

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

This document summarizes the federal and state requirements for selling and giving competitive foods to students 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.). “Competitive foods” are all foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the USDA’s Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating.

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

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

Overview of Requirements

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

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

For a summary of these requirements, see [table 1](#) on page 3.



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

When the Requirements Apply

These federal and state requirements determine what and when foods and beverages may be sold or given to students in non-HFC public schools. They also regulate the accrual of income from sales of foods and beverages to students. Some requirements apply during the school day, while others apply at all times or while CNPs are operating. When the federal and state laws supersede each other, schools must follow the stricter requirements. The definitions below apply to the federal and state requirements for competitive foods.

- “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. Under Connecticut’s statutes and regulations for competitive foods, sales include coupons and similar items that are given to students (such as food rewards), and can be exchanged for foods and beverages. However, Smart Snacks does not apply when coupons and similar items are given to students.
- “Giving” means that foods and beverages are provided free of any charge, contribution, or suggested donations; and without the exchange of tickets, coupons, tokens, and similar items to obtain foods and beverages.
- “School premises” include all areas of the property under the jurisdiction of the local or regional board of education, the Connecticut Technical Education and Career System (CTECS), or the governing authority district or school.
- 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. A summer school program operated by the board of education or school governing authority is part of the regular school day.
- 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 \(FFVP\)](#), [Child and Adult Care Food Program \(CACFP\)](#) [At-risk Afterschool Meals](#) operated in schools, and [Summer Food Service Program \(SFSP\)](#) operated in schools.

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

Table 1 summarizes when these 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. Table 2 (see page 10) summarizes when the federal and state requirements apply to different sources of competitive foods in HFC public schools.

Table 1. Overview of requirements for competitive foods in HFC public schools

Federal/state requirement	Description	Applies to	When applies	Applies to	
				Selling	Giving
<p>State: C.G.S. Section 10-215f: Certification that food meets nutrition standards (Healthy Food Certification)</p>	<p>Effective July 1, 2006, the state HFC statute requires that each board of education or school governing authority for all Connecticut public schools participating in the NSLP must certify annually to the CSDE whether they will comply with the CNS, and whether they will allow exemptions for food sales that meet the exemption criteria of the state HFC statute. Schools that choose the healthy food option (i.e., comply with the CNS) receive additional state funding. For more information, see the CSDE’s handout, Requirements for Competitive Foods in HFC Public Schools, and the “Apply” section of the CSDE’s HFC webpage.</p>	<p>All public schools that participate in the NSLP.</p>	<p>HFC Statement must be submitted to the CSDE by July 1 of each year.</p>	<p>Yes</p>	<p>No</p>
<p>Federal (USDA): Smart Snacks Nutrition Standards (81 FR 50131)</p>	<p>Effective July 1, 2014, this USDA regulation defines the nutrition standards required for competitive foods sold to students in all schools and institutions that participate in the NSLP and SBP. The Smart Snacks categories include entrees sold only a la carte, side dishes, and beverages. For information on the specific Smart Snacks standards, 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.</p>	<p>All foods sold to students on school premises separately from reimbursable meals and snacks through the CNPs.</p>	<p>During the school day.</p>	<p>Yes</p>	<p>No</p>

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

Table 1. Overview of requirements for competitive foods in HFC public schools, continued

Federal/state requirement	Description	Applies to	When applies	Applies to	
				Selling	Giving
<p>State: C.G.S. Section 10-221q: Sale of beverages</p>	<p>Effective July 1, 2006, the state beverage statute defines five categories of beverages that are allowed for sale to students in Connecticut public schools: milk; 100 percent juice; nondairy milk substitutes; beverages containing only water and juice; and water. Each category must meet specific nutrition requirements. For information on the specific federal and state beverage requirements, see the CSDE’s handout, Allowable Beverages in Connecticut Public Schools, and the CSDE’s presentation, Beverage Requirements for Connecticut Public Schools. For additional resources, visit the CSDE’s Beverage Requirements webpage.</p>	<p>All sales of beverages to students on school premises, as part of and separately from reimbursable meals and snacks through the CNPs.</p>	<p>At all times, except for sales that meet the beverage exemption criteria of the state beverage statute (see “Beverage Exemptions” on page 9.</p>	Yes	No
<p>State: C.G.S. Section 10-221p: Nutritious and low-fat foods available for sale</p>	<p>Effective July 1, 2004, this state statute requires that whenever foods are available for purchase by students in Connecticut public schools during the school day, 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. 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 the ASP, unless it begins <i>before</i> the end of the school day. For more information, see the CSDE’s handout, Questions and Answers on Connecticut Statutes for School Foods and Beverages.</p>	<p>All sales of foods to students on school premises during the school day, separately from reimbursable meals and snacks through the CNPs.</p>	<p>During the school day.</p>	Yes	No

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

Table 1. Overview of requirements for competitive foods in HFC public schools, continued

Federal/state requirement	Description	Applies to	When applies	Applies to	
				Selling	Giving
<p>State: Section 10-215b-1 of the Regulations of Connecticut State Agencies: Competitive foods (candy, coffee, tea, and soft drinks)</p>	<p>Effective August 25, 1992, this state regulation 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 selling coffee, tea, and soft drinks to students at events on school premises that meet the exemption criteria of the state beverage statute (C.G.S Section 10-221q).</p> <ul style="list-style-type: none"> • “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. <p>Section 10-215b-1 applies to all schools and institutions that participate in the CNPs, including public schools, private schools, and residential child care institutions (RCCIs). For more information, see the CSDE’s handout, Connecticut Competitive Foods Regulations.</p>	<p>Selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises while any CNPs are operating.</p>	<p>From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes</p>	<p>Yes</p>

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

Table 1. Overview of requirements for competitive foods in HFC public schools, continued

Federal/state requirement	Description	Applies to	When applies	Applies to	
				Selling	Giving
<p>State: Section 10-215b-23 of the Regulations of Connecticut State Agencies: Accrual of Income</p>	<p>Effective August 25, 1992, this state regulation requires that 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) must accrue to the nonprofit food service account. This includes the income from sales of foods and beverages to students at events on school premises that meet the exemption criteria of the state HFC statute (C.G.S. Section 10-215f) and state beverage statute (C.G.S. Section 10-221q).</p> <ul style="list-style-type: none"> • “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). <p>Section 10-215b-1 applies to all schools and institutions that participate in the CNPs, including public schools, private schools, and RCCIs. For more information, see the CSDE’s handout, Connecticut Competitive Foods Regulations, and CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools.</p>	<p>Accrual of income from all sales of foods and beverages to students anywhere on school premises while any CNPs are operating.</p>	<p>From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes</p>	<p>No</p>

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

Table 1. Overview of requirements for competitive foods in HFC public schools, continued

Federal/state requirement	Description	Applies to	When applies	Applies to	
				Selling	Giving
<p>Federal (USDA): School Wellness Policy (Public Law 108-265) and the Healthy, Hunger-Free Kids Act (HHFKA) of 2010</p>	<p>The Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) required all schools and institutions participating in the NSLP and SBP to develop a school wellness policy (SWP) by the first day of school year 2006-07. The HHFKA of 2010 strengthened the SWP law by adding requirements for public participation, transparency, and implementation. Among other requirements, the school wellness policy must include nutrition guidelines for all foods and beverages that are sold or given to students on school premises during the school day. For more information on school wellness policies, visit the CSDE’s School Wellness Policies webpage.</p>	<p>Selling and giving foods and beverages to students on school premises, separately from reimbursable meals and snacks through the CNPs.</p>	<p>During the school day.</p>	<p>Yes</p>	<p>Yes</p>
<p>Federal (USDA): Revenue from Nonprogram Foods (7 CFR 210.14 (f))</p>	<p>Effective July 1, 2011, this USDA regulation requires that all revenue from sales 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 to students (other than reimbursable meals and snacks served through the CNPs) and adults at any time or location on school premises. Nonprogram foods include all foods and beverages sold in schools, adult meals, outside-of-school hours, and catering or vending activities. 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.</p> <p>Note: Nonprogram foods are different from competitive foods. Some competitive foods are nonprogram foods because they are purchased using funds from the nonprofit school food service account, but many are not. For example, funds from the nonprofit school food service account might be used to purchase competitive foods that are sold from vending machines in the cafeteria; however, these funds are not typically used to purchase competitive foods that are sold from school stores and fundraisers. For most school food authorities (SFA), cafeteria a la carte sales account for the majority of nonprogram foods.</p>	<p>All foods and beverages purchased using funds from the nonprofit school food service account, and sold to students (outside of reimbursable meals and snacks through the CNPs) and adults on school premises.</p>	<p>At all times.</p>	<p>Yes</p>	<p>No</p>

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

Allowable Foods and Beverages

All foods available for sale to students separately from reimbursable meals must comply with Smart Snacks. All beverages available for sale to students on school premises must comply with Smart Snacks and any stricter requirements of the state beverage statute.

The CSDE's [List of Acceptable Foods and Beverages](#) webpage includes brand-specific lists of commercial food products that comply with Smart Snacks, and commercial beverages that comply with Smart Snacks and the state beverage statute. For foods made from scratch, schools must review the recipe's nutrition information per serving (including added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, and salad dressing) to determine if the serving complies with the appropriate Smart Snacks food category. If the recipe does not include nutrition information, schools must conduct a nutrient analysis. The CSDE's [CNS worksheet 9: Nutrient Analysis](#) can be used to calculate this information. Schools must maintain documentation of each recipe's compliance with Smart Snacks on file for the CSDE's Administrative Review of school nutrition programs. For more information, see the CSDE's handout, [Guidance on Evaluating Recipes for Compliance with the CNS](#), and visit the "How To" section of the CSDE's CNS webpage.

Beverage Exemptions

Beverages that do not comply with the state beverage statute cannot be sold to students on school premises unless the local board of education or school governing authority has voted 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 school debates are events, but soccer practices, play rehearsals, and debate team meetings are not.
- "Location" means where the event is being held. For example, lemonade may be sold at the baseball field during a baseball game, but cannot be sold in the school cafeteria while a baseball game is played on the baseball field.

The vote to allow beverage exemptions is not part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)) that public school sponsors of the NSLP must submit to the CSDE by July 1 of each year. If the district chooses to allow beverage exemptions, the board of education or school governing authority must vote separately. For more information, see the CSDE's handout, [Exemptions for Foods and Beverages in Public Schools](#).

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If the board of education or school governing authority has voted to allow beverage exemptions, noncompliant beverages could be to students at the location of an event that occurs after the school day or on the weekend. For example, if the school day 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 that occurs anytime between 3:31 p.m. through 11:59 p.m. during the school week, or anytime on Saturday or Sunday. However, if the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies require additional restrictions for selling and giving candy, coffee, tea, and soft drinks to students; and the accrual of income from all foods and beverages sold to students anywhere on school premises.

Sources of Foods and Beverages

Table 2 summarizes when the federal and state requirements apply to different sources of competitive foods in non-HFC public schools. 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 laws supersede each other, schools must follow the stricter requirements.

Source of foods and beverages	Nutrition Standards			Sales to Students		
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Sales to adults (non-students) such as school staff, parents, and other adults on school premises	No	No	No	No	No	No

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Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards			Nutritious and low-fat foods (C.G.S. Section 10-221p)	Sales to Students	
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)			State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Adult education programs (operated by the board of education) on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	Yes, if the beverage sales are under the control of the board of education. ^{1,2}	No	No	<p>No, unless the adult education program sells foods to students on school premises <i>before</i> the end of the school day, and the sales are under the control of the board of education. ^{1,2} For example, if school ends at 3:00 p.m. and an adult education program sells foods to students from 3:00 to 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold in the adult education program or elsewhere on school premises at the same time.</p>	<p>Yes, if any CNPs are operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students in adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Adult education programs on school premises can never sell coffee, tea, and soft drinks to students, unless the sales are <i>not</i> under the control of the board of education. ¹ In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students in adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after 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., 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 4:00 to 6:00 p.m.</p>

¹ Connecticut's statutes and regulations do not address an age limit for students or distinguish between regular and adult education programs; therefore, they apply to all "students" in adult education programs on school premises under the board of education's jurisdiction. For more information, see the CSDE's memo, [Requirements for Selling Foods and Beverages in Adult Education Programs](#).

² Connecticut's statutes and regulations do not apply if the district rents, leases, or borrows building space for an adult education program, and the building owner maintains any sources of food and beverage sales such as vending machines or food kiosks.

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Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Afterschool programs and activities (such as enrichment programs, extracurricular classes, tutoring sessions, and clubs) on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages	Yes, applies at all times ^{1,2}	No, unless the afterschool program or activity sells foods to students on school premises <i>before</i> the end of the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	No, unless the afterschool program or activity sells beverages to students on school premises <i>before</i> the end of the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	No, unless the afterschool program or activity sells foods to students on school premises <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m. and an afterschool program sells foods to students before 3:31 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.	Yes, if CNPs are operating. Candy: Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Afterschool programs and activities can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including after the school day.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after 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. the nonprofit food service account must receive the afterschool program's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 4:00 p.m. to 5:00 p.m.

¹ Afterschool programs and activities are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE's [Beverage Requirements](#) webpage.

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		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Afterschool Snack Program (USDA)	Yes, applies at all times ^{1,2}	No, unless the ASP starts <i>before</i> the end of the school day, or sells additional foods to student separately from reimbursable snacks <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	No, unless the ASP starts <i>before</i> the end of the school day, or sells additional beverages to student separately from reimbursable snacks <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	No, unless the ASP starts <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m. and the ASP provides snacks to students from 3:00 to 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.	Yes, if the ASP is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the ASP. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The ASP can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 ASP; either from the ASP or any other sources on school premises during this time.	Yes. 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 through 30 minutes after the ASP.

¹ The ASP is ineligible for beverage exemptions because it is not an event; it must always comply with the state beverage statute, in addition to the USDA’s ASP meal pattern. For information on the ASP meal patterns, see the CSDE’s handout, [ASP Meal Pattern for Grades K-12](#) and [ASP Meal Pattern for Preschoolers \(Ages 1-4\)](#).

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Cafeteria a la carte sales , i.e., foods and beverages sold separately from reimbursable meals in the NSLP and SBP (and any other CNPs operating in the cafeteria), including sales of tickets that students can exchange for a la carte foods and beverages	Yes, applies at all times ^{1,2}	Yes	Yes ²	Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold in the cafeteria or elsewhere on school premises at the same time.	Yes, if the NSLP and SBP are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the NSLP and SBP, and any other CNPs operating in the cafeteria, including during and after the school day. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The cafeteria can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 NSLP and SBP, and any other CNPs operating in the cafeteria, including during and after the school day.	Yes. Income from the NSLP and SBP already accrues to the nonprofit food service account. The nonprofit food service account must also receive the income (including ticket sales) from all other sales of foods and beverages to students anywhere on school premises from 30 minutes before up through 30 minutes after the NSLP and SBP (and any other CNPs operating in the cafeteria), 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 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.

¹ Cafeteria a la carte sales are not events and are ineligible for exemptions; they must always comply with the state beverage statute, in addition to the USDA’s ASP meal pattern.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Classroom parties that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ^{1,2}</p>	Yes, applies at all times ³	No, unless students actually <i>purchase</i> the foods from the classroom party during the school day. ⁴	No, unless students actually <i>purchase</i> the beverages from the classroom party during the school day. ⁴	Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold during the classroom party or elsewhere on school premises at the same time.	Yes, if CNPs are operating. <p>Candy: Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Classroom parties <i>during</i> the school day can never sell coffee, tea, and soft drinks to students on school premises. ¹ Classroom parties <i>after</i> the school day could sell these items if the sales meet the exemption criteria. ³ However, 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 CNPs, including during and after the school day.</p>	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the party's income (including fees and ticket sales) from all foods and beverages sold to students on school premises from 11:00 a.m. to 1:30 p.m.

¹ The CSDE strongly encourages schools to promote consistent health messages to students by providing healthy choices for celebrations at school. For more information, see the CSDE's handout, [Healthy Celebrations](#).

² The LEA's school wellness policy may have additional restrictions for foods and beverages at classroom parties. For more information, table 1.

³ Classroom parties on school premises during the school day are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute. However, school celebrations after the school day or on the weekend are events; they are eligible for beverage exemptions if the board of education or school governing authority has voted to allow exemptions. For more information, see "Beverage Exemptions" on page 9 and "Events that sell foods and beverages to students on school premises" on page 20.

⁴ Smart Snacks does not apply to classroom parties when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low- fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Classroom parties that give foods and beverages to students, i.e., money or its equivalent (such as coupons, tickets, and tokens) is not exchanged for foods and beverages ^{1,2}	No	No	No	No	Yes, if CNPs are operating. Classroom parties 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 7:30 a.m. to 8:30 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., classroom parties cannot give candy, coffee, tea, and soft drinks to students from 7:00 a.m. to 9:00 a.m. or 11:00 a.m. to 1:30 p.m.	No. Not applicable when income is not generated.

¹ The CSDE strongly encourages schools to promote consistent health messages to students by providing healthy choices for celebrations at school. For more information, see the CSDE’s handout, [Healthy Celebrations](#).

² The LEA’s school wellness policy may have additional restrictions for foods and beverages at classroom parties. For more information, table 1.

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

Source of foods and beverages	Does the statute or regulation apply?					
	Nutrition Standards			Sales to Students		
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Clubs and organizations that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times ^{1,2}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the club/organization, or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Clubs and organizations can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m. and a club sells foods and beverages to students during the same time, the nonprofit food service account must receive the club's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ Clubs and organizations are ineligible for beverage exemptions because they are not events; they must always comply with the CNS and state beverage statute. However, clubs and organizations could sell noncompliant beverages at an event that meets the exemption criteria of the state beverage statute. For more information, see “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards			Sales to Students		
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Concession stands that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales meet the exemption criteria. ^{1,2}</p>	<p>Yes, if foods are sold to students on school premises <i>before</i> the end of the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, if beverages are sold to students on school premises <i>before</i> the end of the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises <i>before</i> the end of the school day Low-fat dairy products and fresh or dried fruit must also be sold to students from the concession stand or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Concession stands cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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 located at an event cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m. and a concession stand sells foods and beverages to students during the same time, the nonprofit food service account must receive the concession stand's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ Concession stands must always comply with the state beverage statute, unless the board of education or school governing authority has voted to allow beverage exemptions, and the sales are at the location of an event held after the school day or on the weekend. For more information, see “Beverage Exemptions” on page 9 and “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Culinary programs that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages	Yes, applies at all times ^{1,2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the culinary program or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Culinary programs can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including during and after the school day.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if 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 (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.

¹ Culinary programs are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute. However, culinary programs could prepare noncompliant beverages to sell at an event that meets the exemption criteria of the state beverage statute. For more information, see “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10- 221p	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Events that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ¹</p>	<p>Yes, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales meet the exemption criteria. ^{2, 3}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold at the event or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Events cannot sell coffee, tea, and soft drinks to students on school premises unless they meet the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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., an event that occurs during the same time cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the nonprofit food service account must receive the event’s income (including fees and ticket sales) from all foods and beverages sold at the event from 3:00 p.m. to 5:00 p.m.</p>

¹ An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and school debates are events, but soccer practices, play rehearsals, and debate team meetings are not.

² The state beverage statute does not apply if the board of education or school governing authority has voted to allow exemptions, and the sales are at the location of an event held after the school day or on the weekend (see “Beverage exemptions” on page 7).

³ Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Family and consumer sciences classes (and other classes) that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times ^{1, 2}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold by the family and consumer sciences class or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Family and consumer sciences classes can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day, including during and after the school day. For example, if 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's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Family and consumer sciences classes are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute. However, family and consumer sciences classes could prepare noncompliant beverages to sell at an event that meets the exemption criteria of the state beverage statute. For more information, see “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s [handout, *Allowable Beverages in Connecticut Schools*](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Family resource centers that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	Yes, applies at all times ^{1,2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, if the family resource center sells foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the family and resource center or elsewhere on school premises at the same time.	Yes, if CNPs are operating. <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Family resource centers can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including during and after the school day.</p>	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the SBP operates from 7:30 a.m. to 8:30 a.m., the nonprofit food service account must receive the family resource center's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 7:00 a.m. to 9:00 a.m.

¹ Family resource centers are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE's [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Food rewards using coupons, tickets, tokens, or similar items that students exchange for foods and beverages (i.e., sales) ¹	Yes, applies at all times ^{2,3}	No ⁴	No, but superseded by the stricter requirements of the CNS and HFC.	Yes, if students can exchange reward coupons for foods on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be available when the students can exchange the coupons, either at the same location or elsewhere on school premises at the same time. ²	Yes, if CNPs are operating. ² Candy: Section 10-215b-1 prohibits selling and giving candy to students (including exchanging tickets, tokens, and similar items for candy) 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Students cannot exchange coupons, tickets, tokens, and similar items for coffee, tea, and soft drinks on school premises unless the exchange occurs at an event that meets the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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 NSLP operates from 11:30 a.m. to 1:00 p.m., students cannot receive or exchange coupons for candy, coffee, tea, and soft drinks anywhere on school premises from 11:00 a.m. to 1:30 p.m.	No. Not applicable when income is not generated.

¹ The CSDE strongly discourages the use of food rewards for academic performance or good behavior. Using foods and beverages as rewards has many negative consequences that go far beyond the short-term benefits of good student behavior or performance. LEAs are encouraged to develop healthy alternatives. For more information, see the CSDE’s handout, [Alternatives to Food Rewards](#).

² 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. However, Connecticut’s statutes and competitive foods regulations do not apply when a student’s Individualized Education Plan (IEP) requires food rewards.

³ Rewards are ineligible for exemptions because they are not events; they must always comply with the CNS and state beverage statute.

⁴ Smart Snacks applies only when students *purchase* coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages. Smart Snacks does not apply when coupons, tickets, tokens, or similar items are given to students free of any charge, contribution, or suggested donation.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Food rewards given to students without exchanging coupons, tickets, tokens, or similar items for foods and beverages ¹	No ²	No ³	No ³	No ²	Yes, if CNPs are operating. ⁴ Candy, coffee, tea, and soft drinks cannot be given 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 7:30 a.m. to 8:30 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 from 7:00 a.m. to 9:00 a.m. or 11:00 a.m. to 1:30 p.m.	No. Not applicable when income is not generated.

¹ The CSDE strongly discourages the use of food rewards for academic performance or good behavior. Using foods and beverages as rewards has many negative consequences that go far beyond the short-term benefits of good student behavior or performance. LEAs are encouraged to develop healthy alternatives. For more information, see the CSDE’s handout, *Alternatives to Food Rewards*.

² The state statutes (C.G.S. Section 10-221q and C.G.S. Section 10-221p) apply only when foods and beverage are sold to student, i.e., when money or its equivalent (such as coupons, tickets, tokens, or similar items) is exchanged for foods and beverages.

³ Smart Snacks applies only when students *purchase* coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages. Smart Snacks does not apply when coupons, tickets, tokens, or similar items are given to students free of any charge, contribution, or suggested donation.

⁴ Connecticut’s competitive foods regulations do not apply when a student’s Individualized Education Plan (IEP) requires food rewards.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10- 221p	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Fundraisers during the school day (conducted by school groups or non-school groups) that sell foods and beverages to students on school premises (including orders), sell tickets that can be exchanged for foods and beverages, or request a suggested donation in exchange for foods and beverages..^{1, 2}</p>	Yes, applies at all times ^{3, 4}	Yes, applies to all foods sold to students on school premises during the school day.	Yes, applies to all beverage sold to students on school premises during the school day. ⁴	Yes, applies to all foods sold to students on school premises during the school day. ⁴ Low-fat dairy products and fresh or dried fruit must be sold at the location of the fundraiser or elsewhere on school premises at the same time. If fundraiser foods are pre-ordered and distributed to students on school premises during the school day, the nutritious low-fat foods specified in the statute must be available for purchase when students pick up the fundraiser foods.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Fundraisers during the school day can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, Section 10-215b-1 prohibits giving and distributing 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.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the fundraiser’s income (including fees, ticket sales, and donations) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.

¹ “Fundraisers” are any activities during which money or its equivalent (such as tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities; including any activities that suggest a student donation in exchange for foods and beverages. For more information, see [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#).

² The CSDE strongly encourages schools to promote consistent health messages to students by fundraising with nonfood items or healthy foods. For more information, see the CSDE’s handout, [Healthy Fundraising](#).

³ Fundraisers during the school day are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

⁴ Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low- fat foods (C.G.S. Section 10- 221p	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Fundraisers at an event occurring after the school day or on the weekend (conducted by school groups or non-school groups) that sell foods and beverages to students on school premises (including orders), sell tickets that can be exchanged for foods and beverages, or request a suggested donation in exchange for foods and beverages. 1, 2</p>	<p>Yes, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales meet the exemption criteria. 2, 3</p>	<p>No, applies only to sales during the school day</p>	<p>No, applies only to sales during the school day.</p>	<p>No, applies only to food sales to students on school premises during the school day.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Fundraisers cannot sell or 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 or on the weekend.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Fundraisers cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria. 1 However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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 fundraiser at an exempted events cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m. and a fundraiser sells foods and beverages to students at an exempted event on school premises during the same time, the nonprofit food service account must receive the fundraiser's income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ “Fundraisers” are any activities during which money or its equivalent (such as tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities; including any activities that suggest a student donation in exchange for foods and beverages. For more information, see [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#).

² The CSDE strongly encourages schools to promote consistent health messages to students by fundraising with nonfood items or healthy foods. For more information, see the CSDE’s handout, [Healthy Fundraising](#).

³ The state beverage statute does not apply if the board of education or school governing authority has voted to allow beverage exemptions, and the sales are at the location of an event held after the school day or on the weekend. For more information, see “Beverage Exemptions” on page 9.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards			Sales to Students		
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Meetings and programs that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times ^{1,2}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold at the location of the meeting/program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Meetings and programs can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m. and a meeting occurs during this time, the nonprofit food service account must receive the meeting's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ Regularly scheduled meetings and programs are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE's [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Recipient schools under interschool agreements that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ¹</p>	<p>Yes, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales meet the exemption criteria: ^{2,3}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Recipient schools cannot sell coffee, tea, and soft drinks to students on school premises, except for exempted events. ² However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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 event occurs while the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., coffee, tea, and soft drinks cannot be sold or given to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the nonprofit food service account must receive the income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ A school (recipient site) must have an interschool agreement when it receives reimbursable USDA meals or snacks from a board of education (vendor). For more information, see the CSDE’s interschool agreement forms on the CSDE’s [Forms for School Nutrition Programs](#) webpage.

² Recipient schools must always comply with the state beverage statute, unless the board of education or school governing authority has voted to allow exemptions, and the sales are at the location of an event held after the school day or on the weekend. For more information, see “Beverage Exemptions” on page 9 and “Events that sell foods and beverages to students on school premises” on page 20.

³ Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards			Sales to Students		
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
School stores, kiosks, and other school-based enterprises on school premises that sell foods and beverages to students on school premises, or sell tickets that can be exchanged for foods and beverages	Yes, applies at all times ^{1,2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, if school stores sell foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the school stores or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. School stores can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, Section 10-215b-1 prohibits giving and distributing 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.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if 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 (including ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.

¹ School stores must always comply with the state beverage statute. The state beverage statute specifically prohibits beverage exemptions for school stores. For more information, see [Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools](#).

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE's [Beverage Requirements](#) webpage.

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		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Seamless Summer Option of the NSLP by the board of education on school premises	Yes, applies at all times ^{1,2}	No, unless the site is also operating a summer school program and serving NSLP meals on school premises	No, unless the site is also operating a summer school program and serving NSLP meals on school premises	No, unless the SSO operates on school premises during a summer school program operated by the board of education or school governing authority, and the SSO sells foods to students separately from reimbursable meals during the school day.	Yes, if the SSO is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SSO. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The SSO can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 SSO; either from the SSO or any other sources on school premises during this time.	Yes. Income from the 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 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., the nonprofit food service account must receive the income from all foods and beverages sold to students outside of the SSO from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m.

¹ The SSO is ineligible for beverage exemptions; it must always comply with the state beverage statute, in addition to the USDA’s meal patterns, which are the same as the meal patterns for the NSLP and SBP. For more information, see the CSDE’s [Meal Patterns for Grades K-12 in School Nutrition Programs](#) webpage.

² The state beverage statute applies to beverages sold to students on school premises, including beverages sold as part of and separately from reimbursable meals. Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if applicable) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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

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	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Special Milk Program (SMP) ¹	Yes, applies at all times ^{1,2}	No, unless the SMP operates in a school that also participates in the NSLP and SBP.	No, unless the SMP operates in a school that also participates in the NSLP and SBP.	No, applies only when foods are sold to students.	Yes, if the SMP is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The ASP can never sell coffee, tea, and soft drinks to students on school premises. In addition, 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; either from the SMP or any other sources on school premises during this time.	Yes. 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 11:30 a.m. to 12:30 p.m., the nonprofit food service account must receive the income from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:00 p.m.

¹ If children have access to the NSLP and SBP, schools are ineligible to participate in the SMP. For information, visit the CSDE's [SMP](#) webpages.

² The SMP is not an event and is ineligible for exemptions; it must always comply with the state beverage statute.

³ Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if the school also participates in the NSLP and SBP) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE's [Beverage Requirements](#) webpage.

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

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	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Sports competitions (such as games, matches, and tournaments) that sell foods and beverages to students on school premises or sell tickets that can be exchanged for foods and beverages	Yes, unless the board of education or school governing authority has voted to allow beverage exemptions and the sales meet the exemption criteria. ^{1, 2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Sports competitions (events) cannot sell coffee, tea, and soft drinks to students on school premises unless they meet the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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 cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.	Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the nonprofit food service account must receive the sports competition's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

¹ Sports competitions are events. They must comply with the state beverage statute unless the board of education or school governing authority has voted to allow exemptions, and the sales are at the location of the sports competition that occurs after the school day or on the weekend (see “Beverage Exemptions” on page 9). For more information, see “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Sports programs on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages	Yes, applies at all times ^{1,2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Sports programs can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 any CNPs, including during and after the school day.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after 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., the nonprofit food service account must receive the sports program's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 4:00 to 6:00 p.m.

¹ Sports programs are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if sales occur during the school day) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE's [Beverage Requirements](#) webpage.

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	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Summer Food Service Program (SFSP) operated by the board of education on school premises	Yes, applies at all times ^{1,2}	No, unless the SFSP operates at a school during the school day during which summer school NSLP meals are being served on school premises, and the SFSP sells foods to students separately from reimbursable SFSP meals and snacks.	No, unless the SFSP operates at a school during the school day during which summer school NSLP meals are being served on school premises, and the SFSP sells beverages to students separately from reimbursable SFSP meals and snacks.	No, unless the SFSP is part of the school day and sells foods to students separately from reimbursable meals during the school day. A 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 (see “Summer school programs” on page 33).	Yes, if the SFSP is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SFSP. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The SFSP can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, 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 SFSP; either from the SFSP or any other sources on school premises during this time	Yes. Income from the SFSP 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. For example, if the SFSP serves breakfast from 7:00 a.m. to 7:30 a.m. and lunch 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 outside of the SFSP from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m.

¹ The SFSP is not an event and is ineligible for exemptions; it must always comply with the state beverage statute, in addition to the USDA’s SFSP meal pattern. For information on the SFSP meal pattern, see the CSDE’s handout, [SFSP Meal Pattern](#).

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards (if applicable) and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Summer school programs (e.g., enrichment or exploratory) operated by the board of education or school governing authority that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times^{1,2}</p>	<p>Yes, applies to all foods sold to students on school premises during the summer school day. For example, if summer school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the summer school day.² For example, if summer school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the summer school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the summer school program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Summer school programs can never sell coffee, tea, and soft drinks to students on school premises.¹ In addition, 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 any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the SSO operates from 12:00 p.m. to 1:30 p.m., the nonprofit food service account must receive the summer school program's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:30 a.m. to 2:00 p.m.</p>

¹ Summer school programs operated by the board of education or school governing authority are part of the regular school day. They are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE's [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards		Sales to Students			
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)		Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
Vending machines on school premises that sell foods and beverages to students on school premises (including tokens that students can exchange for foods and beverages in vending machines)	Yes, applies at all times ^{1,2}	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold from the vending machine or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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. Vending machines must be turned off during this time. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Vending machines can never sell coffee, tea, and soft drinks to students on school premises. ¹ In addition, Section 10-215b-1 prohibits giving and distributing 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.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the vending machine's income (including fees and token sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.

¹ Vending machines must always comply with the state beverage statute. The state beverage statute specifically prohibits beverage exemptions for vending machines. For more information, see [Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools](#).

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE's handout, [Allowable Beverages in Connecticut Schools](#), and visit the CSDE's [Beverage Requirements](#) webpage.

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

Table 2. Does the statute or regulation apply?

Source of foods and beverages	Nutrition Standards			Nutritious and low-fat foods (C.G.S. Section 10-221p)	Sales to Students	
	Beverages C.G.S. Section 10-221q)	USDA Smart Snacks Nutrition Standards (81 FR 50131)			State Competitive Foods Regulations	
		Foods	Beverages		Candy, coffee, tea, and soft drinks (Section 10-215b-1)	Accrual of income (Section 10-215b-23)
<p>Vendors (such as 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, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times ^{1,2}</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. ² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold from the vending machine or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 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.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Vendors cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) 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., vendors cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the nonprofit food service account must receive the vendors' income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Vendors are ineligible for beverage exemptions because they are not events; they must always comply with the state beverage statute. However, vendors could sell noncompliant beverages at an event that meets the exemption criteria of the state beverage statute. For more information, see “Events that sell foods and beverages to students on school premises” on page 20.

² Beverages sold to students in public schools must comply with the Smart Snacks beverage standards and any stricter requirements of the state beverage statute. For information on these requirements, see the CSDE’s handout, *Allowable Beverages in Connecticut Schools*, and visit the CSDE’s [Beverage Requirements](#) webpage.

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

Resources

A Guide to Smart Snacks in School (USDA):

https://fns-prod.azureedge.net/sites/default/files/tn/508_USDASmartSnacks_508_82218.pdf

Allowable Beverages in Connecticut Schools (CSDE):

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

Beverage Requirements (CSDE webpage):

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

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

Competitive Foods in Schools (CSDE webpage)

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

Connecticut Competitive Foods Regulations (CSDE):

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

Exemptions for Foods and Beverages in Public Schools (CSDE):

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

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

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

Guidance on Evaluating School Recipes (CSDE):

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

Guide to Competitive Foods in Schools (CSDE):

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

Healthy Fundraising (CSDE):

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

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

List of Acceptable Foods and Beverages (CSDE webpage):

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

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>

Questions and Answers on Connecticut Statutes for School Foods and Beverages (CSDE):

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

Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):

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

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

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

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

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

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

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

Requirements for Selling Foods and Beverages in Adult Education Programs (CSDE):

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

Resources for Healthy Foods and Beverages in Schools (CSDE):

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

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

https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/

Smart Snacks Nutrition Standards (CSDE webpage):

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

Summary of Smart Snacks Nutrition Standards (CSDE):

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

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



For more information, visit the CSDE's [Competitive Foods in Schools](#) and [Beverage Requirements](#) webpages or contact the [school nutrition programs staff](#) Connecticut State Department of Education, Bureau of Health/Nutrition, Family Services and Adult Education, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841.

This document is available at <https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/SummaryChartnonHFC.pdf>.

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