

DPI SNT Smart Snacks Webinar 4/17/14 - Questions and Answers

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Q1: Can we use a breakfast entrée as an entrée choice at lunch?

A1: Yes, a breakfast entrée will be exempt from the Smart Snacks standards when it is sold on the day of or day after it is offered with the School Breakfast Program (SBP). The menu planner should decide which item is the entrée with the SBP meals, even if it is a grain-based entrée. Please see SP 35-2014 <http://www.fns.usda.gov/sites/default/files/SP35-2014os.pdf> for more information regarding grain-based entrees and Smart Snacks.

Q2: For calories from fat, is the rule “less than 35%” or “less than or equal to 35%”?

A2: The Smart Snacks regulations state that calories from fat must be less than or equal to 35% of total calories.

Q3: Are vitamin waters allowed under Smart Snacks?

A3: With some limitations, vitamin waters would typically be considered a lower-calorie or calorie-free beverage. Lower-calorie (≤ 60 calories per 12 fl. oz) and calorie-free (≤ 10 calories per 20 fl. oz) are allowable beverages in high schools. The serving size for lower-calorie beverages may not exceed 12 fl. oz, and calorie-free beverages may not exceed 20 fl. oz.

Q4: Is diet soda allowed under Smart Snacks?

A4: Diet soda is similar to vitamin waters and is allowable at the high school level in the appropriate portion size.

Q5: Are birthday treats, like cupcakes, allowed during the school day?

A5: As was outlined in the USDA guidance memo SP 23-2014, if treats are provided to students free of any charge, contribution, or exchange of tokens or tickets, the Smart Snacks specifications do not apply. Therefore, birthday treats would not be regulated by the Smart Snacks rule because they are not sold to the students. However, local school food authorities (SFA) have the discretion to create more strict guidelines for their students in their wellness policies if they would like to regulate treats brought from home.

Q6: If teachers are providing or paying for root beer floats, cookies, pizza etc. that would just be under local wellness policy correct?

A6: Yes, that is correct. Anything that is provided to students free of charge is not considered under the Smart Snacks interim final rule.

Q7: If a school group like National Honor Society stocks a vending machine located in the lunch room, and the items inside the vending machine meet the standards, is the vending machine allowed to be on during the school day and lunch service if the group keeps the profits?

A7: Yes, if the items inside the vending machines meet the standards, it is allowed anywhere on campus and during all hours of the school day. Please refer to the USDA guidance memo SP 13-2014: School Food Service Account Revenue from the Sale of Non-Program Foods

(http://fns.dpi.wi.gov/files/fns/doc/gm_sp_13_2014.doc) for clarification on procurement and reimbursement for non-program foods.

Q8: Can items be 'bundled' together to meet the requirements?

A8: Yes, items can be bundled prior to sale. However, any exemptions outlined in the Smart Snacks interim final rule will be void. For example, reduced-fat cheese is exempt from the total fat specifications of the rule. However, the bundled item must meet the total fat standards when reduced-fat cheese is paired with crackers and offered as a single item.

Q9: Why does the smart snack rule stop at 3:30? Concessions are a part of the school programs. I feel food service is being singled out. Do any other schools have issue with soda being brought in with cold lunches from home?

A9: The Smart Snacks rule does not address foods brought from home by students. Additionally, the Smart Snacks standards are in place for the entire school day, beginning the midnight before and extending through 30 minutes after school is dismissed. Concessions are typically sold after the school day, as defined by the Smart Snacks interim final rule, has ended. Therefore, they are not included in the interim final rule. However, concessions may be regulated on a local level under an SFAs wellness policy, if this is desired.

Q10: Can students take a full second meal at lunch?

A10: Entrée items are exempt from the competitive foods standards on the day of and day after the items are offered as part of the National School Lunch Program (NSLP) or SBP. Therefore, second entrees may be purchased even if they do not meet competitive food standards. Additionally, the same milk types that are required to be offered with the NSLP and SBP are approved beverages for all age/grade groups. However, side dishes offered as part of the NSLP or SBP and sold a la carte must always meet the nutrition standards contained in the Smart Snacks in Schools rule.

Q11: Is it possible to get a chart/cheat sheet made up as a quick reference guide?

A11: The USDA has released two references for school use. A Smart Snacks in Schools brochure and the All Foods Served in School flyer each provide a snapshot overview of the regulations. Both can be found on the DPI's website at http://fns.dpi.wi.gov/fns_cnrsnp#cf. There is no plan to release a resource regarding which foods are approved for sale in schools, as was released under Foods of Minimal Nutritional Value. It will be the responsibility of the SFA to ensure that only compliant foods are sold to schools. The Alliance for a Healthier Generation has created a calculator that can be helpful when determining if items meet the Smart Snacks standards. The calculator can be found at <http://rdp.healthiergeneration.org/calc/calculator/>.

Q12: Can students be given tickets at no charge to redeem for cookies? Is this acceptable? They are not paying for the tokens; it is an incentive for students.

A12: If the cookie does not meet the Smart Snack nutritional guidelines then no. Coupons are considered a currency so it is as if the student is purchasing the cookie.

Q13: Can we GIVE a cookie to a student that purchases a lunch? How about a coupon?

A13: No, if a cookie is served as part of a reimbursable meal or simply given to the student via a coupon for eating lunch, and has more than .25 oz eq of grain, it needs to be counted towards the

grain dessert limit, as well as the weekly calorie, saturated fat, and sodium limits. It doesn't matter what kind of grain is used, it still counts. In this case the coupon would not be acceptable because the student did not earn the coupon for something specific, they are just eating lunch.

Q14: Are the students allowed to buy more than one item (items that meet standard)?

A14: Yes, there is no restriction on how many items students can purchase as long as each item meets the standards individually.

Q15: As far as record keeping of these allowable products, if these food items are sold by a group other than the food service department, who is responsible for maintaining these documents?

A15: The SFA is responsible for the maintenance of records that document compliance with the nutrition standards for all competitive food available for sale to students. Documentation for foods sold by the food service department should be kept by the food service department. At this time we do not have clear guidance as to who is responsible for maintaining records for foods sold by organizations other than the food service department. Until we hear otherwise, we recommend that each SFA determine locally who will be responsible for maintaining records documenting compliance of competitive foods sold by groups outside of the food service department. At a minimum, records must include receipts, nutrition labels and/or product specifications for the competitive food available for sale to students. If the SFA chooses to use the Smart Snacks Calculator (mentioned in Question 11) we recommend keeping printed copies of the tool's determination as documentation that products are compliant.

Q16: Has competing with NSLP or SBP changed? Before no group could sell in the lunch room while a reimbursable meal was being served.

A16: Yes, the old competitive foods rule did have limitations on what was sold in the cafeteria in competition with the school meals. There is no such limitation for foods and beverages that meet the Smart Snacks nutrition standards. The only foods and beverages not allowed to be sold in the food service area during the meal periods are the exempted fundraisers. On page 39090 of the Federal Register SS Rule (<http://www.gpo.gov/fdsys/pkg/FR-2013-06-28/pdf/2013-15249.pdf>) there is information on the practice of selling foods in competition with federally reimbursable program meals and snacks and the effect this has on school food service revenue.

Q17: May another group, like a culinary class, sell foods that do not meet the Smart Snack nutritional standards during meal times?

A17: The regulations state: *"The competitive food standards should 'level the playing field' between the nonprofit school food service and other school food sellers, including culinary arts programs."* Therefore, the Smart Snacks nutrition standards apply to all foods sold to students on the school campus, including student produced products. However, the regulations do say that USDA is willing to consider each situation on a case by case basis, and provide a waiver where appropriate. The DPI will inform SFAs when we receive more information from USDA on how to handle these requests for waivers.