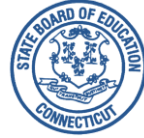





STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of School Child Nutrition Programs

FROM: John Frassinelli, Chief 
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: June 23, 2015

SUBJECT: Operational Memorandum #29-15
Questions and Answers Related to the “Smart Snacks” Interim Final Rule
(Third Revision)

Attached is the U.S. Department of Agriculture’s (USDA) third series of Questions and Answers (QAs) related to the interim final rule, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School*, as required by the Healthy, Hunger-Free Kids Act of 2010. The USDA will update this document periodically as additional questions arise during the implementation of the interim final rule in school year 2014-15. QAs that are new or updated since the March 2014 version are highlighted in yellow.

Implementation of the Smart Snacks nutrition standards began on **July 1, 2014**. However, the USDA’s express purpose of publishing an interim final rule is to ensure the opportunity for continued dialogue as implementation of the Smart Snacks requirements proceeds, and issues are identified and evaluated. The USDA’s intent is to monitor issues that arise as the Smart Snacks standards are implemented so that the USDA may respond to and address such issues in a timely manner.

These QAs are available on the Connecticut State Department of Education’s (CSDE) [Operational Memoranda 2015](#) and [Competitive Foods](#) Web pages. For more information on the USDA Smart Snacks standards, see the CSDE’s [Competitive Foods](#) Web page and the USDA [Smart Snacks in School](#) Web page.

**Smart Snacks in School:
Questions and Answers (QAs) Regarding the Interim Final Rule**

Revised March 31, 2015

QAs that are new or revised since the June 2014 Smart Snacks QA are highlighted in yellow

National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School (Federal Register, Vol. 78, No. 125, June 28, 2013)

State and Federal Requirements for Competitive Foods

This document contains QAs from the U.S. Department of Agriculture (USDA) regarding the Smart Snacks nutrition standards in the June 2013 interim final rule, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School*. Some stricter provisions of Connecticut statutes and regulations supersede the Smart Snacks standards. If applicable, these requirements are indicated under “State Requirements” after each question. For more information, see the CSDE’s handout, *Comparison Chart of USDA Smart Snacks Standards and Connecticut Nutrition Standards* and *Guide to Competitive Foods in Schools*.

Foods

Public school districts that choose the healthy food option of [Healthy Food Certification](#) (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.) must comply with the Connecticut Nutrition Standards (CNS) for all foods sold to students separately from school meals. The CNS exceeds the Smart Snacks standards. For more information, see the CSDE’s handout, *Summary of CNS*.

Private schools, non-HFC public schools and residential child care institutions (RCCIs) must comply with the Smart Snacks standards. For more information, see the Connecticut State Department of Education’s (CSDE) handout, *Summary of Smart Snacks Standards*, and Web pages for [Smart Snacks](#) and [Competitive Foods](#).

Beverages

All **public** schools must comply with the Smart Snacks beverage standards and any stricter provisions of the state beverage statute (C.G.S. Section 10-221q). For more information, see the CSDE’s handout, *Allowable Beverages in Connecticut Public Schools*, [Beverage Requirements](#) Web page and *Guide to Competitive Foods in Schools*.

Private schools and RCCIs must comply with the Smart Snacks beverage standards. For more information, see the CSDE’s [Smart Snacks](#) Web page, *Summary of Smart Snacks Standards* and *Guide to Competitive Foods in Schools*.

QAs on Smart Snacks in School

COMBINATION FOODS

1. What is a combination food?

A combination food is defined as a product that contains two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein or grains. If a combination food does not meet the general standards by being (1) a grain product that contains 50 percent or more whole grains by weight or have whole grains as the first ingredient **or** (2) having one of the non-grain major food groups as a first ingredient (fruits, vegetables, dairy, protein food) **or** (3) a food that contains 10 percent of the Daily Value of a nutrient of public health concern from the Dietary Guidelines for Americans (i.e., calcium, potassium, vitamin D or dietary fiber), then such a combination food must contain $\frac{1}{4}$ cup of fruit and/or vegetable. Combination foods must also meet the specific nutrient standards specified in the Smart Snacks interim final rule.

- **State Requirements (HFC Public Schools Only):** *The CNS allow only three general standards: 1) whole grain-rich (WGR) foods; 2) food groups; and 3) combination foods. Grain products must meet the **same WGR definition for school meals**, i.e., the food item is a grain product that 1) contains at least 50 percent whole grains by weight or has a whole grain as the first ingredient; 2) any remaining grain ingredients are enriched; and 3) any noncreditable grains are at levels of less than two percent of the product formula ($\frac{1}{4}$ ounce equivalent). For more information on the WGR criteria, see the CSDE's handout, [Criteria for Whole Grain-rich Foods](#). All foods must also meet all applicable nutrient standards.*

2. What is an example of a combination food?

One example of a combination food is a blueberry muffin. A blueberry muffin does not meet the general standard if it does not contain 50 percent or more whole grains by weight or if the first ingredient listed is not a whole grain, fruit, vegetable, dairy or protein item. However, if the muffin contains refined grains and $\frac{1}{4}$ cup of blueberries, the muffin meets the general standard requirement as a combination food that contains $\frac{1}{4}$ cup fruit and/or vegetable. (Additionally, the muffin must also meet the specific nutrient standards for fat, sugar, sodium, etc.) Some other examples of combination foods include the [Harvest Stew](#) or [Vegetable Chili Boat](#) recipes from the [Recipes for Healthy Kids](#) contest. Each of these soups contains at least $\frac{1}{4}$ cup of vegetable and meets the nutrient standards and may be allowable under the Smart Snacks standards in appropriate portions.

- **State Requirements (HFC Public Schools Only):** *The CNS requires that all grain products are WGR including **combination foods** that contain grains and at least $\frac{1}{4}$ cup of fruit and/or vegetables (see “State Requirements (HFC Public Schools Only)” in Q-1 above). In the example above, a blueberry muffin containing refined grains and $\frac{1}{4}$ cup of blueberries would **not** meet the CNS. To meet the CNS for combination foods, this muffin must be WGR **and** contain $\frac{1}{4}$ cup of blueberries, and must also meet all nutrient standards, e.g., calories, fat, saturated fat, trans fat, sodium and sugar. For more information, see the CSDE's handout, [Summary of CNS](#).*

QAs on Smart Snacks in School

3. Are any combination foods exempt from the nutrient standards?

There are only two types of combination foods that are exempt from all or some of the nutrient standards. Canned, fresh, and frozen fruits and vegetables that are combined may be exempt from all of the nutrient standards as long as there are no added ingredients except water. For example, fresh salsa made from tomatoes, onions and garlic, with no other ingredients, is exempt from each of the nutrient standards.

While combination foods comprised entirely of fruits and/or vegetables are exempt from all nutrient standards, there are some other combination items that are exempt from a subset of nutrient standards. Specifically, items that are made from only dried fruit, nuts, and/or seeds are one specific type of combination food item that is exempt from the total fat standard, saturated fat standard and sugar standard, as long as such products contain no added nutritive sweeteners or fats. These products are still subject to the calorie, trans fat, and sodium standards.

- **State Requirements (HFC Public Schools Only):** To meet the fat, saturated fat and sugar exemptions under the CNS, foods containing only dried fruits and nuts/seeds cannot contain added sweeteners (including nutritive sweeteners, artificial sweeteners, nonnutritive sweeteners and sugar alcohols) or fats (including chemically altered fat substitutes). They must also meet all applicable nutrient standards, e.g., calories, trans fat, sodium and sugar.

4. Would two items packaged together as a snack be considered a combination food as long as the package contains ¼ cup of a fruit or vegetable?

Yes. For example, a 100-calorie pouch of small chocolate chip cookies (approximately 21 grams) combined with one small banana (approximately 100 grams) is a combination item if packaged and sold together; the cookies contain grain and the small banana is about ½ cup of fruit. The nutrients for this example combination are 190 calories, 3 grams of fat (14 percent of calories from fat), 1 gram of saturated fat (5 percent of calories from saturated fat), 0 grams of trans fat, 95 milligrams of sodium, and 20 grams of sugar (17 percent of sugar by weight).

- **State Requirements (HFC Public Schools Only):** The CNS require that snacks must contain no more than 35 percent of total sugars by weight **and** no more than 15 grams of total sugars as served including any added accompaniments. In addition, all grains must be WGR (see “State Requirements (HFC Public Schools Only)” in Q-1 of this Combination Foods section). The example above would **not** meet the CNS because the chocolate chip cookies packaged with the banana together contain 20 grams of sugars. For more information, see the CSDE’s handout, [Summary of CNS](#).

QAs on Smart Snacks in School

5. Would a side salad meet the nutrient standards and/or is it considered to meet the standards as a combination food?

A side salad may qualify based either on the first ingredient being a vegetable or as a combination food. For example, 1 cup of romaine lettuce, ¼ cup of sliced cucumbers, 8 cherry tomatoes, 4 croutons, and 1 tablespoon of low-calorie Caesar dressing that contains 57 calories, 1 gram of fat (16 percent of calories from fat), 0 grams of saturated fat, 0 grams of trans fat, 191 milligrams of sodium, and 4 percent of sugar by weight would be allowable.

- **State Requirements (HFC Public Schools Only):** The CNS require that all grain products are WGR including combination foods that contain grains and another food group (see “State Requirements (HFC Public Schools Only)” in Q-1 of this Combination Foods section). In the example above, for the side salad to qualify as a combination food (vegetables and grains) under the CNS, the croutons must be WGR. For more information, see the CSDE’s handouts, [Criteria for Whole Grain-rich Foods](#) and [Summary of CNS](#).

6. May cheese and crackers be sold?

To meet the general standard, the first ingredient in cheese and crackers packaged together must be either a dairy food or a whole grain. Cheese and crackers must also meet all of the specific nutrient standards. If the cheese and the crackers are packaged separately and sold as separate items, reduced-fat cheese or part-skim mozzarella would be exempt from the total and saturated fat standard but subject to all other standards, while the crackers would need to have as the first ingredient a whole grain and meet all other Smart Snacks nutrition standards.

- **State Requirements (HFC Public Schools Only):** The CNS require that all grain products are WGR, including combination foods that contain grains and another food group (see “State Requirements (HFC Public Schools Only)” in Q-1 of this Combination Foods section). In the example above, the crackers must be WGR to meet the grain general standard of the CNS. They must also meet all nutrient standards, e.g., calories, fat, saturated fat, trans fat, sodium and sugar. For more information, see the CSDE’s handouts, [Criteria for Whole Grain-rich Foods](#) and [Summary of CNS](#).

QAs on Smart Snacks in School

BEVERAGES

Public schools must comply with the Smart Snacks beverage standards, the stricter provisions of the state beverage statute (C.G.S. Section 10-221q) and the state competitive foods regulations. For more information, see the CSDE's handout, *Allowable Beverages in Connecticut Public Schools*, *Beverage Requirements* Web page and *Guide to Competitive Foods in Schools*. Commercial beverages that meet the state beverage requirements are listed on the CSDE's *List of Acceptable Foods and Beverages*.

Private schools and RCCIs must comply with the Smart Snacks beverage standards and state competitive foods regulations. For more information, see the CSDE's handout, *Summary of Smart Snacks Nutrition Standards*, and *Smart Snacks Nutrition Standards* Web Page.

1. Now that the restrictions on the sale of other beverages during the meal service have been eliminated in the interim final rule, may a student select juice or a diet soda instead of milk for a reimbursable meal?

No, the Smart Snacks interim final rule does not change the meal pattern and nutrition standards for the National School Lunch Program (NSLP) or the School Breakfast Program (SBP). Milk is one component of a reimbursable meal. The milk component may be declined in the case of offer versus serve. However, beverages other than juice and smoothies offered as the fruit or vegetable component of the reimbursable meal must be purchased a la carte.

State Requirements (All Public Schools): The state beverage statute (C.G.S. Section 10-221q) statute applies to all public schools regardless of whether they participate in the USDA school nutrition programs or choose the healthy foods option of HFC under C.G.S. Section 10-215f. The state beverage statute applies to beverages sold to students at all times as part of school meals and separately from school meals anywhere on school premises, such as cafeterias, vending machines, school stores and fundraisers. Beverages (such as diet soda) that do not comply with state statute can only be sold if the board of education or school governing authority has voted to allow beverage exemptions and three exemption criteria are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store. An "event" is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity, e.g., soccer games, school plays and school debates are events but soccer practices, play rehearsals and debate team meetings are not.

C.G.S. Section 10-221q allows the following five beverage categories to be sold to students in public schools: 1) Milk, low-fat (1%) unflavored and nonfat flavored or unflavored, with no more than 4 grams of sugar per fluid ounce and no artificial sweeteners; 2) Nondairy milk substitutes such as soy or rice milk (flavored or unflavored) that meet the USDA standards for nutritionally equivalent milk

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alternatives, and contain no artificial sweeteners, no more than 4 grams of sugar per fluid ounce, no more than 35 percent of calories from fat and no more than 10 percent of calories from saturated fat; 3) **100 percent juice** (fruit, vegetable or combination), containing no added sweeteners; 4) **Beverages that contain only water and fruit or vegetable juice** with no added sweeteners, and that meet the requirements specified in the CSDE's handout, [Requirements for Beverages Containing Water and Juice](#); and 5) **Water** (plain or carbonated), which may be flavored but contains no added sweeteners or caffeine.

- **State Requirements (Private Schools and RCCIs Only):** Section 10-215b-1 of the Regulations of Connecticut State Agencies supersedes the Smart Snacks beverage standards for high schools by prohibiting the sale of soft drinks from 30 minutes before up through 30 minutes after any USDA school nutrition programs. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie and zero calorie), hot chocolate (regular, low-calorie and sugar-free), and sweetened beverages (with or without carbonation) that are not 100 percent juice such as lemonade and fruit punch drinks made with 10 percent juice. For more information, see the CSDE's handout, [Connecticut Competitive Foods Regulations](#), and [Guide to Competitive Foods in Schools](#).

2. How can I tell if my 20 fluid ounces (fl oz) beverage may be sold in high schools?

Use the nutrition facts panel as the guide. Beverages with ≤ 10 calories per 20 fl oz may be sold in containers up to 20 fl oz. Additionally, if a beverage is labeled as < 5 calories per 8 fl oz, and there are not more than 2.5 servings in the 20 fl oz container, it may be sold.

- **State Requirements (All Public Schools):** Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE's [Beverage Requirements](#) Web page.
- **State Requirements (Private Schools and RCCIs Only):** Section 10-215b-1 of the Regulations of Connecticut State Agencies supersedes the Smart Snacks beverage standards by prohibiting the sale of soft drinks from 30 minutes before up through 30 minutes after the meal periods. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie and zero calorie), hot chocolate (regular, low-calorie and sugar-free), and sweetened beverages (with or without carbonation) that are not 100 percent juice such as lemonade and fruit punch drinks made with 10 percent juice. For more information, see the CSDE's handout, [Connecticut Competitive Foods Regulations](#), and [Guide to Competitive Foods in Schools](#).

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3. For the “Other” beverages category in high school, are the calorie limits proportional, or may I serve a four ounce beverage that has 60 calories?

The standard for lower calorie beverages in high school is ≤ 40 calories per 8 fl oz or ≤ 60 calories for 12 fl oz. This is intended to be proportional. This means that these “other” beverages may have not more than 5 calories per fluid ounce. A smaller serving of a beverage that contains the maximum calories for a 12 fl oz beverage would **not** meet the standard.

- **State Requirements (All Public Schools):** Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s [Beverage Requirements](#) Web page.
- **State Requirements (Private Schools and RCCIs Only):** Section 10-215b-1 of the Regulations of Connecticut State Agencies supersedes the Smart Snacks beverage standards by prohibiting the sale of soft drinks from 30 minutes before up through 30 minutes after any USDA school nutrition programs. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie and zero calorie), hot chocolate (regular, low-calorie and sugar-free), and sweetened beverages (with or without carbonation) that are not 100 percent juice such as lemonade and fruit punch drinks made with 10 percent juice. For more information, see the CSDE’s [handout, Connecticut Competitive Foods Regulations](#), and [Guide to Competitive Foods in Schools](#).

4. How can I be sure that juice meets the standard for being full-strength 100-percent juice?

The Food and Drug Administration (FDA) requires beverage labels for products that contain juice to include a percent juice declaration on the product carton. When the product carton has the FDA required percent juice content declaration printed as “100% juice,” the product meets the Smart Snack standard for being full-strength 100-percent juice and can be sold in the appropriate portion sizes (≤ 8.0 fluid ounces for elementary schools and ≤ 12.0 fluid ounces for middle and high schools).

5. Diluted juice is allowed in Smart Snacks. How do I make sure that the juice product was 100% juice prior to being diluted with water?

Packaged juice that has been diluted with water will have the FDA required percent juice declaration printed on the label as “contains ____-percent juice” where the blank is filled in with the percent of full-strength 100 percent juice that is contained in the diluted juice drink. The additional information from the ingredient list will indicate that it has been diluted with water and whether or not it has added sweeteners.

In other words, if the product name is, “apple juice drink” with the ingredients listed as, “water and apple juice concentrate,” and the product carton has the percent juice declaration statement listed as, “Contains 70% Juice” or “70% Juice,” then the product is full-strength apple juice diluted with water at the ratio of 70-percent juice to 30-percent water. Provided

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there are no added sweeteners, this product can be sold in the allowed portion sizes (≤ 8.0 fluid ounces for elementary schools and ≤ 12.0 fluid ounces for middle and high schools).

6. May 100% juice contain added sweeteners?

Yes. The FDA allows added sweeteners such as sugar in products labeled as “100% juice.” The Smart Snacks regulation only prohibits added sweeteners in diluted juice (carbonated or noncarbonated with no added sweeteners).

- **State Requirements (All Public Schools):** *The state beverage statute specifically prohibits 100 percent juice with added sweeteners. Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an event that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s Beverage Requirements Web page.*

7. There are many beverages on the market that are labeled as probiotic dairy drinks, drinkable yogurt, milk shakes, and/or high protein low-fat milk. Are such drinks allowable Smart Snack beverages?

Allowable milk beverages for all grade levels in Smart Snacks include unflavored low-fat and flavored or unflavored nonfat milk, Kefir (cultured milk), buttermilk, acidified milk, acidophilus milk or nutritionally equivalent milk alternatives as permitted by the school meal requirements. This category does not include other dairy drinks or milk beverages. Most of these other products have a deviated statement of identity on the product carton such as probiotic dairy drink, drinkable yogurt, milk shake, or high protein low-fat milk because these dairy drinks and milk beverages do not meet the federal standard of identity to be labeled as milk. Therefore, these dairy drinks and milk beverages do not meet the Smart Snacks milk standards, but may be sold, if they meet the requirements under the low and no calorie beverage standards for high school students only.

- **State Requirements (All Public Schools):** *The state beverage statute does not allow dairy drinks or milk beverages that do not meet the federal standard of identity for milk. Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an event that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s Beverage Requirements Web page.*

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8. Are smoothies allowed under the Smart Snacks requirements?

Yes, smoothies may be sold under the Smart Snacks requirements. There are two types of smoothie products, food smoothies and beverage smoothies. In addition, there are two categories of food smoothies, entrée smoothies and snack smoothies.

- **State Requirements (HFC Public Schools Only):** The state beverage statute does **not** include a “smoothie” category, and therefore does not allow beverages made of a **combination** of 100 percent juice, low-fat or nonfat milk (including allowable milk substitutes such as soy milk) with or without added water or ice (see Q-9 in this section). Smoothies made with low-fat yogurt and fruits/vegetables/100 percent juice must be evaluated as a food in the “Snacks” category of the CNS. Smoothies must meet either the food group general standard or combination food general standard, and all nutrient standards including no more than 4 grams of sugars per fluid ounce. Smoothies containing yogurt and fruits/vegetables meet the CNS entrée definition for **breakfast only**, and are exempt from the standards when sold separately from a reimbursable breakfast on the same day. Smoothies containing yogurt and fruits/vegetables must comply with the entrée standards at lunch. For more information, see the CSDE’s handout, [Summary of CNS](#).
- **State Requirements (Non-HFC Public Schools):** The state beverage statute does **not** include a “smoothie” category, and therefore does not allow beverages made of a **combination** of 100 percent juice, low-fat or nonfat milk (including allowable milk substitutes such as soy milk) with or without added water or ice (see Q-9 in this section). Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s [Beverage Requirements Web page](#).

9. When would a smoothie be considered a beverage?

A smoothie is considered to be a beverage when it is comprised entirely of beverages that are currently allowable under the Smart Snacks standard for 100 percent juice, low fat or nonfat milk (including allowable milk substitutes such as soy milk), and water (or ice). For example, a smoothie made from 100% fruit juice, 1% milk and blended with ice would be considered to be a beverage smoothie. The serving size of this beverage smoothie is limited to not more than 8 fl oz for elementary schools and not more than 12 fl oz for middle and high schools.

- **State Requirements (All Public Schools):** The state beverage statute does **not** include a “smoothie” category, and therefore does not allow beverages made of a **combination** of 100 percent juice, low-fat or nonfat milk (including allowable milk substitutes such as soy milk) with or without added water or ice. Beverages that do not comply with the beverage requirements of state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s [Beverage Requirements Web page](#).

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10. When would a smoothie be considered to be a food?

A smoothie is considered to be a food when the smoothie meets the general standard by including one of the main food group categories as the first ingredient and meets the specific nutrient standards. For example, if a smoothie consists of pieces of strawberries, banana slices, pineapple juice and ice, the smoothie may be considered to be a food smoothie since it contains pieces of fruit. This type of smoothie would be considered to be a snack since it does not meet the definition of an entrée (i.e., does not contain a meat/meat alternate) but does meet the general and nutrient standards.

- **State Requirements (HFC Public Schools Only):** Smoothies made with low-fat yogurt and fruits/vegetables/100 percent juice must be evaluated as a food in the “Snacks” category of the CNS. Smoothies must meet either the food group general standard or combination food general standard, and all nutrient standards including no more than 4 grams of sugars per fluid ounce. Smoothies containing yogurt and fruits/vegetables meet the CNS entrée definition for **breakfast only**, and are exempt from the standards when sold separately from a reimbursable breakfast on the same day. Smoothies containing yogurt and fruits/vegetables must comply with the entrée standards at lunch. For more information, see the CSDE’s handout, [Summary of CNS](#).

11. What if a smoothie contains a meat/meat alternate?

As stated in Q10, for a smoothie to count as a food, the first ingredient of the smoothie must meet the general standard by being an item included in one of the main food group categories and must meet the specific nutrient standards. If a smoothie also contains a meat alternate, such as yogurt or peanut butter as well as a fruit or vegetable, it would not only be considered to be a food smoothie, but would also meet the definition of an entrée item and may be sold as such.

- **State Requirements (HFC Public Schools Only):** Smoothies made with low-fat yogurt and fruits/vegetables/100 percent juice must be evaluated as a food in the “Snacks” category of the CNS. Smoothies must meet either the food group general standard or combination food general standard, and all nutrient standards including no more than 4 grams of sugars per fluid ounce. Smoothies containing yogurt and fruits/vegetables meet the CNS entrée definition for **breakfast only**, and are exempt from the standards when sold separately from a reimbursable breakfast on the same day. Smoothies containing yogurt and fruits/vegetables must comply with the entrée standards at lunch. For more information, see the CSDE’s handout, [Summary of CNS](#).

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12. If a smoothie is served as a breakfast entrée item, is it exempt from the standards?

Yes, if a smoothie is served as a breakfast entrée item in the SBP, it is exempt from the Smart Snacks standards on the day of service and the day after service in the reimbursable breakfast meal.

- **State Requirements (HFC Public Schools Only):** Smoothies containing yogurt and fruits/vegetables meet the CNS entrée definition for **breakfast only**, and are exempt from the standards when sold separately from a reimbursable breakfast on the same day that they are planned and sold as part of a reimbursable meal. For more information, see the CSDE's handout, [Summary of CNS](#).

13. In high school, could a beverage smoothie have added sweeteners?

If a beverage smoothie (combines allowable beverages) is sold in high school and contains added sweeteners, it would fall into the "Other" allowable beverage category for high school. When this is the case, the smoothie must meet the calorie and size restrictions for that beverage category, i.e., ≤60 calories per 12 fl oz (or 5 calories/1 fl oz) with a maximum size of 12 fl oz.

- **State Requirements (HFC Public Schools Only):** Smoothies made with low-fat yogurt and fruits/vegetables/100 percent juice must be evaluated as a food in the "Snacks" category of the CNS. Smoothies must meet either the food group general standard or combination food general standard, and all nutrient standards including no more than 4 grams of sugars per fluid ounce. For more information, see the CSDE's handout, [Summary of CNS](#).

14. Would a frozen fruit product labeled as 100-percent juice (i.e., frozen fruit bars, frozen fruit cups, frozen fruit pops) count as a food or beverage?

School districts have the flexibility to choose whether a frozen fruit product will be categorized as a food or a beverage. If a school district decides that it wants to sell a frozen fruit product as a food, the product must contain one of the main food groups (protein, dairy, fruit, vegetable) as the first ingredient, it must be 200 calories or less and it must meet all the nutrient standards for smart snacks. If a school district decides that it wants to sell a frozen fruit product as a beverage, 8 fluid ounces is the maximum serving size for elementary schools and 12 fluid ounces is the maximum serving size for middle and high schools.

- **State Requirements (HFC Public Schools Only):** The state beverage statute does **not** include categories for frozen fruit bars, frozen fruit cups and frozen fruit pops made from 100 percent juice. These products must be evaluated as foods under the CNS, as frozen desserts in the "Snacks" category. For more information, see the CSDE's handout, [Summary of CNS](#).
- **State Requirements (Non-HFC Public Schools Only):** The state beverage statute does **not** include categories for frozen fruit bars, frozen fruit cups and frozen fruit pops made from 100 percent juice. These products must be evaluated as foods under the Smart Snacks standards. For more information, see [Summary of Smart Snacks Standards](#).

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15. If coffee and tea are sold, may the students have cream and sweetener for their beverages?

Yes, cream and sweeteners are accompaniments to coffee and tea. The sugar and cream must be included in the evaluation of the coffee or tea against the beverage standard. The use of accompaniments may be averaged over the number of drinks sold. The “Other” beverage standard in high school permits ≤ 60 calories per 12 fl oz, which is the same as ≤ 5 calories per fl oz. If a smaller beverage is served, the calories cannot exceed 5 calories per fl oz, for example a 6 fl oz beverage cannot have more than 30 calories.

- **State Requirements (All Public Schools):** *Coffee and tea do not comply with the beverage requirements of state statute. Beverages that do not comply state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s [Beverage Requirements](#) Web page and the CSDE’s [Guide to Competitive Foods in Schools](#).*
- **State Requirements (Private Schools and RCCIs Only):** *Section 10-215b-1 of the Regulations of Connecticut State Agencies supersedes the federal regulation by prohibiting sales of coffee and tea from 30 minutes before up through 30 minutes after any USDA school nutrition programs. For more information, see the CSDE’s handout, [Connecticut Competitive Foods Regulations](#), and [Guide to Competitive Foods in Schools](#).*

16. May espresso and steamed (or boiled) milk beverages be sold, such as lattes and cappuccinos?

Yes, as long as the beverage sold is comprised of two allowable beverages. Espresso (or coffee) is allowable at the high school level only and may be combined with skim milk, flavored or unflavored. Espresso (or coffee) may also be combined with 1% milk, as long as there is no added flavoring. Additionally, it would be acceptable to sell an espresso beverage over ice or blended with ice. All final beverage sizes must be no more than 12 fl oz.

- **State Requirements (All Public Schools):** *Coffee (including espresso, lattes and cappuccinos) does not comply with the beverage requirements of state statute. Beverages that do not comply with state statute can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store (see Q-1 in this section). For more information, see the CSDE’s [Beverage Requirements](#) Web page and [Guide to Competitive Foods in Schools](#).*
- **State Requirements (Private Schools and RCCIs Only):** *Section 10-215b-1 of the Regulations of Connecticut State Agencies supersedes the federal regulation by prohibiting sales of coffee from 30 minutes before up through 30 minutes after any USDA school nutrition programs. For more information, see the CSDE’s handout, [Connecticut Competitive Foods Regulations](#), and [Guide to Competitive Foods in Schools](#).*

QAs on Smart Snacks in School

SOY PRODUCTS

1. Do soy products, like meatless burgers, meet the general standard as a protein food?

Processed soy products that have tofu, soybean, texturized vegetable protein (TVP), soy protein isolate, soy flour, or soy protein concentrate as the first ingredient meet the general standard requirement as a protein food. These foods also need to be evaluated to ensure that the product meets the Smart Snacks nutrient standards.

2. Are soy nuts a protein food?

Soy nuts are **dried** soybeans that fall into both the protein group and vegetable group. Since the Smart Snacks requirements exempt only “fresh, frozen and canned vegetables with no added ingredients except water” (and canned vegetables with a small amount of sugar for processing), soy nuts would **not** be exempt from the nutrient standards. However, even though soy nuts would not be exempt from all nutrient standards as a vegetable, they **would be** exempt from the total fat and saturated fat requirements, under the nut/seeds exemption. Remember, soy nuts are still subject to the calorie, trans fat, sugar and sodium standards.

- **State Requirements (HFC Public Schools Only):** To meet the nut/seeds exemptions for total fat and saturated fat under the CNS, soy nuts must contain no added sweeteners (including nutritive sweeteners, artificial sweeteners, nonnutritive sweeteners and sugar alcohols) or chemically altered fat substitutes. They must also meet all applicable nutrient standards, e.g., calories, trans fat, sugar and sodium.

3. Do fortified soy beverages meet the standard to be sold?

If a fortified soy beverage meets the standard to be served in the NSLP as a fluid milk substitute per USDA regulations [7CFR 210.10\(d\)](#), it may be sold. If the standard is met, these beverages must adhere to the appropriate beverage standards for Smart Snacks, i.e., 8 fl oz or less in elementary schools and 12 fl oz or less in middle and high schools.

- **State Requirements (All Public Schools):** In addition to the Smart Snacks beverage standards, milk substitutes such as soy milk must also comply with the state beverage statute. They must contain no artificial sweeteners, no more than 4 grams of sugar per fluid ounce, no more than 35 percent of calories from fat and no more than 10 percent of calories from saturated fat. For more information, see the CSDE’s [Beverage Requirements](#) Web page. For information on the USDA requirements for fluid milk substitutes, see the CSDE’s handout, [Allowable Milk Substitutions](#). The CSDE’s [List of Acceptable Foods and Beverages](#) includes commercial nondairy beverages that comply with state and federal requirements.

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ENTRÉES

1. What is considered to be an entrée in Smart Snacks?

The Smart Snacks in School regulation at §210.11(a)(3) defines an entrée as an item that is either:

- A combination food of meat or meat alternate and whole grain rich item;
- A combination food of vegetable or fruit and meat or meat alternate; or
- A meat or meat alternate alone, with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters and meat snacks (such as dried beef jerky).

The preamble to the proposed rule provided several examples for each part of the entrée definition. These included examples of the following three categories of main dish food items:

(1) A combination food of meat or meat alternate and whole grain-rich bread (for example, turkey sandwich, peanut butter on whole grain-rich bread, pizza with whole grain-rich crust, hot dog or hamburger on a whole grain-rich bun, a bean and cheese burrito, nachos with chili and cheese);

(2) A combination food of vegetable or fruit and meat or meat alternate (for example, chef's salad, fruit and cheese platter, chicken vegetable stir-fry); or

(3) A meat or meat alternate alone (e.g., fish filet, Salisbury steak, seafood, egg or chicken) with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters.

While the preamble to the interim final rule did not repeat the specific examples above or the term “main dish,” the intent of the interim final rule definition of entrée is to be consistent with the proposed rule discussion. The final rule will clarify that the definition of entrée intends for the item to be a “main dish.”

2. Is a cheese sandwich or a peanut butter sandwich considered an entrée item?

Yes. A combination meat/meat alternate and whole grain-rich food meets the definition of an entrée item. Cheese or peanut butter alone is not considered to be an entrée; however, when combined with whole grain-rich bread, these sandwiches are entrée items. Unless served as an entrée in the NSLP on that day or the day after, all entrée items must also meet the Smart Snacks general and nutrient standards.

State Requirements (HFC Public Schools Only): *The exemption for entrée items under the CNS applies only to entrée items that are sold a la carte on the same day that they are planned and sold as part of a reimbursable meal. All other entrées must meet at least one general standard and all nutrient standards of the CNS. For more information, see the CSDE's handout, [Summary of CNS](#).*

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3. Does yogurt with fruit count as an entrée?

Yogurt meets the Smart Snacks general standard as a dairy product. However, when combined with fruit or vegetables, or a whole grain-rich food (e.g., granola), it becomes a combination food of a meat/meat alternate and fruit or vegetables, or meat/meat alternate and a whole grain rich-food which becomes an acceptable entrée. It is important to note, however, that the interim final rule prohibits yogurt alone from being considered an entrée item.

- **State Requirements (HFC Public Schools Only):** Under the CNS, yogurt alone is a snack food and cannot be considered an entrée. However, yogurt combined with fruits or vegetables and a whole grain-rich food (e.g., granola), such as a yogurt parfait, meets the definition of an entrée item for both breakfast and lunch. The exemption for entrée items under the CNS applies only to entrée items that are sold a la carte on the same day that they are planned and sold as part of a reimbursable meal. All other entrées must meet at least one general standard and all nutrient standards of the CNS. For more information, see the CSDE's handout, [Summary of CNS](#).

4. How often may entrées served as part of a reimbursable meal that do not meet the Smart Snacks standards be sold a la carte to students? The interim final rule provides that entrées that have been served as part of the NSLP or SBP reimbursable meal are exempt from the Smart Snacks food standards on the **day of service** in the NSLP and SBP, as well as the **day after** the entrée is served in the NSLP or SBP as part of the reimbursable meal. This means that these entrée items may be sold to students a la carte on the same day that they are served as part of the reimbursable meal, as well as the day after they have been served as part of the NSLP or SBP meal. Leftover entrées may also be re-served at any time as part of a reimbursable meal without regard to the Smart Snacks restrictions.

State Requirements (HFC Public Schools Only): The exemption for entrée items under the CNS applies only to entrée items that are sold a la carte on the same day that they are planned and sold as part of a reimbursable meal. All other entrées must meet at least one general standard and all nutrient standards of the CNS. For more information, see the CSDE's handout, [Summary of CNS](#).

5. When considering entrée exemptions on the same day and the next school day, may a breakfast entrée be served during lunch and be exempt and vice versa?

Yes, this is acceptable. Please note that such exempt entrées are required to be served in the same or smaller portion size than the NSLP and SBP entrée.

- **State Requirements (HFC Public Schools Only):** The exemption for entrée items under the CNS applies **only** to three categories of main dish food items: 1) a combination food of **meat/meat alternate and whole grain-rich (WGR) food**, e.g., breakfast egg sandwich on a whole-wheat English muffin, turkey wrap on whole-wheat tortilla, pizza with WGR crust, hamburger on a whole-grain bun and bean burrito with whole-corn tortilla ; 2) a combination food of **vegetable/fruit and meat/meat alternate**, e.g., chef's salad with turkey, cheese and hard-boiled egg, fruit and cheese platter, yogurt and fruit parfait, baked potato with chili, chicken vegetable stir-fry; and 3) a **meat/meat alternate alone** (e.g., sausage patty, hard-boiled egg, grilled chicken), excluding yogurt, low-fat or reduced fat cheese, nuts, seeds, nut/seed butters and meat snacks, e.g., jerky and meat sticks. In addition, the exemption for

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entrée items under the CNS applies only to entrée items that are sold a la carte on the same day that they are planned and sold as part of a reimbursable meal. Entrées that are only sold a la carte must meet at least one general standard and all nutrient standards of the CNS.

Grain-only breakfast “entrée items” such as pancakes, waffles, bagels and French toast, do not meet the entrée definition under the CNS and are therefore not exempt when sold separately from a reimbursable meal. These foods must be whole grain-rich and meet all nutrient standards.

6. Are traditional grain products made in a non-traditional way, such as bean pasta, bean tortilla chips, and bean crackers, with beans or bean powder as the first ingredient, measured against the entrée standards or the snack standards?

Non-traditional grain products such as pasta, tortilla chips, and crackers made with meat alternates such as beans or bean powder as the first ingredient, by themselves are not considered an entrée for Smart Snacks. These non-traditional grain products, when sold by themselves may be measured against the snack standards because they meet the general standard that requires a non-grain food group as the first ingredient. However, when these non-traditional grain products are combined with a meat/meat alternate alone or with a meat/meat alternate and a vegetable or with a meat/meat alternate and a fruit, the combination may be measured against the entrée standards for Smart Snacks. For example, lentil crackers combined with hummus may be sold as an entrée, assuming the combined item meets the entrée standards.

7. If the school food service serves a commercial brand pizza for the reimbursable school lunch meal, may the commercial company sell the same commercial brand pizza in the same building on their own for profit or does the entrée have to be provided through the food service department?

The Smart Snacks in School regulation provides an exemption for entrée items served as the entrée in the reimbursable school meal. Such entrées may be sold on that same day and the day after at any venue in the school, such as the school store, snack bar, etc. It is at the discretion of the school district or school as to whether or not to allow retail operators to sell such foods in schools on the day of and/or the day after such an item is served in the reimbursable meal.

- *State Requirements (HFC Public Schools Only): The exemption for entrée items under the CNS applies only to entrées that belong to one of the three categories of main dish food items (see Q5 in this section) and are sold a la carte the same day that they are sold as part of reimbursable meals in school nutrition programs. Retail operators are not eligible for the entree exemption.*

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8. How do I count accompaniments for exempt entrées?

As with the NSLP, accompaniments are part of the meal offered and must be considered when conducting a nutrient analysis to determine compliance with the weekly dietary specifications (calories, sodium, trans fat, etc.) for the reimbursable meal programs and for the a la carte meals to ensure that such meals comply with the Smart Snacks standards. Accompaniments are never considered to be exempt from the Smart Snacks in School standards, even when they accompany an exempt entrée item sold a la carte. Salad dressings or condiments do not need to be on the plate when the food item is served; however, the amount of the accompaniments used during the meal service must be averaged into the nutrient profile of the relevant reimbursable meals and a la carte entrees served that day in order to evaluate compliance with the NSLP/SBP meal pattern and the Smart Snacks requirements. The preamble to the interim final rule also discusses this issue.

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NUTRITION STANDARDS

1. How do I calculate the percentage of calories from fat contained in an item?

There are two methods of calculating this percentage based on the information found on the nutrition facts panel. Both are acceptable, though they may yield slightly different results (see Q. 13). The nutrition facts panel includes total fat in two places: (1) listed as calories from fat near the top; and (2) listed in grams with the other nutrients. The percent of calories from fat may be calculated using either number.

To calculate using the calories from fat information, take the calories from fat listed on the label and divide by the total calories, then multiply by 100. Using the nutrition facts panel example shown here to calculate the calories from fat method, the calculation would be as follows: $50 \text{ calories} \div 140 \text{ calories} \times 100 = 35.7$ percent of calories from fat.

To use the grams of total fat method, take the grams of fat on the label and multiply by 9 (the calories in each gram of fat), divide that result by the total calories, then multiply by 100. Using the nutrition facts panel example here, the calculation would be: $5 \text{ grams} \times 9 \text{ calories} \div 140 \text{ calories} \times 100 = 32.14$ percent of calories from fat.

Nutrition Facts	
Serving Size 1 oz (28g)	
Serving Per Container 1	
Amount Per Serving	
Calories 140	Calories from Fat 50
% Daily Values*	
Total Fat 5g	8%
Saturated Fat 0.5g	3%
Trans Fat 0g	
Sodium 200mg	8%
Total Carbohydrate 18g	6%
Dietary Fiber 3g	12%
Sugars 2g	
Protein 3g	6%

*Percent Daily Values are based on a 2,000 calorie diet.

- **State Requirements (HFC Public Schools Only):** For the purposes of determining whether foods meet the CNS, only the **grams of total fat method** may be used. The CSDE's [List of Acceptable Foods and Beverages](#) includes commercial food products that meet the CNS. Since the CNS exceeds the federal standards, these foods will also meet the USDA Smart Snack standards.

2. It appears that these two methods may give different results when calculating the percentage of calories from fat. If so, which calculation should be used?

These two methods will often provide slightly different results because the Food and Drug Administration (FDA) has different rounding rules for the labeling of each of these nutrients on the nutrition facts panel. However, if either method results in less than or equal to 35 percent of calories from fat (do not round the result), the product will meet the total fat standard. The example above could be sold since the result, using the grams of total fat, is less than or equal to 35 percent of calories from fat.

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3. Must I always use both methods to calculate the percentage of calories from fat?

We recommend you start by using the calories from fat listed at the top of the nutrition facts panel. If the result is less than or equal to 35 percent of calories from fat, there is no need to do the calculation with the total fat grams. If the result does not meet the standard, use the grams of total fat to determine if the item meets the total fat standard.

- **State Requirements (HFC Public Schools Only):** For the purposes of determining whether foods meet the CNS, only the **grams of total fat method** may be used. The CSDE's [List of Acceptable Foods and Beverages](#) includes commercial food products that meet the CNS. Since the CNS exceeds the federal standards, these foods also meet the USDA Smart Snack standards.

4. How do we calculate the percentage of calories from saturated fat in an item?

To calculate the percentage of calories from saturated fat, take the grams of saturated fat and multiply by 9 (the calories in each gram of saturated fat), divide that result by the total calories, then multiply by 100. Using the nutrition facts panel from question 12, the calculation would be: $(0.5 \text{ gram} \times 9 \text{ calories}) \div 140 \times 100 = 3.2$ percent. Do not round the result since the standard is less than 10 percent of calories from saturated fat. A product with up to 9.9 percent of calories from saturated fat will meet the standard.

- **State Requirements (HFC Public Schools Only):** Review the CSDE's [List of Acceptable Foods and Beverages](#) for commercial food products that meet the saturated fat standard. Since the CNS exceeds the federal standards, these foods also meet the USDA Smart Snack standards.

5. How do I calculate the percent of sugar by weight?

To calculate the percentage of sugar by weight, take the grams of sugar on the nutrition facts panel and divide that by the total weight of the food in grams. Using the nutrition facts panel from question 12, the calculation would be: $2 \text{ g (grams of sugar)} \div 28 \text{ g (total weight of food)} \times 100 = 7.14$ percent sugar by weight. Total sugar must be no more than 35 percent by weight. Do not round the result.

- **State Requirements (HFC Public Schools Only):** The CNS requires that snacks must contain no more than 35 percent of total sugars by weight **and** no more than 15 grams of total sugars as served including any added accompaniments. Review the CSDE's [List of Acceptable Foods and Beverages](#) for commercial food products that meet the sugar standard. Since the CNS exceeds the federal standards, these foods will also meet the USDA Smart Snack standards.

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6. Which dried fruit items may have added nutritive sweeteners and still be exempt from the sugar standard?

The regulation permits dried fruit with nutritive sweeteners that are required for processing and/or palatability purposes to be exempt from the sugar standard only. Such items, however, must meet the Smart Snack calorie, total fat, saturated fat, trans fat, and sodium standards. At this time, the only types of dried fruit that may have added nutritive sweeteners and be exempt from the sugar standard are dried cranberries, dried tart cherries and dried blueberries.

- *State Requirements (HFC Public Schools Only): The CNS does not allow an exemption for dried fruits with added nutritive sweeteners. Dried fruits cannot contain any added sweeteners (including nutritive sweeteners, artificial sweeteners, nonnutritive sweeteners and sugar alcohols) or fats (including chemically altered fat substitutes).*

7. When is frozen fruit with added sugar considered to be equivalent to canned fruit packed in extra light, or light syrup, and therefore exempt from the standards?

Frozen fruit with added sugar is processed differently than canned fruit with light syrup. Sugar is added to fruit prior to freezing as a ratio (for example, 11 pounds of fruit to 1 pound of sugar), not as a liquid syrup (for example, light syrup used in canning). When a frozen fruit product has approximately 20 percent sugar by weight, it is similar to fruit canned in light syrup. Therefore, when a frozen fruit product has added sugar and the sugar by weight is 20 percent or less, it is exempt from the calories, total fat, saturated fat, and sodium standards. It is important to note that any fruit product with sugar may be evaluated against the standards and be sold as long as it meets all the requirements. For example, if a product's first ingredient is a fruit and all the nutrient standards (including calories and sugar by weight) are met, the product may be sold.

8. Will USDA-approved nutrient analysis software include sugars?

Yes. All USDA-approved nutrient analysis software will have sugars included by July 1, 2014. Anyone who does not receive an update to their software with the current CN Database (CN18) by July 1, 2014, should contact their software company.

9. There is a discrepancy between the preamble and the regulatory text with regard to the saturated fat requirements for allowable foods. Could you clarify the saturated fat requirement? In addition, please clarify the trans fat limit.

Saturated Fat Requirement

Foods eligible to be sold must derive **less than** 10 percent of their calories from saturated fat. A food that has exactly 10 percent of calories from saturated fat would **not** meet the standard. The preamble incorrectly states the requirement. However, the USDA regulations for the NSLP [7CFR 210.11\(f\)\(1\)\(ii\)](#) correctly states the requirement that the saturated fat content of a competitive food must be less than 10 percent of total calories per item as packaged or served, with specific exemptions as specified in (f)(3) of the NSLP regulation.

Trans Fat Requirement

Per FDA labeling requirements, a product must have less than 0.5 grams of trans fat to be labeled as a product that contains “0g” trans fat. Program operators should only select foods that contain zero grams of trans fat as stated on the nutrition facts panel (unless it is a

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naturally occurring trans fat). We are aware that there is a discrepancy between what is in the Smart Snacks preamble and regulation and the FDA requirements for labeling a product as 0 grams of trans fat. This error will be corrected in the final rule. The requirement for Smart Snacks is that a product must be labeled as “0g” of trans fat (contain less than 0.5 gram) to be allowable, consistent with the FDA labeling requirements.

- **State Requirements (HFC Public Schools Only):** *Effective July 1, 2015, all products must be 100 percent trans fat free including any added accompaniments. Labels must indicate zero trans fat as served and the ingredients statement cannot contain any partially hydrogenated oils. Review the CSDE’s [List of Acceptable Foods and Beverages](#) for commercial food products that meet the trans fat standard. Since the CNS exceeds the federal standards, these foods also meet the USDA Smart Snack standards.*

10. May popcorn qualify as a Smart Snack?

Popcorn is whole grain and may be eligible as a Smart Snack, provided it meets all applicable standards. The ingredient label must list the first ingredient as popcorn to meet the general standard. There are many different types of popcorn available on the market, some with added fats and/or sugars, therefore, the nutrition facts panel or product specifications must be checked to determine if the product meets the nutrition standards.

11. Does a dried/dehydrated fruit or vegetable listed as the first ingredient qualify a product under the general standards for Smart Snacks?

Yes. A dried/dehydrated fruit or vegetable such as dried cherries or potato flakes listed as the first ingredient does qualify the product under the general standard for Smart Snacks. All nutrient standards must be met for calories, total fat, saturated fat, trans fat, sodium and sugar.

In addition, vegetable puree (tomato puree), fruit puree and concentrated vegetable puree (tomato paste) qualify as a fruit/vegetable under the general standards. Juice and juice blends made from concentrate when water is added in the correct amount (100% juice) are also considered a fruit/vegetable ingredient. However, **dehydrated or concentrated fruit juice or concentrated fruit puree** listed as the first ingredient is considered added sugar and does not qualify a product for sale under the general standard.

12. Should sugar alcohols be included when calculating total sugar?

No, sugar alcohols should not be treated like sugar.

- **State Requirements (HFC Public Schools Only):** *The CNS does not allow foods with sugar alcohols, e.g., sorbitol, mannitol, maltitol and erythritol. Foods that do not comply with the CNS can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions on the annual HFC Statement, and the foods are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity, e.g., soccer games, school plays and school debates are events but soccer practices, play rehearsals and debate team meetings are not. For more information, see the CSDE’s [handout, Summary of CNS](#), and [Guide to Competitive Foods in Schools](#).*

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13. May I use a product specification sheet or product sales literature rather than an actual product label with the *Nutrition Facts* panel in making Smart Snacks in School decisions?

While actual product labels or cartons are preferred, individuals interested in assessing products against the Smart Snacks in School nutrient standards may use properly documented specification sheets or sales literature provided by the food manufacturer or supplier. Properly documented informational materials are documents that are presented on company letterhead or designed portfolios complete with contact information and product identification. In some cases, these informational materials may include raw or unrounded nutrient data and these data can be used to assess the product against the Smart Snacks nutrient standards. The individuals making decisions are not required to follow any rounding rules; the information can be used as is. The intent is that the decisions can be made with the information that is in front of them during the process. It is important that the product labels or the product specification sheets/product sales literature be maintained for record keeping and monitoring purposes.

14. How do we determine whether frozen fruit and/or juice bars, frozen yogurt, or ice cream meet the Smart Snacks standards when serving size information is provided in fluid ounces or milliliters instead of by weight (grams)?

To evaluate product information that is provided in fluid ounces or milliliters rather than by weight (grams), the fluid ounce serving size will need to be converted from fluid ounces to weight in grams. The simple conversion for this is: 1.0 fluid ounce = 29.57 grams. If serving size information is presented in milliliters (mL), then the individual will need to convert mL to weight in grams. The simple conversion for this is: 1.0 mL = 1 gram.

- **State Requirements (HFC Public Schools Only):** The CSDE requires that ice cream manufacturers submit both **fluid ounces** and **weight (grams)** for all ice cream products. For more information, see the CSDE's handout, [Submitting Food and Beverage Products for Approval](#).

15. Are ice cream products with milk fat as the first ingredient allowable as a Smart Snack?

Since milk fat is not considered to be a dairy food, products that list milk fat or other milk components as the first ingredient would not meet the Smart Snacks general standard as having as the first ingredient from one of the non-grain main food groups. However, if the product carton or the ingredient declaration specifies that the product is "ice cream" and then follows with an ingredient list that includes milk fat, milk solids or cream, the product can be measured against the nutrition standards for snacks. This is because "ice cream" meets a specific Federal standard of identity and is considered to be a "dairy food." Dairy foods meet the Smart Snacks general standard and are allowable in accordance with the Smart Snacks regulation.

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FUNDRAISERS

The requirements below apply only to non-HFC public schools, private school and RCCIs. Public school districts that participate in HFC under C.G.S. [Section 10-215f](#) must follow the requirements summarized in the CSDE's handout, [Requirements for Food and Beverage Fundraisers \(HFC Public Schools\)](#). For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).

1. What is considered a fundraiser?

The USDA considers a fundraiser to be an event that includes any activity during which currency/tokens/tickets, etc. are exchanged for the sale/purchase of a product in support of the school or school-related activities. For example, giving away food but suggesting a donation would be considered a fundraiser since funds will be raised as a result. Another example may include a vending machine when the profits are used to support a school-sponsored club or activity such as the school band or football team. Purchasing tickets or tokens to be exchanged later for food items would also be considered to be a sale of food and/or a fundraiser and would be subject to the Smart Snacks standards.

- **State Requirements (HFC Public Schools Only):** *Under the CNS, fundraisers are any activities during which money or its equivalent (such as tickets, coupons, tokens and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. The exchange of tickets, coupons, tokens and similar items for foods and beverages constitutes sales to students on school premises. The CNS applies regardless of whether the tickets or similar items are purchased by students or given to students free of charge. Fundraisers also include any activities that suggest a student donation for foods and beverages, since funds may be raised as a result. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).*

2. What if tickets or tokens are provided to students as rewards? Would items exchanged for such tickets have to comply with the Smart Snacks standards?

If a ticket or a token is given to a student for good behavior or good grades – a behavioral or performance award – and no money is exchanged in order to acquire the ticket/token, the exchange of the reward ticket or token would not be considered a sale to the student.

- **State Requirements (HFC Public Schools Only):** *Under the CNS and state beverage statute, the exchange of money or its equivalent (such as tickets, coupons, tokens and similar items) for foods and beverages constitutes sales to students on school premises. The CNS and state beverage statute apply regardless of whether the tickets or similar items are purchased by students or given to students free of charge. Food and beverage rewards that are obtained with tickets or similar item must comply with the CNS and state beverage statute. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).*

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3. What is the allowable length of an exempt fundraising event?

State agencies should address what is considered to be an appropriate time frame for an exempt fundraising event and include such information as a part of their established exempt fundraiser policy, which determines the maximum frequency for exempt fundraisers in schools in the state. It is expected that state agencies will establish a reasonable exempt fundraiser policy consistent with the intent of the law that such fundraisers occur on an infrequent basis. For example, considering a vending machine that is available every day during the school year as a single fundraiser or permitting regular week-long or month-long fundraisers would not meet the statutory and regulatory intent with regard to infrequent fundraiser exemptions.

- **State Requirements (HFC Public Schools Only):** Under HFC, food fundraisers can only be conducted on school premises if the board of education or school governing authority has voted to allow food exemptions as part of the annual HFC Statement, and three exemption criteria are met: 1) the sale is in connection with an **event** occurring after the end of the regular school day or on the weekend; 2) the sale is at the **location** of the event; and 3) the food items are not sold from a vending machine or school store. An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity, e.g., soccer games, school plays and school debates are events but soccer practices, play rehearsals and debate team meetings are not. If students deliver money to school for the food items and pick up the food items at school, the fundraiser is selling foods to students on school premises. To comply with HFC, students can bring the orders and money to school but parents or other adults must pick up the food items instead of students. For more information, see the CSDE’s handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Non-HFC Public Schools):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. Beverages sold as fundraisers to students on school premises must comply with the state beverage statute at **all times**, unless the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE’s [Beverage Requirements](#) Web page and the CSDE’s [Guide to Competitive Foods in Schools](#). In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies and Section 10-221p of the Connecticut General Statutes. For more information, see the CSDE’s handout, [Food and Beverage Requirements for Fundraisers \(Non-HFC Public Schools\)](#).
- **State Requirements (Private Schools and RCCIs):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For more information, see the CSDE’s handout, [Food and Beverage Requirements for Fundraisers \(Private Schools and RCCIs\)](#).

QAs on Smart Snacks in School

4. The Smart Snacks rule gives states the authority to set a limit on the number of fundraisers that may be exempted from the nutrition standards. What if my state doesn't set a limit?

The interim final rule allows state agencies to set the frequency with which exempt fundraisers may be held in schools in the state. If a state agency does not specify the exemption frequency, no fundraiser exemptions may be granted to the schools in the state.

- **State Requirements (HFC Public Schools Only):** Under HFC, food fundraisers can only be conducted on school premises if the board of education or school governing authority has voted to allow food exemptions as part of the annual HFC Statement, and the foods are sold at the location of an event that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Non-HFC Public Schools):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. Beverages sold as fundraisers to students on school premises must comply with the state beverage statute at **all times**, unless the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's [Beverage Requirements](#) Web page and the CSDE's [Guide to Competitive Foods in Schools](#). In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies and Section 10-221p of the Connecticut General Statutes. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Non-HFC Public Schools\)](#).
- **State Requirements (Private Schools and RCCIs):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Private Schools and RCCIs\)](#).

QAs on Smart Snacks in School

5. My state has specified the number of school fundraisers that can be exempt from the Smart Snacks requirements. Do I have to allow that number of fundraisers to occur in my school?

The state-established level is the maximum number of exempt fundraisers during which foods that do not meet the Smart Snacks standards may be sold to students. As LEAs and schools are allowed to implement more restrictive competitive food standards, we anticipate that they would also be allowed to implement more restrictive standards for the frequency with which exempt fundraisers may be held in their schools. However, LEAs and schools should direct any questions about the state-established fundraiser standard to their state agency.

- **State Requirements (HFC Public Schools Only):** Under HFC, food fundraisers can only be conducted on school premises if the board of education or school governing authority has voted to allow food exemptions as part of the annual HFC Statement, and the foods are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Non-HFC Public Schools):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. Beverages sold as fundraisers to students on school premises must comply with the state beverage statute at **all times**, unless the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's [Beverage Requirements](#) Web page and the CSDE's [Guide to Competitive Foods in Schools](#). In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies and Section 10-221p of the Connecticut General Statutes. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Non-HFC Public Schools\)](#).
- **State Requirements (Private Schools and RCCIs):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Private Schools and RCCIs\)](#).

QAs on Smart Snacks in School

6. Does the limit apply to all fundraisers in my school?

A fundraiser limitation established by the state applies only to exempt fundraisers, during which foods that do not meet the regulatory requirements may be sold to students on the school campus during the school day. There are no restrictions on the number of fundraisers that include the sale of food items that meet the Smart Snacks standards as well as the sale of non-food items. In addition, the Smart Snacks standards do not apply to food sold during non-school hours, weekends, and off-campus fundraising events such as frozen pizza sales or concessions during after-school sporting events, school plays or concerts.

- **State Requirements (HFC Public Schools Only):** Under HFC, food fundraisers can only be conducted on school premises if the board of education or school governing authority has voted to allow food exemptions as part of the annual HFC Statement, and the foods are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Non-HFC Public Schools):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies and Section 10-221p of the Connecticut General Statutes. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Non-HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Private Schools and RCCIs):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Private Schools and RCCIs\)](#) and [Guide to Competitive Foods in Schools](#).

QAs on Smart Snacks in School

7. If a Superintendent or principal of a school arranges with local food truck vendors to sell items to the students on the school campus during the school day and the school receives a percentage of funds from the sale of such foods, would this be considered to be a fundraiser?

This scenario depicts the operation of a fundraiser and would only be allowable on the school campus during the school day if the food items sold meet the standards, or if it is one of the exempt fundraisers permitted within the limits established for such exempt fundraisers. Addressing such practices in the school wellness policy is encouraged.

- **State Requirements (HFC Public Schools Only):** Under HFC, food fundraisers can only be conducted on school premises if the board of education or school governing authority has voted to allow food exemptions as part of the annual HFC Statement, and the foods are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Non-HFC Public Schools):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies and Section 10-221p of the Connecticut General Statutes. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Non-HFC Public Schools\)](#) and [Guide to Competitive Foods in Schools](#).
- **State Requirements (Private Schools and RCCIs):** The state agency (CSDE) does **not** allow exemptions for fundraisers during the school day. Therefore, all fundraisers sold during the school day must meet the Smart Snacks standards. In addition, all fundraisers must comply with Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For more information, see the CSDE's handout, [Food and Beverage Requirements for Fundraisers \(Private Schools and RCCIs\)](#) and [Guide to Competitive Foods in Schools](#).

QAs on Smart Snacks in School

SALE OF FOOD

1. If pizza or any other food is sold in a classroom, is it subject to the Smart Snacks rule?

All food sold to students anywhere on the campus during the school day is subject to the Smart Snacks regulatory requirements. The Smart Snacks standards do not apply to food given to students without the exchange of currency/purchased tokens/purchased tickets or to food brought to school by the students for their own consumption.

- **State Requirements (HFC Public Schools Only):** *The CNS applies to all foods sold to students on school premises separately from reimbursable meals at **all times**, unless the local board of education or school governing authority has voted to allow exemptions as part of the annual HFC Statement, and the foods are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store., does not apply to foods that are not sold to students. The CNS does not apply to foods given to students free of any charge or contribution. For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).*
- **State Requirements (HFC Public Schools Only):** *The state beverage statute applies to all beverages sold to students on school premises as part of school meals and separately from school meals at **all times**, unless the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. The state beverage statute does not apply to beverages given to students free of any charge or contribution. For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).*

2. Do the Smart Snacks requirements apply if items are sold to someone other than a student?

The Smart Snacks nutrition requirements apply only when foods outside of the school meal programs are sold or available to be sold to students during the school day, on the school campus, as defined in the interim final rule. The requirements of the interim final rule are not applicable to food sold to non-students, such as parents or school faculty/staff members.

3. If the school food service sells food items to the school for a special event, such as a school celebration, holiday party, etc., and the food will not be sold to students, will the Smart Snacks nutrition requirements apply?

The Smart Snacks nutrition standards included in the interim final rule apply only to food **sold** to students on the school campus during the school day. If such foods are provided to the students free of any charge or “contribution,” or the exchange of purchased tokens or purchased tickets of any sort, the competitive foods standards do not apply.

QAs on Smart Snacks in School

4. **A PTO or teacher collects money from each student at the beginning of the year to cover the cost of foods provided to students during classroom parties throughout the year or a fee is collected from each student for a classroom party several days prior to the party. Would this be considered to be “sales” to students and would the Smart Snacks standards apply?**

Classroom parties and celebrations where students or teachers supply the food or provide funds to purchase the food are not subject to the Smart Snacks standards. Instead, such parties are subject to the local wellness policy, and should comply with the standards of that policy.

- **State Requirements (HFC Public Schools Only):** *The CNS and state beverage statute apply if money is collected to cover the cost of foods and beverages provided to students for school celebrations. For example, if a parent organization collects money from families to pay for foods and beverages provided at classroom parties, these foods must comply with the CNS and these beverages must comply with beverage statute. The CNS and state beverage statute do not apply when foods and beverages at school celebrations are provided to students free of any charge (including the exchange of tickets, coupons, tokens and similar items) or contribution, such as suggested donations. For more information, see the CSDE’s [Guide to Competitive Foods in Schools](#).*
- **State Requirements (HFC Public Schools Only):** *The state beverage statute applies if money is collected to cover the cost of beverages provided to students for school celebrations. For example, if a parent organization collects money from families to pay for beverages provided at classroom parties, these beverages must comply with the state beverage statute. The state beverage statute does not apply when beverages at school celebrations are provided to students free of any charge (including the exchange of tickets, coupons, tokens and similar items) or contribution, such as suggested donations. For more information, see the CSDE’s [Guide to Competitive Foods in Schools](#).*

APPLICABILITY OF THE SMART SNACKS STANDARDS

1. **How does this rule impact schools that also participate in the NSLP afterschool snack program or any part of the Child and Adult Care Food Program (CACFP)?**

The Smart Snacks standards are applicable during the school day, which is defined as the midnight before to 30 minutes after the end of the instructional day. If such programs are operated in the school during the school day, or if afterschool snacks or meals are provided within the 30 minute window after the end of the instructional day, any other food available **for sale** to students at that time must comply with the Smart Snacks requirements.

QAs on Smart Snacks in School

2. Are schools that do not participate in the National School Lunch Program (NSLP) or the School Breakfast Program (SBP) required to comply with the Smart Snacks interim final rule?

Schools that do not participate in the NSLP or SBP are not required to comply with the Smart Snacks interim final rule. For example, schools that only participate in the Special Milk Program are not required to comply with Smart Snacks guidelines, although it is encouraged in order to improve the overall nutrition environment in schools.

- **State Requirements (All Public Schools):** *The state beverage statute applies to all beverages sold to students on school premises as part of school meals and separately from school meals at **all times**, unless the local board of education or school governing authority has voted to allow exemptions, and the beverages are sold at the location of an **event** that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. The beverage requirements apply regardless of whether public schools participate in the NSLP or choose the healthy food option of HFC under C.G.S. Section 10-215f. For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).*
- **State Requirements (HFC Public Schools Only):** *When the board of education or school governing authority chooses to implement HFC, all schools in the district must comply with the CNS, even those that do not participate in the NSLP. For more information, see the CSDE's handout, [Questions and Answers on Connecticut Statutes for School Foods and Beverages](#).*

3. Do the Smart Snacks standards apply to the Summer Food Service Program (SFSP)?

The Smart Snacks standards do not apply to the SFSP unless the SFSP is operated at a school during the school day during which summer school NSLP meals are being served on campus, as discussed in the previous question.

- **State Requirements (All Public Schools):** *If a SFSP operates on school premises, the state beverage statute applies to any beverages that are sold to students as part of school meals or a la carte (separately from the meals). The beverage requirements apply regardless of whether public schools participate in the NSLP or choose the healthy food option of HFC under C.G.S. Section 10-215f. For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).*
- **State Requirements (HFC Public Schools Only):** *If a SFSP operates on school premises, the CNS applies to any foods that are sold to students a la carte (separately from the meals).*

QAs on Smart Snacks in School

4. If the school allows other community organizations to use parts of the school building during the school day for community activities not open to students in the school, must food sold to participants in those activities comply with the Smart Snacks standards?

USDA has statutory authority only over the food sold to students on the school campus during the school day. If outside groups are utilizing the school facilities during the school day and the activities are completely separate and not accessible to the students, then food sold to those outside community group members would not be subject to the Smart Snacks requirements. However, any food available to be sold to students on that school campus during the school day is required to conform to the Smart Snacks standards.

- **State Requirements (HFC Public Schools Only):** *The CNS does not apply to foods that are not sold to students. However, foods sold to students on school premises by either school groups or outside groups must meet the CNS unless the local board of education or school governing authority has voted to allow exemptions on the annual HFC Statement, and the foods are sold at the location of an event that occurs after the school day or on the weekend, provided they are not sold from a vending machine or school store. For more information, see the CSDE's [Guide to Competitive Foods in Schools](#).*

5. If both middle school and high school students are located in the same building, which beverage standards should be implemented in the school?

If a middle school and high school are in the same building and all students have access to all venues in the school, the items available for sale to the students (beverages) must meet the middle school standards. If, in the above situation, the middle school students do not have access to the high school area, separate middle school and high school beverage standards may be implemented by the school.

- **State Requirements (All Public Schools):** *The beverage requirements of state statute are the same for all grade levels and must be followed by all public schools, regardless of whether the district participates in the NSLP or chooses the healthy food option of HFC under C.G.S. Section 10-215f.*

6. If the SFA has an open campus and allows for the ordering and delivery of foods (such as pizza delivery) outside of school, is this practice still allowable based on the Smart Snacks Rule?

The Smart Snacks in School statute and the regulation do not provide the Secretary with the authority to regulate foods brought from home or foods purchased outside of the school and brought onto campus for personal consumption. If the school allows students to order food from restaurants and those restaurants deliver the food or if the school is an open campus concept where students purchase lunch foods off campus to bring back to school to consume, Smart Snacks standards do not apply to those foods.

Questions may be directed to:

COUNTY ASSIGNMENTS	CONSULTANT	E-MAIL AND PHONE
Fairfield County	Fionnuala Brown	fionnuala.brown@ct.gov 860-807-2129
Hartford County (towns/cities beginning with A-R)	Teri Dandeneau	teri.dandeneau@ct.gov 860-807-2079
Hartford County (towns/cities beginning with S-W) Windham County	Susan Alston	susan.alston@ct.gov 860-807-2081
Litchfield County	Allison Calhoun-White	allison.calhoun-white@ct.gov 860-807-2008
Middlesex County Tolland County	Andy Paul	andrew.paul@ct.gov 860-807-2048
New Haven County	Jackie Schipke	jackie.schipke@ct.gov 860-807-2123
New London County	Monica Pacheco	monica.pacheco@ct.gov 860-807-2073

JF:sff

Attachment

Important: This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain in a binder for future reference. All CSDE operational memoranda are posted on the CSDE's [Operational Memoranda for School Nutrition Programs](#) Web page.