

## **“SMART SNACKS IN SCHOOL” NUTRITION STANDARDS INTERIM FINAL RULE QUESTIONS AND ANSWERS**

### **What do the new “Smart Snacks in School” nutrition standards do?**

The new standards will allow schools to offer healthier snack foods for our children, while limiting junk food served to students. Students will still be able to buy snacks that meet common-sense standards for fat, saturated fat, sugar, and sodium, while promoting products that have whole grains, low fat dairy, fruits, vegetables or protein foods as their main ingredients.

It is important to note that USDA has no role in regulating foods brought from home. The standards do not apply to any foods brought to school in bagged lunches, or for birthday parties and special events, including afterschool bake sales and fundraisers.

### **Why are these standards necessary?**

Nearly one third of children in America are at risk for preventable diseases like diabetes and heart disease due to being overweight or obese. If left unaddressed, health experts tell us that this generation may be the first to live shorter lives than their parents.

Students across the country are now getting healthier school lunches with more fruits and vegetables, whole grains, and low-fat dairy based on scientific recommendations for nutrition. Yet for most teens and a growing percentage of elementary students, items offered à la carte and in vending machines still lack healthy options. Many students consume at least one snack food a day at school.

Parents are working hard to ensure their children grow up healthy and their efforts should not be undone when their kids go to school. Our children’s ability to learn in the classroom and reach their fullest potential depends on what we do right now to secure their future.

### **How did USDA determine the new standards?**

The comment period on the Smart Snacks in School proposed rule closed on April 9, 2013. Since that time, a dedicated staff at USDA’s Food and Nutrition Service thoughtfully reviewed the public input provided on the proposal, feedback that is reflected in the standards. While USDA received nearly 250,000 comments from parents, teachers, school food service professionals, and the food and beverage industry, the vast majority were statements of support for the standards and did not provide detailed input on the substance of the rule. Of the comments received, approximately 2,200 were unique comments that offered feedback on specific provisions of the proposed standards. Based on that feedback, the new “Smart Snacks in School” standards carefully balance science-based nutrition standards with practical and flexible solutions to promote healthier eating at school.

USDA solicited input from Federal child nutrition program stakeholders, including nutrition and health

professionals, parents, academia, industry, interest groups, and the public, and reviewed expert recommendations from sources such as the Institute of Medicine (IOM) Report and the Dietary Guidelines for Americans.

We also conducted a broad review of nutrition standards developed by other entities including the HealthierUS Schools Challenge standards; existing State and local school nutrition standards for foods and beverages sold in competition with school meals; and existing voluntary standards and recommendations that have been developed by various organizations, such as the National Alliance for Nutrition and Activity and the Alliance for a Healthier Generation.

### **Aren't states, schools, and the food industry already doing a lot to improve food in schools?**

States, schools and the food industry have taken notable steps to improve the whole school food environment. With bipartisan support, Congress required the Department to establish nutritional standards for all food sold at schools, including vending machines and à la carte lines, under the Healthy, Hunger-Free Kids Act (HHFKA) as a complement to the improved school meal standards for breakfast and lunch. National polls also show nearly 80% of Americans support better nutrition standards for all food sold in schools.

Additionally, leading research has shown that while improvements are being made, policies vary widely from state to state and from school to school. Setting a national baseline allows every student to enjoy the benefits of healthy snack food choices at school while providing greater certainty for food and beverage companies.

### **What is the timeline for implementation of the new “Smart Snacks in School” nutrition standards?**

With respect to the new requirements, the rule allows for an entire school year for schools, the food industry and other stakeholders to make the necessary adjustments to the school food environment. USDA stands ready to offer training and technical assistance as schools transition to the new standards.

### **How will the new standards impact school revenue?**

At least 39 states currently have some kind of competitive foods standard already in place. In addition, thousands of schools have already taken voluntary steps to enact competitive food standards that meet or exceed those released today. The new standards establish a consistent national baseline that will allow every student to enjoy the benefits of healthy snack food choices while providing greater certainty for food and beverage companies.

Many schools have implemented voluntary standards with little or no loss of revenue, and some schools have reported an increase in revenue after introducing healthier foods. For example, West Virginia requires schools to offer healthier beverages and restrict certain foods and soda, yet the majority of

principals report little or no change in revenues from snack foods.

USDA will do all we can to simplify any necessary transition for schools, offering training and technical assistance to States and schools to address challenges as they arise.

Exact revenue dollar figures vary by individual states, school districts and individual schools. But USDA's review of the existing evidence on revenue impacts indicates that on a national scale, any changes would most likely be very minimal, in the range of one percent of total school food revenues.

**How will food and beverages options be impacted by the new standards? What products will be in, and what products will be out?**

First, it is important to note that the new standards do **not** apply to foods brought to school in bagged lunches, or for activities such as birthday parties, holidays, and other celebrations.

The intent of the standards is not to limit popular snack items, but instead to provide snack foods for students that are healthier. For example, chips would still be allowed, in healthier versions such as baked tortilla chips, reduced-fat corn chips, and baked potato chips.

Tens of thousands of schools are already moving in this direction through voluntary initiatives like the Alliance for a Healthier Generation (AHG) and USDA's HealthierUS Schools Challenge. USDA used the AHG nutritional baseline as a model in developing these new standards.

Additionally, research shows that industry is already adjusting to parents' desire for healthier snack foods. Many products being sold in schools already meet the new standards or are very close to these standards.

**How will the new standards affect fundraising by school groups?**

According to USDA research, more than half of all schools currently do not allow fundraisers that sell sweet or salty foods. Through the new standards, state agencies, not the federal government, will have the flexibility to set a reasonable threshold for the number of exempt occasional school-sponsored fundraisers.

And while only a small amount of snack foods are sold by school groups, USDA recognizes that revenues from school stores, vending machines and occasional fundraisers can play an important role in supporting student clubs, parent teacher organizations, and booster groups. That is why the new standards offer a significant amount of flexibility on food items sold by these groups:

- All foods that meet the standards could be sold during fundraisers during school hours.
- The standards do not apply to items sold during non-school hours, weekends or off-campus fundraising events, such as concessions during sporting events and school plays.

**Do these standards prevent children from bringing cookies to school on their birthday or special event?**

USDA has no role in regulating foods brought from home. These standards only affect foods that are sold on school campus during the school day. Time honored traditions like treats for birthdays, or foods at an afterschool sporting event, are not subject to these standards.

**My school/state has its own standards for snack foods sold in schools. How will they be affected by what USDA is doing?**

The new standards are the minimum requirements for schools. States and schools that have stronger standards will be able to maintain their own policies.

**How will the foods provided as part of the school meal, but sold separately as à la carte items, be affected by these standards?**

Based on extensive public comment and feedback from school food service personnel, the new standards exempt individual entrée items offered as part of lunch or breakfast from all competitive food standards when sold à la carte the day of or the day after they are served as part of a reimbursable meal.

USDA anticipates that this approach, along with the recent changes to school meals, will result in healthier menu items being offered in the à la carte line than in the past. In addition, this exemption provides flexibility to schools in planning à la carte sales and handling leftovers.

**Will these standards significantly affect the profitability of small businesses that sell products in schools?**

Most food companies have diverse product portfolios with healthy options that do meet the new standards. USDA estimates the new standards' impact on the sales of food items would be very limited. The sale of snack food in schools represents less than one percent of all food shipments from U.S. food manufacturers. In addition, a normal school year consists of about 180 days, which means that during more than half of the year, the child is not limited in the purchase of any one company's products. Again, the new standards do not apply to any foods bought off-campus, after school hours or brought to school in bagged lunches.