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FISCAL YEAR 2016
CHILD AND ADULT CARE FOOD PROGRAM
OPERATIONAL MEMORANDUM #23

TO: Child and Adult Care Food Program Institutions

FROM: Marla J. Moss, Director
Office of School Support Services

DATE: August 17, 2016

SUBJECT: Water Availability in the Child and Adult Care Food Program

This memorandum explains the water requirements in the Child and Adult Care Food Program (CACFP) and supersedes Operational Memorandum #8 Fiscal Year (FY) 2011 Water Availability.

Background

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, amended section 221 of the Richard B. Russell National School Lunch Act (NSLA), 42 U.S.C. 1766(u), to require that CACFP providers make potable water available to children. Subsequently, the U.S. Department of Agriculture's (USDA) Food and Nutrition Service (FNS) issued the operational memorandum #8 FY 2011 Water Availability on May 11, 2011. That memorandum required that child care centers and day care homes make water available to children upon request throughout the day.

The Act further amended section 17 of the NSLA to require USDA to update the CACFP meal pattern requirements to make them consistent with (a) the most recent version of the Dietary Guidelines for Americans, (b) the most recent relevant nutrition science, and (c) appropriate authoritative scientific agency and organization recommendations. On April 25, 2016, FNS published the final rule "Child and Adult Care Food Program: Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act" (81 FR 24348) to update the CACFP meal patterns in 7 CFR 226.20. This final rule codified the water requirement outlined in the operational #8 FY 2011 Water Availability under 7 CFR 226.25(i), which, as stated above, required that child care centers and day care homes make water available to children upon request throughout the day. The final rule also expanded the water requirement to mandate that starting October 1, 2017, child care centers and day care homes must also offer water to children throughout the day. FNS added the additional requirement to offer water in recognition that the majority of the CACFP participants are very young children and may not be able to or know how to request it themselves. These requirements to make water available and offer water throughout the day do not apply to adult day care centers; however, adult

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day care centers are encouraged to ensure drinking water is offered and made available to adult participants throughout the day. This memorandum provides guidance on how to offer and make water available to children participating in the CACFP.

Water Requirements
The 2015-2020 Dietary Guidelines for Americans recommend that water be consumed daily, but do not establish a daily minimum intake for water consumption. Water can help children stay hydrated and healthy, particularly when chosen as an alternative to sugar-sweetened beverages. Child care centers and day care homes can make water available to children in a variety of ways, including having cups available next to the kitchen sink faucet, having water pitchers and cups set out, or simply providing water should it be requested. **Child care centers and day care homes are not required to have water available for children to self-serve.** Offering water means asking the children whether they would like water at different times throughout the day. For very young children, this may require visual cues such as showing the cup or pitcher while verbally offering the water.

While drinking water must be made available to children during meal times, it does not have to be served alongside the meal. **Water is not part of the reimbursable meal and may not be served instead of fluid milk.** If water is offered during a meal, centers and day care homes should consider offering smaller amounts of water and keep in mind that children who drink too much liquid may feel too full to eat. FNS recommends serving water with snacks when no other beverage is being served, or when water can be served in lieu of other high calorie, sweetened beverages that are not creditable (e.g., juice drinks, soda, sports drinks). A good time to offer water more frequently might be during or after physical activity, on hot summer days, or cold winter months when the air is drier because of indoor heating. More ideas are available in FNS' tip sheet "Make Water Available Throughout the Day" (http://www.fns.usda.gov/sites/default/files/water.pdf).

Potable Water
FNS expects that the CACFP water requirements can be instituted with no or very low cost. However, circumstances may arise in which safe water is not readily available in a facility. In these instances, purchasing water for children may be considered a reasonable and allowable cost for participating facilities. The purchasing of water will continue to be an unallowable cost if purchased for non-participant consumption. More information is available in operational memorandum #19 FY 2016 Resources for Making Potable Water Available in Schools and Child Care Facilities.

Implementation Dates
The provision to make potable water available to children throughout the day went into effect on May 11, 2011, via Operational Memorandum #8 FY 2011 Water Availability. Child care centers and day care homes must be compliant with the requirement to offer water to children throughout the day by October 1, 2017.

For questions related to this memorandum, contact the Child and Adult Care Food Program at 517-373-7391.