

**Regulation 3550: Food Service/Child Nutrition Program**  
**Nutritional**

**Nutrition Standards for Elementary Schools**

At each elementary school, the only foods that may be sold to a student during the school day are either: (Education Code 49431)

1. Full meals, defined by Education Code 49430 as a combination of food items that meet National School Lunch or Breakfast Program meal pattern requirements or the state's menu planning options of Shaping Health as Partners in Education (SHAPE); or
2. Individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes

**Nutritional Standards for National School Lunch and Breakfast Program**

Any school participating in the **School Meals**

Meals, food items, and beverages provided through the district's food services program shall: (Education Code 49501.5, 49553; 42 USC 1758, 1773)

Comply with National School Lunch Program and/or School Breakfast Program pursuant to 42 USC 1751-1769h and 1771-1791 shall serve meals that, on average over each school week: (Education Code 49531; 42 USC 1758, 1773; 7 CFR 210.10, 220.8)

1. Meet the standards for meal patterns, nutrient levels, and calorie requirements appropriate for the ages/grade levels served and the menu planning approach used, as specified in 7 CFR 210.10 or 220.8
2. Provide one-fourth (breakfast) or one-third (lunch) of the Recommended Dietary Allowances for protein, calcium, iron, vitamin A, and vitamin C appropriate for the ages/grade levels served and the menu planning approach used
3. Comply with applicable Dietary Guidelines for Americans which recommend:
  - a. Limiting the percentage of calories from saturated fat to less than 10 percent of total calories offered

- ~~b. Limiting the percentage of calories from total fat to 30 percent of total calories offered.~~
- ~~c. Reducing sodium and cholesterol levels.~~
- ~~d. Increasing the level of dietary fiber.~~

~~**Nutritional Standards for Free and Reduced-Price Meals Program**~~

~~Any school that has students who meet federal eligibility criteria for free or reduced-price meals shall: (Education Code 49430.7)~~

- ~~1. Ensure that meals meet National School Lunch and/or Breakfast Program nutritional guidelines or the state's menu planning options of SHAPE.~~
- ~~2. Not sell or serve a food item that the district or school has deep fried, par fried, or flash fried, as defined in Education Code 49430, or that has been deep fried, par fried, or flash fried as part of the manufacturing process in an oil or fat prohibited by Education Code 49430.7.~~

~~Not sell or serve a food item containing artificial trans fat, including vegetable shortening, margarine, or any kind of hydrogenated or partially hydrogenated vegetable oil unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 gram per serving.~~

~~**Nutritional Standards for Foods Outside the National School Lunch or Breakfast Program**~~

~~For food items that are not sold as part of the National School Lunch or Breakfast Program, the following nutritional standards shall apply.~~

- ~~1. At each elementary school, an individually sold dairy or whole grain food item may be served to students if it meets all of the following standards: (Education Code 49431)~~
  - ~~a. Not more than 35 percent of its total calories is from fat.~~
  - ~~b. Not more than 10 percent of its total calories is from saturated fat.~~
  - ~~c. Not more than 35 percent of its total weight is composed of sugar, including naturally occurring and added sugar.~~

~~d. Its total calories do not exceed 175 calories.~~

~~¶~~

~~2. For foods sold to students in middle, junior high, and high schools: (Education Code 49430, 49431.2)~~

~~¶~~

~~a. Each entree item shall:~~

~~¶~~

~~i. Not exceed 400 calories~~

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~~ii. Contain no more than four grams of fat per 100 calories~~

~~¶~~

~~iii. Be categorized as an entree item in the National School Lunch or Breakfast Program~~

~~¶~~

~~b. For each snack item that supplements a meal:~~

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~~i. Not more than 35 percent of its total calories shall be from fat, excluding nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruits, vegetables that have not been deep fried, or legumes.~~

~~¶~~

~~ii. Not more than 10 percent of its total calories shall be from saturated fat, excluding eggs or cheese packaged for individual sale.~~

~~¶~~

~~iii. Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar, excluding fruits or vegetables that have not been deep fried.~~

~~¶~~

~~iv. Its total calories shall not exceed 250 calories.~~

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~~3. Beginning July 1, 2009, any food provided to K-12 students during school hours and within one-half hour before and after school shall not contain or have been prepared with artificial trans fat, including vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 grams per serving. (Education Code 49431.7)~~

### ~~Nutritional Standards for Beverages~~

~~The only beverages that may be sold to elementary students, regardless of the time of day, are: (Education Code 49431.5)~~

- ~~1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener~~
- ~~2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener~~
- ~~3. Drinking water with no added sweetener~~
- ~~4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk~~

~~The only beverages that may be sold to middle school or junior high school students from one-half hour before the start of the school day until one-half hour after the end of the school day are: (Education Code 49431.5)~~

- ~~1. Fruit-based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener~~
- ~~2. Vegetable-based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener~~
- ~~3. Drinking water with no added sweetener~~
- ~~4. Milk that is 1 percent fat, 2 percent fat, or nonfat; soy milk, rice milk, or other similar nondairy milk~~
- ~~1. Electrolyte replacement beverages that contain no more than 42 grams of added sweetener per 20 ounce serving as applicable~~

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

## **Drinking Water**

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

### **Special Milk Program**

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.7)

### **Food Safety**

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a school-written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) principles system. (42 USC 1758)¶

~~The district's HACCP plan shall be in writing and shall address the components specified in Health and Safety Code 114419.1 including include, but is not limited to, methods for determining control measures needed to prevent hazards at each stage of food production, monitoring of the implementation of the food safety program, establishment of corrective actions to be taken if the proper time or temperature range is not met, training of food service employees and supervisors on food safety issues, recordkeeping, and periodic review of the food safety program.¶~~

~~The Superintendent or designee shall designate at least one staff member to be responsible for verification of the HACCP plan and shall provide the designated staff member with training in HACCP principles and the contents of the plan. Records of the training shall be retained for the duration of employment or a period of not less than two years, whichever is greater. In addition, the Superintendent or designee shall provide applicable HACCP training to food service employees who work in food preparation and shall document the date, trainer, and subject of the training. (Health and Safety Code 114419.2)~~a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall ensure that food service directors, managers, and staff complete an annual continuing education or training as required by law. Each new employee,

including a substitute, or volunteer shall complete initial food safety training prior to handling food. For each employee, the Superintendent or designee shall document the date, trainer, and subject of each training.

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

### **Inspection of Food Facilities**

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

~~The Superintendent or designee shall retain records from the most recent food safety inspection.~~

~~All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (42 USC 1758; 7 CFR 210.13, 220.7; Health and Safety Code 113725.1)¶¶~~

~~The Board of Education intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. To increase cost-effectiveness, the Superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.¶¶~~

~~Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)¶¶~~

~~In addition, meals may be sold to other individuals and organizations who are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.¶¶~~

~~The Superintendent or designee shall recommend meal prices for students and nonstudents for approval by the Board. Students who are enrolled in the free or reduced price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.¶¶~~

~~Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture commodities.¶¶~~

~~Program financial reports shall be presented regularly to the Board.~~ Health and Safety Code  
113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)