

# Allowable Milk Substitutes for Children Without Disabilities in School Nutrition Programs

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

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

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

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

## Allowable Milk Substitutes

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

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



# Allowable Milk Substitutes for Children Without Disabilities

SFAs may choose to offer only one milk substitute such as lactose-free low-fat unflavored milk. If children decide not to take this option, the SFA is not obligated to offer any other milk substitutes. SFAs could also choose, but are not required, to offer a second option of a nondairy beverage that meets the USDA’s nutrition standards for milk substitutes. The USDA recommends that lactose-free or lactose-reduced milk is the first choice for a child who has lactose intolerance.

## USDA’s Nutrition Standards for Milk Substitutes

SFAs that choose to offer a nondairy milk substitute as part of reimbursable meals for children without disabilities must use products that meet the USDA’s nutrition standards for fluid milk substitutes (see table 1). Nondairy milk substitutes that do not meet these nutrition standards cannot be served in reimbursable meals and ASP snacks for children without disabilities, even if the child’s family provides a medical statement signed by a recognized medical authority.

<b>Table 1. Nutrition standards for fluid milk substitutes</b>	
<b>Minimum nutrients per cup (8 fluid ounces)</b>	
<b>Calcium</b>	276 milligrams (mg) or 30% Daily Value (DV) <sup>1</sup>
<b>Protein</b>	8 grams (g)
<b>Vitamin A</b>	500 international units (IU) or 10% DV
<b>Vitamin D</b>	100 IU or 25% DV
<b>Magnesium</b>	24 mg or 6% DV
<b>Phosphorus</b>	222 mg or 20% DV <sup>1</sup>
<b>Potassium</b>	349 mg or 10% DV <sup>1</sup>
<b>Riboflavin</b>	0.44 mg or 25% DV <sup>1</sup>
<b>Vitamin B12</b>	1.1 micrograms (mcg) or 20% DV <sup>1</sup>
<sup>1</sup> The FDA labeling laws require manufacturers to round nutrition values to the nearest 5 percent. The unrounded minimum DV is 27.6% for calcium, 22.2% for phosphorus, 9.97% for potassium, 25.88% for riboflavin, and 18.33% for vitamin B12. Source: <i>How to Determine if a Soy-Based Beverage Meets the Nutrient Requirements to Qualify as an Authorized Milk Substitute in WIC</i> , USDA Food and Nutrition Services (FNS) Office of Research, Nutrition, and Analysis (ORNA), 2006.	

Nondairy milk substitutes for grades K-12 may be flavored or unflavored. Nondairy milk substitutes for preschoolers (ages 1-4) must be unflavored.

# Allowable Milk Substitutes for Children Without Disabilities

## State requirements for nondairy milk substitutes in public schools

In addition to meeting the USDA's nutrition standards for fluid milk substitutes, all nondairy milk substitutes sold as part of reimbursable meals and a la carte in public schools must meet the state beverage requirements of [Section 10-221q](#) of the Connecticut General Statutes. The state beverage statute does not apply to private schools or RCCIs.

Nondairy milk substitutes may be unflavored or flavored but cannot contain artificial sweeteners and must be no more than 4 grams of sugar per ounce, no more than 35 percent of calories from fat, and no more than 10 percent of calories from saturated fat. The CSDE's [List of Acceptable Foods and Beverages](#) webpage includes milk substitute products that meet the federal and state requirements.

## Identifying acceptable nondairy beverages

The Nutrition Facts label does not usually include all of the nutrients required to identify a product's compliance with the USDA's nutrition standards for fluid milk substitutes. If any nutrient information is missing, the SFA must contact the manufacturer to obtain a product specification sheet that documents the product's compliance with each nutrient in the USDA's nutrition standards for milk substitutes.

Menu planners can use the USDA's protein standard to screen nondairy products and determine if they might meet the USDA's nutrition standards. The USDA requires that fluid milk substitutes contain 8 grams of protein per cup (8 fluid ounces). If the product's Nutrition Facts label lists less than 8 grams of protein per 1-cup serving, the product does not meet the USDA's nutrition standards.

If the product's Nutrition Facts label lists at least 8 grams of protein per 1-cup serving, the product might meet the USDA's nutrition standards. The SFA must obtain additional information from the manufacturer to determine if the product also meets the standards for calcium, vitamin A, vitamin D, magnesium, phosphorus, potassium, riboflavin, and vitamin B12 (see table 1). The CSDE encourages SFAs to submit the information for acceptable products so they can be added to the CSDE's [List of Acceptable Foods and Beverages](#) webpage.

Certain brands of soy milk are the only commercially available nondairy milk products that currently meet the USDA's nutrition standards for fluid milk substitutes. Almond milk and rice milk products do not currently meet these standards.

# Allowable Milk Substitutes for Children Without Disabilities

## Juice and Water Substitutes

SFAs can never offer juice and water as milk substitutes for children without disabilities. If a SFA chooses to make milk substitutes available, they must include either lactose-free or lactose-reduced milk or a nondairy beverage that meets the USDA's nutrition standards for milk substitutes. These are the only milk substitute options allowed by the USDA for children without disabilities in school nutrition programs.



## Required Documentation

Milk substitutions for children without disabilities do not require a medical statement from a recognized medical authority. Parents or guardians may request a nondairy milk substitute in writing. The written request from the parent or guardian must identify the medical or other special dietary need that restricts the child's diet and requires the substitution.

The provision allowing a written request from a parent or guardian applies only to milk substitutions for children without disabilities. It does not apply to any other substitutions of foods or beverages in school meals for children without disabilities. For information on meal accommodations for children without disabilities, see the CSDE's guide, *Accommodating Special Diets in School Nutrition Programs*.

## Resources

Accommodating Special Diets in School Nutrition Programs (CSDE):

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

CSDE Operational Memorandum No. 13-17: Requirements for Meal Modifications in the School Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2017/OM13-17.pdf>

CSDE Operational Memo No. 09-11: USDA Requirements for Milk Substitutes for Nondisabled Children:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OMEarlierYears/OM09-11.pdf>

Final Rule: Fluid Milk Substitutions in the School Nutrition Programs (73 FR 52903), September 12, 2008. <https://www.fns.usda.gov/school-meals/fr-091208>

Meal Patterns for Grades K-12 in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-School-Nutrition-Programs>

Meal Patterns for Preschoolers in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-Preschoolers-in-School-Nutrition-Programs>

## Allowable Milk Substitutes for Children Without Disabilities

Requirements for Meal Modifications in School Nutrition Programs (CSDE Presentation):

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

Special Diets in School Nutrition Programs (CSDE webpage):

<http://portal.ct.gov/SDE/Nutrition/Special-Diets-in-School-Nutrition-Programs>

Summary of Requirements for Accommodating Special Diets in School Nutrition Programs (CSDE):

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

USDA Memo SP 02-2009: Final Fluid Milk Substitution Rule:

<https://www.fns.usda.gov/final-fluid-milk-substitution-rule>

USDA Memo SP 07-2010, CACFP 04-2010, and SFSP 05-2010: Questions and Answers: Fluid Milk Substitutions:

<https://www.fns.usda.gov/qas-milk-substitution-children-medical-or-special-dietary-needs-non-disability>

USDA Memo SP 26-2017: Accommodating Disabilities in the School Meal Programs: Guidance and Questions and Answers (Q&As):

<https://www.fns.usda.gov/school-meals/accommodating-disabilities-school-meal-programs-guidance-and-qas>

USDA Memo SP 59-2016: Policy Memorandum on Modifications to Accommodate Disabilities in the School Meal Programs:

<https://www.fns.usda.gov/policy-memorandum-modifications-accommodate-disabilities-school-meal-programs>

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For more information, visit the Connecticut State Department of Education's (CSDE) [Special Diets in School Nutrition Programs](#) webpage or contact the [school nutrition programs staff](#) in the CSDE's 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/NSLP/SpecDiet/Milksub.pdf>.

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Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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