDE Operational Memorandum No. 22-14: Evaluating Products for Compliance with the Whole Grain-rich Criteria for School Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM22-14.pdf>

CSDE Operational Memorandum No. 29-14: Federal and State Requirements for Grain-Only Entrees: Smart Snacks versus Connecticut Nutrition Standards:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM29-14.pdf>

CSDE Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs: Smart Snacks versus Connecticut Nutrition Standards:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM31-14.pdf>

CSDE Operational Memorandum No. 59-14: Smart Snacks Standards for Exempt Foods when Paired Together:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM59-14.pdf>

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHSFKA of 2010 (81 FR 50131):

<https://www.fns.usda.gov/school-meals/fr-072916d>

Final Rule: Nutrition Standards for the National School Lunch and Breakfast Programs (77 FR 4088):

<https://www.fns.usda.gov/school-meals/fr-012612>

Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296):

<https://www.fns.usda.gov/school-meals/healthy-hunger-free-kids-act>

Questions and Answers on Connecticut Statutes for School Foods and Beverages:

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

Questions and Answers on Smart Snacks (USDA):

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

Regulations of Connecticut State Agencies (Sections 10-215b-1 and 10-215b-23):

<https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/%7B609BE155-0900-C92F-863D-9F144850E986%7D>

Submitting Food and Beverage Products for Approval:

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

Websites

Afterschool Snack Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Afterschool-Snack-Program>

Beverage Requirements (CSDE):

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

Competitive Foods in Schools (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Competitive-Foods>

Connecticut Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Child-Nutrition-Programs>

Connecticut Nutrition Standards (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards>

Connecticut Nutrition Standards Worksheets (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/Documents>

Dietary Guidelines for Americans (USDA):

<https://health.gov/dietaryguidelines/>

Evaluating Foods for Compliance with Connecticut Nutrition Standards (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To>

Forms for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Lists/Forms-School-Nutrition-Programs>

Healthy Food Certification (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification>

Laws and Regulations for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Laws-and-Regulations-for-Child-Nutrition-Programs>

List of Acceptable Foods and Beverages (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification>

Local School Wellness Policy (USDA):

<http://www.fns.usda.gov/tn/local-school-wellness-policy>

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MyPlate (USDA):

<http://www.choosemyplate.gov/>

Nutrition Education (CSDE):

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

Nutrition Standards for School Meals (USDA):

<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

Operational Memoranda for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Lists/Operational-Memoranda-for-School-Nutrition-Programs>

Policy Memos for School Meals: National School Lunch Program, School Breakfast Program and Special Milk Program (USDA):

<https://www.fns.usda.gov/school-meals/policy>

Program Guidance for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Program-Guidance-School-Nutrition-Programs>

Resources for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Resources-for-Child-Nutrition-Programs>

School Wellness Policies (CSDE):

<https://portal.ct.gov/SDE/Nutrition/School-Wellness-Policies>

Seamless Summer Option (SSO) of the NSLP (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Seamless-Summer-Option-SSO-of-the-NSLP>

Smart Snacks Calculator:

<https://foodplanner.healthiergeneration.org/calculator/>

Smart Snacks Nutrition Standards (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Smart-Snacks-Nutrition-Standards>

Special Milk Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Special-Milk-Program>

Summer Food Service Program (SFSP):

<https://portal.ct.gov/SDE/Nutrition/Summer-Food-Service-Program>

Team Nutrition (USDA):

<http://teamn nutrition.usda.gov/>

Tools for Schools: Focusing on Smart Snacks (USDA):

<https://www.fns.usda.gov/school-meals/tools-schools-focusing-smart-snacks>

CSDE Guides

Accommodating Special Diets in School Nutrition Programs:

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

Action Guide for Child Care Nutrition and Physical Activity Policies:

<https://portal.ct.gov/-/media/SDE/Nutrition/CACFP/CCPolicy/CCAG.pdf>

Action Guide for School Nutrition and Physical Activity Policies:

https://portal.ct.gov/-/media/SDE/Nutrition/SWP/Action_Guide.pdf

Afterschool Snack Program Handbook:

<https://portal.ct.gov/-/media/SDE/Nutrition/ASP/ASPHandbook.pdf>

Guide to Competitive Foods in HFC Pubic Schools:

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

Guide to Competitive Foods in Non-HFC Pubic Schools:

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

Guide to Competitive Foods in Private Schools and Residential Child Care Institutions:

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

Menu Planning Guide for School Meals for Grades K-12:

<https://portal.ct.gov/SDE/Nutrition/Menu-Planning-Guide-for-School-Meals>

Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Preschool/MPGpreschool.pdf>

Offer versus Serve Guide for School Meals:

<https://portal.ct.gov/SDE/Nutrition/-/media/SDE/Nutrition/NSLP/OVS/OVsguide.pdf>

CSDE Handouts

Allowable Beverages in Connecticut Public Schools:

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

Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs:

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

Beverage Requirements (CSDE webpage):

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

Beverage Requirements for Connecticut Public Schools Presentation:

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

Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards:

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

Connecticut Competitive Foods Regulations:

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

Exemptions for Foods and Beverages in Public Schools:

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

Healthy Fundraising:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/HealthyFundraising.pdf>

Overview of Federal and State Laws for Competitive Foods in Connecticut Public Schools, Private Schools, and Residential Child Care Institutions:

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

Requirements for Beverages Containing Water and Juice:

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

Requirements for Competitive Foods in Non-HFC Public Schools:

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

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

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

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

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

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

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

Requirements for Selling Foods and Beverages in Adult Education Programs:

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

Sample Fundraiser Form:

<https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FundraiserFormHFC.doc>

Smart Snacks Calculator:

<http://rdp.healthiergeneration.org/calc/calculator/>

Smart Snacks Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Smart-Snacks-Nutrition-Standards>

Smart Snacks Product List:

https://www.healthiergeneration.org/live_healthier/eat_healthier/alliance_product_navigator/browse_products/?product_category_id=720

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):

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

Summary of Smart Snacks Nutrition Standards:

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

Summary of Smart Snacks Nutrition Standards:

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

Tools for Schools: Focusing on Smart Snacks webpage:

<https://www.fns.usda.gov/school-meals/tools-schools-focusing-smart-snacks>

CSDE Resource Lists

The CSDE resource lists are available on the CSDE's Resources for Child Nutrition Programs webpage at <https://portal.ct.gov/SDE/Nutrition/Resources-for-Child-Nutrition-Programs>.

Child Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesCNP.pdf>

Competitive Foods:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesSCHOOLFD.pdf>

Dietary Guidelines and Nutrition Information:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesDG.pdf>

Food Safety:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesFDSAFE.pdf>

Health and Achievement:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesACHIEVE.pdf>

Menu Planning and Food Production:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesMP.pdf>

Nutrition Education:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesNUTRED.pdf>

Physical Activity and Physical Education:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesPA.pdf>

Promoting Healthy Weight:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesOB.pdf>

Special Diets:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesSPDIET.pdf>

Wellness Policies for Schools and Child Care:

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/ResourcesWP.pdf>

Glossary

This section includes definitions for terms that apply to the federal and state requirements for competitive foods in non-HFC public schools. Some terms apply only to Connecticut’s statutes and regulations or have a different definition from the USDA’s Smart Snacks. These terms are identified by “*applies to state statutes and competitive foods regulations*” or “*applies to Smart Snacks*” in parentheses after the term. All other definitions apply to both federal and state requirements.



a la carte sales: Foods and beverages that are sold separately from reimbursable meals and snacks served through the CNPs. For more information, see “competitive foods” in this section.

accompaniments (*applies to Smart Snacks*): Foods that accompany another food or beverage item, such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise and salad dressing. Foods must be evaluated for compliance with the Smart Snacks nutrition standards based on the amount of the food item as served, including any added accompaniments. Examples include hamburger with ketchup and mustard, bagel with cream cheese, waffles with syrup, whole grain-rich pasta with butter, salad with dressing, and fruit crisp with whipped cream.

added sugars: Sugars and syrups added to foods in processing or preparation, as opposed to the naturally occurring sugars found in foods like fruits, vegetables, grains, and dairy products. Examples of added sugars include brown sugar, corn sweetener, corn syrup, dextrose, fructose, fruit juice concentrates, glucose, high-fructose corn syrup, honey, invert sugar, lactose, malt syrup, maltose, molasses, raw sugar, sucrose, sugar, and syrup.

Afterschool Snack Program (ASP): The USDA’s federally assisted snack program implemented through the National School Lunch Program (NSLP). The ASP provides cash reimbursement to help schools serve snacks to children in afterschool activities aimed at promoting the health and well-being of children and youth. Schools must provide children with regularly scheduled activities in an organized, structured and supervised environment that includes educational or enrichment activities, e.g., mentoring/tutoring programs. Programs must meet state or local licensing requirements and health and safety standards. For more information, visit the CSDE’s [Afterschool Snack Program](#) webpage.

At-risk Afterschool Meals: The USDA’s federally assisted meal program implemented through the Child and Adult Care Food Program (CACFP) that provides snacks and meals at no charge for students ages 18 and younger in at-risk afterschool programs. Eligible facilities include public and private schools, nonresidential child care centers, and outside school-hours care centers. To participate, sponsors must have a structured, supervised afterschool enrichment program. Cash assistance is available for up to one snack and one meal per day for each student. All snacks and meals must meet the requirements of the CACFP meal patterns for children. For more information, visit the CSDE’s [CACFP At-risk Afterschool Care Centers](#) webpage.

artificial sweeteners: Ingredients without calories that are used as sugar substitutes to sweeten foods and beverages. Artificial sweeteners are hundreds of times sweeter than sugar. Common artificial sweeteners include acesulfame potassium (Acesulfame-K, Sunett, Sweet & Safe, Sweet One), aspartame (Nutrasweet, Equal), neotame, saccharin (Sweet and Low, Sweet Twin, Sweet ‘N Low Brown, Necta Sweet), sucralose (Splenda), and tagatose. These nonnutritive sweeteners are calorie-free, except for aspartame, which is very low in calories. For more information, see “nonnutritive sweeteners” in this section.

candy: All types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.

Child Nutrition Programs (CNPs): The USDA’s federally funded programs that provide nutritious meals and snacks to children, 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), Summer Food Service Program (SFSP), Fresh Fruit and Vegetable Program (FFVP), Child and Adult Care Food Program (CACFP), and CACFP At-risk Afterschool Meals operated in schools. The CACFP also provides nutritious meals and snacks to the frail elderly in adult day care centers. For more information, visit the CSDE’s [Child Nutrition Programs](#) webpage.

competitive foods (*applies to Smart Snacks*): All foods and beverages available for sale to students on school premises during the school day, other than reimbursable meals and snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, see “a la carte sales” in this section.

competitive foods (*applies to state statutes and competitive foods regulations*): All foods and beverages available for sale to students on school premises at all times, other than reimbursable meals and snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, see “a la carte sales” in this section.

Note: 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 more information, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

compliant foods and beverages: Foods that comply with Smart Snacks and beverages that comply with the Smart Snacks beverage standards and the state beverage statute.

Connecticut Nutrition Standards: State nutrition standards developed by the Connecticut State Department of Education, as required by [Section 10-215e](#) of the Connecticut General Statutes. The CNS addresses the nutritional content of all foods sold to students separately from reimbursable school meals. The standards limit calories, fat, saturated fat, sodium, and added sugars; eliminate trans fat; and promote more nutrient-rich foods such as fresh fruits, vegetables, whole grains, low-fat dairy, legumes, and lean meats. All schools in any district that chooses to comply with the healthy food option of HFC under Section 10-215f of the Connecticut General Statutes must follow the CNS for all sources of food sales to students, including school cafeterias, vending machines, school stores, fundraisers, and any other sources. The CNS also applies to snacks served in the Afterschool Snack Program. For more information, visit the CSDE’s [Connecticut Nutrition Standards](#) webpage.

creditable foods: Foods and beverages that credit toward the USDA’s meal patterns for reimbursable meals and snacks in the Child Nutrition Programs. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, brown rice, and whole grain-rich crackers, cookies, muffins, and pasta. For information on crediting foods for grades K-12 in the NSLP and SBP, see the CSDE’s guide, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE’s [Crediting Foods for Grades K-12 in School Nutrition Programs](#) webpage. For information on crediting foods for grades K-12 in the ASP, see the CSDE’s guide, [Afterschool Snack Program Handbook](#), and visit the CSDE’s [ASP](#) webpage. For information on crediting foods for preschoolers, see the CSDE’s guide, [Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP](#), and visit the CSDE’s [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage.

Dietary Guidelines for Americans: A federal document that provides science-based advice for Americans ages 2 and older to promote health and to reduce risk for chronic diseases through diet and physical activity. The *Dietary Guidelines for Americans* is published jointly every five years by the U.S. Department of Health and Human Services and the USDA, and forms the basis of federal food, nutrition education and information programs. For more information, visit the [Dietary Guidelines](#) webpage.

enriched grains: Refined grains (such as wheat, rice, and corn) and grain products (such as cereal, pasta, and bread) that have some vitamins and minerals added to replace the nutrients lost during processing. The five enrichment nutrients are added within limits specified by the Food and Drug Administration (FDA), and include thiamin (B₁), riboflavin (B₂), niacin (B₃), folic acid, and iron. For more information, see the CSDE’s handout, [Crediting Enriched Grains in the NSLP and SBP](#).

enrichment: Adding back nutrients (usually vitamins or minerals) originally present in a food that were lost during processing. Enrichment nutrients are added back in approximately the same levels as were originally present in the food. For more information, see “enriched grains” in this section.

entrees (*applies to Smart Snacks*): The entrees category of the USDA’s Smart Snacks nutrition standards includes three types of main dish food items: 1) a combination food of meat or meat alternate and whole grain-rich food; 2) a combination food of vegetable or fruit and meat or meat alternate; and 3) a meat or meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds, nut or seed butters, and meat snacks. At breakfast only, the entree definition also includes grain-only items, such as bagels, muffins, and waffles. Schools can determine which grain-only items are defined as entree items for breakfasts offered in the SBP.

event (*applies to state statutes and competitive foods regulations*): An occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. For more information, see [table 1-4](#) in section 1.

fortification: Adding nutrients (usually vitamins or minerals) that were not originally present in a food or beverage or adding nutrients at levels that are higher than originally present. Fortification is used for naturally nutrient-rich products based on scientifically documented health needs (e.g., fortifying milk with vitamin D to increase the body’s absorption of calcium), and to enhance the perceived nutritional value of products with little or no natural nutritional value, e.g., fortifying “energy” bars made from processed flour with multiple vitamins and minerals. Fortification nutrients are added to products in varying amounts, from small percentages up to amounts greater than recommended intakes.

fundraisers: Any activities conducted by any school-related or outside organization or group on school premises, during which money or its equivalent (e.g., coupons, tickets, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. Fundraisers also include any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. **Note:** Smart Snacks applies to purchased coupons and similar items that can be exchanged for foods and beverages. The state statutes and competitive foods regulations apply to all coupons and similar items that can be exchanged for foods and beverages, including tickets that students purchase and tickets given to students free of any charge. For more information, see “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 2.

full-strength fruit or vegetable juice: An undiluted product obtained by extraction from sound fruits and vegetables. Full-strength juice may be fresh, canned, frozen or reconstituted from concentrate and may be served in either liquid or frozen state. The name of the full-strength fruit or vegetable juice as it appears on the label must include the words “juice” or “full-strength juice” or “100 percent juice” or “reconstituted juice” or “juice from concentrate.” For more information, see the CSDE’s handouts, *Crediting Juice for Grades K-12 in the NSLP and SBP* and *Crediting Juice for Preschoolers in the NSLP, SBP, and ASP*.

giving (*applies to Smart Snacks*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following four conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages; 3) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 4) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, see “[Giving Foods and Beverages to Students](#)” in section 2.

giving (*applies to state statutes and competitive foods regulations*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following five conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased coupons, tickets, tokens, and similar items for foods and beverages; 3) students are not given coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages; 4) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 5) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, see “[Giving Foods and Beverages to Students](#)” in section 2.

Healthy Food Certification: A requirement of state statute (Section 10-215f of the Connecticut General Statutes) that each board of education or school governing authority for all public schools participating in the NSLP must certify annually to the CSDE whether they will comply with the Connecticut Nutrition Standards for all foods sold to students separately from reimbursable meals. Districts that choose to comply with the CNS receive 10 cents per lunch, based on the total number of reimbursable lunches (paid, free, and reduced) served in the district in the prior school year. For more information, see “Connecticut Nutrition Standards” in this section and visit the CSDE’s [Healthy Food Certification](#) webpage.

juice drink: A product resembling juice that contains full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.

meals: See “reimbursable meals” in this section.

meal pattern: The required food components and minimum serving sizes that schools and institutions participating in the USDA Child Nutrition Programs must provide to receive federal reimbursement for meals and snacks served to children. For information on the meal patterns for grades K-12 in the NSLP and SBP, see the CSDE’s guide, *Menu Planning Guide for School Meals for Grades K-12*, and visit the CSDE’s [Meal Patterns for Grades K-12 in School Nutrition Programs](#) webpage. For information on the meal patterns for preschoolers in the NSLP and SBP, see the CSDE’s guide, *Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP*, and visit the CSDE’s [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage. For information on the ASP meal patterns, see the CSDE’s handouts, *ASP Meal Pattern for Grades K-12* and *ASP Meal Pattern for Preschoolers*.

MyPlate: Released in June 2011, MyPlate is the USDA’s food guidance system to translate the *Dietary Guidelines for Americans* into a healthy eating plan. MyPlate emphasizes consuming more fruits, vegetables, whole grains and low-fat dairy. For more information, see the [Choose MyPlate](#) website at www.choosemyplate.gov/.

National School Lunch Program (NSLP): The USDA’s federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The NSLP provides nutritionally balanced, low-cost or free lunches to children each school day. It was established under the National School Lunch Act, signed by President Harry Truman in 1946. For more information, visit the CSDE’s [National School Lunch Program](#) webpage.

noncompliant foods and beverages: Foods that do not comply with Smart Snacks and beverages that do not comply with the Smart Snacks beverage standards and the state beverage statute. For more information, see “[Noncompliant Foods and Beverages](#)” in section 2.

noncreditable foods: Foods and beverages that do not credit toward the USDA’s meal patterns for reimbursable meals and snacks in the Child Nutrition Programs. Examples include bottled water, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, gelatin, and pudding. For more information, see the CSDE’s handouts, *Noncreditable Foods for Grades K-12 in the NSLP and SBP*, *Noncreditable Foods for Grades K-12 in the ASP*, and *Noncreditable Foods for Preschoolers in the NSLP, SBP, and ASP*.

nonnutritive sweeteners: Ingredients without calories that are used as sugar substitutes to sweeten foods and beverages. Nonnutritive sweeteners can be 200 to 600 times sweeter than sugar. They include artificial sweeteners such as acesulfame-potassium, neotame, saccharin, and sucralose, and “natural” sweeteners such as stevia (e.g., Rebiana, Rebaudioside A, Truvia, PureVia, and SweetLeaf). For a list of artificial sweeteners, see “artificial sweeteners” in this section.

nonprofit food service account: The restricted account in which all of the revenue from all food service operations conducted by the school food authority (SFA) 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\(f\)](#).

nonprogram foods: Foods sold in a school at any time or location on the school premises (other than reimbursable meals), purchased using funds from the nonprofit school food service account. Section [7 CFR 210.14 \(f\)](#) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the nonprofit school food service account.

nutrient-dense foods: Foods that provide substantial amounts of naturally occurring vitamins, minerals, and other nutrients with relatively few calories. Nutrient-dense foods include lean sources of protein and/or complex carbohydrates that are low in total fat and saturated fats. Examples include fruits, vegetables, whole grains, low-fat or nonfat dairy products, lean meat, skinless poultry, fish, eggs, and beans. Foods and beverages that are not nutrient dense provide calories from fat, added sugars and processed carbohydrates but relatively small amounts of nutrients (and sometimes none at all), unless they are fortified.

nutrient-rich foods: See “nutrient-dense foods” in this section.

nutrition standards for fluid milk substitutes: The nutrition requirements for nondairy beverages (such as soy milk) used as fluid milk substitutes in the USDA’s Child Nutrition Programs. The USDA requires that any fluid milk substitutes are nutritionally equivalent to cow’s milk and meet the following nutrients based on a serving of 1 cup (8 fluid ounces): 276 milligrams (mg) of calcium; 8 grams (g) of protein; 500 international units (IU) of vitamin A; 100 IU of vitamin D; 24 mg of magnesium; 222 mg of phosphorus; 349 mg of potassium; 0.44

mg of riboflavin; and 1.1 micrograms (mcg) of vitamin B-12. For more information, see the CSDE's handout, [Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

nutritive sweeteners: Sugars and sweeteners that contain calories and are used to sweeten foods and beverages. Examples include brown rice syrup, brown sugar, corn sweetener, corn syrup, corn syrup solids, dextrin, dextrose, fructose, fruit juice concentrate, glucose, high-fructose corn syrup, honey, invert sugar, lactose, malt syrup, maltose, molasses, maple syrup, nectars (e.g., peach nectar, pear nectar), raw sugar, sorghum syrup, sucrose, and syrup.

portion: See “serving size” in this section.

public schools: Connecticut public schools include all local and regional school districts, the regional educational service centers, the Connecticut Technical Education and Career System (CTECS) (previously known as the Connecticut Technical High School System), charter schools, interdistrict magnet schools, and endowed academies.

reimbursable meals: Meals that comply with the requirements of the USDA regulations for Child Nutrition Programs.

reimbursable snacks: Snacks that comply with the requirements of the USDA regulations for the Afterschool Snack Program (ASP).

sales (*applies to state statutes and regulations*): The exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages on school premises at any time. Sales also include fee-based programs and activities that include the cost of foods and beverages provided to students, and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, see “[Sales to Students](#)” in section 2.

sales (*applies to Smart Snacks*): The exchange of a determined amount of money for foods and beverages on school premises during the school day. Sales also include the purchase of coupons, tickets, tokens, and similar items that can be exchanged for foods and beverages; fee-based programs and activities that include the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, see “[Sales to Students](#)” in section 2.

School Breakfast Program (SBP): The USDA’s federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The SBP provides nutritionally balanced, low-cost or free breakfasts to children each school day. The program was established under the Child Nutrition Act of 1966 to ensure that all children have access to a healthy breakfast at school to promote learning readiness and healthy eating behaviors. For more information, visit the CSDE’s [School Breakfast Program](#) webpage.

school campus (*applies to Smart Snacks*): All areas of the property under the jurisdiction of the school that are accessible to students during the school day.

school day: The period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the school governing authority are part of the regular school day.

school food authority (SFA): The governing body that is responsible for the administration of one or more schools and has the legal authority to operate the USDA’s school nutrition programs, e.g., National School Lunch Program, School Breakfast Program, Afterschool Snack Program of the NSLP, Seamless Summer Option of the NSLP, Special Milk Program, and Fresh Fruit and Vegetable Program.

school premises (*applies to state statutes and competitive foods regulations*): 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.

Seamless Summer Option (SSO) of the NSLP: The USDA’s federally assisted summer feeding program that combines features of the NSLP, SBP, and SFSP, and serves meals free of charge to children ages 18 and younger from low-income areas. School districts participating in the NSLP or SBP are eligible to apply to the CSDE to participate in the SSO. SSO meals follow the meal patterns of the NSLP and SBP. For more information, visit the CSDE’s [Seamless Summer Option \(SSO\) of the NSLP](#) webpage.

serving size: The weight, measure or number of pieces or slices of a food, or volume of a beverage, provided to students. All foods and beverages are evaluated for compliance with Smart Snacks and the state beverage statute based on the amount served, including any added accompaniments. For more information, see “accompaniments” in this section.

side dishes (*applies to Smart Snacks*): All food items that do not meet the Smart Snacks definition for entrees. Examples include fruits and vegetables; pasta, rice, and cooked cereal grains, e.g., quinoa, bulgur, and bulgur; snack foods such as chips, crackers, popcorn, rice cakes, hard pretzels, pita chips, snack mix, and trail mix; breakfast cereals, e.g., cold ready-to-eat (RTE) cereals and cooked hot cereals such as oatmeal; nuts and seeds; peanut butter and other nut butters; dried meat snacks, e.g., beef jerky and meat sticks; bakery items, e.g., pastries, toaster pastries, muffins, waffles, pancakes, French toast, soft pretzels, rolls, and buns; desserts, e.g., cookies, brownies, cake, pie, and pudding; frozen desserts, e.g., frozen fruit bars, ice cream, and ice cream novelties; cereal bars and granola bars; cheese, e.g., low fat cheese sticks and low-fat cheese cubes; yogurt and soy yogurt; and school-made fruit/vegetable smoothies. For information on the general standards and nutrient standards for each Smart Snacks category, see the CSDE’s handouts, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE’s [Smart Snacks](#) webpage.

Smart Snacks: The USDA’s federal nutrition standards for foods and beverages sold to students on school campus during the school day, separately from reimbursable meals and snacks in the USDA Child Nutrition Programs. Smart Snacks includes nutrition standards for entrees sold only a la carte, side dishes, and beverages. The USDA requires the Smart Snacks nutrition standards for all schools and institutions that participate in the NSLP and SBP. These standards were legislated by the final rule, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHSFKA of 2010](#) (81 FR 50131), effective July 1, 2014. For more information, see the CSDE’s handouts, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE’s [Smart Snacks](#) webpage.

soft drinks (*applies to state statutes and competitive foods regulations*): 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 of soft drinks include 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), and flavored water with added sweeteners. For more information, see “[State Competitive Foods Regulations](#)” in section 1.

Special Milk Program (SMP): The USDA’s federally assisted program that provides milk to children in schools and child care institutions that do not participate in other federal meal service programs. The SMP reimburses schools for the milk they serve. Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs. For more information, visit the CSDE’s [Special Milk Program](#) webpage.

sugar alcohols (polyols): A type of carbohydrate used as sugar substitutes to sweeten foods and beverages. Sugar alcohols are incompletely absorbed and metabolized by the body, and contribute fewer calories than most sugars. They also perform other functions such as adding bulk and texture to foods. Common sugar alcohols include sorbitol, mannitol, xylitol, maltitol, maltitol syrup, lactitol, erythritol, isomalt, and hydrogenated starch hydrolysates (HSH). Products with sugar alcohols are often labeled “sugar free.” Consuming large amounts of sugar alcohols may cause bloating, gas, or diarrhea. For more information, see “nonnutritive sweeteners” in this section.

sugars: See “added sugars” and “simple carbohydrates” in this section.

Summer Food Service Program (SFSP): The USDA’s federally assisted summer feeding program for children ages 18 and younger that provides nutritious meals when schools end for the summer. For more information, visit the CSDE’s [Summer Food Service Program](#) webpage.

sweeteners: Nutritive and nonnutritive ingredients used to sweeten foods and beverages. Nutritive sweeteners provide calories. Nonnutritive sweeteners include artificial sweeteners and “natural” sweeteners that do not provide calories. For more information, see “added sugars,” “artificial sweeteners,” and “nonnutritive sweeteners” in this section.

whole foods: Foods that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.

whole fruits and vegetables: Fresh, frozen, canned, and dried fruits and vegetables that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.

whole grains: Grains that consist of the entire kernel, including the starchy endosperm, the fiber-rich bran, and the germ. All grains start out as whole grains, but many are processed to remove the bran and germ, which also removes many of the nutrients. Whole grains are nutrient rich, containing vitamins, minerals, fiber, antioxidants, and health-enhancing phytonutrients such as lignans and flavonoids. Examples of whole grains include whole wheat, whole oats, oatmeal, whole-grain cornmeal, brown rice, whole rye, whole barley, wild rice, buckwheat, and bulgur (cracked wheat). For more information, see the CSDE's handout, [Crediting Whole Grains in the NSLP and SBP](#).

whole grain-rich (WGR): The WGR definition for grades K-12 in the NSLP, SBP, and SSO is different from the WGR definition for preschool meals and ASP snacks. For grades K-12, WGR products must contain at least 50 percent whole grains, any other grain ingredients must be enriched, and any noncreditable grains must be less than two percent ($\frac{1}{4}$ ounce equivalent) of the product formula. For more information, see the CSDE's handout, [Whole Grain-rich Criteria for Grades K-12 in the NSLP and SBP](#), and the CSDE's guide, [Menu Planning Guide for School Meals for Grades K-12](#). For preschool meals in the NSLP, SBP, and SSO and preschool snacks in the ASP, WGR foods contain 100 percent whole grain or contain at least 50 percent whole grains and any other grain ingredients are enriched. For more information, see the CSDE's handout, [Whole Grain-rich Criteria for Preschoolers in the NSLP, SBP, and ASP](#), and the CSDE's guide, [Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP](#).



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