STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
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MICHAEL P. FLANAGAN
STATE SUPERINTENDENT

FISCAL YEAR 2013
CHILD AND ADULT CARE FOOD PROGRAM
OPERATIONAL MEMO #18

TO: Child and Adult Care Food Program Institutions

FROM: Kyle L. Guerrant, Director
Office of School Support Services

DATE: April 8, 2013

SUBJECT: **Variations in Meal Requirements for Religious Reasons; Jewish School, Institutions, and Sponsors**

Attached is guidance from the United States Department of Agriculture (USDA) – Food and Nutrition Service (FNS) to clarify the allowable variations to Child Nutrition Programs (CNP) food components in order to meet religious needs among Jewish schools, institutions, and sponsors. Previous guidance has been replaced by this guidance, FNS Instruction, Number 783-13, Revision 3, as of March 27, 2013.

This FNS guidance will also be available on the Child and Adult Care Food Program (CACFP) website at www.michigan.gov/cacfp, under "Administration, Regulations and Instructions."

If you have any questions concerning this memorandum, contact CACFP at 517-373-7391.

Attachment

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608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
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ACTION BY: Food and Nutrition Service

INFORMATION FOR: Child Nutrition Programs
Special Nutrition Programs
Regional Directors
Regional Offices
State Agencies and State Directors

VARIATIONS IN MEAL REQUIREMENTS FOR RELIGIOUS REASONS; JEWISH SCHOOLS, INSTITUTIONS, AND SPONSORS

I PURPOSE

This instruction is intended to clarify allowable variations to Child Nutrition Program food components in order to meet religious needs among Jewish schools, institutions and sponsors.

II REFERENCE

7 CFR 210.10 (m) (3), 220.8 (m), 225.16 (f) (5), and 226.20 (i)

III DISCUSSION

A The Food and Nutrition Service (FNS) may approve variations in the food components of meals served in the child nutrition programs on an experimental or on a continuing basis where there is evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs.

B This instruction pertains to meals served in Jewish facilities participating in the National School Lunch Program (NSLP) and the School Breakfast Program (SBP); institutions and their facilities participating in the Child and Adult Care Food Program (CACFP); and sponsors and sites in the Summer Food Service Program (SFSP).

C During the religious observance of Passover, Jewish facilities may be exempted from the enrichment and whole grain portions of the Child Nutrition Program grain requirements. Un-enriched matzo may be substituted for the grain requirement during that period of time only. At all other times of the year, matzo served as the grain component must be whole grain rich, whole grain, or enriched in accordance with the specific regulatory meal pattern requirements operated under in the particular program.

D In addition to this variation, Jewish facilities may be granted flexibilities with regard to the meal patterns requirement that milk be offered with all meals. Such entities may choose from three alternative options; these options apply only to meals containing meat or poultry when participants do not have the opportunity to refuse the milk or meat/poultry through Offer vs. Serve:

1 Serve an equal amount of non-dairy milk substitute (for medical or special dietary needs) that is nutritionally equivalent to fluid milk as per 7 CFR 210.10 (m).

2 Serve an equal amount of full-strength juice in place of milk with lunch or supper. When juice is substituted for milk, it may not contribute to the vegetable/fruit requirement. Entities operating five days per week may substitute juice for milk twice per week for lunches and twice for suppers, but no more than once each day. Those operating seven days per week may make three substitutions per week for lunches and three for suppers, but no more than one each day.

3 Serve milk at an appropriate time before or after the meal service period, in accordance with applicable Jewish Dietary Law.

4 Serve the snack's juice component at breakfast, lunch or supper, and serve the corresponding meal's milk component as part of the snack.

E Milk must be offered or served in other meals according to regulations, since Jewish Dietary Laws allow other meat alternatives (e.g., fish, egg, beans and peas, nuts and seeds and their butters) to be consumed with milk at the same meal. For review and audit purposes, entities electing to use the options must inform their State Agency and maintain a record of which option they have chosen.

F Individual facilities have the discretion to select one of the above options as an alternative to standard regulatory meal requirements. State agencies must be notified if any of these alternative options are employed.

G In the same regard, Jewish Dietary law poses challenges to serving the dark green vegetable subgroup as required in the National School Lunch Program. Jewish facilities facing this challenge may be exempt from the requirement to serve the dark green vegetable subgroup, but must serve the same total amount of vegetables. The vegetables served in place of dark green vegetables must come from the red/orange or beans/peas subgroups. These subgroups are underrepresented in the American diet and The Dietary Guidelines for Americans, 2010, gives the following specific recommendation, "Eat a variety of vegetables, especially dark-green and red and orange vegetables and beans and peas."

Program operators wishing to exercise the above substitution shall notify their State Agency. The decision to exercise any of these changes in this instruction shall be at the facility level.

Cindy Long
Acting Associate Administrator
Special Nutrition Programs