Final Rule
"Nutrition Standards in the National School Lunch and School Breakfast Programs"

QUESTIONS & ANSWERS
FOR PROGRAM OPERATORS

Revised 9/18/2012

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GENERAL

PURPOSE, DIFFERENCES FROM PREVIOUS AND PROPOSED MEAL PATTERNS, TIMELINE, CHILDREN WITH DISABILITIES

1. Why is USDA setting new meal patterns and dietary specifications for school meals?

On December 13, 2010, President Obama signed into law Public Law 111-296, the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). This historic legislation marked the most comprehensive changes to the school nutrition environment in more than a generation. The last update to school meals standards was over 15 years ago. Since that time, tremendous advancements in our understanding of human nutrition have occurred. In response to that reality, the HHFKA required USDA to update school meal nutrition standards to reflect the most current dietary science.

The timing of this legislation and USDA's standards are critically needed to help combat the epidemic of childhood obesity as well as the urgent problem of childhood hunger. Nearly 1 in 3 children are at risk for preventable diseases like diabetes and heart disease due to overweight and obesity. If left unaddressed, health experts tell us that our current generation of children may well have a shorter lifespan than their parents. Additionally, during 2010 over 17 million households in the United States, representing over 32 million adults and over 16 million children, struggled to put enough food on the table. For many of these children, a school meal is the only nutritious source of food they can count on.

2. What are the main differences between the proposed and final rules?

The final rule makes significant improvements to school meals, while modifying several key proposed requirements to address public comments regarding cost, timing/implementation, food waste, and administrative burden. The final rule, in comparison to the proposed rule:

- Phases-in changes to the breakfast program gradually over a three-year period
- Does not require a meat/meat alternate at breakfast daily
- Does not restrict starchy vegetables, and establishes weekly minimums for all vegetable subgroups
- Reduces the required weekly grains amounts at lunch
- Allows students to take smaller portions of the fruits and vegetables components (at least ½ cup of either) under Offer Versus Serve (OVS)
- Provides an additional year for the implementation of the second sodium target
- Requires State agencies to assess compliance with the new meal requirements based on the review of one week of menus (instead of two weeks as proposed)
- Allows schools to continue the current tomato paste crediting practice of crediting by whole food equivalency

3. **How are the new meal patterns and dietary specifications different from current requirements?**

The key changes to the meals for children in grades K and above are:

NSLP

- A daily serving of fruits
- A daily serving of vegetables plus a weekly requirement for dark green, red/orange, beans/pea (legumes), starchy, and "other" vegetables Increased quantity of combined fruits and vegetables
- Weekly meat/meat alternate ranges plus a daily requirement
- In the first year of implementation, at least half of the grains offered during the school week must be whole grain-rich

SBP

- Meat/meat alternate may be offered after minimum grains requirement is met
- In the second year of rule implementation, at least half of the grains offered during the school week must be whole grain-rich
- In the third year of implementation, fruit quantity increase at breakfast
- Breakfast is included in administrative reviews

NSLP and SBP

- One food-based menu planning approach and same age/grade groups
- Fruits and vegetables are two separate food components
- Daily fruits requirement
- Under OVS, students must select at least ½ cup of the fruits or the vegetables component as part of the reimbursable meal
- Weekly grains ranges plus daily minimum requirement
- On the third year of rule implementation, all grains offered during the school week must be whole grain-rich
- Fat-free (unflavored or flavored) and unflavored low-fat milk only
- Calorie minimum and maximum levels
- Intermediate (Target 1 and Target 2) and final sodium reductions
- Trans fat limit
- Limit on saturated fat only (not on total fat)
- 3-year administrative review cycle

4. **When will the changes take place?**
   The new lunch meal pattern is effective July 1, 2012, the beginning of School Year (SY) 2012-2013. With the exception of the new milk requirement, changes to the breakfast program will be phased-in beginning July 1, 2013 (SY 2013-2014). See the implementation chart in the FNS website,
   http://www.fns.usda.gov/cnd/Governance/Legislation/nutritionstandards.htm

5. **Does this rule impact the meals for children with disabilities?**
   The meals for children with recognized medical disabilities that restrict their diet are not affected by the new meal patterns and dietary specifications and continue to be based on a medical statement from a licensed physician. Optional accommodations for children with special dietary needs (without recognized medical disabilities) must be consistent with the new meal patterns and dietary specifications.

6. **Do the new meal requirements apply to meals served to Pre-K children in schools?**

   No. The meal pattern for Pre-K students will be updated through a future rule updating the CACFP meal patterns to ensure that meal requirements for preschoolers are the same across the Child Nutrition Programs. Until then, schools serving Pre-K children should continue to use existing meal patterns for this age group in 7 CFR 210.10(p) and 7 CFR 220.8(o).

FRUITS AND VEGETABLES

FORMS AND TYPES, CREDITABLE AMOUNTS, FRUIT/VEGETABLE COMBINATIONS, JUICE CREDITING, FROZEN FRUIT, SALAD BARS, AND VEGETABLE SUBGROUPS

1. **What forms of fruits are required?**
   Schools may offer fruits that are fresh; frozen without sugar; canned in light syrup, water or fruit juice; or dried. Pasteurized, full-strength fruit juice may also be offered (it is credited to meet no more than one-half of the fruits component offered over the week). Required quantities are established in the meal patterns for lunch and breakfast. Note: Frozen fruit with added sugar allowed temporarily in SY 2012-2013 only. See memorandum SP 20-2012.

2. **What types of vegetables are required?**
   Over the course of the week, schools must offer all vegetable subgroups established in the 2010 Dietary Guidelines for Americans: dark green, red/orange, dry beans/peas (legumes), starchy, and "other" vegetables (as defined in the Dietary Guidelines). Required minimum weekly quantities for each subgroup are established in the lunch meal pattern. Pasteurized,

full-strength vegetable juice is also allowable (it is credited to meet no more than one-half of the vegetables component).We plan to release additional guidance to assist school food authorities in classifying vegetables in the appropriate subgroup. Vegetables are an option for breakfast.

3. **Where are kinds of vegetables in each of the required vegetable subgroups identified?**
   Section 210.10(c)(2)(iii) of the regulations identifies the required vegetable subgroups. It is important to note that the term "other vegetables" refers to a specific vegetable subgroup that is listed in the 2010 Dietary Guidelines for Americans as well as online under http://www.ChooseMyPlate.gov

4. **How can schools minimize food waste while requiring students to take a fruit or a vegetable as part of the meal?**
   Under OVS, schools must offer enough for each child to take the full required amount of each component, but a student may take smaller portions of the fruits and vegetables components, if desired. Students must select at least ½ cup daily of the fruits or the vegetables components for a meal to be considered reimbursable under OVS in the NSLP and SBP.

5. **Are schools required to offer the vegetable subgroups at lunch in any specific sequence during the week?**
   No. The menu planner decides when and how to offer the required vegetable subgroups at lunch.

6. **Is a school that offers vegetables in place of fruits at breakfast required to offer the vegetable subgroups in any particular sequence to ensure that the first 2 cups of any such substitution are from the vegetable subgroups that are under-consumed?**

   The SBP does not have a total vegetable or a weekly vegetable subgroups requirement. If a school chooses to offer vegetables in place of fruits, it must plan how and when to offer them. Provided at least 2 cups of the red/orange, dark green, legumes, or "other" vegetable subgroups are offered over the course of the week, it does not matter what day of the week the starchy vegetables are included in the menu.

7. **At breakfast, must the student select only one fruit or may the student select a combination of fruit choices to meet the required fruit component for the reimbursable meal?**

Students may select a single fruit type or a combination of fruits to meet the required fruit component. Under OVS, however, the student must select at least ½ cup of any fruit or combination of fruits to have a reimbursable meal.

8. **What is the minimum amount of a fruit or vegetable that can be credited toward the meal pattern?**
   The minimum creditable serving size for a fruit or a vegetable is ⅛ cup. However, ½ of a cup is the minimum amount of fruits or vegetables that a student must select for a reimbursable meal under OVS. There is no daily or weekly maximum limit for fruits or vegetables provided the specific calorie limitations are not exceeded.

9. **Can vegetable juice blends contribute toward a vegetable subgroup?**
   Full strength vegetable juice blends that contain vegetables from the same subgroup may contribute toward that vegetable subgroup. Vegetable juice blends containing vegetables from more than one subgroup may contribute to the "additional" vegetable subgroup. For example, a full-strength carrot/tomato vegetable juice blend may credit toward the "orange/red" vegetable subgroup. However, a full-strength vegetable juice blend containing carrots, spinach, tomato and watercress, may only credit toward the "additional" vegetable subgroup.

10. **How do leafy salad greens credit toward meal pattern requirements?**
    Raw and cooked greens credit differently. Raw, leafy salad greens credit at half the volume served, which is consistent with the Dietary Guidelines for Americans. For example, a ½ cup of romaine lettuce contributes ¼ cup toward the "dark green" vegetable subgroup. Cooked leafy greens such as sautéed spinach are credited by volume as served; for example, ½ cup of cooked spinach credits as ½ cup of dark green vegetables.

11. **How does dried fruit credit toward the meal pattern requirements?**
    Whole dried fruit and whole dried fruit pieces credit at twice the volume served. For example, a ¼ cup of raisins contributes ½ cup fruit toward the fruit requirement, as recommended by the Dietary Guidelines for Americans.

12. **Do 100% fruit strips, fruit drops or other snack-type fruit or vegetable products contribute toward meal pattern requirements?**
    No. Only whole dried fruit, whole dried fruit pieces, fresh, frozen or canned fruits; vegetables; or full-strength juice may contribute toward fruits and vegetables components. Effective July 1, 2012 (SY 2012-2013), reimbursable meals must not credit snack-type fruit products that may have been previously credited.

13. **Will Child Nutrition (CN)-Labeled Products that include vegetables provide crediting information for vegetable subgroups?**
    Yes. CN Labels will be revised to document the creditable amounts of the vegetable subgroups required by the final rule: dark green; red/orange, beans/peas (legumes), starchy, and "other."

14. **Is the limit on juice a daily or a weekly limit?**
    The juice limit will apply weekly to support menu planning flexibility. No more than one-half of the weekly offering for the fruit component or the vegetable component may be in the form of full-strength juice**.**

15. **May a school serve ½ cup fruit pieces and ½ cup fruit juice?**
    Yes. The juice requirement that allows juice to be offered for one-half of the fruits offered is a weekly requirement. Therefore, schools could serve ½ cup fruit pieces and ½ cup fruit juice on one or more days provided the total weekly juice offering does not exceed one-half of the total fruit offerings for the entire week.

16. **Can 100% fruit and vegetable juice blends contribute to the reimbursable meal?**
    Yes. If the first ingredient in the 100% juice blend is fruit juice, then the 100% juice blend can contribute to the fruit requirement. If the first ingredient is a vegetable juice, then the 100-percent juice blend can contribute to the "other" or the "additional" vegetable requirement, depending on the needs of the menu planner.

17. **The rule states that juice may be used for only half of the fruit component. Since the fruit component for grades K-5 and 6-8 is ½ cup daily, does that mean that only ¼ cup juice can be served?**
    No. The provision that limits juice to no more than half of the fruits offered applies over the week. Therefore, schools could serve larger quantities of fruit juice one or two days a week, provided the total weekly juice offering does not exceed one half of the total fruit offerings for the entire week.

18. **Does the limit on juice to half of the fruit component mean that if I serve 4 ounces of juice to my elementary students I can only credit 2 ounces toward the fruit component?**
    No. Juice may be credited as the volume served, so 4 ounces will credit as ½ cup. However, no more than one-half of the fruit or vegetable offerings over the week may be in the form of juice. Also, all juice must be 100% full-strength juice; diluted juice is no longer allowed.

19. Is frozen 100% fruit juice without added sugar allowed under the new guidelines?

Yes. Frozen 100% fruit juice without added sugar can be used. 100% juice (served liquid or frozen) may be used to meet up to half of the fruit component of the meal pattern requirements for school lunch or school breakfast.

20. Is frozen fruit with added sugar allowed?

If schools have an existing inventory, they may continue to offer frozen fruit with added sugar in the NSLP in SY 2012-13 only. This temporary exemption applies to products acquired through USDA Foods as well as those purchased commercially. Beginning July 1, 2013, all frozen fruit served in the NSLP must contain no added sugars. Please see memorandum SP 20-2012, issued February 24, 2012, for additional guidance.

The fruit requirements in the SBP take effect in SY 2014-15. Until then, frozen fruit with added sugar may be offered in the SBP.

21. Is dried fruit with sugar coating allowed?

Yes. Dried fruit is sometimes processed with sugar to keep the fruit pieces separated. Although these types of products are allowed, schools must be aware of the maximum calorie limits when offering any food with added sugar.

22. If a school meets the fruit requirement for breakfast, can they add a serving of hash browns as an "extra?"

There is no vegetable requirement in the SBP. In order to serve starchy vegetables in place of fruits at breakfast, a school has to first offer 2 cups of non-starchy vegetables per week from the dark green, red/orange, beans/peas (legumes) or ''other vegetables'' subgroups as defined in section 210.10(c)(2)(iii). Therefore, to offer hash browns or other starchy vegetables, the weekly planned menu must include 2 cups of non-starchy vegetables.

23. If the fruit requirement at breakfast is 1 cup, may ½ cup each of fruits and vegetables be served at breakfast? For example: ½ cup juice and ½ cup beans?

Yes, provided the first 2 cups per week of vegetables substituted for fruit are from the dark green, red/orange, beans/peas (legumes) or ''other vegetables'' subgroups as defined in section 210.10(c)(2)(iii).

24. May a salad bar with fruits and vegetables that is offered as part of the reimbursable meal be located after the point of service (POS)?

The memo on salad bars (SP 02-2011 - Revised) states "To ensure that each student's selections from the salad bar meet the required portions for an entrée or food/menu item, the POS must be stationed after the salad bar. If a school is not able to position the salad bar in a location prior to the POS, SAs may authorize alternatives to the POS lunch counts." If the fruits and vegetables are located in an approved location beyond the POS, there must be a

system in place to ensure that each reimbursable meal selected by the student includes a fruit or a vegetable, and that the total of any fruit or vegetable item selected under OVS equals at least 1/2 cup. The memo on salad bars is available at http://www.fns.usda.gov/cnd/governance/Policy-Memos/2011/SP02-2011osr.pdf

25. Are schools that offer salad bars required use to specific size serving utensils to meet quantity requirements?

Schools are not required to use specific serving size utensils but may do so to encourage children to take appropriate food amounts. However, regardless of the serving utensils used, food service staff must ensure that the portions on the student's tray meet the meal pattern requirements. This may be done by training the cashiers to visually identify the correct portions, or by pre-portioning the food items.

26. Is a mixed salad required to consist of all dark green vegetables or can iceberg lettuce be part of the mix?

Iceberg lettuce is not considered a dark green vegetable, but a salad that consists of a variety of dark leafy greens (i.e., spinach or romaine lettuce) counts toward the dark green subgroup. If the mixed salad contains different vegetable subgroups and the quantities of each subgroup are known, they can be credited toward each subgroup. If the quantities are not known, a mixed salad counts toward the additional vegetables requirement. (Remember that uncooked, leafy greens count as half of the offering and ⅛ cup is the minimum creditable quantity that may be offered.)

27. May a school offer a daily salad bar line that offers multiple vegetable subgroups every day as a way to meet the weekly vegetable subgroup requirement?

Yes - this is acceptable if the salad bar is available to all children each day and offers all of the required weekly subgroups over the course of the week.

28. Do the vegetable subgroups offered on a daily salad bar need to be itemized on the production records? Do all of these items need to be listed on the menu?

Yes. Section 210.10(a)(3) of the regulations requires that production records and menu records for the meals show how the meals offered contribute to the required food components and food quantities. These records must be examined by the State agency during the administrative review to ensure the meals offered are reimbursable.

29. If a school has multiple serving lines with different menu items, must each serving line offer all of the vegetable subgroups weekly?

Yes, this ensures that all students have access to all of the vegetable subgroups throughout the week regardless of the serving line selected. For example, a child who picks the pizza line consistently would have access to all vegetable subgroups throughout the week. (See

Question #3 under the topic Multiple Offerings.) Another solution could be to offer a centrally located garden bar or salad bar that all students can access after they pass through the serving lines.

30. Can the vegetable subgroups be offered a couple of different times over the week in small amounts that add up to the required amount for the full week?

Yes, schools can break up the subgroup requirement across the week provided the week's menu as a whole meets the full subgroup requirements, AND each day the school offers the full daily vegetable minimum. Keep in mind that the minimum creditable amount is ⅛ cup. Example: one day a school offers a ½ cup of bean/corn salsa that includes ¼ cup of beans per serving, and another day that week the school offers a bean burrito that supplies another ¼ cup of beans. This example assumes that school is providing additional vegetable with each of these meals to meet the minimum daily requirement for vegetables (1 cup for grades 9-12 and ¾ cup for lower grades).

31. Are there maximum limits on the amount of vegetable subgroups offered at lunch?

No - schools must offer at least the minimum quantities of all the vegetable subgroups required in the NSLP meal pattern. There is only a maximum limit on the amount of juice that may be offered under the fruits and the vegetable components. No more than one-half of the fruits or vegetables offered over the week may be in the form of juice.

32. How may beans/peas (legumes) be used in school meals?

Dry/mature beans and peas may be offered as a meat alternate or as a vegetable, at the discretion of the menu planner. However, one serving may not count toward both food components in the same meal. For example, one serving of refried beans can be offered as a vegetable in one meal and as a meat/meat alternate on another occasion. The refried beans offered as a vegetable count toward the weekly beans/peas requirement, but not toward the meat/meat alternate weekly range. Menu planners must determine in advance how to count beans/peas in a meal. For additional guidance on beans and peas, see: http://www.choosemyplate.gov/food-groups/vegetables-beans-peas.html

33. May a school use a food product that contains a non-creditable amount of vegetables (less than 1/8 cup)?

Yes – but, the school must offer vegetables in the required amounts over the course of the week from other sources to meet the daily and weekly vegetable requirements.

34. How should schools credit a vegetable mixture toward the vegetable subgroup requirements?

Vegetable combinations from the same subgroup (e.g., carrots and sweet potatoes are red/orange vegetables) may count toward that single vegetable subgroup. Vegetable combinations that contain at least ⅛ cup each of different vegetable subgroups (e.g., carrots and corn) may credit each one toward the appropriate subgroups. If the quantities of the different vegetables are not known, the vegetable mixture counts as "additional vegetables."

35. Where may I find information to help me categorize unusual vegetables?

Please refer to the following websites for information on vegetable subgroups:
http://www.choosemyplate.gov/food-groups/vegetables.html
http://www.cnpp.usda.gov/Publications/USDAFoodPatterns/ItemClustersAndRepFoods.pdf

In addition, the following vegetables have been recently classified by the Center for Nutrition Policy and Promotion (CNPP):

- Orange peppers: Red/Orange
- Yellow peppers: Other
- Purple bell peppers: Other
- Broccoli rabe: Dark green
- Green or red leaf lettuce: Dark green
- Yams: Starchy (white yams only).

(Note: yellow yams and sweet potatoes are both considered red/orange vegetables. The vast majority of products in US are sweet potatoes, even if labeled "yams/sweet potatoes.")

36. Will schools count the vegetable subgroups when determining the vegetable juice limit?

Yes, the total vegetable offerings, including the subgroups, will be counted when determining the vegetable juice limit. No more than half of the total vegetables (including subgroups) offered over the week may be in the form of juice. Please note the vegetable juice limit is assessed independently of the fruit juice limit.

37. Since there is no maximum on the amount of vegetables, may a school serve the same vegetable everyday provided they meet all the other vegetable requirements and the dietary specifications?

The new meal pattern is intended to increase the variety of vegetables in the school menu. However, a school could offer the same vegetable every day (e.g., carrots) provided the weekly menu meets all other meal requirements, including all vegetable subgroups in at least the minimum amounts, over the week and meets the dietary specifications.

38. If two servings of beans/peas (legumes) are served during one meal, can one serving count as a vegetable and one serving count as a meat/meat alternate?

Yes. A school may offer two distinct servings of beans/peas (legumes) in one meal. For example, legumes may be offered as part of a salad (vegetable component) and as part of chili/bean soup (meat/meat alternate component).

39. May a school offer an un-monitored salad bar and count the vegetables toward meeting the subgroup requirements, if the student leaves the Point of Service (POS) with a reimbursable meal?

Salad bars after the POS are acceptable in appropriate circumstances approved by the State agency. In this scenario, for the vegetable subgroups to count, the school has to establish some mechanism to ensure that students are getting the required components and amounts for a reimbursable meal. Otherwise, an un-monitored salad bar after the POS is considered extra food that is not part of the reimbursable meal, but counts toward the dietary specifications. The students must select all the components for a reimbursable meal, including vegetable subgroups, from the hot meal line before the POS.

40. For vegetable blends, are schools allowed to use the documented data provided by the manufacturer to credit towards the vegetable subgroups?

Yes, schools may use the manufacturer's data provided the manufacturer clearly documents the ratio of vegetable mixture in the ingredients. For example, if a mixture provides 25% broccoli, 25% carrots, and 50% cauliflower, then a 1 cup serving of this blend provides ¼ cup broccoli, ¼ cup carrots, and ½ cup cauliflower. The service of this vegetable blend does not require monitoring that each portion contains the documented ratios.

41. How is the juice limit assessed if multiple fruits/vegetables and juices are offered each day?

For the purposes of assessing the juice limit, an "offering" of fruits or vegetables is defined as the amount a child is able to select at a given meal, regardless of the number of options/variety of fruits or vegetables. The total amount of juice available at all meals over the course of the week (separately for lunch and breakfast) is then divided by this total fruit offering to determine the weekly juice offering.

For example, a school may offer ½ c peaches, ½ c applesauce, ½ c oranges, and ½ c grape juice every day and instructs the students to select a total of 1 cup of fruit (2 out of 4 choices). In this case, the daily fruit offering is 1 cup, and the weekly fruit offering is 5 cups. Since ½ cup of juice is offered every day, the weekly juice offering is 2.5 cups. Since 2.5 divided by 5 is 50%, this school is within the weekly juice limit.

42. How can juice concentrate credit?

Juice concentrates can be used only when reconstituted with water to 100% full-strength juice and served in the form of juice. See the Food Buying Guide for Child Nutrition Programs for additional crediting information.

For example: One-quarter cup of gelatin made with 1 tablespoon of juice concentrate and water does not contribute as one quarter cup of juice since it is no longer in the form of juice.

43. Can locally-canned foods be use in school meals?

As stated in the Food Buying Guide, home-canned products are not allowable in the school meal program, due to food safety concerns. However, if canned food items (including those produced locally) are produced and processed in an approved facility and meet all Federal, State and local food safety and health guidelines, these items may be used in school meals. Additionally, FNS is currently working on a Fact Sheet that will contain further information on canned foods.

MEAT/MEAT ALTERNATE

REQUIREMENTS, TOFU CREDITING

1. Is a daily meat/meat alternate required at breakfast?

No. Schools have discretion to offer a meat/meat alternate after the minimum daily grains requirement (1 ounce equivalent) is met.

2. Are schools required to offer tofu as part of the lunch menu?

No. The final rule allows schools the option to offer commercially-prepared tofu as a meat alternate.

3. Is regular yogurt still creditable as a meat/meat alternate?

Yes. There have been no crediting changes to meat/meat alternate options other than the ones specifically identified in the final rule.

4. **Is soy yogurt or tofu yogurt creditable as a meat/meat alternate?**

   Tofu yogurt is not creditable; however, ½ cup of soy yogurt (4.0 fluid ounces) may credit as 1.0 ounce equivalent meat alternate.

5. **Is tofu creditable as a meat/meat alternate in the CACFP and SFSP?**

   No. Tofu will credit in the NSLP and SBP only, beginning July 1, 2012. In the school meal programs, 2.2 ounces (¼ cup) of commercially prepared tofu, containing at least 5 grams of protein, is creditable as 1.0 ounce equivalent meat alternate.

6. **How does tofu credit in a combination dish?**

   Firm tofu that meets FNS requirements for tofu can be diced into miso soup and credited toward the meat alternate component – it is recognizable as the meat substitute. The miso ingredient, dissolved into the broth of the miso soup, is a fermented soy product which does not credit – it is not tofu.

   Similarly, a soft tofu, pureed into a soup, does not credit because it is not recognizable and does not represent a meat substitute. Therefore, the blended tofu is not creditable. Finally, noodles made from tofu do not represent a meat substitute and are not composed of grains. This explains why the noodles are not credited for either component.

7. **Can a school food authority (SFA) rely on the nutrition facts panel alone to evaluate a meat analog, such as a soy burger or tofu sausage?**

   When considering processed tofu products such as links and sausages made from tofu as meat alternates for the reimbursable meal, the tofu ingredient must contain the required 5 grams of protein per 2.2 ounces by weight. However, the additional ingredients beyond the tofu in a meat substitute such as tofu sausage are also included on the nutrition label. Therefore, the protein amount listed on the label for the meat substitute does not necessarily indicate the protein of the tofu for verification of FNS tofu requirements. This information would need to be obtained from the tofu manufacturer.

8. **Why does the lunch meal pattern limit the amount of meat/meat alternate that may be offered to children?**

   The updated school lunches are age-appropriate, well-balanced, and "right-sized" to supply the nutrients and calories needed by most school children. The meat/meat alternate component is offered along with other sources of protein that contribute to a lunch high in nutrients and adequate in calories. Protein is contained in milk, vegetables (especially

legumes), grains, and meat/meat alternates. The new meal patterns offer more fruits, vegetable, and whole grains than the previous meal pattern and are intended to result in nutrient-dense meals consisting of a variety of food sources that promote healthy weight.

GRAINS

WHOLE GRAIN-RICH, FORMULATED GRAIN-FRUIT PRODUCTS, DAILY REQUIREMENTS, BREADING, CREDITABLE AMOUNTS, GRAIN-BASED DESSERTS

1. How will schools identify whole grain-rich products?

Until the whole grain content of food products is required on a product label by the Food and Drug Administration (FDA), schools must evaluate a grain product using the two-element criterion developed by the Institute of Medicine and set forth in the final rule:

Element #1 A serving of the food item must meet portion size requirements for the grains/breads component as defined in FNS guidance.

AND

Element #2 Food must meet at least one of the following:

a. The whole grains per serving (based on minimum serving sizes specified for grains/breads in FNS guidance) must be ≥ 8 grams. This may be determined from information provided on the product packaging or by the manufacturer, if available. Also, manufacturers currently may apply for a CN Label for qualifying products to indicate the number of grains/breads servings that are whole grain-rich.
b. The product includes the following FDA-approved whole grain health claim on its packaging. "Diets rich in whole grain foods and other plant foods and low in total fat, saturated fat and cholesterol may reduce the risk of heart disease and some cancers."
c. Product ingredient listing lists whole grain first, specifically:
d. Non-mixed dishes (e.g., breads, cereals): Whole grains must be the primary ingredient by weight (a whole grain is the first ingredient in the list)
e. Mixed dishes (e.g., pizza, corn dogs): Whole grains must be the primary grain ingredient by weight (a whole grain is the first grain ingredient in the list).

The product ingredient listing (Element #2c of the above criterion) is a practical way for schools to identify whole grain-rich products because manufacturers are not required to provide information about the grams of whole grains in their products, and the FDA whole

grain health claim is not mandatory. Detailed instructions for this method appear in the HealthierUS School Challenge Whole Grains Resource guide, which is available online at http://teamnutrition.usda.gov/healthierUS/HUSSCkit_pp25-35.pdf. FNS will provide additional guidance as necessary.

2. Does the 50 percent guideline for whole grain-rich apply to the grain content of the product or to the weight of the product?

The 50 percent guideline for whole grain-rich requires that the grain content of a product contain 50 percent or more whole grains by weight, and the remaining grains, if any, be enriched. This may be identified if the whole grain is listed as the first ingredient on the label declaration. However, when the whole grain content comes from multiple ingredients, documentation must be provided showing that the whole grains are the primary ingredient by weight even though a whole grain is not listed as the first ingredient.

3. Will the CN Labeling program specify if whole grains are in a product?

Yes. The CN Labeling program is being updated to report the whole grain-rich contributions to the grains component.

4. Can schools exceed the upper range of the grains component?

No. The grain ranges are the minimum and maximum schools may offer. They are intended to help schools offer age-appropriate meals within the required calorie ranges.

5. Does a school have to offer a whole grain rich item every day?

Schools must offer at least a minimum amount of grains daily to meet the required weekly range. In SY 2012-2013 and SY 2013-2014 for lunch, and in SY 2013-2014 for breakfasts, half of the grains offered weekly must be whole grain-rich. During this period, the menu planner has discretion to decide when and how to offer whole grain-rich items, provided the applicable whole grains-rich requirement is met. We encourage menu planners to offer whole grain-rich items often to facilitate student acceptability and transition to all whole grain-rich products in SY 2014-2015 for lunches and breakfasts. At that time, schools must offer only whole grain-rich products daily and weekly.

6. **Are CN-labeled products that contribute to the grains component now required to be whole grain-rich?**

   Temporary approvals (expiring June 30, 2014) will be issued for CN label applications containing crediting for non- whole grain-rich grains. Those claims will continue to report, "provides X.X servings of bread or bread alternate" so that program operators can distinguish between whole grain-rich claims and non-whole grain-rich claims. This effort seeks to provide adequate time for manufacturers to reformulate products to meet the whole grain-rich requirements by June 30, 2014.

   Products containing items with both whole grain-rich and non-whole grain-rich claims (i.e., non-whole grain-rich breaded patties on whole grain-rich sandwich bun) will report this by using both the terms Grains (for whole grain-rich items) and bread or bread alternate (for non-whole grain-rich items). These products will also receive temporary approvals (expiring June 30, 2014).

7. **Does the removal of formulated grain-fruit products include energy/granola bars?**

   No. Formulated grain-fruit products were specifically defined in the school breakfast regulations (appendix A to 7 CFR 220). The final rule removes from the regulations the portion of appendix A that deals with formulated grain-fruit products. These products are highly fortified and have a specific nutrient profile. To credit them in the school breakfast program, they required approval from FNS and a statement on the label saying they met a grain and fruit serving. The removal of formulated grain-fruit products does not prohibit the use of energy bars, granola bars, cereal bars, breakfast bars, fortified cereals, or cereals with fruit to be credited toward the meal pattern.

8. **Do I have to serve a minimum of 1 ounce equivalent of grains with every breakfast offered, or can I serve some meals that have only meat/meat alternates?**

   Every reimbursable breakfast offered must contain at least 1 ounce equivalent grains. In order to offer a meat/meat alternate at any given breakfast meal, a school must first meet the daily grains minimum (1 oz eq). Schools have the option to serve a grain and meat/meat alternate every day at breakfast, for all grade groups, provided they offer at least one ounce equivalent servings of each.

9. **If a school offers a choice of grains in combination food items daily (e.g., crust for pizza, sandwich roll), must all of these bread items provide the minimum daily grains requirement OR must at least one grain offered daily provide the minimum?**

   Every reimbursable meal offered must meet the daily minimum requirements for all components. Therefore, if a pizza contains adequate grains to meet the minimum daily requirement, but a sandwich roll does not, the sandwich meal must contain another grain in order to meet to minimum daily grains requirement.

10. **Can I serve more than two ounce equivalents of grains on any given day? For example, could I serve a 3 ounce equivalent item such as a pizza?**

    Yes. There is a daily grains minimum but not a daily maximum. However, the weekly grains maximum and the average daily calorie maximums cannot be exceeded. For more specific information on multiple offerings, refer to Question # 1 under the topic Multiple Offerings.

11. **May a school offer a formulated grain-fruit product to meet the grains component?**

    The final rule disallows the use of formulated grain-fruit products to meet the grain and fruit components at breakfast beginning July 1, 2012. However, if a school wishes to use these products to count toward the grains component, this is acceptable, provided that inclusion of these products does not cause the menu to exceed the average weekly calorie and saturated fat limits. Formulated grain-fruit products do not credit toward the fruits component.

    Be aware that at lunch, however, these products may be considered a dessert and there is a limit of up to two grain-based desserts per week (total of 2 oz eq). SFAs should refer to the Grains Guidance to determine which grain products are considered dessert items and included in the weekly dessert limit.

12. **Are fully cooked grain and pasta items whose nutrition label has water as the first ingredient, followed by a whole grain, considered whole grain-rich?**

    Yes. In accordance with the 2010 Dietary Guidelines, a grain-based product is also considered whole grain-rich if water is listed as the first ingredient on the ingredient label and a whole grain is listed as the second ingredient on the ingredient label.

13. **Will all grains served on the serving line have to be whole grain-rich or only those which are counted toward the reimbursable meal?**

    All grains offered in amounts of 0.25 oz eq or greater (the minimum creditable amount) must be included in the calculation of daily and weekly grain offerings, as well as the dietary specifications (calories, saturated fat, and sodium).

14. Can schools use the Whole Grain Stamp (from the Whole Grain Council) to determine if a food product meets the whole grain-rich criterion?

The Whole Grain Stamp is good information to suggest the product contains the proper amount of whole grains, but the content of the whole grain must still be matched against the serving size requirement in the school meal patterns. Products that display the Whole Grain Stamp contain at least 8 grams of whole grain, but they may also contain some un-enriched refined flour which does not meet the grains criteria for Child Nutrition Programs. So, just because a product has 8 grams of whole grains it doesn't mean the product will meet our whole grain-rich criterion, which consists of two Elements or parts as explained under Question 1 above. For more guidance on the whole grain-rich criterion, please see memo SP 30-2012 at http://www.fns.usda.gov/cnd/governance/Policy-Memos/2012/SP30-2012os.pdf

15. Do schools have discretion to choose when to count breading on meat/meat alternate products)?

In SY 2012-2013, an SFA have total flexibility to decide whether to count batter/breading greater than or equal to 0.25 oz eq toward the daily and weekly grains requirements. Beginning SY 2013-2014, all grains equal to or greater than 0.25 oz eq must be counted towards the weekly grains range (including battered and/or breaded products).

16. Do schools have to count grains that are less than 0.25 ounce equivalents towards the grains range?

Grains offered in amounts less than 0.25 oz eq are never included in the calculation of daily and weekly grain offerings. For products from the revised Exhibit A, Groups A – G, this means that there should not be more than 3.99 grams of non-creditable grain. For products from Group H, this means that there should not be more than 6.99 grams of non-creditable grain.

17. How can schools ensure ranges for the grains and meat/meat alternates are met when using a salad bar?

If grains and/or meat/meat alternates are offered on salad bars, menu planners must determine if all students will be able to select these food items in the quantities specified in the daily and weekly requirements. Therefore, menu planners must pre-determine serving sizes and meal offerings associated with salad bars, as with all serving lines. Pre-portioning food items is one way to assist students with selecting the correct components and quantities needed, as well as utilizing appropriate serving utensils. Planners may also consider offering grains and meat/meat alternates as part of a "salad bar meal" only; not available to students selecting other grains/meat/meat alternates on other serving lines. Schools might also consider issuing guidance or education to students on building a healthy salad bar meal. The

memorandum on salad bars offers guidance and other options, including utilizing trained servers or standard serving utensils. See: http://www.fns.usda.gov/cnd/governance/Policy-Memos/2011/SP02-2011osr.pdf

18. May grain-based desserts be offered more than twice a week?

A school may offer a total of 2 oz eq or less of grain-based desserts each week. Therefore, a 2 ounce equivalent dessert may be offered once per week, or a 0.5 oz eq dessert may be offered four times in a week.

19. In a recipe for bread, would ingredients listed as 2 cups of whole wheat flour and 2 cups of white flour meet the 50% whole grain requirement?

Allowable grain products must contain at least 50 percent whole grains. A product or ingredients containing 2 cups of whole wheat flour and 2 cups of enriched white flour would meet the 50% whole grains requirement if there are no other grains in the product.

20. Do 100 percent whole grain cereals need to be fortified?

No. Whole grain cereals do not need to be fortified.

21. What grain ingredients are considered non-creditable?

Only grain ingredients that are whole or enriched are creditable for school lunch or breakfast. Examples of some grain ingredients that are not creditable include oat fiber, corn fiber, wheat starch, corn starch, bran, germ, and modified food starch. If purchased grain products include these ingredients they must be present at a level of less than 2 % of the product formula (or less than 0.25 oz eq) for the product to be creditable at lunch, or breakfast beginning SY 2013-2014.

22. When crediting grain items using grams of creditable grain, can 16 grams per ounce equivalent be used for all groups listed in Exhibit A?

Grain items listed in Groups A-G of Exhibit A may be calculated on the basis of 16 grams of creditable grain per serving. Products in Group H and I must contain 28 grams of creditable grain per serving or use the weights or volumes listed in the revised Exhibit A for the finished product. For Group I, the volumes or weights listed must be offered to credit as one ounce equivalent.

23. Is there a criterion for identifying grain-based desserts?

In Exhibit A of memorandum SP-30-2012, some foods are marked as "sweet" and in the footnotes 3 & 4 are designated as desserts for lunch. There is not a specific amount of sugar, fat, etc. that qualifies a grain product as a dessert. Much is dependent on how the product is used in the meal and how children consume the product. The following items are typically served as desserts: cakes, pies, cookies, and sweet rolls. We do recognize that some sugar is needed in baking breads and other grain items that are not generally served as desserts. Note that crackers and cookies do not have a standard of identity, so a manufacturer may come up with fanciful names that could mislead the menu planner into serving a product that may not be appropriate. The menu planner should use typical perceptions of the product as a way to determine how to menu the item.

24. How do I know if the RTE breakfast cereal I am evaluating is "fortified" to meet school meal program requirements?

Cereal products that have been fortified will have an ingredient statement similar to the following on the side or back of the box:

Ingredients: Wheat bran, sugar, psyllium seed husk, oat fiber, contains 2% or less of salt, baking soda, caramel color, annatto color, BHT for freshness.

Vitamins and Minerals: Vitamin C (sodium ascorbate, ascorbic acid), niacinamide, vitamin B6 (pyridoxine hydrochloride), reduced iron, zinc oxide, folic acid, vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), vitamin A palmitate, vitamin D, vitamin B12.

MILK

ALLOWABLE TYPES, MILK SUBSTITUTES, SPECIAL MILK PROGRAM

1. What types of milk are allowed?

Only fat-free (unflavored and flavored) and low-fat (1%) milk (unflavored) may be offered as part of the reimbursable meal for children in grades K to 12. This requirement only also applies to the meal pattern for Pre-K students, ages 3 and 4.

2. **Does the final rule impact the current provision on non-dairy milk substitutes for children with special dietary needs?**

   No. Required (disability accommodations) and optional (parent requested) milk substitutes are considered meal exceptions and are not subject to this final rule. Milk substitutes must meet the regulatory standards outlined in 7 CFR 210.10(d)(3), which do not address fat or flavor/sugar restrictions.

   However, milk substitutes offered as part of the reimbursable meal must be included in weighted nutrient analysis and, therefore, are subject to the overall weekly average fat limit and calorie ranges. We do not expect that they are offered frequently enough to have a significant impact on the overall nutrient analysis.

3. **Does the requirement to offer unflavored/flavored fat-free milk or unflavored low-fat milk apply to other school meal programs, such as the NSLP snack service and the Special Milk Program (SMP)? Is a variety of fluid milk required in these programs?**

   The NSLP snack service must offer unflavored/flavored fat-free milk or unflavored low-fat milk. Milk variety is not required in the NSLP snack service. In the SMP, only the milk fat restriction (fat-free and low-fat milk requirement) applies. The limit on flavored milk and the milk variety requirement do not apply to the SMP. This policy is consistent with memorandum FNS-29-2011, which implemented the Healthy, Hunger-Free Kids Act provision regarding milk in the meal programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act in an effort to reduce childhood obesity. FNS will codify the nutritional requirements for milk in the SMP in a separate regulatory action.

4. **Are Residential Child Care Institutions (RCCIs) required to offer milk variety daily?**
   Consistent with memorandum SP 38-2012, RCCIs that are juvenile detention centers may meet the milk variety requirement over the week rather than daily if there are potential, legitimate safety concerns regarding offering different milk to students. For example, the RCCI may offer all students flavored nonfat milk on some days of the week, and unflavored low-fat milk on other days.

SODIUM

REQUIREMENTS, TIMELINE, IMPLEMENTATION

1. What is the sodium requirement and when will schools have to meet it?

See the following chart for deadlines and corresponding maximum limits. Implementation of the second and final targets is subject to USDA's review of data on the relationship between sodium intake and human health, as required by the FY 2012 Agriculture Appropriations Act.

Sodium Limits and Timeline		
Target I: SY 2014-15	**Target 2: SY 2017-18**	**Final target: 2022-23**
Lunch	Lunch	Lunch
≤1230mg (K-5)	≤935mg (K-5)	≤640mg (K-5)
≤1360mg (6-8)	≤1035mg (6-8)	≤710mg (6-8)
≤1420mg (9-12)	≤1080mg (9-12)	≤740mg (9-12)
Breakfast	Breakfast	Breakfast
≤540mg (K-5)	≤485mg (K-5)	≤430mg (K-5)
≤600mg (6-8)	≤535mg (6-8)	≤470mg (6-8)
≤640mg (9-12	≤570mg (9-12	≤500mg (9-12)

2. How is USDA facilitating implementation of the sodium requirement?

The final rule extends the timeline to meet the second intermediate sodium target (Target 2). With this change, program operators have five years instead of four (until the School Year beginning July 1, 2017) to reach the second intermediate sodium target. Extending the timeline to meet Target 2 also gives the food industry more time to reformulate products, and gives school children more time to grow accustomed to foods with less salty flavor.

USDA is also facilitating implementation of the sodium requirement by offering low-sodium products through USDA Foods. For example, the USDA Foods program offers reduced sodium canned beans and vegetables at no more than 140 mg per half-cup serving, which is in line with the requirement to reduce sodium in school meals. The sodium content in most

cheese products has been reduced, and there is wide availability of frozen vegetables and meats without added salt.

TRANS FAT

NATURALLY-OCCURRING TRANS FAT, MIXED DISHES, NUTRIENT ANALYSIS SOFTWARE

1. Does the trans fat ban apply to naturally occurring trans fat in beef?

No. Naturally occurring trans fat found in products such as beef, lamb, and dairy products made with whole milk is excluded from this ban**.** If there is trans fat listed on the nutrition facts panel of a product containing meat or dairy the SFA should request documentation from the manufacturer that reports the source of the trans fat.

2. How can a menu planner ensure meeting the trans fat requirement with a mixed dish (e.g., beef burrito) that may have both added and naturally occurring trans fat?

For commercially prepared products, schools must refer to the nutrition facts panel or manufacturer's specifications to determine that there are zero grams of trans fat per serving. For mixed dishes that may contain both naturally occurring trans fat (e.g., beef) and added/synthetic trans fat (partially hydrogenated oil), the only certain way to determine if the product is in compliance is for schools to request information from suppliers on how much of the trans fat is naturally occurring versus if any of the ingredients contain added (synthetic) trans fat.

3. Can I use software to determine the amounts of trans fat in our menus?

No. Trans fat is not required in the State agency nutrient analysis of the one-week menu in an approved software program. Software may be used for trans fat analyses for informational purposes; however, currently, nutrient databases do not have complete data for trans fat. As more trans fat information becomes available, it will be included in the Child Nutrition Database, required by all USDA-approved software. Therefore, SFAs must rely on nutrition facts labels and manufacturer specifications.

CALORIES

SPECIAL CONSIDERATIONS FOR REQUIREMENT DEVIATIONS

1. **May RCCIs obtain a waiver on the calorie maximums if the residents are engaged in high energy, physical work?**
   No. The National School Lunch Act (NSLA) does not allow FNS to waive the nutrition standards (meal patterns and dietary specifications). To meet the calorie needs of the RCCI participants, the operator may increase the calories provided through other meal services such as snacks and dinner.

2. **May a school deviate from the required age/grade group to meet the calorie needs of an older or younger student who is placed in the group for developmental or other exceptional reasons?**
   Schools are allowed, on a cases-by-case basis, to offer age-appropriate meals to individual students in unique situations (for example: a 16-year old teen with developmental issues placed with age/grade group K-5). The State agency may require the school/SFA to seek permission prior to deviating from the required meal pattern for the prevalent age/grade group. This is important because the State agency is responsible for promoting proper implementation of the meal requirements.

3. **May a school offer more calories to certain students, such as athletes and pregnant teens, to meet their energy needs?**
   No. A school may not adjust the meal pattern to meet the needs of students who are in the correct age/grade group for school meals. These students must be offered the same meal as their peers.

4. **Why do the new meal patterns now place maximum limits on the calorie content of the school meals?**
   At present, one in three children is overweight or obese. School meals play a critical role in helping children learn how to select balanced meals and appropriate food portions. The new meal patterns are designed to meet the needs of most school children. School lunches and breakfasts supply approximately one-third and one-fourth, respectively, of the nutritional needs of children with a low-active physical activity level.

   The calorie minimum and maximum levels (and related food portions for various components) are based on data pertaining to children's healthy weight, physical activity

level, and opportunities for meals and snacks outside of the school meals programs. While the new calorie levels are either lower or comparable to the previous minimum calorie standards, the new school meals offer adequate amounts of nutrients and the level of calories is appropriate for most school children. The new meal patterns require schools to offer nutrient-dense meals that provide children more fruits, vegetables, and whole grains than specified by the previous meal patterns.

MEAL PATTERNS

RCCIS AND K-12 SCHOOLS, SHORT/LONG SCHOOL WEEKS, YEAR-ROUND SCHOOLS, AGE/GRADE GROUPS, FIELD TRIPS

1. How do I serve meals in RCCIs and small K-12 schools?

If it is not possible to use the established age/grade groups, program operators have some flexibility. The breakfast meal requirements for all grades (K-12) overlap. Therefore, a menu planner may offer the same food quantities to all children. However, the calorie range that fits all grade groups is quite narrow (450-500 calories) and the planner must meet the sodium limit for the youngest grade group when the sodium limits begin to go into effect.

At lunch, there is overlap for grades K-5 and 6-8; therefore, a single menu can be used to meet the needs of children in grades K-8. The daily minimum requirements for food components are identical. However, in order to accommodate the average daily nutrient limits and weekly minimums/maximums for both grains and meat/meat alternates, menu planners must work within the following parameters: 8-9 oz eq grains/week, 9-10 oz eq meats/meat alternates/week, average daily calorie range 600-650, and average daily sodium limit ≤640 mg (the final target for SY 2022-23).

However, menu planners must adapt in order to offer menus that meet requirements for grades 6-8 and 9-12 in a single school, since one single menu with the same amounts of food will not work. Additionally, the new meal pattern does not allow for schools with a grade configuration with one grade above or below the grade grouping to follow the predominant grade group requirements (as was previously allowable). However, modest adaptations can be made to menus to accommodate both grade groups in a single school.

One way to ease menu planning for these 2 grade groups within one school is to start with a menu that is appropriate for grades 6-8, then add in a few additional foods to serve to the older grade group. For the older children (grades 9-12), the fruit and vegetable minimums

must be met. Therefore, on top of the requirements for the 6-8 group, schools must make available to the older children: ½ cup more fruit daily, ¼ cup more vegetables daily and across the week: ½ cup more red/orange, ¼ cup other, ½ cup additional (any subgroup) vegetables.

An alternate suggestion is to make the full 1 cup fruit and vegetables required for grades 9-12 available to both grade-groups (same menu plan for these 2 food components), if such offerings do not exceed the calorie limit for the 6-8 grade group. One potential method of doing so would be offering a salad bar to all students. Or, to meet the additional calorie needs of the 9-12 grade group, consider an additional ounce equivalent of grain or meat/meat alternate served to the older children (e.g., additional bread option, larger entrée serving size).

2. **How will schools with a shorter or longer school week implement the new meal pattern requirements?**

   Schools that regularly serve lunch 6 or 7 days per week must increase the weekly grains quantity by approximately 20 percent (1/5) for each additional day. When schools regularly operate less than 5 days per week, they must decrease the weekly quantity by approximately 20 percent (1/5) for each day less than five.

   For schools with occasional decreases in the school week length due to holidays, for example, the menus do not have to be adjusted, but menu planners must plan their menus in a way that is consistent with the intent of the meal patterns. Planners should make sure they do not consistently fail to offer certain vegetable subgroups, or offer meat/meat alternates and/grains in portions that would exceed the weekly requirements.

   Please see attached charts for appropriate quantities for varying school week length.

3. **When menu planners adjust the vegetable subgroup requirement in the NSLP meal pattern for a 4-, 6- or 7 –day school week, will they be able to round the resulting figures/numbers (i.e., 0.5 and 0.75 cups)?**

   Please see attached charts for appropriate quantities for varying school week length.

4. **If pre-K and elementary students are in the cafeteria at the same time, may the school serve the pre-K children the new meal pattern?**

   Menu planners must meet the meal requirements for students in grades K-5 using the new meal pattern in the final rule. For Pre-K students, menu planners must follow existing meal pattern requirements (the meal pattern for the Pre-K group remains unchanged). If a menu

planner wishes to offer a single menu to meet the meal requirements for both Pre-K and grades K-5, the menu planner must ensure both the Pre-K and K-5 meal requirements (including calories) will be met. SFAs should consult with their State agencies if they have questions on whether their menu meets requirements for both groups.

5. When are year-round schools including RCCIs required to comply with the new meal pattern?

All SFAs, including RCCIs, must follow the new meal pattern effective July 1, 2012.

6. The new meal patterns refer to "age/grade groups." Should we determine which ages apply to each grade group?

No. The term "age/grade groups" refers to grade groupings only. The classification of grade groups K-5, 6-8, and 9-12 was based on nutritional needs of children and the ages that typically correspond with these grade levels (ages 5-10 for grades K-5, ages 11-13 for grades 6-8, and ages 14-18 for grades 9-12). Schools should therefore plan menus based on the grade levels of students. For specific guidance, SFAs are encouraged to consult with their State agency to determine appropriate grade groups for such a school.

7. Must schools meet the meal pattern requirements for field trips?

Children on a field trip must be offered lunches that meet the daily meal component requirements. However, the menu planner does not have to adjust the planned weekly menu to account for occasional field trips, and does not have to pack the same vegetable offering from that day's "hot" lunch menu for a field trip. The menu planner has the option to offer a different vegetable, or a different vegetable from the same subgroup. However, the meals from field trips would need to be included when planning meals that meet the weekly grain and meat/meat alternate ranges and weekly dietary specifications (calories, saturated fat, and sodium).

MENU PLANNING

WEEKEND MEAL SERVICE, FAMILY STYLE SERVICE, VENDED MEALS, EXTRA FOODS, SECOND SERVINGS, LEFTOVERS

1. **If an RCCI claims meals on weekends only and occasionally on weekdays (when a student does not go to school), must the RCCI follow a seven day meal pattern or a two day meal pattern?**
   For weekend meals, the RCCI must follow the daily and weekly meal pattern requirements. The operator may add three weekends together to create a 6-day school week and follow the Short and Long Week Calculation meal chart provided at the end of the QAs. Only the "additional vegetables" category is adjusted, and no adjustment to any of the dietary specifications is required since they are weekly averages (the same value applies, whether it is a school week of 6- or 7-days). For a sporadic meal offered during the week, only the daily meal pattern requirements would apply. The sporadic meals would not be included in the nutrient analysis.

2. **How is family style handled in light of the new calorie limits and quantity requirements?**
   Family style will continue to be allowed in RCCIs, but the operator must plan and offer the required food quantities (minimum and maximum servings) for each child participating in the meal. These offered amounts must meet the food component and dietary specification requirements.

3. **Do reimbursable meals that offer pre-packaged or vending machine-based meals have to meet all the vegetable subgroup requirements?**
   Yes. All meals, including those offered through vending machines and pre-packaged, must be planned over a week to meet the daily and weekly component requirements, including the vegetable subgroups. If a vending machine is designed to allow a child to choose one sandwich and provides a selection of all vegetable subgroups over the week, this would meet the vegetable weekly requirement.

4. **If a recipe or menu items contains several grain sources, how does the menu planner calculate the total grains contribution from that item?**
   The menu planner should add the amount of ounce equivalents for each grain ingredient, then round down to the nearest 0.25 oz eq. According to the Food Buying Guide, p A-6 (rev Nov 2001), the instructions for calculating grains contributions in recipes are to determine the

contribution of each grain first (how many servings according to the FBG) to the total recipe, add together, divide by number of servings in the recipe, and then round the individual serving amount down to the nearest 0.25 oz eq. The same process would apply to grains put together in one dish, such as for a sandwich. For example, one would add the grain contributions of 2 separate slices of bread together first (if each slice is 0.8 oz eq, the sum is 1.6 oz eq) and then round the total number down (in this example, 1.6 oz eq rounds down to 1.5 oz eq of creditable grains).

5. **Are school districts allowed to offer extra food that could not credit as part of the reimbursable meal (e.g., ice cream bar) after the point of service?**
   Yes, but any extra food that is offered to the children who purchase a reimbursable meal must be included in the nutrient analysis and count toward the limits on calories, saturated fat, sodium and trans fat.

6. **May a school serve second servings of a food item by allowing students who have purchased their reimbursable meal go back to the serving line for more food (food is not claimed, just given)?**
   If a school elects to offer second servings of any part of the reimbursable meal, these foods must be counted toward the daily and weekly component contributions, as well as the weekly dietary specifications. However, if second helpings or second meals are sold a la carte, they do not contribute toward the components or dietary specifications for reimbursable meals.

7. **May a school offer pudding or ice cream as desserts for extra calories?**
   Desserts such as pudding and ice cream are not considered part of the reimbursable meal. If offered, they must be included in the dietary specifications of the meal (i.e., calories, saturated fat, trans fat and sodium).

8. **May a school serve yogurt at breakfast simply to up the calories but choose not to count it?**
   At breakfast, meat/meat alternate products are considered grain substitutions; therefore, adding yogurt as "extra" food would count toward the weekly grains range and the limits for dietary specifications (calories, sodium, saturated fat, and trans fat).

9. **How are leftovers accounted for in regards to adherence of the meal pattern requirements and dietary specifications?**
   Occasional, small quantities of leftover food served on another day will not be counted toward the meal component requirements, including the vegetable subgroups. The State has

discretion to determine whether such leftovers are of a reasonable amount and are not occurring on a regular basis. SFAs may also freeze leftovers and serve them first on the serving line, following standard HACCP protocols, the next time that particular item reappears in the menu cycle.

However, if leftovers (such as chef salads) are being offered to students on the serving line as part of the reimbursable meal, they must be included in weighted nutrient analyses and are subject to the weekly dietary specifications. If the school consistently has leftovers to add to each day's menus, schools need to consider participation trends in an effort to provide one reimbursable lunch for each child every day.

Leftovers served to students on the same day as they are initially offered are considered seconds. See question #6 for information on leftovers that are served as second servings.

10. May a school charge for additional servings of meal components?

Yes, it is at the school's discretion to charge for additional servings of meal components. If a school charges for second servings, then they are considered a la carte foods and are not included in the nutrient analysis. We encourage schools to clearly identify the number of servings that students may take as part of the reimbursable meal.

11. May a school district require students to select a variety of vegetables to help limit additional servings of one vegetable?

The meal pattern requires a variety of vegetables be offered over the school week and does not put any limits on the amount of vegetables (or fruits) children may take. However, to stay under the required calorie, sodium and saturated fat limits, a school may want to limit some vegetable dishes because they must include second servings and extra foods into the nutrient analysis. Therefore, schools should consider the types of foods that students are more likely to select as a second serving and determine how these alter the nutrient analysis.

Schools can easily minimize the impact to the nutrient analysis by modifying the way in which vegetables are offered in the menu. For example, allow students to "choose 0-1" of the food items that would negatively alter the nutrient analysis if chosen as a second or extra, while allowing students to take seconds or extras of those vegetables that do not negatively alter the nutrient analysis if chosen as a second or extra. For example the school could allow the students to "choose 1 or more" of these vegetables. It is important that each school determine how seconds and extras impact their nutrient analysis and plan menus appropriately.

12. **Does free, extra food offered after the Point of Service (POS) to children who have a reimbursable meal count toward the food components and dietary specifications?**
Additional foods offered to children who have a reimbursable meal count toward the dietary specifications (calories, sodium, saturated fat, and trans fat). In addition, if the food items are creditable toward a food component in the school meal pattern, they would also be considered when determining compliance with the weekly limits for grains, meat/meat alternates, and juice. This policy minimizes the opportunities to offer excessive calories to children that participate in the school meal programs.

13. **May a school offer extra, free beverages (100% juice, water, iced tea, etc.) after the Point of Service (POS)?**

Yes, a school may offer extra beverages (except Foods of Minimal Nutritional Value) after POS, but these must be considered when analyzing the calorie, saturated fat, and sodium levels associated with the reimbursable meal. The menu planner must be very cautious not to exceed the maximum calorie limit by offering extra beverages after POS, as milk must still be offered with the reimbursable meal. In addition, full-strength juice offered after POS counts toward the weekly juice limit established for the reimbursable meal (no more than half of the total fruit or half of the vegetable offerings over the week may be in the form of juice). Offering juice after the POS would limit the opportunity to include juice as part of the school meal. It could also discourage students' consumption of fluid milk. Additionally, SFAs are reminded that potable water must be made available at no charge to students in the place where lunch meals are served during the meal service.

14. **May schools implement innovative and creative approaches to menu planning while adhering to the requirements of the meal pattern?**
Yes, menu planners and SFAs are highly encouraged to adopt or maintain innovative approaches to preparing and serving school meals. Such approaches may include pairing schools with local chefs in order to develop recipes that are healthful and appealing, expanding salad bar offerings, or involving students in taste tests or recipe contests. Creative methods of implementing the meal pattern requirements increase the likelihood of student acceptance and interest in participating in the school meals programs.

15. **Will SFAs have to centralize their menus to ensure compliance with the updated meal pattern requirements?**
No, there is no requirement for centralization of menus. Instead, SFAs should assess all of their menus overall and determine what will best meet their unique needs in order to achieve compliance. This may include retaining some flexibility at the school level (offering different menus for different schools), or adopting part or all of the most successful and creative

school- level programs at the district level. Some SFAs may choose to initially adopt a district-level menu that meets the updated meal pattern, then work to reintroduce appropriate school-level modifications that continue to meet the new standards.

MULTIPLE OFFERINGS

CALCULATING MIN/MAX, VEGETABLE SUBGROUPS

1. **For menu planning purposes, when multiple choice menus are served, how are minimums and maximums calculated?**

   The daily minimum requirement applies to fruits, vegetables, grains, meat/meat alternates, and milk (all 5 components) at lunch, and fruits, grains, and milk (all 3 components) at breakfast. For menu planning purposes, all offerings must meet the minimum requirement (be equal to or above that amount).

   Example 1: In grades 9-12 the minimum daily grain requirement is 2 oz eq. So, if a student is offered a choice between pizza with 2 oz eq of grain OR a stir fry with a 1 ounce equivalent of grains, only 1 of those offerings meets the 2 ounce minimum. The student would need to have another ounce equivalent offered with the stir fry, such as a side item, in order to meet the daily grains minimum.

   A weekly range requirement applies to both the grain and meat/meat alternate components. For menu planning purposes, SFAs must offer a weekly menu such that the sum of all daily minimum offerings meets at least the weekly minimum requirement. For grades K-5 and 6-8, the daily grains minimum is only 1 oz eq and the weekly grains minimum is 8 oz eq. The offering of the minimum of only 1 oz eq daily would only total 5 oz eq across the week. So, on some days, schools would have to offer **more** than 1 oz eq of grains as a **minimum** offering. The same applies to the weekly minimum amount of meat/meat alternate.

   Example 2a: If a grade K-5 school offers a 1 oz eq grain item (salad) and a 3 oz eq grain item (pizza) every day (and instructs the student to select one option only), the minimum weekly offering is 5 oz eq grain (1 oz eq x 5 days). This menu would not meet the required weekly minimum of 8 oz eq.

   SFAs must also plan their menus so that the sum of the daily maximum offerings for grains and meat/meat alternates is equal to or less than the weekly maximum limit. Therefore, the

sum of daily minimums must meet the weekly minimum requirement AND sum of daily maximums must meet the weekly maximum requirement.

Example 2b: If every day a grade 9-12 school offered an item with 3 oz eq of grain (even if other items with lower weights were also options), this would add to a total of a possible 15 oz eq offered over the week (child could select that 3oz grain item every day). This menu would not meet the required weekly maximum of 12 oz eq.

2. When serving multiple choice menus, is every grain choice required to be whole grain-rich?

No. The whole grain-rich requirement is determined on a weekly basis. Half of the oz eq of grain offerings must be whole grain-rich for SY 2012-2013 and SY 2013-2014 in NSLP and SY 2013-2014 in SBP. Therefore, not every grain item must be whole grain-rich if there are enough oz eq of grain offered throughout the week that are whole grain-rich. Although SFAs are not required to serve a whole grain-rich item daily, they are encouraged to do so to prepare students for the shift to all whole grain-rich grains beginning SY 2014-2015.

3. When multiple serving lines are used in a school, must each line meet the weekly vegetable subgroup requirement?

In most cafeteria set-ups, yes. As required in Section 210.10(k)(2), each independent line must meet the daily and weekly requirements (including subgroups), in order to ensure that a child is able to take a reimbursable meal every day in any line they may choose. If the school sets up serving stations, where a student is able to go to several different places to select different components of the meal (e.g., first goes to a salad bar, then goes into a pasta station) before passing the point of service, then all of the stations as a whole must meet the daily component and weekly vegetable subgroup requirements.

4. How do I plan my menu to meet the vegetable subgroups when I have multiple choices on my serving line?

Each of the subgroups must be available to all children in at least the minimum amounts during the week. A child should not have to choose one subgroup over another on a day, and lose the opportunity to select the other subgroup that week. If the menu is planned in a way that limits the student's opportunity to select all vegetable subgroups over the week, the school needs to modify the week's menu to prevent such conflict. For example, if the required dark green vegetable subgroup is offered in one food item/entree and the beans/peas subgroup is offered in a different food item/entrée on the same day, and the student can only pick one, the school must provide another opportunity to select either dark green vegetables or beans/peas later in the week in order to prevent a subgroup conflict.

OFFER VERSUS SERVE (OVS)

IMPLEMENTATION, FRUIT/VEGETABLE COMBINATIONS, DECLINING COMPONENTS, PRE-PLATING

1. How will OVS be implemented under the final rule?

OVS continues to be a requirement in the NSLP for senior high schools, and is an option for lower grade schools. It is also an option for the school food authority for all schools in the SBP. Under OVS, schools must offer all the required food components and quantities, and students are required to select at least 3 full components in the NSLP and SBP, with exceptions as noted below:

NSLP: In the NSLP, schools must offer 5 food components (milk, fruits, vegetables, grains, meat/meat alternates). Students are allowed to decline 2 of the 5 required food components, but must select at least ½ cup of either a fruit or vegetable. Students must select the other food components in the quantities planned.

SBP: In order to carry out the OVS option in the SBP, schools must offer 3 food components (milk, fruits and grains) that consist of a minimum of 4 food items. Students are allowed to decline 1 food item but must select at least ½ cup of fruit. Students must select the other food components in the quantities planned.

2. Can a student meet the OVS ½ cup requirement for fruit or vegetable by selecting ½ cup of a dish containing a mixture of fruits and vegetables?

Yes, a student may select a ½ cup that consists of different fruits (e.g., fruit salad), or different vegetables (e.g., mixed vegetables) or a combination of only fruits and vegetables (e.g., carrot/raisin salad). Keep in mind that the ½ cup allowance for fruit or vegetables may be used only once for either the fruits or the vegetables component in a meal, so the other food components selected by the student under OVS must be full components.

3. Can a student meet the OVS 1/2 cup requirement for fruit or vegetable by selecting ¼ cup fruit and 1/4 cup vegetable?

Yes. Although fruits and vegetables are separate components in the meal patterns, the OVS requirement to select at least ½ cup of fruits or vegetables daily for a reimbursable meal may be met if the student selects ¼ cup of fruits and ¼ vegetables. This is another way to promote

the consumption of fruits and vegetables among children. The student would not be required to select additional fruits or vegetables if the reimbursable meal under OVS includes two other components in full.

4. May students take a smaller portion of <u>both</u> fruits and vegetables under OVS?

Under OVS, students must select at least ½ cup of either the fruit or the vegetable component, or a ½ cup combination of both components (¼ cup fruits and ¼ cup vegetables), for a reimbursable meal. If a student selects only three components, and two of these three components are fruits and vegetables, the student may select ½ cup of either the fruit or vegetable, but then must select the full component of the other.

For example, if a student in grades 9-12 selects just milk, fruit and vegetables, the student may take ½ cup of the vegetable but must take the full 1 cup offering of the fruit. However, if the student selects another full component, such as a grain or meat/meat alternate, the student may take a smaller portion of the fruit because the fruit is no longer being counted as the 3rd component in the reimbursable meal.

5. Must the SFA prepare full servings of both fruits and vegetables for every student when OVS is in place?

SFAs must plan meals in the NSLP and SBP to meet all meal requirements and provide required amounts of food for all students. Menu planners should take into account participation and selection trends to determine what and how much food to offer students. Careful menu planning will ensure that students have access to all the required food components for the reimbursable meal and minimize food waste.

6. The regulations allow students to decline two components at lunch. Does this remove the SFA's option to choose the number of components that may be declined in elementary and junior high/middle school?

Yes. The number of components that may be declined at lunch under OVS is the same for all age/grade groups.

7. If the menu planner offers the meat/meat alternate component as two food items (e.g., cheese stick and nuts) or the grains component as two food items (e.g., pasta and bread stick), is the student required to take both items if he chooses the component under OVS?

Yes. Under OVS, the student must select full components; the only exception is 1/2 cup of fruits or vegetables. If the menu planner offers the meat/meat alternate component (or the grains component) as two food items, the full component includes both items. A full component is the daily quantity designated by the menu planner (no less than the established minimum) to meet the required weekly ranges. The only situation where the student may decline half of the planned meat/meat alternate or grains component is when the student already has three other components on the tray.

8. Is pre-plating allowed under OVS?

Pre-plated meals continue to be permitted as schools, including RCCIs, are not required to change their meal service systems to accommodate OVS. However, pre-plated meals must offer all components and quantities required for each age/grade group, including the daily minimums and not exceed the weekly maximums. Schools and RCCIs are encouraged to modify their meal service systems to include OVS opportunities to the extent possible.

USDA FOODS

MEETING MEAL PATTERN, CATALOG UPDATES, ORDER ADJUSTMENTS

1. Will the products provided by USDA Foods enable schools to offer meals that meet the new requirements?

USDA Foods are better than ever. Fruits, vegetables, whole grains, and healthy sources of protein are available to help schools create meals that are consistent with the new meal requirements. For example, the USDA Foods program offers reduced sodium canned beans and vegetables at no more than 140 mg per half-cup serving, which is in line with the requirement to reduce sodium in school meals. A variety of frozen fruits and vegetables without added sugar or salt are also available. The program also offers reduced sodium and reduced-fat processed and blended cheeses (including cheddar and mozzarella), fajita strips, and beef products. Other healthy food choices available from USDA Foods are listed on their website: http://www.fns.usda.gov/fdd

Schools can convert their USDA Foods into ready-to-use end products. Establishing the nutrient standards for processed end products, and sharing their standards with processors, is the responsibility of the school/SFA that orders the end product.

2. **How quickly will the USDA Foods catalog be updated to provide foods that support the new meal requirements?**

   FNS is working with the Agricultural Marketing Service (AMS) and the Farm Service Agency (FSA) to revise specifications as necessary, and update the fact sheets to reflect those changes. Over the past few years, FNS has improved product specifications to reduce sodium, fat and added sugars to help schools meet their nutrition goals as well as the Healthier US School Challenge criteria. For more information and resources, please visit FDD's webpage: http:/www.fns.usda.gov/fdd.

3. **Will State agencies have an opportunity to adjust USDA Foods orders already placed for School Year 2013?**

   Yes. State agencies will have an opportunity to adjust School Year 2013 orders placed prior to the final rule publication up until April 1, when the first solicitations occur.

4. **How will USDA Foods help schools implement the changes to the NSLP and SBP meal pattern?**

   USDA Foods help stretch food budgets and meet the new meal pattern requirements. These food items currently account for 15 to 20 percent of the food served on the lunch line. Over the past few years, USDA has improved product specifications to reduce sodium, fat and added sugars in USDA food items, to help schools meet the new nutrition standards. FNS is working with USDA's Agricultural Marketing Service (AMS) and Farm Service Agency (FSA) to revise product specifications as necessary, and update the USDA Foods fact sheets to reflect those changes. For example, AMS is revising its specifications to require frozen fruits without added sugars. USDA will continue to offer low sodium or no added salt canned and frozen vegetables, and many meat, poultry, and cheese items already contain less than 480 mg of sodium per serving. All necessary changes are expected to be in effect prior to the School Year 2013-14 purchases. For more information and resources, please visit FDD's webpage: http:www.fns.usda.gov/FDD.

5. **With the new whole grain requirement, why is the USDA Foods program continuing to offer enriched flour, rice, and pasta products, instead of exclusively whole grain products?**

   Since the final rule allows time (two years) for schools/students to make the transition to an exclusive use of whole grain-rich products, USDA Foods is making both types of products available in School Year 2012-13. Increasingly, USDA's whole-grain products are featured on school menus. Stir-fries using USDA quick-cooking brown rice, sandwich wraps with USDA whole-grain tortillas, and USDA whole-grain pasta with vegetables are popular menu

offerings. Schools can top USDA's whole-grain rotini with USDA's low-sodium spaghetti sauce and use whole-wheat flour for breadsticks. USDA will continue to improve and expand whole grain offerings.

AGE/GRADE GROUPS

MENU ADJUSTMENT, K-8 MENU

1. **The final rule established three age/grade groups for the NSLP and SBP. Does this mean that schools cannot offer the same meal to all grade levels?**

   Correct. In individual cases where a school district has an unusual grade configuration that prevents the use of the required age/grade groups, it may serve the same lunch and breakfast to children in grades K-5 and 6-8 as the requirements overlap. However, the school district would have to be very careful to meet the sodium and calorie requirements for each grade group. An example of this accommodation is provided in the rule preamble.

2. **What age/grade groups must a K-8 school use for menu planning?**

   If a K-8 school is unable to effectively offer different meal patterns for the K-5 students and the grade 6-8 students, the menu planner may offer students in these grades the same quantities of the food components because the quantities required by the lunch meal patterns for the age/grade groups K-5 and 6-8 are the same or overlap. For example, the school would have to offer 8-9 oz eq of grains and 9-10 oz eq of meat/meat alternate to all students to meet the requirements established for groups K-5 and 6-8. In addition, the meals offered to these students must consist of 600-650 calories to meet the dietary specification for both groups. Furthermore, the sodium content of these meals, when in effect, must meet the sodium specification for the youngest group: K-5.

3. **What age/grade group must a 7-12 school use for menu planning?**
   The school meal patterns for each age/grade group are intended to result in age-appropriate and nutritious meals that promote healthy weight. Menu planners may offer somewhat similar menus to children in age/grade groups 6-8 and 9-12. Since the breakfast food portions for all age/grade groups overlap, a menu planner may offer the same food quantities to all children provided that the meal meets the requirements of each grade group. There is some overlap between the grade groups in lunch; however, the calorie differences between the 6-8 and 9-12 grade groups can be challenging.

One of the most straightforward ways to ease lunch menu planning for grades 6-8 and 9-12 within one school is to start with the components that overlap, and make only minor adjustments to the vegetables or fruits components to increase calories for the older students in grades 9-12. SFAs should post signage at or near the beginning of the serving line to assist students in selecting appropriate quantities. For instance, a sign may read, "8th graders: 1 fruit choice, 9th graders: 2 fruit choices."

Another option is to vary the grain or meat/meat alternate components such that only the older students would take a second piece of bread, cheese, etc. This relies more heavily on student education and signage, but provides more flexibility for menu planners seeking to offer more or less than 2 oz eq of grains or meat/meat alternates daily.

IMPLEMENTATION

ASSISTANCE, EARLY IMPLEMENTATION OF BREAKFAST REQUIREMENTS

1. How will FNS assist with implementation of the new meal requirements?

FNS is committed to helping State and local operators implement these changes. We will provide training and technical assistance to program operators through a variety of methods, including webinars, special training sessions, and conference presentations. In the upcoming months, we will disseminate information at national events such as the School Nutrition Association (SNA) Legislative Action Conference, SNA's Annual National Conference, Food Research Action Center/Feeding America's Anti-Hunger Conference, the American Commodity Distribution Association annual conference, and School Board and Administrators' meetings. Interactive training on the new meal requirements, developed by FNS and the National Agriculture Library, will be available online shortly. The training presentations, webinars, fact sheets, Q&As, guidance and technical assistance materials designed to assist program operators with implementation of the new meal requirements will be available on the FNS website for easy access. In addition, USDA will provide additional funds to State agencies to support implementation of the rule.

FNS is also updating the Food Buying Guide and other essential resources, and collaborating with the National Food Service Management Institute to develop new resources. The Child Nutrition Database is currently being updated and nutrient analysis software systems available from industry will be reevaluated to assist State agencies with monitoring calories, saturated fat, and sodium in the meals offered to students in grades K through 12 during the

administrative review. The Child Nutrition Labeling Program is also being updated to report whole grain-rich contributions to the grains component and to provide standardized crediting claims.

All materials related to the new school meal patterns will be housed on a special webpage on the FNS website:
http://www.fns.usda.gov/cnd/Governance/Legislation/nutritionstandards.htm

2. Are schools allowed to implement the meal requirements in the SBP in SY 2012-2013?

Yes. Schools that have the ability to implement any or all of the phased-in SBP meal requirements in SY 2012-2013 may do so with the approval of the State agency. The States need to identify their own process for determining if early adoption of breakfast requirements at an individual SFA is appropriate. This is to ensure that the nutritional integrity of the meal is not compromised. For example, an SFA would compromise the nutritional integrity of the meal if it adopts the new calorie requirements (with a lower minimum than in existing requirements) without making other improvements to the meal, such as increased whole grains or additional fruit.

MONITORING

STATE RESPONSIBILITIES, REVIEW PROCESS

1. How will State agencies monitor compliance with the new meal requirements?

State agencies will monitor compliance with the new meal requirements through administrative reviews. The final rule ends the School Meals Initiative reviews previously authorized under 7 CFR 201.19, and amends 7 CFR 210.18 to include monitoring of the new meal requirements (meal patterns and dietary specifications) as part of the administrative reviews. SFAs are not required to conduct a nutrient analysis because they are expected to follow the meal pattern to meet nutrient targets.

2. How many weeks of menus/production records must be reviewed?

State agencies will continue to assess compliance with the meal requirements based on a nutrient analysis of one week of menus, instead of two (as proposed).

3. **When does the new 3-year review cycle begin?**

   The 3-year administrative review cycle begins SY 2013-2014. This allows State agencies to complete the current 5-year Coordinated Review Effort (CRE) cycle and prepare for the new review cycle. FNS will develop additional guidance on the implementation of the new administrative review cycle.

4. **How will State agencies determine if school food authorities have planned menus that meet the new requirements in order to receive the additional 6 cents reimbursement rate increase?**

   Requirements for certification of school food authorities for the 6 cents reimbursement will be provided in a forthcoming interim rule, expected to be published in the Spring of 2012.

5. **How does the rule address compliance with the new meal patterns and dietary specifications?**

   Technical assistance and corrective action continue to be the key tools used by the State agencies to seek compliance with the new meal requirements. However, as currently done, State agencies must apply immediate fiscal action if the meals offered are completely missing a required food component. State agencies must also take fiscal action for repeated violations of the vegetable subgroup and milk type requirements. State agencies have discretion to take fiscal action for repeated violations of the food quantity and whole grain requirements, and for repeated violations of the dietary specifications (calories, saturated fat, sodium, and trans fat).

6. **Will the current administrative review process continue to be used to monitor the new meal requirements?**

   The interim rule on the 6-cent reimbursement rate increase (published 4/27/12) addresses the administrative review process to be followed in the upcoming (2012-13) school year. Guidance pertaining to subsequent school years will be forthcoming.

NUTRIENT ANALYSIS

WEIGHTING, COMMERCIAL SOFTWARE, MULTIPLE SERVING LINES, PLANNED VS. OFFERED MEALS

1. **If there are multiple lines/choices of entree, are calories, fat, and sodium calculated based on an average of what is offered, each line individually, or a weighted average of what students are expected to take?**

   The calculation is a weighted average based on what is offered on each serving line.

2. **Is there a difference between "planned meals" and "offered meals"?**

   Planned meals represent the SFA's calculation of the items that will need to be prepared for a school's usual average daily participation (ADP). Ideally, the planned and the offered meals are similar, except for substitutions due to product shortage or delivery failure, for example. Because the meals offered are an indicator of previous student selections, the State agency must review the nutrition program based on what is offered to correctly assess the calorie, saturated fat, and sodium levels in school meals.

3. **Is the weighted nutrient analysis based on meals planned, offered or served?**

   The weighted nutrient analysis required to be conducted by the State agency is based on the meals offered by the schools selected for review.

4. **Are schools/SFAs required to purchase nutrient analysis software to prove they are meeting the calories, saturated fat, and sodium specifications?**

   No. Schools/SFAs are not required to conduct a nutrient analysis under the final rule. They will receive technical assistance from the State agency to plan meals that are consistent with the dietary specifications. However, schools/SFAs may choose to conduct a nutrient analysis to assist in their efforts to ensure they are meeting the dietary specifications.

   State agencies will monitor calories, saturated fat, and sodium in the meals offered to students in grades K through 12 during the administrative review. State agencies must use USDA-approved nutrient analysis software to assess compliance with these specifications, and include in the analysis all foods offered as part of the reimbursable meals during the one week review period.

5. **Can a school/SFA purchase nutrient analysis software with funds from the non-profit school food service account?**

   Yes. However, only Nutrient Analysis Software Approved by USDA for Administrative Reviews is considered an allowable cost to the non-profit school food service account.

6. **How are self-served items, such as condiments, assessed for purposed of the nutrient analysis?**

   If a condiment that is not pre-portioned is offered, the menu planner or State reviewer will need to determine the average portion size selected by the students. To calculate the average portion selected, divide the total amount of a food item served on the menu (#10 cans of catsup, gallons of mayonnaise, etc.) by the number of applicable meals served that day. Under- or over-estimating the size of a self-serve portion can greatly affect the nutrient analysis.

SOFTWARE REQUIREMENTS

REPORT REQUIREMENTS, MISSING VALUES, TIMELINE OF CHANGES

1. **What nutrients must be included in the nutrient analysis report?**

   The nutrient analysis report must include calories, saturated fat (both in grams and percent of calories) and sodium because these are the nutrients that must be monitored by the State agencies through a nutrient analysis. These nutrients must be compared to the required dietary specifications for calories (minimum and maximum levels), sodium, and saturated fat. Trans fat does not need to be included in the nutrient analysis. If it is included, the trans fat value should not be used to determine if the menus meet the dietary specification for trans fat. State agencies must examine nutrition labels and manufacturer specifications to monitor trans fat in the food products and food ingredients used to prepare school meals.

2. **When software programs have missing nutrient values for trans fat, can the missing values be replaced with zeroes?**

   No. There is often confusion between missing nutrient data and zero values for nutrient data. If a value is missing, it cannot be assumed it is zero, even if it is likely that the item contains little or none of the nutrient. Missing nutrient data means that the value is unknown. Missing nutrient values or nutrient totals including missing nutrient values (for one or more items) must be marked as such in the approved software programs.

These values are marked, so the user of nutrient analysis software can see that the total shown does not completely represent the amount of the nutrient in the food item, recipe, or menu. The user may then look at the items with missing values and decide if the total would likely be more or less based on which food items have missing values. It is inappropriate for a user to replace missing values with zeroes. A true zero value for a nutrient means that it does not contain any of the nutrient (or very little, as some zero values are based upon less than certain fractional amount for FDA labeling purposes).

3. When will the requirements for approval of nutrition analysis software be updated?

The updated specifications and requirements for the approved software should be available shortly on the Healthy Meals Resource System website under http://healthymeals.nal.usda.gov/softwaresupport.html. Other guidance documents will be updated, as well.

4. When are changes to the nutrient analysis software required?

The software developers of currently approved programs will have one year (by July 1, 2013) to make the required changes. Software developers of currently approved programs will be expected to show they have made the changes related to the Final Rule before being moved to the list of Nutrient Analysis Software Approved by USDA for Administrative Reviews. New developers or new programs by current developers will need to be evaluated and approved before being added to this list.

5. Will the Child Nutrition Database be modified to include both nutrients (i.e., calories, saturated fat, sodium, and trans fat) and meal component information (i.e., fluid milk, fruits, grains, meats, and vegetables)?

The Child Nutrition (CN) Database currently includes calories, saturated fat, sodium, and trans fat. There are no plans to include food pattern information in the CN Database.

6. Will the use of approved nutrient analysis software apply only to State agencies?

Only State agencies are required to complete the one-week nutrient analysis in an approved software program. However, schools may choose to use approved software to do their own nutrient analyses.

7. **Will USDA continue to review and approve nutrient analysis software for use in implementing Nutrient Standard Menu Planning in SY 2012-2013 breakfasts?**

   No. Software will no longer be evaluated and approved for Nutrient Standard Menu Planning (NSMP). However, software that is currently approved for NSMP will remain approved through SY 2012-2013 (June 30, 2013) for use by schools that continue to use NSMP for breakfast.

   Starting with SY 2012-2013 nutrient analysis software will be approved by USDA for Administrative Reviews. Updated specifications will include any new or changed nutrient standards that are required to be included in the software.

8. **Does USDA foresee approving software companies for Food-Based Menu Planning?**

   At this point, FNS does not have plans to require any food-based menu planning functionality.

TECHNICAL ASSISTANCE RESOURCES

FOOD BUYING GUIDE, RESOURCE SHARING

1. **When will the new Food Buying Guide be out?**

   We will be updating the Food Buying Guide in segments. The first task will be to separate the Fruits and Vegetables sections as well as add the vegetable subgroups. We recognize that SFA's will need this information as soon as possible; therefore, we will post updated sections as soon as they are available to the FNS PartnerWeb and public website.

2. **Where can SFAs go to learn about ideas and resources generated by other SFAs?**

   SFAs and States can share resources and tools they use to serve healthy menus that meet the new school meal regulations by uploading information to the USDA Best Practice Sharing Center (http://healthymeals.nal.usda.gov/bestpractices). Users can search by various topics such as Meal Pattern, Planning Tools, and Monitoring Tools. Users can also search by various formats, such as Menus, Recipes or Checklists. Materials may be submitted via email to hmrs@ars.usda.gov and should contain: the developer name, subject areas, audiences, and format that the resource covers.

CREDITING

STANDARDIZED CLAIMS, CREDITABLE AMOUNTS, CN LABEL, FRUIT AND VEGETABLE CREDITING

1. **How do food manufacturers provide standardized claims about the quantities of meal components in a unique product recipe?**
   Crediting is determined by rounding the food component down to the nearest quarter ounce equivalency for the meat/meat alternate and grain components, and down to the nearest eighth (1/8) cup for the fruit and vegetable components.

2. **Currently, meats/meat alternates (M/MA) and grains are credited in quarter ounce equivalents (servings) and fruits and vegetables are credited in ⅛ cup increments. Will this change?**
   No. The minimum creditable amounts for meal components are not changing. Menu items must contribute at least quarter oz eq toward the M/MA and grain components and at least ⅛ cup toward the fruits and vegetables components.

3. **How do I use a CN labeled sherbet?**
   Sherbet and gelatin containing fruit juice do not credit in the NSLP because the child is not consuming a 100% full-strength juice (e.g., it is diluted with water, sugar, milk). There will continue to be a CN label on some products not creditable in the NSLP, such as sherbet and juice drinks, as they can currently still credit in other CN programs. Fruit pieces in gelatin are creditable based on volume as served.

4. **How do schools credit soups like pumpkin, butternut squash, or tomato soup?**
   Soups like butternut squash, pumpkin, and tomato may contribute toward the Red/Orange vegetable subgroup. To credit, the recipe will be needed to determine the creditable amount of butternut squash, pumpkin, or tomato per serving. If this is a commercial item, a product formulation statement or CN label may be used to determine the creditable amount. School food authorities shall continue to use established guidance regarding tomato paste or purees for crediting found in the Food Buying Guide for Child Nutrition Programs.

5. **How are pureed fruits and vegetables credited?**
   The fruit or vegetable puree credits based on the actual volume served. For many fruits and vegetables, the pureed form has a smaller volume than whole fruit pieces. Some puree yields for fruit and vegetables are currently in the Food Buying Guide (blackberries, plums,

raspberries, tomatoes). For other foods, SFAs must rely on manufacturer information or, for in-house recipes, yields based on volume of fruit/vegetable puree. Please refer to the introduction of Food Buying Guide for Child Nutrition Programs for information about how to obtain in-house yield data.

6. How are dried vegetables credited?

The crediting of dried vegetables has not changed. Please refer to the Food Buying Guide for crediting information of specific vegetables. Dehydrated vegetables used for seasoning are not creditable.

7. How are fresh soybeans (edamame) credited?

Fresh, green soybeans are creditable as beans/peas (legumes).

8. Do peanuts and peanut butter count as legumes?

No. In accordance with existing regulations, peanuts and peanut butter are considered meat alternates and do not credit as a legume vegetable. Both food items are listed in Meats/Meat Alternate section of the Food Buying Guide.

9. May a school district serve non-creditable meat/meat alternate or grain products, such as egg whites or drinkable yogurt?

Yes, these food items may be served as extra foods in the school meals but do not credit toward a reimbursable meal. Therefore, other meat/meat alternate and grain items must be offered in order to meet the daily requirements for a reimbursable meal. In addition, because these are extra foods, they must be accounted for in the weekly dietary specifications and weekly meat/meat alternate and grain maximums. This provision is intended to limit schools from offering excessive amounts of non-creditable foods.

10. May food ingredients that are unrecognizable contribute to meal pattern requirements (for example, carrots pureed in a sauce for Macaroni and Cheese)?

Yes, pureed foods such as fruits or vegetables may contribute to meal pattern requirements, provided that the dish that contains them also provides an adequate amount of recognizable, creditable fruits or vegetables.

For example, if a macaroni and cheese dish contains the minimum recognizable amount of vegetables (e.g., 1/8 cup of diced squash), the volume of unrecognizable vegetables (e.g., 1/8 cup of pureed carrots) may also be credited. In this example, the dish would provide a total of

¼ cup red/orange vegetables. This is the same concept that has historically allowed soy flour (Alternate Protein Product) in a pizza crust to contribute as a meat alternate -- there is a recognizable amount of cheese and/or meat included in pizza as topping.

However, if the dish does not contain at least 1/8 cup of a recognizable component (in the above examples, vegetables) then the blended foods do not contribute to meal requirements. The nutrition education aspect of the School Meal Programs is important and one of the goals of these Programs is to help children easily recognize the key food groups that contribute to a healthy meal.

11. Can pureed tomatoes in my vegetable soup receive credit toward the red/orange subgroup even if there are no recognizable red/orange vegetables in it?

Although it is encouraged as an educational tool for students that the pureed/unrecognizable and recognizable vegetables come from the same subgroup, this is not required. For instance, a serving of vegetable soup with 1/8 cup of pureed tomatoes (red/orange) and 1/8 cup onion pieces (other) can receive credit toward the red/orange vegetable subgroup.

12. If I add 1/8 cup of pureed white beans to Macaroni and Cheese, what component can it contribute to?

If there is at least 1/8 cup per serving of identifiable vegetables in the macaroni and cheese (such as 1/8 cup of diced tomatoes), the pureed white beans can be creditable as a legume vegetable. Conversely, the white bean puree could count toward the meat alternate requirement due to recognizable presence of cheese, a meat alternate, in the dish.

13. May pureed beans added to a brownie recipe be credited toward the vegetable or meat/meat alternate component?

No. While they can be added to enhance the nutritional profile of the brownie, the beans cannot be credited toward meal requirements, because brownies are considered a dessert item and do not serve as a meat/meat alternate in the meal. Improving the nutrient content of the foods children eat by disguising nutrient-rich vegetables and fruits in the food can be beneficial. However, it is not a menu planning principle that teaches and encourages children to recognize and eat a variety of healthy fruits and vegetables.

MEAL IDENTIFICATION

REQUIREMENTS, POINT OF SERVICE

1. **Must all menu items on the serving line be identified as part of the reimbursable meal?**

   Yes. The foods or food components (depending on the situation) that are part of a meal must be labeled, listed, or otherwise identified near/at the beginning of the serving line and prior to the Point-of Service so the students can easily choose a reimbursable meal.

2. **Must a school place all food components that are part of the reimbursable meal before the Point of Service (POS)?**

   If a school is not able to position all food components (e.g., salad bar) prior to the POS, State agencies may authorize alternatives to the POS lunch counts. When food components/food items are located in an approved location beyond the POS, they must be labeled, listed on the menu, or otherwise identified so the students can easily identify all the components for a reimbursable meal and select the correct quantities. There must be a system in place to ensure that each reimbursable meal selected by the student under OVS includes a fruit or a vegetable (at least 1/2 cup).

3. **What must schools do to comply with the requirement to identify the reimbursable meal(s)?**

   The requirement for SFAs to identify, near or at the beginning of the serving line, the food items that constitute a reimbursable meal is intended to assist students in selecting the meal components that comprise the meal and in the appropriate quantities. The final rule, however, does not set specific requirements. State agencies and SFAs may establish requirements to fit their menu, facilities, layout and other considerations. Providing detailed information about the components, such as identifying the vegetable subgroups, is an excellent teaching tool, but is not required.

   Although all the foods that are a part of the reimbursable meal do not have to be adjacent to each other, they must be labeled, listed, or otherwise identified near or at the beginning of the serving line so the students can easily choose all the components for a reimbursable meal. If some of the components of the reimbursable meal (such as the fruits and vegetables) are offered beyond the point of service, the school must ensure that students are aware that every reimbursable meal must include a fruit or a vegetable, and that the total of any fruit or vegetable item selected under OVS must equal at least 1/2 cup.

OTHER CHILD NUTRITION PROGRAMS

SUMMER FOOD SERVICE PROGRAM, SEAMLESS SUMMER OPTION, CACFP, PRE-K STUDENTS

1. **Will schools operating Seamless Summer Option in the summer of 2012 be required to follow the new meal patterns as of July 1, 2012?**
   Schools offering the SSO this summer have the option to follow new meal requirements or the requirements currently in place in SY 2011-2012.

2. **Do the SFAs that have authority from the State agency to use the NSLP meal pattern for SFSP meals have to switch to the new meal pattern by July 1, 2012?**
   No. They may implement the new meal pattern in the SFSP at the beginning of the 2013 summer in consultation with the State agency (as they will have been using the new meal pattern the entire previous school year).

3. **When do SFAs need to implement the new meal pattern for meals offered under the Summer Food Service Program (SFSP) and the Seamless Summer Option (SSO) in 2013?**
   SFAs operating the SSO or that have authority from the State agency to use the NSLP meal pattern for SFSP meals will need to follow the NSLP meal pattern requirements that are effective July 1, 2012, at the start of their 2013 summer operations and continue with these requirements for the entirety of their summer operation. Therefore, each summer these SFAs will be implementing the phased-in meal requirements subsequent to NSLP and SBP operations.

4. **How will SFAs implement the weekly requirements for meals in the Seamless Summer Option (SSO), where meals are not always served 5 days a week and where sites serve children of various ages?**

   The new meal requirements will apply to the SSO meals beginning in the summer of 2013. We will issue guidance to help schools properly implement the meal pattern in summer settings prior to that time. Please refer to existing QAs on how to adapt the meal pattern requirements for short or long weeks, as well as how to handle K-12 grade configurations.

5. **Will the 6 cents reimbursement rate increase apply to SSO meals and how will those meals be certified for the rate increase?**

   FNS will soon issue regulations of the certification process for the 6 cents reimbursement rate increase.

6. **Do the new meal requirements apply to other Child Nutrition Programs such as the afterschool snack service, Special Milk Program, Child and Adult Care Food Program, or Summer Food Service Program?**
   No. The final rule meal patterns and dietary specifications are for the NSLP (Seamless Summer option included) and SBP. The meal pattern for the NSLP snack service has not been updated, but when offering milk, operators must offer only fat-free and low-fat milk (unflavored only) as required in the NSLP. For operational ease, milk variety is not required in the NSLP snack service.

   The restriction on milk fat established by this rule was implemented in the Special Milk Program and the Child and Adult Care Food Program (CACFP) though policy memoranda (SP 29-2011 and CACFP 21-2011) for consistency across the Child Nutrition Programs. The proposed rule to revise the CACFP meal patterns is under development. When that rule is implemented, the NSLP and SBP infant and Pre-K meal patterns will also be updated. In the meantime, schools must follow the requirements in section 210.10 and 220.8.

PROCUREMENT AND FOOD SERVICE MANAGEMENT COMPANIES (FSMCS)

PROCUREMENT GUIDANCE

1. **Is there guidance for SFAs that may need to update their contracts with their FSMCs?**
   Yes, please refer to memo SP 17-2012, entitled "Procurement Questions and Answers to Assist in the Implementation of the Final Rule titled Nutrition Standards in the National School Lunch and School Breakfast Programs." This memorandum was issued February 23, 2012.