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DEPARTMENT OF EDUCATION  
LANSING

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## FOOD SERVICE

### ADMINISTRATIVE MEMO NO. 6 SCHOOL YEAR 2023-2024

**SUBJECT:** School Nutrition Program Share Tables – USDA Guidelines  
Application of the Food Code

**DATE:** April 26, 2024 (Replaces Administrative Memo No. 6  
Dated April 28, 2023)

The objective of this memo is to clarify the requirements for share tables in the School Nutrition Programs, including guidance specific to Food Service Management Company (FSMC) contracts and Vended Meals Company (VMC) contracts, and the re-service of food from share tables.

The United States Department of Agriculture (USDA) encourages share tables as a means of reducing potential food waste and encouraging consumption of healthy school meals. The term "share table" may include stations, carts, or other areas where foods may be placed. It is a local decision to use a share table. The Michigan Department of Education (MDE) recommends contacting the local health department (LHD) if there are any questions about share table practices. See attached Standard Operating Procedure (SOP). The Michigan Department of Agriculture and Rural Development (MDARD) issued a memo on July 20, 2017, regarding the use of share tables in school meal programs. Per this memo, the Michigan Food Law does not prohibit the sharing or giving of food.

#### **Intent of a Share Table**

- Any food item taken as part of a reimbursable meal that a student does not want to eat may be placed on a share table.
- Any student is allowed to take items from a share table regardless of whether they purchased a meal or not.
- Items from the share table are for students only.

#### **Understanding the Food Code and Michigan Food Law When Using a Share Table**

**Direct Sharing of Food** – this is when any food or beverage on the share table is taken by a student. Any remaining temperature controlled for safety (TCS) food left on the share table is discarded at the end of the meal period and Food Code provisions are not applicable.

- TCS foods include items such as string cheese, milk, and yogurt.

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- Non-TCS foods include items such as packaged crackers, muffins, and whole fruits.
- No temperature control is required for TCS foods because foods will be discarded at the end of the meal period.

**Re-service of Food** – this is when any food or beverage left on the share table at the end of the meal period is returned to the kitchen with the intent of re-serving the food item at another meal or donating the food items to a non-profit organization. Food Code provision §3-306.14(B)(1) or (2) must be followed.

- Any TCS foods that will be re-served or donated must be maintained at proper temperatures the entire time they are on the share table and temperatures must be monitored and logged when the items are returned to the kitchen.
- A variance must be obtained and approved by the LHD for re-service of TCS foods.
- Non-TCS foods must be inspected to make sure the foods are wholesome, in intact packages, and in good condition before being returned to the kitchen.

### **Consider Your Resources and Equipment Needs When Setting Up a Share Table – Suggested Scenarios**

- If no staff or equipment is available to monitor temperatures of TCS foods and staff is unable to check non-TCS food items remaining on the share table for wholesomeness, then all food items remaining on the share table must be discarded at the end of the meal period. This includes TCS and non-TCS foods.
- If there is no staff or equipment to monitor temperatures of TCS foods on the share table, then all TCS food items are discarded at the end of the meal period.
- If staff is able to inspect non-TCS foods left on the share table to make sure the foods are wholesome, packaging is intact and food items are in good condition, then the non-TCS items may be re-served at another meal or may be donated.
- If equipment is available to keep TCS foods at proper temperatures while on the share table and a variance has been obtained and approved by the LHD, then at the end of the meal period, any TCS foods may be returned to the kitchen for re-service if temperatures have been monitored and all protocol as indicated in the approved variance have been followed.

### **Best Practices:**

- Consider implementing Offer Versus Serve (OVS) if not already doing so. OVS is a meal service flexibility with two major goals: 1) reducing plate waste in the School Nutrition Programs, and 2) permitting students to select only the foods they want to consume. OVS is required for lunch at the high school level; it is optional for all other grade levels. OVS is optional at breakfast for all grade levels.
- Encourage students to eat the foods they select as part of their meal.
- Only non-TCS foods that are in good condition, and in the unopened original packaging may be re-served after being placed on the share table.
- TCS foods or beverages may be placed on the share table but cannot be reserved unless a variance has been approved by the LHD.
- Place the share table in a location that can be easily monitored by food service staff.

- The share table is monitored by a member of the food service staff to ensure that no food, beverage, or condiment has been contaminated (e.g., opened or partially consumed) and the original packaging is maintained in good condition.
- Allow only foods that are pre-wrapped or commercially packaged.
- Whole uncut fresh fruits and vegetables that will not be peeled prior to consumption need to be wrapped, e.g., apples, whole peaches, or plums.
- Items on the share table are not mixed with menu items or condiments for the regular meal menu. Share table items must be separated from the food service line.
- Display signage to ensure students understand that items on the share table are not part of the menu and are optional items that can be taken in addition to the regular meal.
- SOPs need to be incorporated into the school's food safety plan based on Hazard Analysis Critical and Control Point (HACCP) principles, which describe the temperature/food monitoring, supervision, and discard plan to ensure food is safe if shared among the students.

### **[UPDATED] Food Service Management Company Contracts and Vended Meals Company Contracts**

While sponsors with FSMC and VMC contracts can implement share tables, the re-service of foods from share tables is not permitted. Only self-operated sponsors can re-serve share table items. Re-service of share table foods where FSMC and VMC contracts are present would be considered double billing. Per [2 CFR 200.318\(d\)](#) and the [Updated Guidance: Contracting with Food Service Management Companies SP40-2016](#), double-billing is not permitted by FSMCs and VMCs.

Questions regarding allowable practices within FSMC and VMC contracts may be directed to [MDE-FSMC-Vended@michigan.gov](mailto:MDE-FSMC-Vended@michigan.gov).

Questions regarding this Administrative Memo may be directed to the School Nutrition Programs unit by e-mail to [MDE-SchoolNutrition@michigan.gov](mailto:MDE-SchoolNutrition@michigan.gov).

### **Additional Resources**

USDA Memo: [SP 41-2016, CACFP 13-2016, SFSP 15-2016: The Use of Share Tables in Child Nutrition Programs \(issued June 22, 2016\)](#)

MDARD's 7-20-2017 memo regarding share tables can be viewed at [School Food Program Share Tables-USDA Guidelines and Application of Food Code](#)

[Michigan Food Law](#)

[Food and Drug Administration \(FDA\) 2009 Food Code](#)

## Share Tables

Sample Hazard Analysis and Critical Control Point (HACCP)-Based Standard Operating Procedure (SOP)

**PURPOSE:** To provide guidance on the re-service of food items from a share table. A share table may include stations, carts, or other areas where foods may be placed.

**SCOPE: This procedure applies to child nutrition programs that allow approved foods to be returned to a share table and utilized for re-service.**

### INSTRUCTIONS:

- Train school nutrition employees on using the procedures in this SOP.
- Follow state or local health department (LHD) requirements for obtaining any variances.
- Follow Michigan Food Code and Food Law requirements.
- Review FNS USDA memo SP 41-2016 regarding the use of share tables

**DEFINITIONS:** Understanding the Food Code and Michigan Food Law when Implementing a Share Table

### Temperature Controlled for Safety (TCS) Foods

TCS foods are foods that must be maintained at proper temperature at all times. Examples of TCS foods include milk, yogurt, string cheese, or hot or cold sandwiches.

### Non-Temperature Controlled for Safety (non-TCS) Foods

Non-TCS foods do not need to be maintained at a certain temperature. Examples of non-TCS foods include granola bars, crackers, cereal packs, or drinks, e.g., juice boxes.

### Direct Sharing of Foods

Direct sharing is when whole food or beverage items served by the school are placed on a share table by students for other students to pick up and consume. Any remaining TCS food left on the share table is discarded at the end of the meal period and Food Code provisions are not applicable.

- Items placed on the share table can be TCS foods and non-TCS foods.

### Students may pick items from the share table to consume in the cafeteria.

- No temperature control is required for TCS foods because TCS foods will be discarded at the end of the meal period.

### Non-TCS foods may be reserved – see Re-service of Foods below.

- Food Code does not apply.

**Re-service of Foods** - Requires an approved variance from the LHD. Food Code applies.

Re-service of foods would be when any food or beverage left on the share table at the end of the meal period is returned to the kitchen with the intent of reserving the food item at another meal or donating the food items to a non-profit organization. Food Code provision §3-306.14(B)(1) or (2) must be followed.

- Any TCS foods that will be reserved or donated must be maintained at proper temperatures for the entire duration when placed on the share table and

temperatures are monitored and logged when the items are returned to the kitchen.

- A variance must be obtained and approved by the LHD for re-service of TCS foods.
- Non-TCS foods must be inspected to make sure the foods are wholesome, packaging is intact and in good condition before being returned to the kitchen for re-service.

## **GENERAL GUIDANCE:**

### **Allowable Share Table Practices:**

- Students may take an additional helping of a food or beverage item from the share table at no charge.
- Non-TCS food or beverage items left on the share table may be served and claimed for reimbursement during another meal service (i.e., during an afterschool snack program when leftover from a school lunch).
- Food or beverage items may be donated to a non-profit organization, such as a community food bank, homeless shelter, or other non-profit charitable organization (see SP 11-2012, CACFP 05-2012, SFSP 07-2012 Guidance on the Food Donation Program in Child Nutrition Programs).

### **Foods and Beverages Allowed for Sharing or Re-service:**

- Un-opened, pre-packaged shelf stable food items, such as granola bars, cereal packs, crackers, condiments, and drinks (e.g., juice boxes) in sound condition and in an unopened original package.
- Wrapped fruit and vegetables or fruit with a thick skin like bananas and oranges, with the peel intact.
- Un-opened, pre-packaged cold TCS foods, such as string cheese or milk in sound condition and in an unopened original package. (Temperature control and variance needed for re-service.)
- Un-opened, pre-packaged TCS hot foods, such as hot sandwiches that are completely wrapped/sealed. (Temperature control and variance needed for re-service.)

### **Foods and Beverages NOT Allowed for Sharing or Re-service:**

- Unpackaged food items, such as a salad bowl without a lid.
- Packaged items that have been opened, punctured, or otherwise compromised, such as an open bag of baby carrots.
- Packaged items that can be opened and resealed.
- Foods that have reached their expiration date.
- Food items brought from home.

## **MONITORING:**

- Food service employees will inspect all items placed on the share table to ensure they are all allowable items, their packaging has not been compromised, and expiration dates have not yet passed.
- Any foods left on the share table that are not suitable for re-service need to be discarded at the end of the meal period.
- Share table should be near food service employees so they can immediately discard any foods not allowed, such as foods brought from home or not prepared in the school kitchen.

**CORRECTIVE ACTION:**

- Retrain any food service employee found not following the procedures in this SOP.
- Discard items found on the share table if:
  - They are considered unallowable food items.
  - TCS foods are found not to be in compliance with the approved LHD variance. o Food packages have been compromised.
  - The expiration date has passed.

**VERIFICATION AND RECORDKEEPING:**

School nutrition program personnel will identify what foods can be safely shared or set aside for re-service. The supervisor or other designated employee will verify that proper procedures for handling returned foods are being followed and TCS foods that require time and temperature control are in compliance with the variance obtained from the LHD.

If a variance is in place, temperature logs must be completed daily for TCS foods. Temperature logs should be kept for 6 months.

**Date Implemented:** \_\_\_\_\_ **By:** \_\_\_\_\_

**Date Reviewed:** \_\_\_\_\_ **By:** \_\_\_\_\_

**Date Revised:** \_\_\_\_\_ **By:** \_\_\_\_\_

**REFERENCES:**

**USDA Regulation 7 CFR 210.9(14) and 220.7(8):** Each school food authority (SFA) participating in the NSLP and SBP agrees to “maintain, in the storage, preparation, and service of food, proper sanitation and health standards in conformance with all applicable State and local laws and regulations and must comply with FNS food safety requirements of 7 CFR 210.13, 220.7, 226.20(l) and 225.16(a).”

**FNS Instruction 786-6:** “SFA operators must be aware of all applicable local and State health and food safety codes to ensure their use of share tables does not violate any of those codes. It is important to keep in mind that local and State health and food safety codes may be more restrictive than the FNS requirements or may place specific limitations on which food or beverage items may be reused. To ensure compliance with food safety requirements, SFA operators should discuss plans for a share table with their local health department and State agency prior to implementation.”

This form was modified from the template SOP developed by the USDA and the Institute for Child Nutrition.