

USDA Competitive Food Regulations (Smart Snacks) and Florida Rule (FDACS 5p-1.003)

The USDA Competitive Foods Regulations (Smart Snacks), effective July 1, 2014, affects all food sold on campus. Florida subsequently revised their Administrative Rule (FDACS 5P-1.003) related to food sold on campus. The following is a summary of these new requirements.

USDA Competitive Foods Regulations (Smart Snacks) and Florida Rule (FDACS 5p-1.003) Summary of Changes

- All food sold on campus from midnight to 30 minutes after lunch service ends, to include by Food Service, in vending machines, during fundraisers and other activities must meet the requirements of the 7 CFR 210.11. After-school events, off-campus events and non-food based sales are not affected by this rule.
- Florida's rule allows the School Board to approve a special exemption from the nutrition standards of the Smart Snacks Rule for an infrequent fundraiser operating at a maximum number of days by the following school levels: elementary (PK-6): 5 days; middle (6-8): 10 days; high (9-12): 15 days; and combination schools (K-8, K-12, 6-12): 10 days. Time restrictions mentioned above are still applicable. The School Board is required to maintain documentation to substantiate all approved exemptions. **Please note: DCPS Board voted on April 7, 2014 to no longer grant food sales fundraising exemptions beginning the 2015-16 school year.**
- Carbonated zero-calorie or diet beverages are allowed to be sold, in high schools (9-12) only, in both vending and by Food Service. Revenue sharing language per the current beverage contract language will remain intact.
- No ready-to-eat combination foods consisting of a meat/meat alternate (protein) and grain (ex: hamburger, sandwich, chicken biscuit) can be sold outside of the Food Service program during the school day.
- All schools must establish a Healthy School Team June 30, 2015, consisting of students, parents, food service program staff, administration and physical education teachers to be responsible for the following:
 - Ensure compliance with the Smart Snacks Rule in their school;
 - Maintain a school calendar of approved, exempted school fundraisers; and
 - Reporting school's compliance with the Smart Snacks Rule to the Local Educational Agency (LEA) official or LEA official responsible for compliance with LEA wellness policy.