

## Smart Snacks in School Regulations

The Healthy Hunger-Free Kids Act of 2010 (HHFKA) ushered in many changes for school meals. It also granted USDA the authority to establish nutrition standards for all foods and beverages **sold** to students in school during the school day. **Any food that meets the standards can be sold during the school day.**

**Q 1:** What times do vending machines need to be turned off? **A:** Never if all the items in the machine meet the Smart Snacks nutrition standards. Vending machines with non-smart snacks need to be turned off until 30 minutes after the school day ends. ***The school day is considered midnight until one half-hour after the last bell.***

**Q 2:** What about students bringing unallowable food items from home? **A:** The Smart Snacks rule only applies to food **SOLD** in school. Schools are free to write any additional rules in their Local Wellness Policy if the school does not want students, staff, or parents bringing in certain items. Several people mentioned soda. There is no law that students cannot have soda in school, only if someone is selling it to students. The Smart Snack rule for beverages does not allow soda to be sold to students in grades K-8. However, high school students can be sold carbonated beverages with less than 60 calories in 12 ounces or less than 10 calories in 20 ounces. This will allow the sale of diet soda, diet teas, and some coffee drinks in high schools if the beverage meets the calorie limits.

**Any food sold in school must first:**



- Be a “whole grain-rich” grain product.  
OR
- Have as the first ingredient a fruit, vegetable, dairy product, or a protein food.  
OR
- Be a combination food that contains at least ¼ cup of fruit and/or vegetable.

Foods must ALSO meet nutrient requirements (except a vegetable or fruit with minimal added sugar).

**Entrees originally sold as part of the reimbursable meal are exempt for that day and the next day.**

### Calorie Limits

- Snack items must be less than 200 calories.
- Entree items must be less than 350 calories.

### Sodium Limits

- Snack items must be less than 200 mg.
- Entrée items must be less than 480 mg.

### Fat Limits

- Total fat must be less than 35% of calories.
  - Zero grams trans-fat ( $\leq .5$  grams).
- Saturated fat must be less than 10% of calories. Exemptions for: reduced-fat cheese, part-skim mozzarella cheese, nuts, seeds, nut- or seed-butters.

### Sugar Limit:

- Less than 35% of weight from total sugars.

## Beverage Standards

- **All Schools** may sell:
  - Plain Water (with or without carbonation) There is no size limit for water.
  - Unflavored or flavored fat-free milk and 1% milk and milk alternatives permitted by NSLP/SBP
  - 100% fruit or vegetable juice and 100% fruit or vegetable juice diluted with water (with or without carbonation) and no added sweeteners.
- **Elementary Schools** may sell up to 8-ounce portions, middle and high schools may sell up to 12-ounce portions of milk and juice. Water (with or without carbonation) must be plain, with no flavorings (even naturally).
- **High schools** may sell caffeinated beverages and beverages up to 20 ounces within the following calorie limits:
  - $\leq 40$  calories per 8 ounces or
  - $\leq 60$  calories per 12 ounces.
  - 20-ounce beverages must be  $\leq 10$  calories per 20 ounces.
  - When evaluating coffee beverages, the calories added by any ingredients that are not allowable beverages must be counted. Flavored and unflavored fat-free milk and 1% milk are allowable beverages that may be combined with coffee; therefore, the calories from those milk types are not counted in the total calories.

## Fundraisers, Food Brought from Home and Classroom Parties

- The Smart Snack standards do not apply to food brought in for birthdays, parties, and other classroom activities or a student's cold lunch brought from home.
- The Smart Snack standards do not apply during non-school hours, on weekends, and at off-campus fundraising events or for food ordered during the school day and taken home.
- States have the flexibility to set a certain number of fundraisers that can sell foods or beverages that do not meet the nutrition standards. North Dakota has set the limit at three exemptions per school building per year with a duration of one day.
- **There is no limit on fundraisers that DO meet the new Smart Snack standards.**
- Fundraising activities that take place outside of school, such as cookie dough or frozen pizza sales, are exempt from the nutrition standards. Distribution of order forms and the sale of foods not intended for consumption at school may continue.



A Smart Snack product calculator to determine if the food item meets requirements and to print the required documentation can be found online at:  
<https://foodplanner.healthiergeneration.org/calculator/>

To use the calculator, answer two questions, then enter the snack item nutrients, etc., (using the label on the snack). The calculator will determine if the snack qualifies! FYI: water is a beverage; ice is a food.

A list of approved products can be found at the following websites:

- **A-List (johnstalkerinstitute.org):** <https://tools.johnstalkerinstitute.org/alist/alist.pdf>
- **Smart Snacks @ Amazon.com:** <https://www.amazon.com/b?ie=UTF8&node=17867964011>

Detailed information about Smart Snacks can be found at <http://www.fns.usda.gov/school-meals/smart-snacks-school>. You may also contact NDDPI Child Nutrition at 701-328-2294 or email: [dpicnfd@nd.gov](mailto:dpicnfd@nd.gov).