

Laws Regarding Food Sales to Students

Competitive Food Sales Laws

Effective July 2009

Federal and state regulations have established laws for all food sales on school campuses by student and adult organizations at K-12 LEAs. This includes vending machine and student store sales. The intent is to ensure that such sales do not impair the ability of the food service department to remain financially sound. The foods allowed for sale listed on the following summary pages indicate changes in laws effective July 2009. Sales must also meet local district wellness policies, adopted in June 2006. More information may be found in the following documents:

7CFR 210.11, 215, & 220.12 • California Education Code Sections 48931, 489431.2, 48431.5, 49430-49431.7
 California Administrative Code 15500 & 15501 • California Administrative Code 15575-15578
 California Senate Bills SB 12 and SB 677 • District Wellness Policy • California Health and Safety Code

Law	Elementary Schools	Middle & High Schools
<p>Sales by Organizations (During the school day)</p> <p>CA Administrative Code #15500 7 CFR 210.11, 220.12</p>	<p>Student and adult organizations may sell <u>not more than one food item per day</u>, and only if it meets the following requirements:</p> <ul style="list-style-type: none"> • Sales must be approved by the district's governing board • Must meet the attached <u>Food & Beverage Requirements</u> • Must be sold after lunch period * • May not be prepared on school premises or in private homes (must be commercially prepared) • Limited to four sales per year and one food item per sale. • The item must not be sold in the school cafeteria on that day. <p><i>* Lunch period is defined as "from the time students are released from class until they return to class."</i></p> <p><u>Noncompliant food and beverages may be sold only if:</u></p> <ul style="list-style-type: none"> • The sale takes place off campus <li style="text-align: center;">or • The sale takes place at least ½ hour after the school day. 	<p>Student and adult organizations (this includes vending machines and student stores) may sell food any time of day if the following conditions are met:</p> <ul style="list-style-type: none"> • Sales must be approved by the district's governing board • Must meet the attached <u>Food & Beverage Requirements</u> • One organization per day (i.e., student store) may sell no more than three types of approved food or beverage. • On no more than four days during the year, multiple organizations may sell approved foods (all on the same four days). • Food may not be prepared on school premises or in private homes (must be commercially prepared). • Food sold during the school day may not be the same as is sold by the school cafeteria on that day. <p><u>Noncompliant food and beverages may be sold only if:</u></p> <ul style="list-style-type: none"> • The sale takes place off campus <li style="text-align: center;">or • The sale takes place at least ½ hour after the school day <li style="text-align: center;">or • The sale takes place at a school-sponsored event after the school day.

Food and Beverage Requirements for Student Sales Effective July 2009

Law	Elementary Schools	Middle & High Schools
<p>Food Items</p> <p>CA Senate Bill 12 Escutia (Amends Section 49431 of Ed Code) Effective July 2007</p>	<p>Restricts <u>food</u> sold to pupils during the school day to:</p> <ul style="list-style-type: none"> • <u>Full Meals</u> <p style="text-align: center;">or:</p> <ul style="list-style-type: none"> • <u>A la carte items</u>, (individual portion sizes) of nuts/seeds, eggs, cheese, fruit, and nonfried vegetables. • <u>Dairy and grain products</u> (e.g., yogurt, ice cream, muffins granola bars) <u>may be sold a la carte, if:</u> <ul style="list-style-type: none"> • Not more than 175 calories per item and a maximum of: <ul style="list-style-type: none"> • 35% of calories from fat • 10% of calories from saturated fat. • 35% of weight from sugar* (excepting fruits and vegetables) <p><i>*Sugar means all free mono- and disaccharides, such as glucose, fructose, lactose and sucrose.</i></p>	<p>Restricts all <u>a la carte food sales</u> during the school day (including food service, student sales and vending machines) to the following:</p> <ul style="list-style-type: none"> • <u>Snacks are limited to a maximum of:</u> <ul style="list-style-type: none"> • 250 calories per item. • 35% of calories from fat (excepting nuts, nut butters, seeds, eggs, single-serving cheese, fruit, & nonfried vegetables). • 10% of calories from saturated fat (excepting eggs, and single-serving cheese). • 35% of weight from sugar* (excepting fruits and vegetables). <p><i>*Sugar means all free mono- and disaccharides, such as glucose, fructose, lactose and sucrose.</i></p> <ul style="list-style-type: none"> • <u>Entrees</u> (except those sold as part of a government lunch or breakfast) are limited to: <ul style="list-style-type: none"> • Maximum of 400 calories. • 4 grams of fat per 100 calories (36% fat). • Must be categorized as an entrée in the National School Lunch or breakfast program.

Law	Elementary Schools	Middle Schools	High Schools
<p>Beverages</p> <p>CA Senate Bill 677 (Effective Jan 2006) CA Childhood Obesity Prevention Act of 2003 CA Senate Bill 965 CA Ed Code 49431 (Effective July 2007)</p>	<p style="text-align: center;">Elementary Schools Effective January 2006</p> <p>Restricts beverages sold to students during the school day to water, milk (except whole milk), vegetable juice and fruit juice (minimum 50% juice, no added sweeteners).</p> <p>Noncompliant beverages may be sold only if:</p> <ul style="list-style-type: none"> • sold by students <p style="text-align: center;">and</p> <ul style="list-style-type: none"> • sold at least ½ hour after school day or sold off campus. 	<p style="text-align: center;">Middle Schools Effective January 2006</p> <p>Restricts beverages to water, milk (except whole milk), vegetable juice and fruit juice (minimum 50% juice, no added sweeteners) and electrolyte replacement beverages (max. 42 grams of sugar per 20 oz).</p> <p>Noncompliant beverages may be sold only if:</p> <ul style="list-style-type: none"> • At a school sponsored event after school <p style="text-align: center;">or</p> <ul style="list-style-type: none"> • sold at least ½ hour before or after school. <p>Restrictions apply to all sales, including vending machines and student stores.</p>	<p style="text-align: center;">High Schools Effective July 2005</p> <p>No carbonated beverages, but no other restrictions.</p> <p style="text-align: center;">Effective July 2007</p> <p>Same restrictions as Middle Schools (minimum of 50% compliance required).</p> <p style="text-align: center;">Effective July 2009</p> <p>100% compliance with the same standards as middle schools.</p> <p>Restrictions apply to all sales, including vending machines and student stores.</p>