

# Guide to Competitive Foods in HFC Schools

*Complying with the state and federal laws for selling and giving competitive foods to students in public schools that choose to implement the healthy food option of Healthy Food Certification (HFC) under Section 10-215f of the Connecticut General Statutes*



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Connecticut State Department of Education  
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# Guide to Competitive Foods in HFC Public Schools

Connecticut State Department of Education

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# About this Guide

The Connecticut State Department of Education's (CSDE) *Guide to Competitive Foods in HFC Public Schools* applies to public schools that participate in the U.S. Department of Agriculture's (USDA) National School Lunch Program (NSLP) and choose to implement the healthy food option of Healthy Food Certification (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.).

The federal and state laws for competitive foods determine what and when foods and beverages may be sold or given to students on school premises, and where the income must accrue. This guide provides comprehensive guidance on complying with these laws, including:

- when the laws for competitive foods supersede each other, and how they apply to different sources of foods and beverages in HFC public schools;
- implementation guidance for meeting the federal and state nutrition standards for foods and beverages required by the Connecticut Nutrition Standards (CNS), the state beverage statute, and the USDA's Smart Snacks nutrition standards;
- how the laws for competitive foods apply to different settings, such as cafeterias, vending machines, school stores, fundraisers, concession stands, culinary arts programs, family and consumer sciences classes, afterschool program and activities, summer school programs, meetings, and other sources of competitive foods in schools; and
- charts that summarize how the laws for competitive foods apply to selling and giving specific types of foods and beverages to students (sections 4 and 5).

Each section of this guide contains links to other sections when appropriate, and to websites with relevant information and resources. These links can be accessed by clicking on the blue text throughout the guide. The mention of trade names, commercial products or organizations does not imply approval or endorsement by the CSDE or the USDA. Product names are used solely for clarification.

The information in this guide is subject to change. The CSDE will update this guide as needed, based on changes to the USDA's regulations and policies for competitive foods. Please visit the CSDE's [Competitive Foods in Schools](#) webpage for the most current version. For more information, contact Susan S. Fiore, M.S., R.D., Nutrition Education Coordinator, at [susan.fiore@ct.gov](mailto:susan.fiore@ct.gov) or 860-807-2075.



## CSDE Contact Information

For questions regarding HFC and the federal and state laws for competitive foods, please contact Susan Fiore at [susan.fiore@ct.gov](mailto:susan.fiore@ct.gov) or 860-807-2075. For questions regarding the school nutrition programs, please contact the school nutrition programs staff in the CSDE's Bureau of Child Nutrition Programs.

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For a complete listing of the CSDE's Child Nutrition Programs staff, refer to the CSDE's resource, *Child Nutrition Staff and Responsibilities*.

# Abbreviations and Acronyms

ASP	Afterschool Snack Program
BOE	board of education or school governing authority
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CNPs	Child Nutrition Programs
CNS	Connecticut Nutrition Standards
CSDE	Connecticut State Department of Education
CTECS	Connecticut Technical Education and Career System
FDA	Food and Drug Administration
FFVP	Fresh Fruit and Vegetable Program
FNS	Food and Nutrition Service, USDA
HFC	Healthy Food Certification
HHFKA	Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)
LEA	local educational agency
NSLP	National School Lunch Program
RCCI	residential child care institution
SBP	School Breakfast Program
SFA	school food authority
SFSP	Summer Food Service Program
SMP	Special Milk Program
SSO	Seamless Summer Option of the NSLP
USDA	United States Department of Agriculture
WGR	whole grain-rich

# 1 — Introduction

This guide provides comprehensive information and resources to help HFC public schools comply with the federal and state laws for competitive foods. These laws determine what and when foods and beverages may be sold or given to students on school premises, and where the income must accrue.

## Overview of Healthy Food Certification

Section 10-215f of the Connecticut General Statutes (C.G.S.) requires that each board of education or school governing authority (BOE) for all Connecticut public schools participating in the National School Lunch Program (NSLP) must certify annually to the CSDE whether they will comply with the CNS for all foods available for sale to students on school premises at all times, separately from reimbursable meals. The CNS also applies to foods served in the Afterschool Snack Program (ASP) of the NSLP.

- “Sale” means the exchange of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Under the state competitive foods regulations, sales also include tickets, coupons, tokens, and similar items that are given to students (such as food rewards) and can be exchanged for certain foods and beverages. For more information, refer to [“Sales to Students,”](#) [“Giving Foods and Beverages to Students,”](#) and [“Food Rewards”](#) in section 3.
- “School premises” include all areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (Connecticut Technical Education and Career System (CTECS)), or the governing authority district or school.

The state HFC statute does not require public schools to comply with the CNS but does require each district to certify each year whether they will or will not comply with the CNS. Certification requires a vote by the BOE.

The annual HFC Statement is completed online in the CSDE’s Online Application and Claiming System for Child Nutrition Programs (CNP System), as part of the NSLP sponsor’s yearly application for the CNPs. For more information on the HFC application process, visit the [“Apply”](#) section of the CSDE’s HFC webpage and watch the CSDE’s training module, *Completing the Application Process for Healthy Food Certification*.

Districts that choose to comply with the CNS receive additional funding based on the total number of reimbursable lunches served in the district in the prior school year. For more information on HFC, refer to the CSDE's resource, [Requirements for Competitive Foods in HFC Public Schools](#), and visit the CSDE's [Healthy Food Certification](#) webpage.

### Competitive Foods

Competitive foods are all foods and beverages available for sale to students on school premises, other than reimbursable meals served through the USDA's Child Nutrition Programs (CNPs). Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating. The CNPs include the [National School Lunch Program \(NSLP\)](#), [School Breakfast Program \(SBP\)](#), [Afterschool Snack Program \(ASP\)](#) of the NSLP, [Seamless Summer Option \(SSO\)](#) of the NSLP, [Special Milk Program \(SMP\)](#), [Fresh Fruit and Vegetable Program \(FFVP\)](#), [Child and Adult Care Food Program \(CACFP\)](#) At-risk Afterschool Meals operated in schools, and [Summer Food Service Program \(SFSP\)](#) operated in schools.

Competitive foods include creditable and noncreditable foods.

- “Creditable foods” are foods and beverages that count toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the CNPs. Creditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, pasta, rice, and crackers, cookies, muffins, and pasta. For information on crediting foods in the school nutrition programs, refer to the CSDE’s [Menu Planning Guide for School Meals for Grades K-12](#), [Menu Planning Guide for Preschoolers in the NSLP and SBP](#) and [Afterschool Snack Program Handbook](#).
- “Noncreditable foods” are foods and beverages that do not count toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the CNPs. Noncreditable foods are competitive foods when they are sold separately from reimbursable meals and ASP snacks. Examples include bottled water, soft drinks, coffee, tea, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, gelatin, and pudding. For more information, refer to the CSDE’s resources, [Noncreditable Foods for Grades K-12 in the NSLP and SBP](#), [Noncreditable Foods for Preschoolers in the NSLP and SBP](#), and [Noncreditable Foods for Grades K-12 in the ASP](#).

All competitive foods available for sale to students on school premises must comply with the federal and state laws.

## Sources of Competitive Foods

Competitive foods may be available for sale to students from a variety of sources on school premises. Some common examples include school cafeterias, culinary programs, fundraisers, school stores, and vending machines. Table 1-2 shows more examples of potential sources of competitive foods. This list is not all-inclusive.

**Table 1-1. Examples of potential sources of competitive foods <sup>1</sup>**

<p>Adult education programs operated by the board of education</p> <p>Afterschool programs and activities, such as enrichment programs, extracurricular classes, tutoring sessions, and student clubs</p> <p>Cafeteria a la carte sales</p> <p>Classroom parties and other celebrations</p> <p>Clubs and organizations</p> <p>Concession stands</p> <p>Culinary arts programs</p> <p>Family and consumer sciences classes</p> <p>Family resource centers</p> <p>Fundraisers conducted by school groups and non-school groups</p> <p>Programs and meetings</p> <p>Recipient schools under interschool agreements</p> <p>School stores, kiosks, and other school-based enterprises</p> <p>Sports competitions, such as games, matches, and tournaments</p> <p>Sports programs</p> <p>Summer school programs (e.g., enrichment or exploratory) operated by the board of education or school governing authority</p> <p>USDA's Afterschool Snack Program (ASP) <sup>1</sup></p> <p>USDA's Seamless Summer Option (SSO) of the NSLP <sup>1</sup></p> <p>USDA's Summer Food Service Program (SFSP) operated by the board of education on school premises <sup>1</sup></p> <p>Vending machines</p> <p>Vendors on school premises, e.g., food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities that sell foods and beverages to students</p> <p>Any other programs, organizations, and activities that sell or give foods and beverages to students on school premises or charge a fee to cover the cost of foods and beverages provided to students</p>
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<sup>1</sup> A la carte sales in these CNPs are not common.

## Identifying Allowable Foods and Beverages

Allowable foods for HFC public schools include commercial products and foods made from scratch that comply with the following requirements of the Connecticut Nutrition Standards (CNS): 1) the food must meet at least one general standard; and 2) the serving with its accompaniments (such as butter, cream cheese, salad dressing, and condiments) must meet the specific nutrition standards for the applicable CNS food category. When a food includes an accompaniment (such as a bagel with cream cheese or pancakes with syrup), the nutrition information for both items must be added together prior to determining if the serving complies with the CNS.

Allowable beverages comply with the state beverage statute (C.G.S. Section 10-221q) and any stricter Smart Snacks requirements. For additional guidance, refer to “[Beverage Requirements](#)” in section 2.

### Commercial products

The CSDE’s [List of Acceptable Foods and Beverages](#) webpage identifies commercial food products that comply with the CNS and commercial beverage products that comply with the state beverage statute and Smart Snacks. For more information, refer to the CSDE’s resources, [How to Evaluate Commercial Food Products for Compliance with the Connecticut Nutrition Standards](#) and visit the “[Commercially Prepared Foods](#)” section of the CSDE’s CNS webpage.

Commercial products that are not included on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage cannot be sold to students. Districts may submit products to the CSDE for review. For additional guidance, refer to the CSDE’s resource, [Submitting Food and Beverage Products for Approval](#).

### Foods made from scratch

The selling entity must complete the steps below to document that foods made from scratch comply with the CNS. Foods without this documentation cannot be sold to students.

1. **Determine the nutrition information per serving:** Foods made from scratch must have a standardized recipe that indicates the calories, fat, saturated fat, trans fat, sodium, and sugars per serving. If this nutrition information is missing, the selling entity must conduct a nutrient analysis using a nutrient analysis software program, or a nutrient analysis database and the CSDE’s [CNS Worksheet 9: Nutrient Analysis of Recipes](#). For guidance on developing and using standardized recipes, visit the “[Standardized Recipes](#)” section of the CSDE’s Crediting Foods in School Nutrition Programs webpage.
2. **Verify that the nutrition information per serving complies with the CNS:** Enter the nutrition information for the standardized recipe’s serving with its accompaniments into the CNS worksheet for the applicable CNS food category (refer to the “[CNS Worksheets](#)”



section of the CSDE's CNS webpage). The CNS worksheets compare the standardized recipe's nutrition information per serving with the CNS and indicate if the serving complies.

3. **Maintain documentation of CNS compliance on file:** Maintain each standardized recipe and its completed CNS worksheet for the annual HFC documentation (due November 30 of each year) and the CSDE's Administrative Review of the school nutrition programs. For easy access, the CSDE recommends storing this information electronically in a computer folder.

These steps must be completed for the two categories of foods made from scratch below.

- **Category 1: foods prepared from ingredients using a standardized recipe:** Examples include entrees sold only a la carte (carte (i.e., not as part of reimbursable NSLP and SBP meals) such as pizza, chef's salad, lasagna, and sandwiches; soups; cooked grains (such as rice or pasta) with added salt and fat, e.g., oil, margarine, or butter; cooked vegetables with added salt and fat; salad with dressing; fruit smoothies; and baked goods such as muffins and cookies.
- **Category 2: commercial foods with ingredients added after purchasing:** Examples include popping popcorn kernels in oil and adding salt; making muffins from a mix and adding butter and eggs; and adding sprinkles to commercial frozen cookie dough. **Note:** Adding ingredients to a commercial product changes its nutrition information. To determine CNS compliance, these foods require a standardized recipe that indicates the amount of each ingredient and the nutrition information per serving.



**CNS exemption for entrees sold a la carte in the NSLP and SBP:** Standardized recipes with nutrition information are not required for entrees sold a la carte during the same meal service on the same day that they are planned and served as part of reimbursable meals in the NSLP and SBP. These entrees are exempt from the CNS and may be sold a la carte during the meal service if they: 1) are the same or smaller portion size as the NSLP and SBP; 2) have the same accompaniments; 3) meet the trans fat standard; and 4) do not contain artificial sweeteners, nonnutritive sweeteners, sugar alcohols, or chemically altered fat substitutes. **Note:** This exemption applies only to the three CNS categories of main dish entree items (refer to the CSDE's [Summary of Connecticut Nutrition Standards](#)). Any other non-entree meal components sold separately from reimbursable meals must comply with the CNS. For example, french fries and muffins that are part of reimbursable meals cannot be sold a la carte unless they meet the CNS.

For additional guidance, refer to the CSDE's resources, [Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards](#) and [How to Evaluate Foods Made from Scratch for Compliance with the Connecticut Nutrition Standards](#), and visit the "Foods Made from Scratch" section of the CSDE's CNS webpage.

### Strategies to Ensure Compliance

To receive HFC funding, districts must comply with the CNS and HFC requirements. Districts are responsible for ensuring that all sources of competitive foods available for sale to students on school premises comply with these requirements (refer to "[Sources of Competitive Foods](#)" in this document).

The most common noncompliance issues for commercial products include: 1) not verifying that the food or beverage is included on the [List of Acceptable Foods and Beverages](#) webpage; and 2) not checking deliveries to ensure that vendors do not substitute noncompliant products. The most common noncompliance issues for foods made from scratch include: 1) not having an accurate standardized recipe with the required nutrition information; and 2) not using the appropriate CNS worksheet to document that the standardized recipe's serving with its accompaniments complies with the CNS.

To prevent these noncompliance issues, districts must develop and implement procedures for competitive foods that include the strategies below.

1. **Clearly communicate what foods and beverages are allowed:** Notify all entities that sell foods and beverages to students on school premises what commercial products are allowed, based on the CSDE's [List of Acceptable Foods and Beverages](#) webpage, and specify that substitutions are not allowed. Examples include food service directors and cafeteria staff, culinary programs staff, school store operators, vending machine operators, fundraiser operators, coordinators of school clubs and organizations, and outside entities such as food service management companies and vendors. Provide clear instructions to vendors about allowable foods and beverages and indicate that substitutions are not allowed when an approved product is not available.
2. **Evaluate all commercial products before purchasing:** Before purchasing any commercial products, determine that foods comply with the CNS and beverages comply with the state beverage statute and Smart Snacks. Use the CSDE's [List of Acceptable Foods and Beverages](#) webpage to verify that the food or beverage is listed. Check that the product's information exactly matches the CSDE-approved product, including the manufacturer name, product name, product description (e.g., variety/flavor), serving size, case pack, product code, and nutrition information. If the food will include accompaniments, add the nutrition information for the food and its accompaniments together to determine if the product still

complies with the CNS. Accompaniments that cause an approved product to exceed the CNS limits cannot be served with the product. Commercial products that are not included on the CSDE's [List of Acceptable Foods and Beverages](#) webpage cannot be sold to students. Districts may submit products to the CSDE for review. For additional guidance, refer to the CSDE's resource, [Submitting Food and Beverage Products for Approval](#).

3. **Verify vendor assurances of product compliance:** The CSDE does not review or approve vendor lists of compliant products or vendor statements about compliant products. When a food manufacturer, vendor, distributor, or salesperson indicates that a product complies with the CNS or state beverage statute, verify that these products are included on the CSDE's [List of Acceptable Foods and Beverages](#) webpage. A common vendor error is assuming that commercial products that meet the USDA's Smart Snacks nutrition standards also comply with the CNS. Many Smart Snacks products do not comply with the CNS because the CNS requirements are stricter. For more information, refer to the CSDE's chart, [Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards](#).
4. **Review orders before submitting to vendors:** For each source of competitive foods, designate the school staff responsible for reviewing orders to ensure that all foods and beverages are included on the CSDE's [List of Acceptable Foods and Beverages](#) webpage (refer to strategy 2). Examples include the food service manager who is responsible for reviewing the cafeteria snack orders and the district's fundraiser coordinator who is responsible for using the district's fundraiser approval form to review foods and beverages that will be sold from fundraisers (refer to strategy 8).
5. **Check deliveries when received:** Ordering products that are included on the CSDE's [List of Acceptable Foods and Beverages](#) webpage does not guarantee they will be delivered. For each source of competitive foods, designate the school staff responsible for checking deliveries to ensure that vendors do not substitute noncompliant products. Examples include a food service employee who checks deliveries of snack foods (such as cookies, chips, and ice cream) for the cafeteria and school staff who check vending machines when they are stocked by an outside vending company (refer to strategy 9).
6. **Identify the steps for handling noncompliant products:** Ensure that all applicable school staff understand and follow the steps for handling deliveries of noncompliant foods and beverages. Refuse delivery of all noncompliant products and remind the vendor that substitutions are not allowed. Noncompliant products discovered after an order is delivered must be returned to the vendor.
7. **Evaluate all foods made from scratch before selling to students:** The district's procedures for sales of competitive foods must require prior approval for all foods made from scratch (refer to "[Foods made from scratch](#)" in this section). Foods made from scratch cannot be sold to students unless the selling entity has the following documentation: 1) an

accurate standardized recipe that indicates the calories, fat, saturated fat, trans fat, sodium, and sugars per serving; and 2) the completed CNS worksheet for the applicable food category documenting that the standardized recipe's serving with its accompaniments complies with the CNS (refer to the "[CNS Worksheets](#)" section of the CSDE's CNS webpage).

8. **Develop and implement a fundraiser approval process:** Districts must implement a fundraiser approval process to verify that each fundraiser complies with one of the following: a) the fundraiser sells compliant foods and beverages to students during the school day and does not occur while any CNPs are operating (refer to "[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)" and "[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)" in section 2); or b) the fundraiser meets the exemption criteria of the state HFC and beverage statutes and sells noncompliant foods and beverages to students at the location of an event held after the school day or on the weekend (refer to the CSDE's [Exemptions for Foods and Beverages in Public Schools](#)) and does not occur while any CNPs are operating. The CSDE's [Sample Fundraiser Form for Healthy Food Certification](#) provides guidance on developing a district fundraiser approval form. For detailed guidance on the fundraiser requirements, refer to "[Fundraisers](#)" in section 3 and the CSDE's [Requirements for Food and Beverage Fundraisers in HFC Public Schools](#) and "Module 6: Fundraisers" of the CSDE's [Complying with Healthy Food Certification](#) training program.
9. **Monitor vending machines operated by an outside vendor:** Districts are responsible for ensuring that all vending machines sell compliant foods and beverages, regardless of who owns or operates them. When vending machines operate under a contract with an outside vending company, districts must prevent substitutions of noncompliant products by: a) clearly communicating to the vending company what foods and beverages are allowed (refer to strategy 1); b) including language in the vending contract that substitutions are not allowed and that the vending company must train their employees who stock the vending machines on this requirement; c) designating school staff to monitor vending machines when they are stocked (refer to strategy 4); and d) refusing delivery of noncompliant products (refer to strategy 6). Vending machines stocked with noncompliant products must be turned off immediately and cannot operate until the vending company removes these products. For detailed guidance on the requirements for vending machines, refer to "[Vending Machines](#)" in section 3 the CSDE's [Requirements for Foods and Beverages in Vending Machines in HFC Public Schools](#).

## 2 — Laws for Competitive Foods

There are three categories of federal and state laws that apply to competitive foods in schools. These include: 1) nutrition standards for foods and beverages; 2) restrictions for selling and giving foods and beverages to students; and 3) accrual of income from sales of foods and beverages to students. Table 1-2 summarizes these laws, when they apply, which foods and beverages they regulate, and whether they apply to selling or giving foods and beverages to students (refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 3). A description of the requirements for each law follows this chart.

Table 1-2. Summary of laws that apply to competitive foods in HFC public schools				
Law	Applies to	When applies	Applies to	
			Selling	Giving
Category 1: Nutrition standards for foods and beverages				
<b>State:</b> C.G.S. <a href="#">Section 10-215c</a> : Nutrition standards for food that is not part of lunch or breakfast program (Connecticut Nutrition Standards)	All foods available for sale to students on school premises separately from reimbursable meals and all foods served in the ASP	At all times, except for sales that meet the food exemption criteria of the state HFC statute (refer to “ <a href="#">Food exemptions</a> ” in this section).  <b>Note:</b> The state HFC statute specifically prohibits food exemptions for vending machines and school stores. All foods sold vending machines and school stores must always comply with the CNS.	Yes	No



Table 1-2. Summary of laws that apply to competitive foods in HFC public schools				
Law	Applies to	When applies	Applies to	
			Selling	Giving
Category 1: Nutrition standards for foods and beverages, <i>continued</i>				
<b>State:</b> C.G.S. <a href="#">Section 10-221q</a> : Sale of beverages	All beverages available for sale to students on school premises, sold as part of and separately from reimbursable meals and ASP snacks	At all times, except for sales that meet the exemption criteria of the state beverage statute (refer to “ <a href="#">Beverage exemptions</a> ” in this section).  <b>Note:</b> The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores. All beverages sold from vending machines and school stores must always comply with the state beverage statute.	Yes	No
<b>Federal:</b> Smart Snacks Nutrition Standards ( <a href="#">81 FR 50131</a> )	All foods and beverages available for sale to students on school premises, separately from reimbursable meals and ASP snacks through the CNPs.  <b>Note:</b> Only the Smart Snacks beverage standards apply to HFC public schools (refer to “ <a href="#">Beverage Requirements</a> ” in this section). The food standards do not apply because the state HFC statute requires compliance with the stricter CNS.	During the school day.	Yes	No



Table 1-2. Summary of laws that apply to competitive foods in HFC public schools				
Law	Applies to	When applies	Applies to	
			Selling	Giving
Category 2: Restrictions for selling and giving foods and beverages to students				
<b>Federal:</b> School Wellness Policy ( <a href="#">Public Law 108-265</a> ) and the <a href="#">Healthy, Hunger-Free Kids Act (HHFKA)</a> of 2010)  Final Rule <a href="#">81 FR 50151</a>	Locally determined nutrition standards and guidelines for all foods and beverages on school premises available for sale to students or provided to students free of charge (refer to “ <a href="#">USDA School Wellness Policy</a> ” in this section).	During the school day.	Yes	Yes
<b>State:</b> <a href="#">C.G.S. Section 10-221p</a> : Nutritious and low-fat foods available for sale	All sales of foods to students on school premises (refer to “ <a href="#">State Statute Requiring Nutritious and Low-fat Foods</a> ” in this section).	During the school day.	Yes	No
<b>State:</b> <a href="#">Section 10-215b-1 of the Regulations of Connecticut State Agencies</a> : Competitive foods (candy, coffee, tea, and soft drinks)	Selling and giving candy, coffee, tea, and soft drinks to students on school premises while any CNPs are operating (refer to “ <a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a> ” in this section).	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.	Yes	Yes

## 2 | Laws for Competitive Foods

Table 1-2. Summary of laws that apply to competitive foods in HFC public schools				
Law	Applies to	When applies	Applies to	
			Selling	Giving
Category 3: Accrual of income from sales of foods and beverages to students				
<b>State:</b> <a href="#">Section 10-215b-23 of the Regulations of Connecticut State Agencies</a> : Accrual of Income	Accrual of income from all sales of foods and beverages to students on school premises while any CNPs are operating (refer to “ <a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a> ” in this section).	From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.	Yes	No
<b>Federal (USDA):</b> <a href="#">7 CFR 210.14 (f)</a> : Revenue from Nonprogram Foods	All foods and beverages purchased using funds from the nonprofit school food service account (NSFSA) and sold to students and adults on school premises (refer to “ <a href="#">USDA Regulation for Revenue from Nonprogram Foods</a> ” in this section).  <b>Note:</b> This regulation does not apply unless the foods and beverages are purchased using funds from the NSFSA.	At all times.	Yes	No
<b>State:</b> <a href="#">C.G.S. Section 17a-818</a> : Food service facilities and vending stands in public buildings controlled by Department of Aging and Disability Services. Permissible uses of vending machine income.	Vending machines operated by outside contractors in public schools (refer to “ <a href="#">State Statute for Permissible Use of Vending Machine Income (ADS-BESB)</a> ” in this section).	At all times.	Yes	No

## Category 1: Nutrition Standards for Foods and Beverages

This category addresses the nutrition standards for foods and beverages that are available for sale to students in schools. These laws include the Connecticut Nutrition Standards (C.G.S. Section 10-215e), the state beverage requirements (C.G.S. Section 10-221q) and the USDA's Smart Snacks nutrition standards.

### Connecticut Nutrition Standards

The CSDE developed the CNS in response to [Section 10-215e](#) of the Connecticut General Statutes, which required the CSDE to publish nutrition standards for foods offered for sale to students separately from reimbursable meals in public schools, effective with school year 2006-07. The CNS applies to all foods available for sale to students on school premises separately from reimbursable meals in the NSLP and SBP, and all foods served in the ASP.

The CNS includes nutrition standards for six categories of competitive foods: 1) snacks; 2) entrees sold only a la carte; 3) non-entree combination foods; 4) fruits and vegetables; 5) cooked grains; and 6) soups. To comply with the CNS, a commercial product or food made from scratch must meet at least one general standard and the serving with its accompaniments must meet the specific nutrition standards for the applicable CNS food category. Some examples of foods with accompaniments include bagels with cream cheese, muffins with butter, french fries with ketchup, pancakes with syrup, tortilla chips with salsa, and chicken nuggets with dipping sauce. For more information, refer to [“Identifying Allowable Foods and Beverages”](#) in section 1.

The general standards and nutrient standards for each food category are based on current nutrition science and national health recommendations from the [Dietary Guidelines for Americans](#) and national health organizations such as the National Academy of Medicine and American Heart Association. The CNS focuses on moderating calories; limiting fat, saturated fat, sodium, and sugars; eliminating trans fat; and promoting more nutrient-dense foods such as whole grains, fruits, vegetables, low-fat and nonfat dairy products, lean meats, legumes, and nuts and seeds.

For information on the CNS requirements, refer to the CSDE's [Summary of Connecticut Nutrition Standards](#) and visit the CSDE's [CNS](#) webpage. Training is available in “Module 3: Connecticut Nutrition Standards” and “Module 4: Evaluating Foods for CNS Compliance” of the CSDE's [Complying with Healthy Food Certification](#) training program.

The requirements for beverages are separate from the CNS, which applies only to foods. For more information, refer to [“Beverage Requirements”](#) in this section.

### Food exemptions

The state HFC statute (C.G.S. Section 10-215f) allows exemptions for foods that do not comply with the CNS, if the sales meet specific criteria. Foods that do not comply with the CNS could be sold to students on school premises if the BOE has voted to allow food exemptions as part of the annual HFC Statement, and: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the foods are not sold from a vending machine or school store.

- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the BOE on school premises are part of the regular school day.
- An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, awards banquets, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. For more examples of events, refer to [table 1-3](#).
- “Location” means where the event is being held and must be the same place as the food sales. For example, cupcakes could be sold to students on the side of the soccer field during a soccer game but cannot be sold to students in the school cafeteria while a soccer game is played on the soccer field.

The vote to allow food exemptions is part of the online annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)) that public school sponsors of the NSLP must submit to the CSDE by July 1 of each year. The annual HFC Statement is completed online in the CSDE’s Online Application and Claiming System for Child Nutrition Programs (CNP System), as part of the NSLP sponsor’s yearly application for the CNPs. Sponsors must upload the meeting minutes that indicate the results of the BOE’s HFC votes for the healthy food option and food exemptions. For more information on food exemptions, refer to the CSDE’s resource, [Exemptions for Foods and Beverages in Public Schools](#). For more information on the HFC application process, visit the “[Apply](#)” section of the CSDE’s HFC webpage and watch the CSDE’s training module, *Completing the Application Process for Healthy Food Certification*.

Beverage exemptions are not part of the annual HFC Statement. The exemption section of the HFC Statement applies only to foods. If the district chooses to allow beverage exemptions, the BOE must vote separately. For more information, refer to “[Beverage exemptions](#)” in this section.

If the BOE votes to allow food exemptions, noncompliant foods could be sold to students at the location of an event that occurs after the school day or on the weekend. The example below shows how the food exemptions apply.

Example: The school day ends at 3:00 p.m. A fundraiser located at an event on school premises could sell noncompliant foods to students anytime between 3:31 p.m. through 11:59 p.m. during the school week, or anytime on Saturday or Sunday. For example, a fundraiser could sell cupcakes to students at the location of a school concert (event) that occurs in the evening (after the school day). If the fundraiser occurs from 30 minutes before up through 30 minutes after the operation of any CNPs, the state competitive foods regulations require additional restrictions that supersede the food exemptions allowed by the state HFC statute. Section 10-215b-1 prohibits the fundraiser from selling candy, coffee, tea, and soft drinks to students during this time. Section 10-215b-23 requires that the income from all sales of foods and beverages during this time must accrue to the NSFSA. For more information, refer to “[State Competitive Foods Regulations](#)” in this section.

Noncompliant foods can never be sold to students from vending machines or school stores, even if they are at the location of an event. The state HFC statute specifically prohibits food exemptions for vending machines and school stores.

**Table 1-3. Examples of events for food and beverage exemptions <sup>1</sup>**

Awards banquets	School concerts
Boy Scout Blue & Gold dinner	School recitals
Craft fairs	School dances
Debate team competitions	School fairs, e.g., health, science, and math
Election day (if school is not in session)	Silent auctions
Family bingo nights	Sports banquets
Math team competitions	Sports games, tournaments, and matches, e.g., basketball, football, soccer, tennis, field hockey, volleyball, wrestling, and cross country
Mock trial competitions	
School carnivals	
School concerts	Talent shows
School recitals	Theatrical productions
School dances	

<sup>1</sup> This list is not all-inclusive. For questions regarding whether specific district fundraising activities meet the definition of “event,” [contact the CSDE](#).

### USDA Smart Snacks Nutrition Standards

All schools and institutions that participate in the NSLP or SBP must comply with the USDA's Smart Snacks nutrition standards. Smart Snacks applies to competitive foods available for sale to students on school premises during the school day, separately from reimbursable meals and ASP snacks in the CNPs. Smart Snacks addresses nutrition standards for three categories, including entrees sold only a la carte, side dishes, and beverages.

Only the Smart Snacks beverage standards apply to HFC public schools. The food standards do not apply because the state HFC statute (C.G.S Section 10-215f) requires compliance with the CNS. Foods that comply with the CNS also comply with the Smart Snacks nutrition standards for foods because the CNS requirements are stricter; they meet or exceed the Smart Snacks nutrition standards. For a comparison of the CNS and Smart Snacks, refer to the Connecticut State Department of Education's (CSDE) chart, [\*Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards\*](#).

Smart Snacks does not apply to the ASP, unless it operates before the end of the school day or sells foods and beverages to students separately from reimbursable ASP snacks; the SFSP, unless it operates during the summer school day during which NSLP meals are served, and sells foods and beverages to students separately from reimbursable SFSP meals and snacks; the SSO; or schools that participate only in the SMP. However, the USDA encourages schools to use the Smart Snacks nutrition standards in other CNPs to improve the overall school nutrition environment.





## Beverage Requirements

All beverages available for sale to students in public schools must comply with the state beverage statute (C.G.S. Section 10-221q) and the Smart Snacks beverage standards. The state beverage statute applies to all beverages available for sale to students on school premises at all times, including beverages sold as part of and separately from reimbursable meals and ASP snacks. Smart Snacks applies to all beverages sold separately from reimbursable meals to students on school premises during the school day.

- “Sales” means the exchange of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for beverages. Sales also include programs and activities that charge a fee that includes the cost of beverages provided to students; and activities that suggest a student donation in exchange for beverages. For more information, refer to [“Sales to Students”](#) and [“Food Rewards”](#) in section 3.

The Smart Snacks beverage standards apply only to tickets, coupons, tokens, and similar items that students can exchange for beverages. These standards do not apply to tickets, coupons, tokens, and similar items that are given to students, such as coupons for food rewards.

- “School premises” include all areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (CTECS), or the governing authority district or school.

Some common sources of beverage sales include cafeterias, vending machines, school stores, and fundraisers. For additional examples, refer to [table 1-1](#).

For more information, refer to the CSDE’s [Allowable Beverages in Connecticut Public Schools](#) and visit the CSDE’s [Beverage Requirements](#) webpage.

### Allowable beverages

Table 1-4 summarizes the nutrition standards and portion size limits for the five categories of beverages allowed by the state beverage statute and the USDA’s Smart Snacks beverage standards. The CSDE’s [List of Acceptable Foods and Beverages](#) webpage includes brand-specific beverages that comply with all federal and state beverage requirements.



**Table 1-4. Beverages allowed by the state beverage statute and Smart Snacks <sup>1</sup>**

Category	Nutrition Standards <sup>2</sup>	Portion size limit
<b>Milk</b> , low-fat (1%) and fat-free, either flavored or unflavored	<ul style="list-style-type: none"> <li>• ≤4 grams of sugar per fluid ounce</li> <li>• No artificial sweeteners <sup>2</sup></li> </ul>	<i>Elementary:</i> 8 fluid ounces (fl oz) <i>Middle and high:</i> 12 fl oz
<b>100 percent juice</b> (fruit, vegetable, or combination)	<ul style="list-style-type: none"> <li>• No added sweeteners <sup>2</sup></li> </ul>	<i>Elementary:</i> 8 fl oz <i>Middle and high:</i> 12 fl oz
<b>Nondairy milk substitutes</b> , flavored or unflavored (e.g., soy milk)	<ul style="list-style-type: none"> <li>• Must meet USDA’s nutrition standards for fluid milk substitutes <sup>3</sup></li> <li>• No artificial sweeteners <sup>2</sup></li> <li>• ≤ 4 grams of sugars per fluid ounce</li> <li>• ≤ 35% of calories from fat</li> <li>• ≤ 10% of calories from saturated fat</li> </ul>	<i>Elementary:</i> 8 fl oz <i>Middle and high:</i> 12 fl oz
<b>Beverages that contain only water and 100% juice</b> (with or without carbonation)	<ul style="list-style-type: none"> <li>• No added sweeteners <sup>2</sup></li> <li>• Must meet additional requirements for restricted ingredients (refer to the CSDE’s <a href="#">Requirements for Beverages Containing Water and Juice</a>)</li> </ul>	<i>Elementary:</i> 8 fl oz <i>Middle and high:</i> 12 fl oz
<b>Water</b> (with or without carbonation)	<ul style="list-style-type: none"> <li>• No added sweeteners <sup>2</sup></li> <li>• No caffeine</li> </ul> <p><i>Elementary and middle schools:</i></p> <ul style="list-style-type: none"> <li>• Must be unflavored and uncarbonated during the school day</li> </ul> <p><i>High schools:</i></p> <ul style="list-style-type: none"> <li>• May be flavored or unflavored</li> <li>• May be carbonated or uncarbonated</li> </ul>	<p><b>Plain water</b> with or without carbonation: Unlimited for all grades</p> <p><b>Flavored water</b> with or without carbonation (<i>during the school day, allowed for high schools only</i>): 12 fl oz</p>

<sup>1</sup> These nutrition standards include the stricter requirements of the state beverage statute and the USDA’s Smart Snacks beverage standards.

<sup>2</sup> Sweeteners include nutritive sweeteners that contain calories (e.g., sugars, syrups, and fruit juice concentrate); nonnutritive sweeteners that do not contain calories, including artificial nonnutritive sweeteners (e.g., aspartame, acesulfame potassium, and sucralose) and plant-based nonnutritive sweeteners (e.g., stevia, monk fruit, and thaumatin); and sugar alcohols that are low in calories (e.g., sorbitol, mannitol, maltitol, and erythritol).

<sup>3</sup> For information on the USDA’s nutrition standards for nondairy milk substitutes, refer to the CSDE’s [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

## Beverage exemptions

Beverages that do not comply with the state beverage statute cannot be sold to students in public schools unless the local BOE votes to allow exemptions, and: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store.

- An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, awards banquets, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. [Table 1-3](#) shows additional examples of events.
- The “school day” is the period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the BOE on school premises are part of the regular school day.
- “Location” means where the event is being held and must be the same place as the beverage sales. For example, lemonade could be sold to students at the baseball field during a baseball game but cannot be sold to students in the school cafeteria while a baseball game is played on the baseball field.

The example below shows how the beverage exemptions apply.

Example: The school day ends at 3:00 p.m. A fundraiser located at an event on school premises could sell noncompliant beverages to students anytime between 3:31 p.m. through 11:59 p.m. during the school week, or anytime on Saturday or Sunday. If the fundraiser occurs from 30 minutes before up through 30 minutes after the operation of any CNPs, the state competitive foods regulations require additional restrictions that supersede the exemptions allowed by the state beverage statute. Section 10-215b-1 prohibits the fundraiser from selling candy, coffee, tea, and soft drinks to students during this time. Section 10-215b-23 requires that the income from all sales of foods and beverages during this time must accrue to the NSFSA. For more information, refer to “[State Competitive Foods Regulations](#)” in this section.

Beverage exemptions are not part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)), which is required for all public schools that participate in the NSLP. The exemption section of the HFC Statement applies only to foods. The BOE must vote separately to allow any sales of noncompliant beverages to students in public schools. If this vote does not occur, schools cannot sell noncompliant beverages to students on school premise at any time.

Documentation of the approved vote for beverage exemptions must be available in the BOE's meeting minutes. Alternatively, beverage exemptions may be incorporated into the local educational agency's (LEA) policy, e.g., school wellness policy. For more information on beverage exemptions, refer to the CSDE's resource, [Exemptions for Foods and Beverages in Public Schools](#).

Noncompliant beverages can never be sold to students from vending machines or school stores, even if they are at the location of an event. The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores.

### Noncompliant beverages

Noncompliant beverages are beverages that do not meet the requirements of the state beverage statute and the Smart Snacks beverage standards. Some examples of beverages that do not comply with the state beverage statute, the Smart Snacks beverage standards, or both include:

- coffee (regular, decaffeinated, herbal, and iced);
- tea (regular, decaffeinated, herbal, and iced);
- sports drinks (regular, low-calorie, and zero calorie);
- energy drinks;
- hot chocolate (regular, low calorie, and low sugar);
- whole milk and reduced fat (2%) milk;
- nondairy milk substitutes (such as soy milk, rice milk, and almond milk) that do not comply with the USDA's nutrition standards for fluid milk substitutes;
- sweetened juice drinks (with or without carbonation) that are not 100 percent juice; and
- waters (with or without carbonation) that contain added sweeteners.

For additional examples, refer to the CSDE's [Allowable Beverages in Connecticut Public Schools](#). For information on the restrictions for selling and giving specific beverages to students in HFC public schools, refer to [section 5](#).

## Category 2: Restrictions for Selling and Giving Foods and Beverages

This category addresses the restrictions for selling and giving foods and beverages to students. These laws include the state statute requiring the sale of nutritious and low-fat foods (C.G.S. Section 10-221p), the state regulation that restricts selling and giving candy, coffee, tea, and soft drinks to students (Section 10-215b-1 of the Regulations of Connecticut State Agencies), and the local educational agency's (LEA) school wellness policy, as required by the USDA's school wellness policy legislation (Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 (Section 4 of Public Law 108-265) and the Healthy, Hunger-Free Kids Act of 2010).

### State Statute Requiring Nutritious and Low-fat Foods

C.G.S. Section 10-221p requires that whenever foods are available for sale to students during the school day, nutritious and low-fat foods must also be available for sale at the same time, either at the location of the food sales or elsewhere in the school. The statute defines “nutritious and low-fat foods” as low-fat dairy foods (such as low-fat cheese and low-fat or nonfat yogurt) and fresh or dried fruit. Low-fat milk is a beverage and cannot be used to meet the statutory requirement for low-fat foods.

Entities that sell foods to students during the school day must also sell low-fat dairy foods and fresh or dried fruit unless these foods are available for sale to students elsewhere on school premises at the same time. For sales consisting of preordered foods, the nutritious low-fat foods specified in the statute must be available for sale when students receive the foods, not when students order the foods.

C.G.S. Section 10-221p does not apply to:

- reimbursable meals in the NSLP, SBP, and SSO (or the SFSP operating on school premises), unless additional a la carte items are available for sale during the meal periods;
- reimbursable ASP snacks, unless service begins before the end of the school day; or
- schools that solely sell reimbursable meals, i.e., foods and beverage are never sold separately from reimbursable meals anywhere on school premises during the school day.

For more information on C.G.S. Section 10-221p, refer to section 4 of the CSDE's [\*Questions and Answers on Connecticut Statutes for School Foods and Beverages\*](#).

### State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks

Section 10-215b-1 of the Regulations of Connecticut State Agencies prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For information on what constitutes selling and giving, refer to [“Sales to Students”](#) and [“Giving Foods and Beverages to Students”](#) in section 3.

- The CNPs include the NSLP, SBP, ASP, SSO, SMP, FFVP, CACFP At-risk Afterschool Meals operated in schools, and SFSP operated in schools.
- “Candy” includes all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.
- “Coffee” and “tea” include all types, e.g., regular, decaffeinated, herbal, and iced.
- “Soft drinks” include all beverages (with or without carbonation) that contain water and/or juice and added sweeteners (including nutritive sweeteners and artificial or natural nonnutritive sweeteners) and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie, and zero calorie), sweetened beverages (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks), and flavored water with added sweeteners.

All sales of foods and beverages anywhere on school premises during this period must comply with Section 10-215b-1, including:

- sales of foods at events on school premises that meet the exemption criteria of the state HFC statute;
- sales of beverages at events on school premises that meet the exemption criteria of the state beverage statute;
- programs and activities on school premises where students can exchange tickets, coupons, tokens, and similar items for foods and beverages (including tickets and similar items that are sold or given to students);
- fee-based programs and activities on school premises that include the cost of foods and beverages provided to students;
- student orders for foods and beverages from fundraisers on school premises;
- distribution of fundraiser foods and beverages to students on school premises; and



- fundraisers on school premises that offer foods and beverages to students in exchange for a suggested donation.

Depending on when CNPs operate, the CNS, state beverage statute, and Smart Snacks beverage standards may supersede Section 10-215b-1 or Section 10-215b-1 may supersede the CNS, state beverage statute, and Smart Snacks beverage standards. These requirements are summarized below.

### **Restrictions for candy**

The CNS supersedes Section 10-215b-1 because it prohibits sales of candy to students on school premises at all times, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute. However, if the event occur while any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the food exemptions for candy that are allowed by the state HFC statute and extends restrictions for candy to exempted events. Candy cannot be sold to students on school premises unless:

- the BOE has voted to allow food exemptions as part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099));
- the sales are at the location of an event held after the school day or on the weekend; and
- the event does not occur while any CNPs are operating.

Candy can never be sold to students from vending machines or school stores. The state HFC statute specifically prohibits food exemptions for vending machines and school stores. For more information, refer to “[Food exemptions](#)” in this section and “[Vending Machines](#)” and “[School Stores](#)” in section 3.

### **Restrictions for coffee, tea, and soft drinks**

The state beverage statute supersedes Section 10-215b-1 because it prohibits sales of coffee, tea, and soft drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. However, if any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the beverage exemptions for coffee, tea, and soft drinks that are allowed by the state beverage statute; and extends restrictions for these beverages to exempted events. Coffee, tea, and soft drinks cannot be sold to students anywhere on school premises unless:

- the BOE has voted to allow beverage exemptions;
- the sales are at the location of an event held after the school day or on the weekend; and
- the event does not occur while any CNPs are operating.

Coffee, tea, and soft drinks can never be sold to students from vending machines or school stores on school premises. The state beverage statute specifically prohibits beverage exemptions for

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vending machines and school stores. For more information, refer to “[Beverage exemptions](#)” in this section and “[Vending Machines](#)” and “[School Stores](#)” in section 3.

The CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy, coffee, tea, and soft drinks on school premises. For more information, refer to the CSDE’s resources, [Healthy Fundraising](#), [Healthy Celebrations](#), and [Alternatives to Food Rewards](#).

For more information on the state competitive foods regulations, refer to the CSDE’s resource, [Connecticut Competitive Foods Regulations](#).

### USDA School Wellness Policy

The LEA’s locally developed SWP may have additional requirements for selling and giving foods and beverages to students. The Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 ([Public Law 108-265](#)) required all schools and institutions participating in the NSLP and SBP to develop a SWP by the first day of school year 2006-07. Section 204 of the Healthy, Hunger-Free Kids Act of 2010 ([Public Law 111-296](#)) strengthened the SWP law by adding requirements for public participation, transparency, and implementation. These requirements were effective August 29, 2016, under USDA’s final rule, [Local School Wellness Policy Implementation Under the HFFKA of 2010](#).

Among other requirements, the LEA’s SWP must include nutrition guidelines for all foods and beverages that are available for sale to students, or provided to students free of charge, on school premises during the school day. At a minimum, the LEA’s SWP for foods and beverages must meet all applicable federal and state nutrition standards and requirements. For more information on SWPs, visit the CSDE’s [School Wellness Policies](#) webpage.



## Category 3: Income Accrual

This category addresses the restrictions for income accrual from sales of foods and beverages to students. These laws include the state regulation that restricts income accrual (Section 10-215b-23 of the Regulations of Connecticut State Agencies, the USDA regulation for revenue from nonprogram foods (7 CFR 210.14(f)), and the state statute requiring the right of first refusal for the Connecticut Department of Aging and Disability Services, Bureau of Education and Services for the Blind (ADS-BESB) to place vending machines in public schools (C.G.S. Section 17a-818).

### State Competitive Foods Regulations Section 10-215b-23: Income Accrual

Section 10-215b-23 of the Regulations of Connecticut State Agencies requires that the income from all sales of foods and beverages to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs must accrue to the nonprofit school food service account (NSFSA).

- “Income” means gross income.
- “NSFSA” means the restricted account in which all of the revenue from all food service operations conducted by the school food authority (SFA) principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-federal funds used to support paid lunches as provided in [7 CFR 210.14\(e\)](#), and proceeds from nonprogram foods as provided in [7 CFR 210.14\(f\)](#).

All sales of foods and beverages anywhere on school premises during this period must comply with Section 10-215b-23, including:

- foods that comply with the CNS;
- beverages that comply with the state beverage statute and the Smart Snacks beverage standards;
- noncompliant foods sold at events on school premises that meet the exemption criteria of the state HFC statute;
- noncompliant beverages sold at events on school premises that meet the exemption criteria of the state beverage statute;
- sales of tickets, coupons, tokens, and similar items that students can exchange for foods and beverages;
- the portion of program and activity fees charged to cover the cost of foods and beverages provided to students;



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- student orders for foods and beverages, such as fundraisers; and
- student donations in exchange for foods and beverages, such as fundraisers that offer candy to students in exchange for a donation.

The examples below show how Section 10-215b-23 applies to the income from sales of foods and beverages to students on school premises.

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m., the NSLP operates from 11:30 a.m. to 1:00 p.m., and the ASP operates from 3:30 p.m. to 4:30 p.m. The NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m., 11:00 a.m. to 1:30 p.m., and 3:00 p.m. to 5:00 p.m. This includes the income from sales of tickets that student can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section), student orders for foods and beverages (refer to “[Fundraiser catalogs and orders](#)”), and program fees charged to cover the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section).

Example 2: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Vending machines on school premises sell foods and beverages to students during the school day. The vending machine contract specifies that the school food service department will receive 20 percent of the total vending sales. The NSFSA must receive 100 percent of the total vending sales (gross income) during 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

Example 3: The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. An afterschool program on school premises sells foods and beverages to students during this time. The NSFSA must receive the afterschool program’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m.

Example 4: The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A school organization collects a fee from families to cover the cost of foods, beverages, and supplies for a celebration that occurs on school premises from 4:00 p.m. to 6:00 p.m. (after the school day). The NSFSA must receive the income from the portion of the fee that covers the cost of foods and beverages provided to students from 4:00 p.m. to 6:00 p.m.

For more information, refer to the CSDE’s [Operational Memorandum No. 1-18: \*Accrual of Income from Sales of Competitive Foods in Schools\*](#), and the CSDE’s resource, [Connecticut Competitive Foods Regulations](#).

## USDA Regulation for Revenue from Nonprogram Foods

Section 7 CFR 210.14(f) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the NSFSA. “Nonprogram foods” are foods and beverages purchased using funds from the NSFSA and sold to students or adults at any time or location on school premises, other than reimbursable meals served through the CNPs.

Nonprogram foods include all foods and beverages sold in schools, adult meals, outside-of-school hours, and catering or vending activities. They also include competitive foods purchased using funds from the NSFSA, such as cafeteria a la carte sales or foods and beverages for vending machines operated by the food service department. For most school food authorities (SFAs), cafeteria a la carte sales account for the majority of nonprogram foods. Another common source is vending machines operated by the NSFSA.

Nonprogram foods are different from competitive foods. Competitive foods include all foods and beverages available for sale to students on school premises separately from reimbursable meals served through the CNPs, regardless of the funding source that purchased them. Some competitive foods are nonprogram foods because they are purchased using funds from the NSFSA, but many are not. For example, funds from the NSFSA might be used to purchase competitive foods that are sold from vending machines in the cafeteria; however, NSFSA funds are not typically used to purchase competitive foods that are sold from school stores and fundraisers.

This regulation also requires that when school food service labor is used to prepare foods for an outside entity (such as catering), the SFA must ensure that all costs, including labor and any other costs incurred, are covered by the entity being served by the school food service program. For more information, refer to [USDA Memo SP 13-2014: School Food Service Account Revenue from the Sale of Nonprogram Foods](#) and [USDA Memo SP 20-2016: Nonprofit School Food Service Account Nonprogram Food Revenue Requirements](#).

### State Statute for Permissible Use of Vending Machine Income (ADS-BESB)

[C.G.S. Section 17a-818](#) (formerly Section 10-303) requires that the Connecticut Department of Aging and Disability Services, Bureau of Education and Services for the Blind (ADS-BESB) has the right of first refusal to place vending machines in public buildings, including schools. A school district must grant a permit to ADS-BESB to operate a vending machine if the school district has determined that a vending machine is desirable in the location.

School districts cannot allow another organization to place a vending machine in a school building unless 1) the school district has first offered to grant a permit to ADS-BESB to operate the vending machine; and 2) ADS-BESB has declined the opportunity. C.G.S. Section 17a-818 does not apply to vending machines that are owned and operated by the school district without outside assistance. For additional guidance, refer to [“Placement of Vending Machines \(ADS-BESB\)”](#) in the “Laws/Regulations” section of the CSDE’s Competitive Foods in Schools webpage.



### 3 — When the Laws Apply

When the laws for competitive foods differ, the stricter requirements apply. Some requirements apply during the school day, while others apply at all times or while CNPs are operating. This section indicates how the federal and state nutrition standards (Smart Snacks, CNS, and state beverage statute) and other applicable laws apply to the following sources of foods and beverages in HFC public schools:

- sales to students;
- giving foods and beverages to students;
- sales to adults;
- adult education programs;
- afterschool programs and activities;
- ASP;
- celebrations;
- compliant foods and beverages;
- concession stands;
- culinary programs;
- family and consumer sciences classes;
- food rewards;
- foods and beverages brought from home;
- fundraisers;
- interschool agreements;
- meetings;
- noncompliant foods and beverages;
- school cafeterias;
- school stores;
- Special Milk Program (SMP);
- sports competitions;
- sports practices;
- SFSP and SSO;
- summer school programs;
- vending machines; and
- vendors.



How the laws for competitive foods apply depends on the source of foods and beverages, whether foods and beverages are sold or given to students, and when foods and beverages are sold or given



to students. A summary chart of when the federal and state requirements apply to different sources of foods and beverages is available in the CSDE's resource, [Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools](#).

## Sales to Students

The laws for sales of competitive foods apply at different times. The restrictions for each law are summarized below.

- **Smart Snacks beverage standards (81 FR 50131):** This USDA regulation applies to all beverages available for sale to students on school premises during the school day, separately from reimbursable meals.

Only the Smart Snacks beverage standards apply to HFC public schools because the stricter CNS food standards supersede the Smart Snacks food standards. For more information, refer to "[USDA Smart Snacks Nutrition Standards](#)" in section 2.

- **State HFC statutes (C.G.S. Section 10-215f) and CNS (C.G.S. Section 10-215e):** These statutes apply to all sales of foods to students, separately from reimbursable meals, on school premises at all times, unless the sales meet the exemption criteria of the state HFC statute. For more information, refer to "[Healthy Food Certification](#)" in section 1 and "[Connecticut Nutrition Standards](#)" and "[Food exemptions](#)" in section 2.
- **State beverage statute (C.G.S. Section 10-221q):** This statute applies to all sales of beverages to students on school premises at all times (including beverages sold as part of and separately from reimbursable meals), unless the sales meet the exemption criteria of the state beverage statute. For more information, refer to "[Beverage Requirements](#)" and "[Beverage exemptions](#)" in section 2.
- **State statute requiring nutritious and low-fat foods (C.G.S. Section 10-221p):** This statute applies to all sales of foods to students on school premises during the school day, separately from reimbursable meals. For more information, refer to "[State Statute Requiring Nutritious and Low-fat Foods](#)" in section 2.
- **Competitive foods regulations (Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies):** These state regulations apply from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Section 10-215b-1 prohibits selling and giving candy, coffee, tea, and soft drinks to

students anywhere on school premises during this time. Section 10-215b-23 requires that the income from all foods and beverages available for sale to students on school premises during this time must accrue to the NSFSA. These regulations also apply to foods and beverages available for sale to students at events on school premises that meet the exemption criteria of the state HFC and beverage statutes. For more information, refer to “[State Competitive Foods Regulations](#)” in section 1.

### Definition of “sales” for Smart Snacks

“Sales” means the exchange of a determined amount of money (including the purchase of tickets, coupons, tokens, and similar items) for foods and beverages on school premises during the school day. Under the USDA’s Smart Snacks regulations, schools are selling foods and beverages to students when any of the situations below apply.

Only the Smart Snacks beverage standards apply to HFC public schools. The stricter CNS requirements supersede the Smart Snacks food standards.

1. Students purchase foods and beverages on school premises during the school day.
2. Students purchase tickets, coupons, tokens, and similar items on school premises that can be exchanged for foods and beverages on school premises during the school day.
3. Students order fundraiser foods and beverages on school premises that are intended to be consumed by students on school premises during the school day, and receive distribution of these foods and beverages on school premises during the school day.
4. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises during the school day.
5. Fundraisers on school premises during the school day give foods and beverages to students in exchange for a suggested donation.

#### Definition of “sales” for Connecticut statutes and regulations

“Sales” means the exchange on school premises of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for foods and beverages. Under Connecticut’s statutes and competitive foods regulations, schools are selling foods and beverages to students when any of the situations below apply. These situations constitute sales to students regardless of when students will receive or consume the foods and beverages.

1. Students purchase foods and beverages on school premises.
2. Students purchase tickets, coupons, tokens, and similar items on school premises that can be exchanged for foods and beverages either on or off school premises.

Selling tickets and similar items on school premises that students can exchange for foods and beverages is the same as selling foods and beverages to students on school premises, regardless of when or where the tickets and similar items are exchanged.

3. Students are given tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages on school premises.
4. Students bring fundraiser orders and money to school and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.
5. Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.
6. Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.

## What constitutes sales to students

The federal and state laws for competitive foods have different requirements. This section summarizes how the laws for competitive foods apply to the six conditions that constitute selling foods and beverages to students in HFC public schools.

1. **Students purchase foods and beverages on school premises.** For example, students buy snacks in the cafeteria or beverages from a vending machine or school store.
  - **USDA Smart Snacks beverage standards:** These standards apply to all beverages available for purchase by students (separately from reimbursable meals) on school premises during the school day.
  - **State HFC statute and CNS:** These statutes apply to foods available for purchase by students (separately from reimbursable meals) on school premises at all times. Exemptions are allowed for food sales at events on school premises that meet the exemption criteria of the state HFC statute (refer to “[Food exemptions](#)” in section 2).
  - **State beverage statute:** This statute applies to all beverages available for purchase by students on school premises at all times. This includes beverages that are part of and available separately from reimbursable meals. Exemptions are allowed for beverage sales at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).
  - **State statute for nutritious and low-fat foods:** This statute applies whenever foods are available for sale to students (separately from reimbursable meals) on school premises during the school day. It does not apply to beverages available for purchase by students.
  - **State competitive foods regulations:** These regulations apply to all foods and beverages available for purchase by students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. They also apply to foods and beverages available for sale to students at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2).

2. **Students purchase coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages on school premises.** For example, students purchase tickets on Monday that can be exchanged for cookies on Friday; or students purchase coupons that can be exchanged for foods and beverages in the school store. For more information, refer to “[Tickets, coupons, and tokens](#)” in this section.
  - **USDA Smart Snacks beverage standards:** These standards apply to all tickets and similar items that can be purchased by students, and can be exchanged for foods and beverages, on school premises during the school day. The Smart Snacks nutrition standards do not apply when tickets and similar items are **given** to students, such as food rewards.
  - **State HFC statute and CNS:** These statutes apply to tickets and similar items that can be purchased by or given to students on school premises and can be exchanged for foods (excluding reimbursable meals) on school premises at any time. Exemptions are allowed for selling and exchanging food tickets and similar items at events on school premises that meet the exemption criteria of the state HFC statute (refer to “[Food exemptions](#)” in section 2).
  - **State beverage statute:** This statute applies to tickets and similar items that can be purchased by or given to students on school premises, and can be exchanged for beverages on school premises at any time. This includes beverages that students can purchase as part of and separately from reimbursable meals. Exemptions are allowed for selling and exchanging beverage tickets and similar items at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).
  - **State statute for nutritious and low-fat foods:** This statute applies to tickets and similar items that can be purchased by or given to students on school premises and can be exchanged for foods on school premises during the school day. The statute applies when students exchange the coupons, not when students purchase or are given the coupons. It does not apply to coupons that students can exchange for beverages.
  - **State competitive foods regulations:** These regulations apply to all tickets and similar items that are purchased by or given to students, and can be exchanged for foods and beverages, on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to purchasing and exchanging tickets and similar items at events on school premises that meet the exemption criteria of the state HFC and

beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2).

3. **Students are given tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages, such as coupons for food rewards.** For example, teachers reward students with coupons that can be exchanged for ice cream in the cafeteria. For more information, refer to “[Tickets, coupons, and tokens](#),” “[Giving Foods and Beverages to Students](#),” “[Food Rewards](#),” and “[Celebrations](#)” in this section.

- **USDA Smart Snacks beverage standards:** These standards do not apply when tickets and similar items that can be exchanged for beverages are given to students.
- **State HFC statute and CNS:** These statutes apply at all times to tickets and similar items that are given to and can be exchanged by students for foods (separately from reimbursable meals) on school premises. Giving students tickets or similar items that can be exchanged for foods is the same as selling foods to students, regardless of when or where students exchange them. Exemptions are allowed for tickets and similar items that can be exchanged for foods at events on school premises that meet the exemption criteria of the state HFC statute (refer to “[Food exemptions](#)” in section 2).
- **State beverage statute:** This statute applies at all times to tickets and similar items that are given to and can be exchanged by students for beverages on school premises. This includes beverages that are part of and available separately from reimbursable meals. Giving students tickets or similar items that can be exchanged for beverages is the same as selling beverages to students, regardless of when or where students exchange them. Exemptions are allowed for tickets and similar items that can be exchanged for beverages at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).
- **State statute for nutritious and low-fat foods:** This statute applies when students exchange the tickets or similar items for foods on school premises during the school day. It does not apply at the time the food coupons are given to students, or to coupons that students can exchange for beverages.
- **State competitive foods regulations:** These regulations apply to all tickets and similar items that are given to students and can be exchanged for foods and beverages (as part of and separately from reimbursable meals), on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to giving and

exchanging tickets and similar items at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 1).

4. **Students bring fundraiser orders and money to school and pick up fundraiser foods and beverages on school premises to bring home for delivery to customers.** For example, students take orders off school premises for frozen cookie dough, frozen pies, and bags of gourmet coffee; and bring the orders and money to school. When the products arrive at school, students pick up the products at school to bring home for delivery to customers. For more information, refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section.

- **USDA Smart Snacks beverage standards:** These standards do not apply to beverages ordered by students through fundraisers when the beverages are intended for consumption at home.
- **State HFC statute and CNS:** These statutes prohibit fundraisers where students order foods on school premises and receive the foods on school premises, regardless of when the foods are intended to be consumed by students. Exemptions are allowed for food orders and distribution at events on school premises that meet the exemption criteria of the state HFC statute (refer to “[Food exemptions](#)” in section 2).
- **State beverage statute:** This statute prohibits fundraisers where students order beverages on school premises and receive the beverages on school premises, regardless of when the beverages are intended to be consumed by students. Exemptions are allowed for beverage orders and distribution at events on school premises that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).
- **State statute for nutritious and low-fat foods:** This statute applies when foods ordered through a fundraiser are **distributed** to students on school premises during the school day, regardless of when the foods are intended to be consumed by students. It does not apply at the time the student orders the food, or to student beverage orders or the distribution of fundraiser beverages to students.
- **State competitive foods regulations:** These regulations apply to foods and beverages ordered by and distributed to students through a fundraiser on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day, regardless of when the foods and beverages are intended to be consumed by students. These regulations also apply to



student orders for foods and beverages, and distribution of foods and beverages to students, at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2).

5. **Programs or activities charge a fee that includes the cost of foods and beverages provided to students on school premises.** For example, an afterschool program charges a fee that includes the cost of snacks provided to students, or parents send money to school to cover the cost of foods and beverages provided to students at classroom parties. For more information, refer to “[Afterschool programs and activities](#),” “[Celebrations](#)” and “[Fee-based Programs and Activities](#)” in this section.

- **USDA Smart Snacks beverage standards:** These standards apply to fee-based programs and activities (excluding classroom parties) that provide beverages to students on school premises during the school day. These standards do not apply to classroom parties on school premises when students, parents, or teachers supply beverages or provide funds to purchase beverages.
- **State HFC statute and CNS:** These statutes apply at all times to foods provided to students through fee-based programs and activities on school premises, including classroom parties. Fee-based programs and activities are not eligible for food exemptions under the state HFC statute because they are not events. Classroom parties could be eligible for food exemptions if they are held after the school day or on the weekend. For more information, refer to “[Food exemptions](#)” in section 1 and “[Celebrations that are events](#)” in this section.
- **State beverage statute:** This statute applies to all beverages provided to students through fee-based programs and activities on school premises, including classroom parties. Fee-based programs and activities are not eligible for beverage exemptions because they are not events. Classroom parties could be eligible for beverage exemptions if they are held after the school day or on the weekend. For more information, refer to “[Beverage exemptions](#)” in section 1 and “[Celebrations that are events](#)” in this section.
- **State statute for nutritious and low-fat foods:** This statute applies when fee-based programs or activities (including classroom parties) provide foods to students on school premises during the school day. It does not apply to fee-based programs or activities that provide beverages to students after the school day.
- **State competitive foods regulations:** These regulations apply to fee-based programs and activities (including classroom parties) that provide foods and

beverages to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to celebrations on school premises that meet the definition of an event, and are therefore eligible for exemptions under the state HFC and beverage statutes. For more information, refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2 and “[Celebrations that are events](#)” in this section.

6. **Fundraisers on school premises give foods and beverages to students in exchange for a suggested donation.** For example, students receive a “free” cookie if they donate money to a charity fundraiser. For more information, “[Suggested donations for foods and beverages](#)” in this section.

- **USDA Smart Snacks beverage standards:** These standards apply when fundraisers on school premises give beverages to students in exchange for a suggested donation during the school day.
- **State HFC statute and CNS:** These statutes apply at all times to fundraisers on school premises that give foods to students in exchange for a suggested donation. Exemptions are allowed for fundraisers that give foods to students in exchange for a suggested donation at events on school premises that meet the exemption criteria of the state HFC statute. For more information, refer to “[Food exemptions](#)” in section 2 and “[Fundraisers that are events](#)” in this section.
- **State beverage statute:** This statute applies at all times to fundraisers on school premises that give beverages to students in exchange for a suggested donation. Exemptions are allowed for fundraisers that give beverages to students in exchange for a suggested donation at events on school premises that meet the exemption criteria of the state beverage statute. For more information, refer to “[Beverage exemptions](#)” in section 2 and “[Fundraisers that are events](#)” in this section.
- **State statute for nutritious and low-fat foods:** This statute applies when fundraisers on school premises give foods to students in exchange for a suggested donation during the school day. It does not apply to fundraisers that provide beverages to students in exchange for a suggested donation.
- **State competitive foods regulations:** These regulations apply when fundraisers on school premises give foods and beverages to students in exchange for a suggested donation from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to fundraisers that give foods and beverages to students in exchange for a suggested

donation at events on school premises that meet the exemption criteria of the state HFC and beverage statutes. For more information, refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2 and [“Fundraisers that are events”](#) in this section.

## Giving Foods and Beverages to Students

“Giving” means that foods and beverages are provided free of any charge, contribution, or suggested donations. The laws for competitive foods have different requirements and definitions for giving foods and beverages to students.

The federal nutrition standards (Smart Snacks), state nutrition standards (CNS and state beverage statute), and the state statute for nutritious low-fat foods (C.G.S. Section 10-221p) do not apply when foods and beverages are given to students. However, Section 10-215b-1 of the state competitive foods regulations prohibits giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to [“State Competitive Foods Regulations”](#) in section 2.

### Definition of “giving” for Smart Snacks

Under the USDA’s Smart Snacks regulations, giving foods and beverages to students means that all the following criteria apply:

- students do not purchase foods and beverages on school premises during the school day;
- students do not order foods and beverages on school premises during the school day that are intended to be consumed on school premises during the school day;
- students do not exchange purchased tickets, coupons, tokens, and similar items for foods and beverages on school premises during the school day;
- programs and activities on school premises that charge a fee do not include the cost of foods and beverages provided to students during the school day; and
- fundraisers on school premises do not give foods and beverages to students in exchange for a suggested donation during the school day.

### Definition of “giving” for Connecticut statutes and regulations

Under Connecticut’s statutes and competitive foods regulations, giving foods and beverages to students means that all the following criteria apply:

- students do not purchase foods and beverages on school premises;
- students do not order foods and beverages on school premises;

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- students do not exchange purchased or free tickets, coupons, tokens, and similar items for foods and beverages on school premises;
- programs and activities on school premises that charge a fee do not include the cost of foods and beverages provided to students; and
- fundraisers on school premises do not give foods and beverages to students in exchange for a suggested donation.

## Sales to Adults

The federal and state nutrition standards do not apply to foods and beverages sold to adults (such as teachers, school staff, and parents) on school premises. Schools may sell any foods and beverages to adults at any time, either on or off school premises.

However, the state statutes and competitive foods regulations apply when students sell foods and beverages to adults off school premises, deliver the fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to customers. An example is a fundraiser catalog that sells candy bars and bags of gourmet coffee. For more information, refer to “[Fundraiser catalogs and orders](#)” in this section.



Under the state statutes and state competitive foods regulations, foods and beverages are being sold to students whenever students exchange money or its equivalent for foods and beverages on school premises.

## Adult Education Programs

Most of Connecticut’s adult education programs are provided through local school districts. Adult education programs are also available through various community and faith-based organizations.

Under certain conditions, Connecticut’s statutes and regulations apply to sales of foods and beverages from adult education programs located in public schools. These laws do not address an age limit for students or distinguish between regular and adult education programs. Therefore, they apply to foods and beverages sold to adults who are “students” in adult education programs operating on the premises of public school districts if 1) the adult education program is under the

board of education’s jurisdiction; and 2) the food and beverage sales are under the control of the adult education program. This also includes fee-based adult education programs that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and adult education programs where students can exchange tickets for foods and beverages, including tickets that are sold or given to students (refer to “[Tickets, coupons, and tokens](#)” in this section).

The state statutes and regulations for foods and beverages do not apply if 1) the district rents, leases, or borrows building space for an adult education program; and 2) the building owner maintains any sources of food and beverage sales, such as vending machines or food kiosks. These sales are not under the control of the adult education program. For more information, refer to the CSDE’s memo, [Requirements for Selling Foods and Beverages in Adult Education Programs](#).

### **Smart Snacks beverage standards for adult education programs**

The Smart Snacks beverage standards do not apply to adult education programs on school premises.

### **State nutrition standards for adult education programs**

If an adult education program is located on school premises and operating under the board of education’s jurisdiction, the CNS and state beverage statute apply to all foods and beverages available for sale to adult education students at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based adult education programs that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and adult education programs where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from adult education programs on school premises operating under the board of education’s jurisdiction must **always** comply with the CNS and state beverage statute. Adult education programs are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Other state requirements for adult education programs

In addition to the state nutrition standards, C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations apply to adult education programs under the board of education's jurisdiction that operate on school premises during the school day or while CNPs are operating. These regulations apply to all sales of foods and beverages in these adult education programs (refer to [“State nutrition standards for adult education programs”](#) and [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section).

C.G.S. Section 10-221p and the state competitive foods regulations do not typically apply to adult education programs. Most adult education programs on school premises operate after the school day and outside of the time that CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that adult education programs selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). This statute does not typically apply to most adult education programs because they usually operate after the school day.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits adult education programs on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). This regulation does not typically apply to most adult education programs because they usually operate outside of the time that CNPs are operating.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Adult education programs on school premises can **never** sell candy, coffee, tea, and soft drinks to students. Fee-based adult education programs on school programs can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** Adult education programs on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs,

including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 5:00 to 6:00 p.m., an adult education program on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 4:30 p.m. to 6:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This regulation does not typically apply to most adult education programs because they usually operate outside of the time that CNPs are operating. The example below shows how Section 10-215b-23 applies to adult education programs.

Example: The At-risk Afterschool Meals program operates after the school day from 5:30 to 6:30 p.m. An adult education program on school premises sells foods and beverages to students during this time. The NSFSA must receive the adult education program's income from all foods and beverages sold to students from 5:00 p.m. to 7:00 p.m. This also includes sales of tickets that students can exchange for foods and beverages in adult education programs on school premises (refer to "[Tickets, coupons, and tokens](#)" in this section); and program fees charged to cover the cost of foods and beverages provided to students in adult education programs on school premises (refer to "[Fee-based Programs and Activities](#)" in this section). **Note:** All foods available for sale from this adult education program must comply with the CNS and all beverages must comply with the state beverage statute because adult education programs are not eligible for food and beverage exemptions under the state HFC and beverage statutes (refer to "[Food exemptions](#)" and "[Beverage exemptions](#)" in section 1).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations](#)" in section 1.



## Afterschool Programs and Activities

Afterschool programs and activities that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of afterschool programs and activities include enrichment programs, extracurricular classes, tutoring sessions, performing arts groups, and clubs (such as art, chess, foreign language, and math).

This includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students on school premises. Examples of fee-based afterschool programs include a movie or board game club that provides soda and popcorn; enrichment programs, extracurricular classes, tutoring sessions, and clubs that include a daily snack; and cooking classes where students eat the foods they have prepared.

### Smart Snacks beverage standards for afterschool programs and activities

The Smart Snacks beverage standards apply to all beverages available for sale to students from afterschool programs and activities on school premises during the school day (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes fee-based afterschool programs and activities that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and afterschool programs and activities where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section). The examples below show how the Smart Snacks beverage standards apply to afterschool programs and activities.

Example 1: The school day ends at 3:00 p.m. An afterschool program sells beverages to students beginning at 3:15 p.m. The Smart Snacks beverage standards apply because these sales occur before the end of the school day. **Note:** All beverages available for sale to students from this afterschool program must also comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).

Example 2: The school day ends at 3:00 p.m. An afterschool program sells beverages to students beginning at 3:45 p.m. The Smart Snacks beverage standards do not apply because these sales occur after the end of the school day. **Note:** All beverages available for sale to students from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).

Example 3: The school day ends at 3:00 p.m. A six-week afterschool tutoring program operates on school premises from 3:15 p.m. to 4:30 p.m. The program charges a registration fee that includes the cost of foods and beverages provided to students during the program. The Smart Snacks nutrition standards apply to all beverages provided to students from 3:15

p.m. to 3:30 p.m. (during the school day). **Note:** During the entire time of the tutoring program (3:15 p.m. to 4:30 p.m.), all foods provided to students must comply with the CNS and all beverages provided to students must comply with state beverage statute because afterschool programs are not eligible for food and beverage exemptions (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2).

### State nutrition standards for afterschool programs and activities

The CNS and state beverage statute apply to all foods and beverages available for sale to students from afterschool programs and activities on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based afterschool programs and activities that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and afterschool programs and activities where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from afterschool programs and activities must always comply with the CNS or state beverage statute. Afterschool programs are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

### Other state requirements for afterschool programs and activities

In addition to the federal and state nutrition standards, afterschool programs and activities on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in afterschool programs and activities on school premises (refer to “[State nutrition standards for afterschool programs and activities](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do not typically apply to afterschool programs and activities. Most afterschool programs and activities on school premises operate after the school day and outside of the time that CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that afterschool programs and activities selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). This statute does not typically apply to most afterschool programs and activities because they usually operate after the school day. The example below shows how C.G.S. Section 10-221p applies to afterschool programs and activities.

Example: The school day ends at 3:00 p.m. An afterschool program on school premises sells foods to students before 3:30 p.m. (during the school day). The afterschool program must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale from this afterschool program must comply with the CNS because afterschool programs are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2). All beverages available for sale from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 2). Up through 3:30 p.m. (during the school day), all beverages must also comply with the Smart Snacks beverage standards. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits afterschool programs and activities from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). The example below shows how Section 10-215b-1 applies.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Afterschool programs and activities on school premises can never sell or distribute candy, coffee, tea, and soft drinks to students. Fee-based afterschool programs and activities on school premises can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** Afterschool programs and activities cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation

of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., an afterschool program or activity on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from afterschool programs and activities that occur on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during afterschool programs and activities (refer to “[Fee-based Programs and Activities](#)” in this section); and sales of tickets that students can exchange for foods and beverages in afterschool programs and activities (refer to “[Tickets, coupons, and tokens](#)” in this section). The example below shows how Section 10-215b-23 applies to afterschool programs and activities.

Example: The school day ends at 3:00 p.m. The ASP operates on school premises after the school day from 3:30 p.m. to 4:30 p.m. An afterschool program on school premises sells foods and beverages to students during this time. The NSFSA must receive the afterschool program’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** All foods available for sale from this afterschool program must comply with the CNS because afterschool programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Afterschool Snack Program (ASP)

The ASP operates under the NSLP. Reimbursable snacks served in the ASP must meet the requirements of the USDA's ASP meal pattern. In addition to meeting the ASP meal pattern, foods and beverages served in reimbursable ASP snacks must comply with the applicable federal and state nutrition standards. For information on the ASP meal pattern requirements, visit the "[Documents/Forms](#)" section of the CSDE's [Afterschool Snack Program](#) webpage.

### Smart Snacks beverage standards for the ASP

The Smart Snacks nutrition standards do not apply to reimbursable ASP snacks unless the ASP operates before the end of the school day or sells additional foods and beverages to students separately from reimbursable snacks before the end of the school day. For example, if the school day ends at 3:00 p.m., the Smart Snacks beverage standards apply to reimbursable ASP snacks served between 3:00 p.m. to 3:30 p.m. (during the school day), but do not apply to reimbursable ASP snacks served after 3:30 p.m. (after the school day).

### State nutrition standards for the ASP

The CNS and state beverage statute apply **at all times** to all foods and beverages that are part of reimbursable ASP snacks, and all foods and beverages that are available on school premises for sale to students separately from reimbursable ASP snacks.

ASP menus must always comply with the CNS and state beverage statute. The ASP is not eligible for food and beverage exemptions because it does not meet the definition of an event.

### Other state requirements for the ASP

In addition to the state nutrition standards, the ASP must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises outside of the ASP (refer to "[Definition of "sales" for Connecticut statutes and regulations](#)" in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that whenever foods are available for sale to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must also be available for sale at the same location or elsewhere on school premises at the same time (refer to "[State Statute Requiring Nutritious](#)

and Low-fat Foods” in section 2). This statute does not apply to the ASP unless the ASP provides snacks to students before the end of the school day. The examples below show how C.G.S. Section 10-221p applies.

Example 1: The school day ends at 3:00 p.m. The ASP serves reimbursable snacks to students before 3:30 p.m. (during the school day). Up through 3:30 p.m., the ASP must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods served in reimbursable ASP snacks must comply with the CNS because the ASP is not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 1). All beverages served in reimbursable ASP snacks must comply with the state beverage statute because the ASP is not eligible for beverage exemptions under the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).

Example 2: The school day ends at 3:00 p.m. The ASP serves reimbursable snacks to students after 3:30 p.m. C.G.S. Section 10-221p does not apply. **Note:** All foods served in reimbursable ASP snacks must comply with the CNS because the ASP is not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 1). All beverages served in reimbursable ASP snacks must comply with the state beverage statute because the ASP is not eligible for beverage exemptions under the state beverage statute (refer to “[Beverage exemptions](#)” in section 2).

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the ASP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. The ASP is not eligible for food and beverage exemptions because it does not meet the definition of an event. The ASP can **never** sell or distribute candy, coffee, tea, and soft drinks to students; or purchase candy, coffee, tea, and soft drinks and distribute them to students.
  - **Giving candy, coffee, tea, and soft drinks:** The ASP cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the ASP



operates after the school day from 3:30 to 4:30 p.m., the ASP (or any other entity on school premises) cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the ASP already accrues to the NSFSA. The NSFSA must also receive the income from all sales of foods and beverages to students on school premises during this time. The example below shows how Section 10-215b-23 applies.

Example: The school day ends at 3:00 p.m. The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A school club sells foods and beverages to students at a soccer game (event) on school premises starting at 3:30 p.m. (after the school day). The NSFSA must receive the school club's income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** The school club may sell noncompliant foods and beverages because the sales meet the exemption criteria of the state HFC and beverage statutes (refer to "[Food exemptions](#)" and "[Beverage exemptions](#)" in section 2). However, Section 10-215b-23 supersedes the exemption criteria because the sales occur during CNP operations.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)" and "[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)" in section 2.





## Celebrations

Celebrations that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of school celebrations include classroom parties, birthday parties, holidays, cultural events, and parties for special occasions.

### Smart Snacks beverage standards for celebrations

The Smart Snacks beverage standards apply to all beverages available for sale to students from celebrations on school premises during the school day. They do not apply to:

- beverages supplied by students, parents, or teachers for celebrations on school premises;
- beverages purchased with funds provided by students, parents, or teachers for celebrations on school premises; and
- celebrations on school premises where students can exchange purchased or free tickets for beverages.

For example, if the school day ends at 3:00 p.m., the Smart Snacks beverage standards apply to all beverages available for sale to students from celebrations on school premises through 3:30 p.m. (during the school day). However, they do not apply to beverages available for sale to students after 3:30 p.m. (after the school day).



#### State nutrition standards for celebrations

The CNS and state beverage statute apply to all foods and beverages available for sale to students from celebrations on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section), except for sales from celebrations that are events (refer to “[Celebrations that are events](#)” in this section). This also includes fee-based celebrations that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section) and celebrations where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages. The examples below show how the CNS and state beverage statute apply.

Example 1: A parent organization collects money from families at the beginning of the school year to pay for foods and beverages provided to students at classroom parties throughout the school year. The classroom parties occur during the school day. The foods must comply with the CNS and the beverages must comply with the state beverage statute.

Example 2: A school club sells tickets that students can exchange for food and beverages at a school-wide celebration that occurs on school premises during the school day. The foods must comply with the CNS and the beverages must comply with the state beverage statute.

The CSDE strongly encourages schools to offer healthy choices at celebrations on school premises. Celebrations at school provide a unique opportunity to make healthy eating fun and exciting for children. For more information, refer to the CSDE’s resource, [Healthy Celebrations](#).

#### Celebrations that are events

Celebrations that occur on school premises after the school day or on the weekend are eligible for food and beverage exemptions because they meet the definition of an event (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). If the BOE has voted to allow food and beverage exemptions, noncompliant foods and beverages could be sold to students at a celebration (event) that occurs on school premises after the school day or on the weekend. These sales cannot occur from vending machines or school stores. If the celebration occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for celebrations” below).

## Other state requirements for celebrations

In addition to the federal and state nutrition standards, celebrations on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages at celebrations on school premises (refer to [“State nutrition standards for celebrations”](#) and [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section). They also apply to celebrations that are events (refer to [“Celebrations that are events”](#) in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that celebrations selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). The example below shows how C.G.S. Section 10-221p applies.

Example: The school day ends at 3:00 p.m. A celebration on school premises sells foods to students before 3:30 p.m. (during the school day). The celebration must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods sold at this celebration must comply with the CNS because celebrations during the school day are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2). All beverages available for sale at this celebration must comply with the state beverage statute because celebrations during the school day are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 2). All beverages must also comply with the Smart Snacks beverage standards because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits celebrations on school premises from selling and giving candy, coffee, tea, or soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Celebrations on school premises cannot sell or distribute candy, coffee, tea, and soft drinks to students unless 1) the BOE has voted to allow food and beverage exemptions; 2) the celebration (event) occurs after the school day or on the

weekend; and 3) the celebration does not occur while any CNPs are operating. For more information, refer to “[Celebrations that are events](#)” in this section.

- **Giving candy, coffee, tea, and soft drinks:** Celebrations on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a celebration on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from celebrations on school premises 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Celebrations that are events](#)” in this section); fees charged to cover the cost of foods and beverages provided to students at celebrations on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); and sales of tickets that students can exchange for foods and beverages at celebrations on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section). The examples below show how Section 10-215b-23 applies.

Example 1: The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A celebration (event) held after the school day sells foods and beverages to students while the ASP is operating. The NSFSA must receive the celebration’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** This celebration may sell noncompliant foods and beverages because it meets the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). However, Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students because this celebration occurs while the ASP is operating.

Example 2: The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. The school’s parent organization collects a fee from families to cover the cost of foods, beverages, and supplies for a celebration that occurs on school premises from 4:00 p.m. to 6:00 p.m. (after the school day). The NSFSA must receive the income from the portion of the fee that covers the cost of foods and beverages provided to students from 4:00 p.m. to 6:00 p.m. **Note:** This celebration may sell noncompliant foods and beverages because it meets the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). However, Section 10-215b-1

prohibits sales of candy, coffee, tea, and soft drinks to students because this celebration occurs while the At-risk Afterschool Meals is operating. For more information, refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 1.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

The LEA’s school wellness policy may have additional local restrictions that address foods and beverages provided to students at celebrations on school premises. For more information, refer to “[USDA School Wellness Policy](#)” in section 1.

## Classes and Educational Programs

Classes and educational programs that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples include family and consumer sciences classes, culinary programs, afterschool classes, and afterschool cooking programs. The federal and state nutrition standards do not apply to:

- the family and consumer sciences or culinary program curriculum, i.e., foods and beverages prepared by students during learning activities intended to meet curriculum content standards;
- foods and beverages prepared by classes and educational programs for sale to adults, such as teachers, staff, and parents (refer to “[Sales to adults](#)” in this section);
- foods and beverages prepared by classes and educational programs for sale to students off school premises (refer to “[Fundraisers held off school premises](#)” in this section).

### Smart Snacks nutrition standards for classes and educational programs

The Smart Snacks beverage standards apply to all beverages available for sale to students from classes and educational programs on school premises during the school day (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes fee-based classes and educational programs that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and classes and educational programs where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).

#### State nutrition standards for classes and educational programs

The CNS and state beverage statute apply to all foods and beverages available for sale to students from classes and educational programs on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based classes that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and classes where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from classes and other educational programs must always comply with the CNS and state beverage statute. Classes are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Preparing foods and beverages for sale at events

A class could prepare foods and beverages that will be sold to students on school premises at the location of an event that meets the exemption criteria of the state HFC and beverage statutes. For example, a family and consumer sciences class could make cookies to sell to students at the location of a school dance (event) that occurs in the evening (after the school day). For more information, refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2.

#### Other state requirements for classes and educational programs

In addition to the federal and state nutrition standards, classes and educational programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from classes on school premises (refer to “[State nutrition standards for classes](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that classes and educational programs selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies.



Example: The school day ends at 3:00 p.m. A family and consumer sciences class sells foods to students on school premises before 3:30 p.m. (during the school day). The class must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this class must comply with the CNS because classes are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale from this class must comply with the state beverage statute because classes are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2). Up through 3:30 p.m. (during the school day), all beverages must also comply with the Smart Snacks beverage standards. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits classes and educational programs from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Classes and educational programs on school premises can never sell or distribute candy, coffee, tea, and soft drinks to students. Fee-based classes on school premises can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** Classes and educational programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a family and consumer sciences class cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from classes and educational programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also



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includes the income from sales of tickets that students can exchange for foods and beverages in classes and educational programs (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students in classes and educational programs (refer to “[Fee-based Programs and Activities](#)” in this section). The example below shows how Section 10-215b-23 applies.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A family and consumer sciences class sells foods and beverages to students during the meal periods. The NSFSA must receive the income from all foods and beverages to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this class must comply with the CNS because classes are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this class must comply with the state beverage statute and Smart Snacks because 1) classes are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.



## Compliant Foods and Beverages

Compliant foods meet the requirements of the CNS. Compliant beverages meet the requirements of the state beverage statute and Smart Snacks beverage standards. The selling entity must document that commercial products and standardized recipes for foods and beverages meet the applicable federal and state nutrition standards before selling foods and beverages to students.

The CSDE’s [List of Acceptable Foods and Beverages](#) webpage identifies commercial food products that comply with the CNS, and commercial beverage products that comply with the state beverage statute and Smart Snacks beverage standards. For foods made from scratch, the selling entity must refer to the standardized recipe’s nutrition information to determine if the serving complies with the CNS. For more information, refer to “[Identifying Allowable Foods and Beverages](#)” in section 1.

### Selling compliant foods and beverages

Compliant foods and beverages may be sold to students on school premises at any time. For example, a fundraiser held during the school day could sell muffins and cookies listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage because these foods comply with the CNS. However, sales that occur during the school day must also comply with C.G.S. Section 10-221p (nutritious low-fat foods). If the sales occur while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for compliant foods and beverages” below).

### Other state requirements for compliant foods and beverages

In addition to the federal and state nutrition standards, sales of compliant foods and beverages to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

Section 10-215b-1 of the state competitive foods regulations does not apply to compliant foods because this regulation only addresses the requirements for four categories of noncompliant foods and beverages (candy, coffee, tea, and soft drinks).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same

time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies.

Example: The school day ends at 3:00 p.m. A school club sells cookies and muffins to students on school premises before 3:30 p.m. (during the school day). The cookies and muffins comply with the CNS and are listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage (refer to “[Commercial products](#)” in section 1). The school club must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales of tickets on school premises that students can exchange for compliant foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); program fees charged to cover the cost of compliant foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for compliant foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; and student donations in exchange for compliant foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section). The example below shows how Section 10-215b-23 applies.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. An organization on school premises sells compliant foods to students during the meal periods. The NSFSA must receive the organization’s income from all foods available for sale to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Concession Stands

Concession stands that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of venues where concession stands might operate include sports competitions, school concerts, and theatrical productions.



The federal and state nutrition standards do not apply when concession stands sell foods and beverages to adults (such as teachers, staff, and parents) on school premises, or sell foods and beverages to students off school premises. For more information, refer to [“Sales to adults”](#) and [“Fundraisers held off school premises”](#) in this section.

### Smart Snacks beverage standards for concession stands

The Smart Snacks beverage standards apply to all beverages available for sale to students from concession stands on school premises during the school day (refer to [“Definition of “sales” for Smart Snacks”](#) in this section). This also includes concession stands where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section). The examples below show how the Smart Snacks beverage standards apply to concession stands.

Example 1: The school day ends at 3:00 p.m. A concession stand at a football game on school premises sells beverages to students beginning at 3:15 p.m. The Smart Snacks beverage standards apply to all beverages available for sale to students from 3:15 p.m. to 3:30 p.m. because these sales occur before the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day).

Example 2: The school day ends at 3:00 p.m. A concession stand at a football game on school premises sells beverages to students beginning at 3:45 p.m. The Smart Snacks beverage standards do not apply because these sales occur after the end of the school day.

### State nutrition standards for concession stands

The CNS and state beverage statute apply to all foods and beverages available for sale to students from concession stands on school premises at all times, including during and after the school day (refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section), unless they meet the exemption criteria of the state HFC and beverage statutes (refer to [“Concession stands located at an event”](#) in this section). This also includes concession stands where students can exchange purchased or free tickets for foods and beverages (refer to [“Tickets, coupons, and tokens”](#) in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

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#### Concession stands located at an event

If the BOE has voted to allow food and beverage exemptions, noncompliant foods and beverages could be sold to students from a concession stand located at an event that occurs after the school day or on the weekend (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). The examples below show allowable sales from concession stands located at an event.

Example 1: A concession stand located at the high school football field sells popcorn and soft drinks to students during a football game (event) that occurs after the school day.

Example 2: A concession stand located at an evening (after the school day) concert or theatrical production (event) sells cookies and lemonade to students during intermission.

If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for concession stands” below).

Concession stands that are not located at an event cannot sell noncompliant foods and beverages. For example, a concession stand located at the high school football field cannot sell sports drinks (noncompliant beverages) during football practices after the school day because practices do not meet the definition of an event. For more information, refer to “[Sports practices](#)” and “[Sports competitions](#)” in this section.

#### Other state requirements for concession stands

In addition to the federal and state nutrition standards, concession stands on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from concession stands on school premises (refer to [State nutrition standards for concession stands](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to foods and beverages available for sale to students from concession stands at the location of an event that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Concession stands located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that concession stands selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to concession stands.

Example: The school day ends at 3:00 p.m. A concession stand on school premises sells foods to students before 3:30 p.m. (during the school day). The concession stands must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale from this concession stand must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale from this concession stand must comply with the state beverage statute because sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2). Up through 3:30 p.m. (during the school day), all beverages must also comply with the Smart Snacks beverage standards. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits concession stands on school premises from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Concession stands on school premises cannot sell or distribute candy, coffee, tea, and soft drinks to students unless 1) the BOE has voted to allow food and beverage exemptions; 2) the concession stands are located at an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Concession stands located at an event](#)” in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Concession stands on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., a concession stand on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from concession stands on school premises from 30 minutes before up through 30 minutes after the



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operation of any CNPs, including during and after the school day. This includes the income from: sales from concession stands located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Concession stands located at an event](#)” in this section); and sales of tickets that students can exchange for foods and beverages at concession stands (refer to “[Tickets, coupons, and tokens](#)” in this section). The example below shows how Section 10-215b-23 applies to concession stands.

Example: The school day ends at 3:00 p.m. A concession stand located at a sports competition (event) on school premises sells foods and beverages to students from 3:30 p.m. to 5:30 p.m. (after the school day). If the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., the NSFSA must receive the concession stand’s income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** This concession stand may sell noncompliant foods and beverages because it meets the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). However, Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students because the concession stand’s sales occur while the ASP is operating.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.





## Culinary Programs

Culinary education programs that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. These standards do not apply to:

- the culinary program curriculum, i.e., foods and beverages prepared by students during learning activities intended to meet curriculum content standards (refer to the CSDE’s [Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs \(Smart Snacks versus Connecticut Nutrition Standards\)](#));
- foods and beverages available for sale to students from the culinary program to adults, such as teachers, staff, and parents (refer to “[Sales to adults](#)” in this section);
- foods and beverages available for sale to students from the culinary program to students off school premises (refer to “[Fundraisers held off school premises](#)” in this section).

The CSDE’s resource, [Requirements for Foods and Beverages in Culinary Programs in HFC Public Schools](#), summarizes the requirements for culinary programs.

### Smart Snacks beverage standards for culinary programs

The Smart Snacks beverage standards apply to all beverages available for sale to students from culinary programs on school premises during the school day (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes fee-based culinary programs that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and culinary programs where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section).



#### State nutrition standards for culinary programs

The CNS and state beverage statute apply to all foods and beverages available for sale to students from culinary programs on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based culinary programs that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section), and culinary programs where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from culinary programs must always comply with the state statutes. Culinary programs are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Preparing foods and beverages for sale at events

A culinary program could prepare foods and beverages that will be sold to students on school premises at the location of an event that meets the exemption criteria of the state HFC and beverage statutes. For example, students in the culinary program could make cupcakes and cookies to sell to students at the location of a school concert (event) that occurs in the evening (after the school day). For more information, refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2.

#### Other state requirements for culinary programs

In addition to the federal and state nutrition standards, culinary programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from culinary programs on school premises (refer to “[State nutrition standards for culinary programs](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that culinary programs selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to culinary programs.

Example: The school day ends at 3:00 p.m. A culinary program sells foods to students on school premises before 3:30 p.m. (during the school day). The culinary program must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale from this culinary program must comply with the CNS because culinary programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale from this culinary program must comply with the state beverage statute and Smart Snacks because 1) culinary programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits culinary programs from selling and giving candy, coffee, tea, or soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Culinary programs can never sell or distribute candy, coffee, tea, and soft drinks to students on school premises. Fee-based culinary programs can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** Culinary programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the culinary program cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

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- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from culinary programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets that students can exchange for foods and beverages in the culinary program (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students in the culinary program (refer to “[Fee-based Programs and Activities](#)” in this section). The example below shows how Section 10-215b-23 applies to culinary programs.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A culinary program sells foods and beverages to students on school premises during the meal periods. The NSFSA must receive the culinary program’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale from this culinary program must comply with the CNS because culinary programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale from this culinary program must comply with the state beverage statute and Smart Snacks because 1) culinary programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.



## Fee-based Programs and Activities

A fee-based program or activity is one that charges a fee for student participation. The fee sometimes includes the cost of foods and beverages provided to students during the program or activity. Examples include:

- fee-based sports programs that include the cost of foods and beverages provided to students during practices or games;
- fee-based afterschool programs (such as a movie or board game club that provides soda and popcorn; enrichment programs, extracurricular classes, tutoring sessions, and clubs that include a daily snack; and cooking classes where students eat the foods they have prepared; and
- fee-based clubs and organizations that include the cost of foods and beverages provided to students during meeting and activities.

Fee-based programs and activities that provide foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards.

### Smart Snacks beverage standards for fee-based programs and activities

The Smart Snacks beverage standards apply to all fee-based programs and activities that include the cost of beverages provided to students on school premises during the school day. The examples below show how the Smart Snacks beverage standards apply to fee-based programs and activities.

Example 1: The school day ends at 3:00 p.m. A fee-based program on school premises sells beverages to students beginning at 3:15 p.m. The Smart Snacks beverage standards apply because these sales occur before the end of the school day.

Example 2: The school day ends at 3:00 p.m. A fee-based program on school premises sells beverages to students beginning at 3:45 p.m. The Smart Snacks beverage standards do not apply because these sales occur after the end of the school day.

### State nutrition standards for fee-based programs and activities

The CNS and state beverage statute apply to all foods and beverages available for sale to students from fee-based based programs and activities on school premises **at all times**, including during and after the school day. The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages provided to students as part of fee-based based programs and activities on school premises must **always** comply with the CNS or state beverage statute. Fee-based based programs and activities are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Other state requirements for fee-based programs and activities

In addition to the federal and state nutrition standards, fee-based based programs and activities on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply regardless of 1) when the program received payment for the foods; and beverages; or 2) when students will receive or consume them (refer to [“Timing of distribution and consumption”](#) in this section and [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fee-based based programs and activities that include the cost of foods provided to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). The example below shows how C.G.S. Section 10-221p applies to fee-based programs and activities.

Example: The school day ends at 3:00 p.m. A fee-based afterschool program operates on school premises from 3:15 p.m. to 5:15 p.m. The program includes the cost of foods and beverages provided to students as a snack. Students receive the snack at 3:15 p.m. (during the school day). The afterschool program must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All beverages provided to students by this afterschool program must comply with the state beverage statute because classes are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 2). All foods and beverages must also comply with The Smart Snacks beverage standards because the sales occur during the school day. If the afterschool program provides the foods and beverages to students while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fee-based program on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs,



including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).

- **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The CNS and state beverage statute prohibit selling and distributing candy, coffee, tea, and soft drinks to students on school premises at all times. Fee-based based programs and activities on school premises can never sell or distribute candy, coffee, tea, and soft drinks to students; or purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
- **Giving candy, coffee, tea, and soft drinks:** Fee-based based programs and activities on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m. and the ASP operates after the school day from 3:30 to 4:30 p.m., fee-based based programs and activities on school premises cannot give or distribute candy, coffee, tea, and soft to students from 11:00 a.m. to 1:30 p.m. and 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSFA must receive the income from all foods and beverages sold to students from fee-based based programs and activities on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during fee-based based programs and activities on school premises. The example below shows how Section 10-215b-23 applies to fee-based programs and activities.

Example: The ASP operates after the school day from 4:00 to 5:00 p.m. A fee-based afterschool program that includes the cost of foods and beverages provided to students operates on school premises from 3:30 to 5:00 p.m. The NSFSFA must receive the income from the portion of the program fee that covers the cost of foods and beverages provided to students. **Note:** All foods available for sale to students from this afterschool program must comply with the CNS because afterschool programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this afterschool program must comply with the state beverage statute because afterschool programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).



## Food Rewards

Food rewards given to students for foods and beverages on school premises must comply with the applicable federal and state nutrition standards. However, the federal and state nutrition standards and competitive foods regulations do not apply when a student's Individualized Education Plan (IEP) requires food rewards.



### Smart Snacks beverage standards for food rewards

The Smart Snacks beverage standards do **not** apply to beverages that are given (free of any charge or contribution) to students on school premises as rewards for good behavior or performance. This also includes giving tickets, coupons, tokens, and similar items that students can exchange for beverages on school premises. However, the state beverage statute applies to all rewards that students can exchange for beverages, and therefore supersedes the Smart Snacks beverage standards.

### State nutrition standards for food rewards

The CNS and state beverage statute apply at all times, including during and after the school day, to reward tickets and similar items that students can exchange for foods and beverages on school premises. All foods and beverages that students can obtain by exchanging tickets or similar items must comply with the CNS and state beverage statute.

However, the CNS and state beverage statute do not apply to foods and beverages given to students as rewards for good behavior or performance when 1) the foods and beverages are given free of any charge or contribution; and 2) and students are not required to provide a ticket or similar item to obtain the foods and beverages. The examples below indicate how these requirements apply. The examples below show how the CNS and state beverage apply to food rewards.

Example 1: A teacher gives students a reward coupon that can be exchanged for ice cream on school premises during or after the school day. The ice cream must comply with the CNS. For more information, refer to [“Compliant Foods and Beverages”](#) in this section and [“Identifying Allowable Foods and Beverages”](#) in section 1.

Example 2: A teacher gives students ice cream on school premises during or after the school day. The CNS does not apply because students are not required to exchange a coupon for the ice cream. For more information, refer to [“Giving Foods and Beverages to Students”](#) in this section.

Under Connecticut's statutes and competitive foods regulations, giving students tickets or similar items that can be exchanged for foods and beverages is the same as selling foods and beverages to students, regardless of when or where students can exchange them (refer to [“Timing of distribution](#)

and consumption” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). Foods and beverages that students can obtain by exchanging tickets or similar items on school premises must always comply with the CNS or state beverage statute unless the following apply: 1) the BOE has voted to allow food and beverage exemptions; 2) the coupons are exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating.

The CSDE strongly discourages the use of foods and beverages to reward students for academic performance or good behavior. Food rewards have many negative consequences that go far beyond the short-term benefits of achieving good student behavior or performance. Districts are encouraged to develop healthy nonfood alternatives. The CSDE’s resource, [Alternatives to Food Rewards](#), provides suggestions for rewards that do not involve foods and beverages.

### Other state requirements for food rewards

In addition to the state nutrition standards, food and beverage reward coupons given to students on school premises must comply with C.G.S. Section 10-221p and Section 10-215b-1 of the state competitive foods regulations. The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating. Section 10-215b-23 does not apply because food rewards do not have any income.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when students can exchange reward coupons for foods on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale when the coupons can be redeemed, either at the same location or elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to food rewards.

Example: The school day ends at 3:00 p.m. A teacher gives students a reward coupon that can be exchanged for cookies on school premises before 3:30 p.m. (during the school day). Low-fat dairy products and fresh or dried fruit must be available for purchase when the cookies are distributed to students. **Note:** The cookies must comply with the CNS because the exchange of coupons for foods is not eligible for food exemptions under the state HFC statute unless the exchange occurs at an exempted event (refer to “[Food exemptions](#)” in section 2).

### 3 | When the Laws Apply

- **Section 10-215b-1 of the state competitive foods regulations** prohibits tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). This regulation also applies to selling and giving tickets and similar items to students, and the exchange of tickets and similar items by students, at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Students cannot purchase or exchange coupons for candy, coffee, tea, and soft drinks anywhere on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the coupons are purchased and exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating.
  - **Giving candy, coffee, tea, and soft drinks:** Tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. In addition, students cannot exchange coupons for candy, coffee, tea, and soft drinks during this time. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., coupons for candy, coffee, tea, and soft drinks cannot be given to or exchanged by students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. For more information, refer to [“Tickets, coupons, and tokens”](#) in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2.

The LEA’s school wellness policy may have additional local restrictions that address food rewards for students (refer to [“USDA School Wellness Policy”](#) in section 2).

## Foods and Beverages Brought from Home

The federal and state nutrition standards do not apply to foods and beverages that students bring from home to school. However, the state competitive foods regulations requires restrictions for specific foods and beverages brought from home.

### Federal and state nutrition standards for foods brought from home

The Smart Snacks nutrition standards, CNS, and state beverage statute do **not** apply to foods and beverages that students bring from home for their own consumption or to share with other students free of any charge or contribution. Examples include bag lunches, snacks, and foods for classroom parties.



### Other state requirements for foods brought from home

If any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations requires restrictions for specific foods and beverages brought from home. Section 10-215b-1 prohibits any entity or person from giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., students cannot give other students candy, coffee, tea, or soft drinks on school premises from 11:00 a.m. to 1:30 p.m.

This regulation applies regardless of whether students obtain these foods and beverages on school premises or bring them from home. For more information, refer to “[Section 10-215b-1: Candy](#)” and “[Section 10-215b-1: Coffee, tea, and soft drinks](#)” in section 2.

The LEA’s school wellness policy may have additional local restrictions that address foods and beverages brought from home (refer to “[USDA School Wellness Policy](#)” in section 2).

## Fundraisers

Fundraisers that sell foods and beverages to students on school premises must comply with the Smart Snacks nutrition standards and the state competitive foods regulations. This includes fundraiser sales of commercial products such as potato chips, candy bars, frozen cookie dough, muffin mix, and gourmet coffee; and fundraiser sales of foods and beverages made from scratch, such as baked goods, popcorn, sandwiches, and fruit smoothies.

“Fundraisers” are any activities during which money or its equivalent (such as coupons, tickets, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. This includes any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result.



Fundraisers include activities conducted by school-related organizations (such as student clubs, sports teams, and music programs) and outside organizations not affiliated with the school (such as scouting programs and other youth-based community organizations).

### Smart Snacks beverage standards for fundraisers

The Smart Snacks beverage standards apply to all beverages available for sale to students from fundraisers on school premises during the school day (refer to [“Definition of ‘sales’ for Smart Snacks”](#) in this section). This includes:

- fundraisers that sell beverages to students (refer to [“Definition of ‘sales’ for Smart Snacks”](#) in this section);
- student orders for beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of fundraiser beverages to students on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- fundraisers where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section); and
- fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

### State nutrition standards for fundraisers

The CNS and state beverage statute apply to all foods and beverages available for sale to students from fundraisers on school premises at all times, including during and after the school day. This includes:

- fundraisers on school premises that sell foods and beverages to students (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section);
- student orders for foods and beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to [“Fundraiser catalogs and orders”](#) in this section);
- distribution of fundraiser foods and beverages to students on school premises, if the foods and beverages have been ordered by students on school premises (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- fundraisers where students can exchange tickets, coupons, tokens, and similar items for foods and beverages on school premises, regardless of when the foods and beverages will be consumed (refer to [“Tickets, coupons, and tokens”](#) in this section); and
- fundraisers that give foods and beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

### Fundraisers located at an event

If the BOE has voted to allow food and beverage exemptions, fundraisers could sell noncompliant foods and beverages to students at an event on school premises that occurs after the school day or on the weekend (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could sell baked goods and soft drinks to students during intermission. The sales cannot occur from vending machines or school stores. If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for fundraisers”](#) in this section).

### Fundraisers that are events

Some fundraisers that sell foods and beverages meet the definition of an event. Examples include spaghetti dinners, school carnivals, or basket raffle socials. For more examples of events, refer to [table 1-3](#).



### 3 | When the Laws Apply

If the BOE has voted to allow food and beverage exemptions, fundraisers that meet the definition of an event may sell noncompliant foods and beverages to students. Schools are encouraged to contact the CSDE for technical assistance to determine if a fundraiser meets the definition of an event.

Most fundraisers are not eligible for food and beverage exemptions under the state HFC and beverage statutes because selling foods and beverages is not an event. For example, a school club cannot sell candy bars to students after the school day because selling candy bars is not an event, and candy does not comply with the CNS.

#### Other state requirements for fundraisers

In addition to the federal and state nutrition standards, fundraisers on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from fundraisers on school premises (refer to “[State nutrition standards for fundraisers](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to fundraisers that are events (refer to “[Fundraisers that are events](#)” in this section), and fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fundraisers selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to fundraisers.

Example: A fundraiser sells foods to students during the school day. The fundraiser must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time.

**Note:** All foods available for sale to students from this fundraiser must comply with the CNS because fundraisers during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.



- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section). This regulation also applies to fundraisers that are events, and fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. Offering foods and beverages in exchange for a suggested donation is the same as selling foods and beverages to students. Fundraisers on school premises cannot sell or distribute candy, coffee, tea, and soft drinks to students unless 1) the BOE has voted to allow food and beverage exemptions; 2) the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Fundraisers located at an event”](#) and [“Fundraisers that are events”](#) in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from fundraisers on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales from fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to [“Fundraisers located at an event”](#) in this section); sales of fundraiser tickets that students can exchange for foods and beverages (refer to [“Tickets, coupons, and tokens”](#) in this section); student orders for foods and beverages on school premises (refer to [“Fundraiser catalogs and orders”](#) in this section; and student donations in exchange for compliant foods and beverages on school premises (refer to [“Suggested donations for foods and beverages”](#) in this section). The examples below show how Section 10-215b-23 applies to fundraisers.

### 3 | When the Laws Apply

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises sells foods and beverages to students during the meal periods. The NSFSA must receive the fundraiser's income from all foods and beverages available for sale to students on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this fundraiser must comply with the CNS because fundraisers during the school day are not eligible for food exemptions under the state HFC statute (refer to "[Food exemptions](#)" in section 2). All beverages sold to students from this fundraiser must comply with the state beverage statute and Smart Snacks because 1) fundraisers during the school day are not eligible for beverage exemptions (refer to "[Beverage exemptions](#)" in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

Example 2: The NSLP operates from 11:30 a.m. to 1:00 p.m. During this time, a fundraiser on school premises sells tickets that students can redeem for foods and beverages. The fundraiser will distribute the foods and beverages to students the next week during the school day. The NSFSA must receive the fundraiser's income from all tickets sold to students from 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can obtain with the tickets must comply with the CNS because fundraisers during the school day are not eligible for food exemptions (refer to "[Food exemptions](#)" in section 2). All beverages that students can obtain with the tickets must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) fundraisers during the school day are not eligible for beverage exemptions (refer to "[Beverage exemptions](#)" in section 2); and 2) the Smart Snacks nutrition standards apply to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)" and "[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)" in section 2.

The LEA's school wellness policy may have additional local restrictions that address food and beverage fundraisers (refer to "[USDA School Wellness Policy](#)" in section 2).

## Allowable procedures for fundraisers

Fundraisers that sell foods and beverages to students must comply with all applicable federal and state nutrition standards, state statutes for foods and beverages, and competitive foods regulations. These requirements also apply to orders for foods and beverages; and sales of tickets, coupons, tokens, and similar items that students can exchange for foods and beverages.

1. **Compliant foods and beverages:** The fundraiser sells compliant foods and beverages to students on school premises during or after the school day. All foods available for sale to students from the fundraiser comply with the CNS (refer to [“Compliant Foods and Beverages”](#) in this section and [“Identifying Allowable Foods and Beverages”](#) in section 1). All beverages available for sale to students from the fundraiser meet the state beverage statute (refer to [“Allowable Beverages”](#) in section 2). If the fundraiser occurs during the school day, the beverages also meet the Smart Snacks beverage standards. The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2).
2. **Sales at events:** The board of education has voted to allow food and beverage exemptions. The fundraiser sells noncompliant foods and beverages to students at an event that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to [“Food Exemptions”](#) and [“Beverage exemptions”](#) in section 2 and [“Fundraisers that are events”](#) and [“Fundraisers located at an event”](#) in this section). The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2).
3. **Orders picked up school premises by parents:** The fundraiser sells noncompliant foods and beverages through a fundraising catalog or flier. Students take orders for noncompliant foods and beverages off school premises and bring the orders and money to school. Students do not pick up the foods and beverages on school premises. Parents or other adults pick up the foods and beverages at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to [“Allowable procedures for fundraiser catalogs and orders”](#) in this section.
4. **Orders picked up school premises by students at events:** The fundraiser sells noncompliant foods and beverages through a fundraising catalog or flier. Students take orders for noncompliant foods and beverages off school premises and bring the orders and money to school. The board of education has voted to allow food and beverage

exemptions. Students pick up the foods and beverages at an event on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to “[Food Exemptions](#)” and “[Beverage exemptions](#)” in section 2 and “[Fundraisers that are events](#)” and “[Fundraisers located at an event](#)” in this section). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2).

5. **Sales off school premises:** The fundraiser sells noncompliant foods and beverages entirely off school premises, such as a bake sale at a supermarket. Students do not purchase the foods and beverages on school premises. Students do not bring fundraiser orders and money to school or pick up the foods and beverages at school for delivery to customers. For more information, refer to “[Fundraisers held off school premises](#)” in this section.
6. **Online sales:** Students order noncompliant foods and beverages from an online fundraiser. The fundraising company distributes the foods and beverages using any of the following methods: 1) mailing directly to customers; 2) e-mailing electronic gift cards to customers; or 3) distributing to schools for students to pick up and deliver to customers. For more information, refer to “[Online fundraiser orders](#)” in this section.
7. **Sales only to adults:** The fundraiser sells foods and beverages only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to “[Sales to adults](#)” in this section.

Schools cannot conduct fundraisers that do not comply with one of the procedures above.

#### Fundraiser resources

The resources below provide guidance on complying with the fundraiser requirements for HFC public schools. These resources are available under “[Fundraisers](#)” in the “Related Resources” section of CSDE’s HFC webpage.

- Complying with Healthy Food Certification Module 6: Fundraisers (CSDE’s training program):  
<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#ComplyingHFC>
- Requirements for Food and Beverage Fundraisers in HFC Public Schools:  
[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser\\_Requirements\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_HFC.pdf)

- Sample Fundraiser Form for HFC (CSDE):  
[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample\\_Fundraiser\\_Form\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample_Fundraiser_Form_HFC.pdf)

## Guidance for Different Types of Fundraisers

The guidance in this section indicates how the federal and state laws for competitive foods apply to different types of fundraisers in HFC public schools. This guidance addresses:

- bake sales;
- candy and gum;
- tickets, coupons, and tokens;
- fundraiser catalogs and orders;
- fundraisers held off school premises;
- gift cards and entertainment books;
- nonfood fundraisers;
- suggested donations for foods and beverages; and
- timing of distribution and consumption.

The CSDE’s resource, [Requirements for Food and Beverage Fundraisers in HFC Public Schools](#), summarizes the requirements for fundraisers in HFC public schools.

### Bake sales

Bake sales that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. These standards do not apply when to bake sales that sell foods and beverages only to adults (such as teachers, staff, and parents) or to bake sales held off school premises. For more information, refer to “[Sales to adults](#)” and “[Fundraisers held off school premises](#)” in this section.

### Smart Snacks beverage standards for bake sales

The Smart Snacks beverage standards apply to all beverages available for sale to students from bake sales on school premises during the school day (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes bake sales where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section), and bake sales that request a donation in exchange for foods and beverages (refer to “[Suggested donations for foods and beverages](#)” in this section).

#### State nutrition standards for bake sales

The CNS and state beverage statute apply to all foods and beverages available for sale to students from bake sales on school premises at all times, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). This also includes bake sales where students can exchange purchased or free tickets for foods and beverages, regardless of when the foods and beverages will be consumed (refer to [“Tickets, coupons, and tokens”](#) in this section), and bake sales that request a donation in exchange for foods and beverages (refer to [“Suggested donations for foods and beverages”](#) in this section).

Foods and beverages available for sale to students from bake sales must always comply with the CNS or state beverage statute. Bake sales are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages. For example, a bake sale on school premises cannot sell cakes and pies for students to bring home because these foods do not comply with the CNS. Bake sales cannot sell noncompliant foods to students unless the sales meet the food exemption criteria of the state HFC statute (refer to [“Bake sales located at an event”](#) below).

#### Bake sales located at an event

If the BOE has voted to allow food and beverage exemptions, bake sales located at an event on school premises that occurs after the school day or on the weekend could sell noncompliant foods and beverages to students (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). For example, a bake sale located at a school concert (event) in the evening (after the school day) could sell cake, cookies, brownies, muffins, and lemonade to students. If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for bake sales”](#) below).

#### Other state requirements for bake sales

In addition to the federal and state nutrition standards, bake sales on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from bake sales on school premises (refer to [State nutrition standards for bake sales](#) in this section and [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). They also apply to bake sales located at events on school premises that meet the exemption criteria of the state HFC and beverage

statutes (refer to “[Bake sales located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that bake sales selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to bake sales.

Example: A bake sale sells foods to students on school premises during the school day). The bake sale must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this bake sale must comply with the CNS because bake sales are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the bake sale occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits bake sales from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to bake sales located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Bake sales on school premises cannot sell or distribute candy, coffee, tea, and soft drinks to students unless 1) the BOE has voted to allow food and beverage exemptions; 2) the bake sale is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Bake sales located at an event](#)” in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Bake sales on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., a bake sale cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.



### 3 | When the Laws Apply

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from bake sales on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: bake sales located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages at bake sales (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations in exchange for foods and beverages at bake sales (refer to “[Suggested donations for foods and beverages](#)” in this section). The example below shows how Section 10-215b-23 applies to bake sales.

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A bake sale sells foods and beverages to students during the meal periods. The NSFSA must receive the bake sale’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this bake sale must comply with the CNS because bake sales are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this bake sale must comply with the state beverage statute and Smart Snacks because 1) bake sales are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

Example 2: The NSLP operates from 11:30 a.m. to 1:00 p.m. During this time, a fundraiser on school premises sells tickets that students can redeem for foods and beverages. The fundraiser will distribute the foods and beverages to students the next week during the school day. The NSFSA must receive the fundraiser’s income from all tickets sold to students from 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can obtain with the tickets must comply with the CNS because bake sales are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages that students can obtain with the tickets must comply with the state beverage statute and Smart Snacks because 1) bake sales are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

The LEA's school wellness policy may have additional local restrictions for bake sales on school premises (refer to "[USDA School Wellness Policy](#)" in section 2).

## Candy and gum

Entities that sell candy and gum (including sugar-free) to students on school premises must comply with the applicable federal and state nutrition standards for foods. Examples of candy include all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints. The [Federal Food, Drug, and Cosmetic Act](#) defines gum as a food.

## State nutrition standards for candy and gum

The CNS and state beverage statute apply to all candy and gum (including sugar-free varieties) available for sale to students on school premises at all times, including during and after the school day (refer to "[Definition of "sales" for Connecticut statutes and regulations](#)" in this section). This also includes:

- fee-based programs and activities that include the cost of candy and gum provided to students on school premises (refer to "[Fee-based Programs and Activities](#)" in this section);
- student orders for candy and gum on school premises, if the candy and gum will be distributed to students on school premises (refer to "[Fundraiser catalogs and orders](#)" in this section);
- distribution of candy and gum to students on school premises, if the candy and gum have been ordered by students on school premises (refer to "[Fundraiser catalogs and orders](#)" in this section);
- fundraisers, programs, and activities where students can exchange purchased or free tickets, coupons, tokens, and similar items for candy and gum on school premises (refer to "[Tickets, coupons, and tokens](#)" and "[Food rewards](#)" in this section); and
- fundraisers that give candy and gum to students in exchange for a suggested donation (refer to "[Suggested donations for foods and beverages](#)" in this section).

Candy and gum do not comply with the CNS. Entities cannot sell candy and gum to students on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the sales are at the location of an event that that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to "[Candy and gum at events](#)" below.

### 3 | When the Laws Apply

#### Candy and gum at events

If the BOE has voted to allow food exemptions, candy and gum could be sold to students at the location of an event on school premises that occurs after the school day or on the weekend (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). For example, a school club could sell candy and gum from a concession stand at a football game (event) in the evening (after the school day). If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for candy and gum” below).

The CSDE strongly encourages schools to promote consistent health messages to students by eliminating candy on school premises. For more information, refer to the CSDE’s resources, *Healthy Fundraising*, *Healthy Celebrations* and *Alternatives to Food Rewards*.

#### Other state requirements for candy and gum

In addition to the federal and state nutrition standards, sales of candy and gum to students school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, regardless of when students will receive or consume the candy and gum. These requirements apply to all sales of candy and gum on school premises (refer to “[State nutrition standards for candy and gum](#)” in this section) and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to sales of candy and gum at events on school premises (that meet the exemption criteria of the state HFC statute (refer to “[Candy and gum at events](#)” in this section)).

The state for nutritious low-fat foods (C.G.S. Section 10-221p) does not apply because the CNS prohibits sales of candy and gum to students at all times. C.G.S. Section 10-221p applies only to sales during the school day. Therefore, candy can never be sold during the period covered by C.G.S. Section 10-221p.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to candy sales at events on school premises that meet the exemption criteria of the state HFC statute.
  - **Selling candy:** The state HFC statute supersedes Section 10-215b-1 because it applies at all times, not just while CNPs are operating. Fundraisers on school

premises cannot sell candy to students, or request suggested donations in exchange for candy, unless 1) the BOE has voted to allow food exemptions; 2) the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Candy and gum at events](#)” in this section.

- **Giving candy:** Fundraisers cannot give or distribute candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give or distribute candy to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods (including gum) sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Gum does not meet the CNS. Therefore, the only potential source of income from gum sales on school premises is at events on school premises that meet the exemption criteria of the state HFC statute. This also includes the income from sales of tickets that students can exchange for gum (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations to fundraisers on school premises in exchange for gum (refer to “[Suggested donations for foods and beverages](#)” in this section).

The example below shows how Section 10-215b-23 applies to gum sales. Schools will never have income from candy sales during the operation of CNPs because Section 10-215b-1 prohibits candy sales during CNPs.

Example: The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A fundraiser sells gum to students at a soccer game (event) on school premises from 4:30 p.m. to 6:30 p.m. (after the school day). The NSFSA must receive the fundraiser’s income from all gum sold to students from 4:00 p.m. to 6:30 p.m. **Note:** Gum may be sold to students because this fundraiser meets the exemption criteria of the state HFC and beverage statutes (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

The LEA's school wellness policy may have additional local restrictions for selling and giving candy and gum to students on school premises (refer to "[USDA School Wellness Policy](#)" in section 2).

#### **Fundraiser catalogs and orders**

Fundraiser catalogs and orders must comply with the applicable federal and state nutrition standards. Students exchanging money (including orders) for foods and beverages on school premises and receiving the foods and beverages on school premises is the same as selling foods and beverages to students, regardless of when students will receive or consume the foods and beverages. "Sales" means the exchange of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for foods and beverages. The federal and state nutrition standards have different requirements for fundraiser catalogs and orders.

#### **Smart Snacks beverage standards for fundraiser catalogs and orders**

If the beverages are not intended to be consumed by students on school premises during the school day, the Smart Snacks beverage standards do not apply to beverages that are 1) sold off school premises through fundraising catalogs, fliers, and similar promotions; and 2) distributed to students on school premises. Examples include bags of gourmet coffee, packets of hot chocolate, and boxes of tea. However, fundraiser catalogs and orders must comply with the stricter requirements of Connecticut's state statutes and competitive foods regulations (refer to "[Other state requirements for fundraiser catalogs and orders](#)" in this section).

#### **State nutrition standards for fundraiser catalogs and orders**

The CNS and state beverage statute apply when students exchange money (including orders) for foods and beverages on school premises at any time, including during and after the school day, regardless of when students will receive or consume the foods and beverages. These nutrition standards also apply to student orders for foods and beverages from fundraising catalogs, fliers, and similar promotions on school premises.

Under Connecticut's statutes and competitive foods regulations, exchanging money for foods and beverages on school premises is the same as selling foods and beverages to students. These laws apply to fundraiser orders when the following occurs: 1) students sell foods and beverages off school premises; 2) students deliver the fundraiser orders and money to school; and 3) students pick up the foods and beverages at school for delivery to customers.

### Online fundraiser orders

The federal and state nutrition standards do not apply to fundraisers where customers pay online, and the foods and beverages are 1) distributed directly to customers; or 2) distributed to students on school premises to deliver to customers. These types of fundraisers are **not** selling foods and beverages to students on school premises.

### Fundraiser catalogs and orders at events

If the BOE has voted to allow food and beverage exemptions, noncompliant foods and beverages could be ordered by and distributed to students at the location of an event that occurs after the school day or on the weekend (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). For example, students could order or pick up candy and cookies from a fundraiser catalog at a school concert (event) in the evening (after the school day). However, if the event occurs while any CNPs are operating, additional restrictions apply.

Exchanging money for foods and beverages on school premises is not an event and is not eligible for food and beverage exemptions under the state HFC statute. Fundraisers cannot collect money for orders of foods and beverages on school premises and distribute the foods and beverages to students on school premises unless 1) the foods comply with the CNS and the beverages comply with the state beverage statute; or 2) the orders and distribution occur at an event after the school day or on the weekend. For more information, refer to [“Sales to Students,”](#) [“Timing of distribution and consumption”](#) and [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section.

### Other state requirements for fundraiser catalogs and orders

In addition to the federal and state nutrition standards, fundraisers on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to student orders for foods and beverages, and distribution of foods and beverages to students, at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to [“Fundraisers located at an event”](#) in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when fundraisers distribute orders of foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute](#)

[Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to fundraiser catalogs and orders.

Example: During the school day, students place orders for foods from a fundraiser catalog. Two weeks later, the fundraising organization distributes the foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when the fundraising organization distributes the food orders to students, either at the location of the distribution or elsewhere on school premises at the same time. **Note:** All foods available for sale from the fundraiser catalog must comply with the CNS because fundraisers during the school day (including orders and distribution) are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2 and [“Timing of distribution and consumption”](#) in this section). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders (selling) and distribution of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section). This regulation also applies to fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. This also includes fundraisers where students bring money (orders) for candy, coffee, tea, and soft drinks) to school, and pick up these foods and beverages at school for distribution to customers. Students cannot order and receive candy, coffee, tea, and soft drinks on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the orders and distribution are at the location of an event that occurs after the school day or on the weekend; or the orders are on school premises but the distribution is to parents or other adults on school premises, or students off school premises; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Fundraiser catalogs and orders at events”](#) in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including



during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from fundraisers on school premises (including orders for foods and beverages) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from orders of foods and beverages at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to [“Fundraisers located at an event”](#) in this section). The example below shows how Section 10-215b-23 applies to fundraiser catalogs and orders.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Students order and pay for foods and beverages from a fundraiser on school premises during the meal periods. The fundraiser will deliver the foods and beverages to students on school premises at a future date. The NSFSA must receive the fundraiser’s income from all student orders between 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from the fundraiser must comply with the CNS because exchanging money (orders) for foods on school premises is not an event, and is not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2.

### **Allowable procedures for fundraiser catalogs and orders**

Sales from fundraiser catalogs must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. Under the state statutes and competitive foods regulations, the exchange of orders and money for foods and beverages on school premises is the same as selling foods and beverages to students on school premises, regardless of when the foods and beverages will be distributed or consumed. All sales from fundraiser catalogs must follow one of the procedures below.

1. **Compliant foods and beverages:** Students order compliant foods and beverages from a fundraiser on school premises during or after the school day. All foods available for sale to students from the fundraiser comply with the CNS (refer to [“Compliant Foods and Beverages”](#) in this section and [“Identifying Allowable Foods and Beverages”](#) in section 1). All beverages available for sale to students from the fundraiser meet the state beverage

statute (refer to “[Allowable Beverages](#)” in section 2). If the fundraiser occurs during the school day, the beverages also meet the Smart Snacks beverage standards. The fundraiser delivers the foods and beverages to students on school premises at a future date, either during or after the school day. The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2). If the fundraiser foods are distributed to students during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time of the distribution (refer to “[Other state requirements for fundraiser catalogs and orders](#)” in this section).

2. **Orders at events:** The board of education has voted to allow food and beverage exemptions. Students order noncompliant foods and beverages from a fundraiser at an **event** on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to “[Food Exemptions](#)” and “[Beverage exemptions](#)” in section 2). The fundraiser delivers the foods and beverages to students on school premises at a future date, either during or after the school day. The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2). If the distribution of the fundraiser foods occurs during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time of the distribution (refer to “[Other state requirements for fundraiser catalogs and orders](#)” in this section).
3. **Orders picked up by parents:** The fundraiser sells noncompliant foods and beverages through a fundraising catalog or flier. Students take orders for noncompliant foods and beverages off school premises and bring the orders and money to school. Students do **not** pick up the foods and beverages on school premises. Parents or other adults pick up the foods and beverages at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs.
4. **Orders picked up by students at events:** The fundraiser sells noncompliant foods and beverages through a fundraising catalog or flier. Students take orders for noncompliant foods and beverages off school premises and bring the orders and money to school. The board of education has voted to allow food and beverage exemptions. Students pick up the foods and beverages at an **event** on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to “[Food Exemptions](#)” and “[Beverage exemptions](#)” in section 2). The sales and distribution of the foods and beverages do not occur while any CNPs are operating (refer to

[“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs.

5. **Orders off school premises:** Students order noncompliant foods and beverages from a fundraiser off school premises. The fundraiser delivers the foods and beverages to students at a future date, either on or off school premises, and during or after the school day. For more information, refer to [“Fundraisers held off school premises”](#) in this section
6. **Online orders:** Students order noncompliant foods and beverages from an online fundraiser. The fundraising company distributes the foods and beverages using any of the following methods: 1) mailing directly to customers; 2) e-mailing electronic gift cards to customers; or 3) distributing to schools for students to pick up and deliver to customers. For more information, refer to [“Online fundraiser orders”](#) in this section.
7. **Sales only to adults:** The fundraiser sells foods and beverages only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to [“Sales to adults”](#) in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

### **Fundraisers held off school premises**

The federal and state nutrition standards (Smart Snacks, CNS, and state beverage statute), and laws for competitive foods do not apply to fundraising activities that take place off school premises, such as bake sales at a supermarket or candy bar sales at a town community center. However, laws for competitive foods apply when students sell foods and beverages off school premises, deliver the fundraiser orders and money to school, and pick up the foods and beverages at school for delivery to customers. Under Connecticut’s statutes and competitive foods regulations, students exchanging money (orders) for foods and beverages on school premises is the same as selling foods and beverages to students. For more information, refer to [“Fundraiser catalogs and orders”](#) and [“Sales to Students”](#) in this section.

### **Gift cards and entertainment books**

Fundraisers cannot sell noncompliant foods and beverages to students on school premises, including food and beverage gift cards or entertainment books with food and beverage coupons. Sales of gift cards and entertainment books to students on school premises must comply with the applicable federal and state nutrition standards. The federal and state nutrition standards have different requirements for gift cards and similar items.

#### **Smart Snacks beverage standards for gift cards and entertainment books**

The Smart Snacks beverage standards apply when students purchase gift cards, coupons, and similar items that are redeemable for beverages, and the beverages are intended to be consumed by students on school premises during the school day. The Smart Snacks beverage standards do not apply to gift cards and entertainment books that:

- are given to students, such as food rewards;
- can be exchanged for beverages that are not intended to be consumed by students on school premises during the school day, such as bags of coffee or boxes of tea; or
- can be redeemed for beverages at businesses off school premises, such as restaurants, convenience stores, fast food chains, coffee shops, and local dining establishments.

For more information, refer to [“Definition of “sales” for Smart Snacks”](#) in this section.

#### **State nutrition standards for gift cards and entertainment books**

Selling gift cards and entertainment books that students can exchange for foods and beverages is the same as selling foods and beverages to students. “Sales” means the exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. For more information, refer to [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section

The CNS and state beverage statute apply at all times (including during and after the school day) to:

- sales of gift cards and entertainment books on school premises that students can redeem for foods and beverages on school premises; and
- sales of gift cards and entertainment books on school premises that students can redeem for foods and beverages at businesses off school premises, such as restaurants, convenience stores, fast food chains, coffee shops, and local dining establishments; excluding supermarket gift cards (refer to [“Supermarket gift cards”](#) in this section).

The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages. For more information, refer to [“Sales to Students,”](#) [“Timing of distribution and consumption,”](#) [“Fundraiser catalogs and orders,”](#) and [“Definition of “sales” for Connecticut statutes and regulations”](#) in this section.

Selling entertainment books that students can exchange for foods and beverages is the same as selling foods and beverages to students, regardless of when or where students can exchange them. Entertainment books that can be redeemed for noncompliant foods and beverages cannot be sold to student on school premises. To comply with the state statutes and competitive foods regulations, sales of entertainment books must follow allowable procedures. For more information, refer to [“Allowable procedures for selling gift cards and entertainment books”](#) in this section.

### **Supermarket gift cards**

The Smart Snacks beverage standards do not apply to gift cards that can be redeemed for foods and beverages off school premises. Connecticut’s statutes and competitive foods regulations do not apply to gift cards that can be redeemed for foods and beverages at supermarkets. Students may purchase supermarket gift cards on school premises, or bring orders and money for supermarket gift cards to school and take the supermarket gift cards home for delivery to customers.

Supermarkets are intended to provide basic foods that feed families, versus the wide array of unhealthy choices at convenience stores, fast food chains, local dining establishments, and other similar establishments. The CSDE strongly encourages districts to let families know that the district is participating in HFC and provide guidance on exchanging gift cards for healthy choices, such as nutrient-rich fruits, vegetables, whole grains, low-fat or nonfat dairy products, lean meat, skinless poultry, fish, eggs, and beans.

### **Gift cards and entertainment books at events**

If the BOE has voted to allow food and beverage exemptions, gift cards and entertainment books with coupons that can be redeemed for noncompliant foods and beverages could be sold to (or ordered by) students and distributed to students at the location of an event that occurs after the school day or on the weekend (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). For example, a fundraiser could sell food and beverage gift cards to students at a school fair (event) on school premises in the evening (after the school day); and students could redeem these gift cards for candy, cookies, and soda at this event. If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for gift cards and entertainment books”](#) below).

### **Other state requirements for gift cards and entertainment books**

In addition to the federal and state nutrition standards, gift cards and entertainment books must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to sales of gift cards and entertainment

books to students at events, and gift cards and entertainment books used to obtain foods and beverages from fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day (including gift cards and entertainment books that can be exchanged for foods) must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to gift cards and entertainment books.

Example: A school organization sells gift cards that students can exchange for foods on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when students can exchange the gift cards for foods, either at the same location or elsewhere on school premises at the same time.

**Note:** All foods that can be obtained with these gift cards must comply with the CNS because selling gift cards to students on school premises during the school day, and students exchanging gift cards for foods on school premises during the school day, are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits gift cards and entertainment books that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students, or exchanged by students, anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to orders and distribution at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Students cannot purchase gift cards and entertainment books on school premises that can be exchanged for candy, coffee, tea, and soft drinks unless 1) the BOE has voted to allow food and beverage exemptions; 2) the gift cards and entertainment books are purchased or exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Gift cards and entertainment books at events](#)” in this section.



- **Giving candy, coffee, tea, and soft drinks:** Gift cards and entertainment books that can be exchanged for candy, coffee, tea, and soft drinks cannot be given or distributed to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. In addition, students cannot exchange gift cards and similar items for candy, coffee, tea, and soft drinks on school premises during this time. For example, if the At-risk Afterschool Meals program operates after the school day from 4:30 to 5:30 p.m., gift cards that can be exchanged for candy, coffee, tea, and soft drinks cannot be purchased or exchanged by students anywhere on school premises from 4:00 to 6:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all gift cards and similar items that can be exchanged for foods and beverages and are sold to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of gift cards and similar items that can be redeemed for foods and beverages at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section). The examples below show how Section 10-215b-23 applies to gift cards and entertainment books.

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser sells food gift cards to students on school premises during the school day. The gift cards can be redeemed for foods on school premises, either during or after the school day. The NSFSA must receive the income from all gift cards sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that can be obtained with these gift cards must comply with the CNS because the food exemptions under the state HFC statute are not allowed for 1) sales of gift cards to students on school premises; or 2) students exchanging gift cards for foods on school premises.

Example 2: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser sells food gift cards to students on school premises during the school day. The gift cards can be redeemed for foods off school premises. The NSFSA must receive the income from all gift cards sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that can be obtained with these gift cards must comply with the CNS because the food exemptions under the state HFC statute are not allowed for sales of gift cards to students on school premises.



For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

#### **Allowable procedures for fundraisers selling gift cards and entertainment books**

Fundraisers that sell gift cards or entertainment books must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. Under the state statutes and competitive foods regulations, selling food and beverage gift cards or entertainment books to students on school premises is the same as selling foods and beverages to students on school premises, regardless of when or where students can exchange them. Fundraisers selling gift cards and entertainment books must follow one of the procedures below.

1. **Compliant foods and beverages:** The fundraiser sells gift cards or entertainment books to students on school premises during or after the school day. All foods that can be obtained with the gift cards or entertainment books comply with the CNS (refer to “[Compliant Foods and Beverages](#)” in this section and “[Identifying Allowable Foods and Beverages](#)” in section 1). All beverages that can be obtained with the gift cards or entertainment books meet the state beverage statute (refer to “[Allowable Beverages](#)” in section 1). If the fundraiser occurs during the school day, the beverages also meet the Smart Snacks beverage standards. The fundraiser does not sell the gift cards or entertainment books while any CNPs are operating (refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2). Students do not exchange the gift cards or entertainment books for foods and beverages while any CNPs are operating. If the gift cards or entertainment books are exchanged by students for foods on school premises during the school day, the fundraiser complies with C.G.S. Section 10-221p at the time the foods are distributed (refer to “[Other state requirements for gift cards and entertainment books](#)” in this section).
2. **Sales at events:** The board of education has voted to allow food and beverage exemptions. Gift cards or entertainment books that can be exchanged for noncompliant foods and beverages are sold to students from a fundraiser at an event on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to “[Food Exemptions](#)” and “[Beverage exemptions](#)” in section 2). The sales and distribution of the gift cards or entertainment books do not occur while any CNPs are operating (refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2).

3. **Orders picked up by parents:** The fundraiser sells gift cards or entertainment books that can be exchanged for noncompliant foods and beverages. Students take orders for gift cards or entertainment books off school premises and bring the orders and money to school. Students do not pick up the gift cards or entertainment books on school premises. Parents or other adults pick up the gift cards or entertainment books at school for delivery to customers. The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to [“Allowable procedures for fundraiser catalogs and orders”](#) in this section.
4. **Orders picked up by students at events:** The board of education has voted to allow food and beverage exemptions. The fundraiser sells gift cards or entertainment books that can be exchanged for noncompliant foods and beverages. Students sell the gift cards or entertainment books off school premises and bring the orders and money to school. Students pick up the gift cards or entertainment books at an event on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to [“Food Exemptions”](#) and [“Beverage exemptions”](#) in section 2). The sales and distribution do not occur while any CNPs are operating (refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2). The district clearly indicates the pick-up policy on all written communication regarding the fundraiser, such as fundraising fliers and catalogs. For more information, refer to [“Gift cards and entertainment books at events”](#) in this section.
5. **Sales off school premises:** The fundraiser sells gift cards or entertainment books to students off school premises. Students redeem the gift cards or entertainment book coupons for foods and beverages, either on or off school premises. For more information, refer to [“Fundraisers held off school premises”](#) in this section.
6. **Online sales:** Gift cards or entertainment books that can be exchanged for noncompliant foods and beverages are sold to students online. The fundraising company distributes the gift cards or entertainment books using any of the following methods: 1) mailing directly to customers; 2) emailing as electronic gift cards; or 3) distributing to schools for students to deliver to customers. For more information, refer to [“Online fundraiser orders”](#) in this section.
7. **Sales to adults:** The fundraiser sells gift cards or entertainment books only to adults (e.g., teachers, school staff, and parents), either on or off school premises. For more information, refer to [“Sales to adults”](#) in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

#### **Nonfood fundraisers**

The laws for competitive foods do not apply to fundraisers that sell nonfood items. Any requirements for sales of nonfood items to students are locally determined by the LEA. The CSDE strongly encourages schools to promote consistent health messages to students by conducting nonfood fundraisers. The CSDE's resource, [Healthy Fundraising](#), provides suggestions for fundraising with nonfood items and activities.

#### **Suggested donations for foods and beverages**

Suggesting a student donation in exchange for foods and beverages is the same as selling foods and beverages to students. An example is a fundraiser that offers students a cookie for donating to a charity, school organization, or similar entity. For more information, refer to "[Sales to Students](#)" in this section.

The Smart Snacks beverage standards apply to all beverages given to students in exchange for a suggested donation on school premises during the school day. The CNS and state beverage statute apply to all foods and beverages offered to students in exchange for a suggested donation on school premises at all times, including during and after the school day.

The CNS and state beverage statute prohibit fundraisers on school premises from giving noncompliant foods and beverages to students in exchange for a suggested donation. These fundraisers are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### **Suggested donations for foods and beverages at events**

If the BOE has voted to allow food and beverage exemptions, fundraisers could give noncompliant foods and beverages to students in exchange for a suggested donation at the location of an event that occurs after the school day or on the weekend (refer to "[Food exemptions](#)" and "[Beverage exemptions](#)" in section 2). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could offer candy to students in exchange for a suggested donation to a charity. For more information, refer to "[Fundraisers located at an event](#)" in this section. If the event occurs while any CNPs are operating, additional restrictions apply (refer to "Other state requirements for suggested donations for foods and beverages" below).

## Other state requirements for suggested donations for foods and beverages

In addition to the federal and state nutrition standards, fundraisers that offer foods and beverages to students in exchange for a suggested donation must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements also apply to fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that fundraisers on school premises that offer foods to students in exchange for a suggested donation during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to suggested donations.

Example: A fundraiser on school premises during the school day offers students a cookie for donating money to a charity. Low-fat dairy products and fresh or dried fruit must also be available for sale from the fundraiser or elsewhere on school premises at the same time. **Note:** The cookie must comply with the CNS because food sales during the school day (including foods provided in exchange for a suggested donation) are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraisers from giving candy, coffee, tea, or soft drinks to students in exchange for a suggested donation anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students on school premises at all times, not just while CNPs are operating. Offering foods and beverages in exchange for a suggested donation is the same as selling foods and beverages to students. Fundraisers on school premises cannot give coffee, tea, and soft drinks to students in exchange for a suggested donation unless 1) the BOE has voted to allow beverage exemptions; 2) the fundraiser is held at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to

“Suggested donations for foods and beverages at events” and “Candy and gum at events” in this section.

- **Giving candy, coffee, tea, and soft drinks:** Fundraisers on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students in exchange for a suggested donation from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers on school premises cannot give candy, coffee, tea, and soft drinks to students in exchange for a suggested donation from 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the fundraiser’s income from all student donations (sales) in exchange for foods and beverages from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from student donations in exchange for foods and beverages at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section). The example below shows how C.G.S. Section 10-221p applies to suggested donations.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises during the school day offers students a cookie for donating money to a charity. The NSFSA must receive the fundraiser’s income from all student donations offered in exchange for cookies from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** The cookie must comply with the CNS because food sales during the school day (including suggested donations for foods) are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Tickets, coupons, and tokens

Fundraisers on school premises that sell tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages must comply with the applicable federal and state nutrition standards. Selling food and beverage tickets and similar items is the same as selling foods and beverages to students. “Sales” means the exchange of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for foods and beverages. The federal and state nutrition standards have different requirements for tickets, coupons, tokens, and similar items.



## Smart Snacks beverage standards for tickets, coupons, and tokens

The Smart Snacks beverage standards apply to all tickets, coupons, tokens, and similar items that students purchase and can exchange for beverages on school premises during the school day. They do not apply to tickets and similar items that are given to students, such as food rewards; or can be exchanged for beverages that are not intended to be consumed by students on school premises during the school day, such as bags of coffee or boxes of tea. For more information, refer to [“Definition of ‘sales’ for Smart Snacks”](#) in this section.

## State nutrition standards for tickets, coupons, and tokens

The CNS and state beverage statute apply at all times to purchased and free tickets, coupons, tokens, and similar items that students can exchange for foods and beverages on school premises, including during and after the school day. These nutrition standards apply regardless of when students will receive or consume the foods and beverages.

Example 1: On Monday during the school day, a school club sells tickets to students on school premises. On Friday after the school day, students can exchange the tickets for cookies on school premises. The cookies must comply with the CNS (refer to [“Identifying Allowable Foods and Beverages”](#) in section 1). If the ticket sales occur from 30 minutes before up through 30 minutes after the operation of any CNPs, Section 10-215b-23 of the state competitive foods regulations requires that the income from all ticket sales during this time must accrue to the NSFSA (refer to [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2).

Example 2: Students purchase coupons on school premises that can be exchanged for foods and beverages in the school store after the school day. The foods must comply with the CNS and the beverages must comply with the state beverage statute (refer to [“Identifying Allowable Foods and Beverages”](#) in section 1). The Smart Snacks nutrition standards do not apply because students obtain the beverages after the school day. If the coupon sales occur



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from 30 minutes before up through 30 minutes after the operation of any CNPs, Section 10-215b-23 of the state competitive foods regulations requires that the income from all ticket sales during this time must accrue to the NSFSA (“[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2).

Example 3: During the school day, a teacher rewards students with an ice cream coupon. Student can exchange the coupon for ice cream on school premises during or after the school day. The ice cream must comply with the CNS and be listed on the CSDE’s [List of Acceptable Foods and Beverages](#) webpage (refer to “[Identifying Allowable Foods and Beverages](#)” in section 1).

Using food as a reward has many negative consequences that go far beyond the short-term benefits of good behavior or performance. The CSDE strongly encourages schools to promote consistent health messages to students by eliminating food rewards. For more information, refer to the CSDE’s resource, [Alternatives to Food Rewards](#).

For more information, refer to “[Definition of “sales” for Connecticut statutes and regulations,](#)” “[Fundraiser catalogs and orders,](#)” and “[Timing of distribution and consumption](#)” in this section.

#### **Tickets, coupons, and tokens at events**

If the BOE has voted to allow food and beverage exemptions, students could purchase and exchange tickets or similar items for noncompliant foods and beverages at an event on school premises that occurs after the school day or on the weekend (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). The examples below show ticket sales that meet the exemption criteria of the state HFC and beverage statutes.

Example 1: A student club sells tickets for cookies and soft drinks at a school fair (event) on school premises in the evening (after the school day). Students exchange the tickets for cookies and soft drinks at the school fair.

Example 2: A fundraiser on school premises sells tickets during the school day that students can exchange for cookies and soft drinks at a dance (event) in the high school gym starting at 7:00 p.m. (after the school day).

If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for tickets, coupons, and tokens” below).



## Other state requirements for tickets, coupons, and tokens

In addition to the federal and state nutrition standards, purchased and free tickets and similar items that students can exchange for foods and beverages on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of tickets and similar items that students can use to obtain foods and beverages on school premises. They also apply to tickets that students can use to obtain foods and beverages from fundraisers that are events (refer to “[Fundraisers that are events](#)” in this section), and tickets that students can use to obtain foods and beverages from fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that entities selling foods to students on school premises during the school day (including the exchange of tickets and similar items for foods) must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to ticket sales.

Example: A student club sells tickets to students on school premises during the school day. Students can exchange the tickets for ice cream on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when students exchange the tickets, either from the student club or elsewhere on school premises at the same time. **Note:** The ice cream must comply with the CNS because food sales during the school day (including the exchange of tickets for foods) are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the ticket sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks from being sold or given to students and exchanged by students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to tickets and similar items that can be purchased by, given to, or exchanged by students at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Students cannot purchase or exchange tickets or similar items for candy,

coffee, tea, and soft drinks anywhere on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the tickets or similar items are purchased and exchanged at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to [“Tickets, coupons, and tokens at events”](#) in this section.

- **Giving candy, coffee, tea, and soft drinks:** Tickets or similar items that can be exchanged for candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., entities on school premises cannot give students tickets or similar items for candy, coffee, tea, and soft drinks (and students cannot exchange tickets or similar items for candy, coffee, tea, and soft drinks) from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods** requires that the NSFSA must receive the income from all food and beverage tickets sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. The example below shows how Section 10-215b-23 applies to ticket sales.

**Example:** The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A fundraiser on school premises sells food tickets to students during the meal periods. The NSFSA must receive the fundraiser’s income from all food tickets sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can purchase with the tickets must comply with the CNS because ticket sales during the school day are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2.

#### **Allowable procedures for fundraisers selling tickets, coupons, and tokens**

Fundraisers that sell tickets or similar items that students can exchange for foods and beverages must comply with all applicable requirements, including the federal and state nutrition standards, state statutes for foods and beverages, and state competitive foods regulations. Under the state statutes and competitive foods regulations, selling food and beverage tickets or similar items on

school premises is the same as selling foods and beverages to students on school premises, regardless of when or where students can exchange them. Fundraisers that sell tickets or similar items must follow one of the procedures below.

1. **Compliant foods and beverages:** The fundraiser sells tickets to students on school premises during or after the school day. All foods that can be obtained with the tickets comply with the CNS (refer to [“Compliant Foods and Beverages”](#) in this section and [“Identifying Allowable Foods and Beverages”](#) in section 1). All beverages that can be obtained with the tickets meet the state beverage statute (refer to [“Allowable Beverages”](#) in section 2). If the fundraiser occurs during the school day, the beverages also meet the Smart Snacks beverage standards. The fundraiser does not sell the tickets while any CNPs are operating (refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2). Students do not exchange the tickets for foods and beverages while any CNPs are operating. If the distribution of the foods and beverages occurs during the school day, the fundraiser complies with C.G.S. Section 10-221p (refer to [“Other state requirements for tickets, coupons, and tokens”](#) in this section).
2. **Sales at events:** The board of education has voted to allow food and beverage exemptions. The fundraiser sells tickets for noncompliant foods and beverages to students at an event on school premises that meets the exemption criteria of the state HFC and beverage statutes, i.e., the sales occur after the school day or on the weekend (refer to [“Food Exemptions”](#) and [“Beverage exemptions”](#) in section 2). Students redeem the food and beverage tickets at the event. The sales and distribution do not occur while any CNPs are operating (refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2).
3. **Sales off school premises:** The fundraiser sells tickets for noncompliant foods and beverages to students off school premises. Students redeem the food and beverage tickets either on or off school premises. For more information, refer to [“Fundraisers held off school premises”](#) in this section.
4. **Sales to adults:** The fundraiser sells tickets only to adults (such as teachers, school staff, and parents), either on or off school premises. For more information, refer to [“Sales to adults”](#) in this section.

Schools cannot conduct fundraisers that do not comply with one of the above procedures.

#### **Timing of distribution and consumption**

Fundraisers sometimes sell foods and beverages at a different time from when they will be distributed or consumed. For example, students order and pay for the foods and beverages, then receive the products several weeks later. The federal and state requirements have different restrictions for these types of fundraisers.

#### **Smart Snacks beverage standards for timing and distribution**

The Smart Snacks beverage standards apply to all student orders for beverages that are distributed to, and intended to be consumed by, students on school premises during the school day. They do not apply to beverages intended for consumption at home, such as boxes of tea bags, hot chocolate packets, and bags of gourmet coffee.

#### **State nutrition standards for timing and distribution**

The CNS and state beverage statute apply to all foods and beverages available for sale to students from fundraisers on school premises at all times, including during and after the school day, regardless of when students will receive or consume the foods and beverages. Examples include products distributed on school premises in a precooked state (such as frozen cookie dough, frozen pies, and frozen pizza), and products that are distributed on school premises in bulk quantities, i.e., multiple servings per package (such as boxes or bags of candy bars, Girl Scout cookies, popcorn, tea bags, hot chocolate packets, and bags of gourmet coffee).

Fundraiser orders and distribution of foods and beverages to students on school premises must always comply with the CNS or state beverage statute, unless they occur at the location of an event on school premises (refer to “[Fundraisers located at an event](#)” in this section). Ordering and distributing foods and beverages from fundraisers is not an event and is therefore not eligible for food and beverage exemptions under the state HFC and beverage statutes. For more information, refer to “[Fundraiser catalogs and orders](#)” and “[Tickets, coupons, and tokens](#)” in this section.

The examples below show how the federal and state nutrition standards apply to the timing of distribution and consumption of fundraiser foods and beverages.

Example 1: A school club cannot sell tickets to students on Monday for hot chocolate that will be distributed to students on school premises during the school day on Friday. Hot chocolate does not comply with the state beverage statute or Smart Snacks beverage standards. The ticket sales are not eligible for beverage exemptions because they do not occur at the location of an event held after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 2).

Example 2: A school organization cannot take orders from students for holiday “candy grams” that will be distributed to students on school premises during the school day. Candy does not comply with the CNS. The sales are not eligible for food exemptions under the state HFC statute because they do not occur at the location of an event held after the school day or on the weekend (refer to “[Food exemptions](#)” in section 2).

Example 3: A fundraiser cannot distribute orders of frozen cookie dough to students on school premises (regardless of when the cookie dough will be consumed), unless the cookie dough complies with the CNS. Distributing noncompliant foods to students on school premises is not eligible for food exemptions under the state HFC statute unless the distribution occurs at the location of an event held after the school day or on the weekend (refer to “[Food exemptions](#)” in section 2).

### Other state requirements for timing of distribution and consumption

In addition to the federal and state nutrition standards, fundraisers where foods and beverages are ordered by or distributed to students on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when fundraisers distribute orders of foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to distribution of fundraiser foods.

Example: Students order foods from a fundraiser on school premises during the school day. When the foods arrive, the fundraising organization distributes them to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be available for purchase when the fundraising organization distributes the foods to students, either at the location of the distribution or elsewhere on school premises at the same time. **Note:** All foods available for sale to

students from this fundraiser must comply with the CNS because fundraisers during the school day (including food orders and distribution) are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits fundraiser orders and distribution of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to fundraiser orders and distribution at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Students cannot order candy, coffee, tea, and soft drinks from a fundraiser on school premises (and candy, coffee, tea, and soft drinks cannot be distributed to students from a fundraiser on school premises) unless 1) the BOE has voted to allow food and beverage exemptions; 2) the candy, coffee, tea, and soft drinks are ordered or distributed at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Fundraiser catalogs and orders at events](#)” in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., fundraisers cannot distribute orders of candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from fundraisers on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: orders for foods and beverages (refer to “[Fundraiser catalogs and orders](#)” in this section; orders for foods and beverages at events that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); and student donations in exchange for foods and beverages (refer to



“Suggested donations for foods and beverages” in this section). The example below shows how C.G.S. Section 10-221p applies to fundraiser orders for foods.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a fundraiser on school premises takes orders from students for foods and beverages that will be distributed to students at a future date for consumption on school premises. The NSFSA must receive the fundraiser’s income from all sales (orders) from students during 6:30 a.m. to 8:30 a.m. and 10:30 a.m. to 12:30 p.m. **Note:** All foods available for sale from this fundraiser must comply with the CNS because sales (orders) during the school day are not eligible for food exemptions under the state HFC statute (refer to “Food exemptions” in section 2). All beverages available for sale from this fundraiser must comply with the state beverage statute and Smart Snacks because 1) sales (orders) during the school day are not eligible for beverage exemptions (refer to “Beverage exemptions” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

For more information, refer to “Fundraisers located at an event,” “Tickets, coupons, and tokens,” “Fundraiser catalogs and orders,” “Compliant Foods and Beverages,” and “Noncompliant Foods and Beverages” in this section. For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks” and “State Competitive Foods Regulations Section 10-215b-23: Income Accrual” in section 2.





## Interschool Agreements

When a school district or school provides another district or school with reimbursable meals or snacks through the CNPs, the providing sponsor and recipient school must enter into an interschool agreement.

- A “providing sponsor” is a district or school that sells USDA meals or snacks to another district or school, and maintains its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.
- A “recipient school” is a district or school that receives USDA meals or snacks from a providing sponsor. It does not maintain its own Agreement for Child Nutrition Programs (ED-099) with the CSDE to operate the CNPs.

Recipient schools are eligible to participate in HFC if the sponsoring school participates in HFC, and the recipient school’s interschool agreement certifies that they will follow the CNS. For information on interschool agreements, visit the [“Interschool Agreements”](#) section of the CSDE’s [“Forms for School Nutrition Programs”](#) webpage.

### Smart Snacks beverage standards for recipient schools

The Smart Snacks beverage standards apply to all beverages available for sale to students on school premises **during the school day**. This includes:

- all entities that sell beverages to students on school premises (refer to [“Definition of “sales” for Smart Snacks”](#) in this section);
- fee-based programs and activities on school premises that include the cost of beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- programs and activities on school premises where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section);
- student orders for beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of fundraiser beverages to students on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section); and
- fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

### State nutrition standards for recipient schools

The CNS applies to all foods available for sale to students separately from reimbursable meals on school premises at all times, including during and after the school day, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute. The state beverage statute applies to all beverages available for sale to students as part and separately from reimbursable meals on school premises at all times, including during and after the school day, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. This includes:

- all entities that sell foods and beverages to students on school premises (refer to [Definition of “sales” for Connecticut statutes and regulations](#)” in this section);
- fee-based programs and activities on school premises that include the cost of foods and beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- programs and activities where students can exchange tickets, coupons, tokens, and similar items for foods and beverages on school premises, regardless of when the foods and beverages will be consumed (refer to [“Tickets, coupons, and tokens”](#) in this section);
- student orders for foods and beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of foods and beverages to students on school premises, if the foods and beverages have been ordered by students on school premises (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section); and
- fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

### Sales at events in recipient schools

If the recipient school’s interschool agreement allows food exemptions, and the recipient school’s board of education or governing authority has voted to allow beverage exemptions, noncompliant foods and beverages could be sold to students at an event on school premises that occurs after the school day or on the weekend (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). For example, a fundraiser located at a school concert (event) in the evening (after the school day) could sell cake and lemonade to students (refer to [“Fundraisers located at an event”](#) in this section). If the event occurs while any CNPs are operating, additional restrictions apply (refer to [“Other state requirements for recipient schools”](#) below).

#### Other state requirements for recipient schools

In addition to the federal and state nutrition standards, sales of foods and beverages in recipient schools must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to “[State nutrition standards for recipient schools](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to fundraisers that are events (refer to “[Fundraisers that are events](#)” in this section), and fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when recipient schools sell foods to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must be available for sale at the same time, either at the same location or elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to recipient schools.

Example: A fundraiser on school premises sells foods to students during the school day. The fundraiser must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this fundraiser must comply with the CNS because fundraisers during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the fundraiser occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits recipient schools from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Recipient schools cannot sell or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the sale is held at the location of an event

that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Sales at events in recipient schools](#)” in this section.

- **Giving candy, coffee, tea, and soft drinks:** Recipient schools cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., recipient schools cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes the income from: sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); program fees charged to cover the cost of foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section); and student donations in exchange for foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section). The example below shows how C.G.S. Section 10-221p applies to recipient schools.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. An organization sells foods and beverages to students during the meal periods. The NSFSA must receive the organization’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this organization must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this organization must comply with the state beverage statute and Smart Snacks because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

### Meetings

Meetings that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples of groups that might conduct meetings for students on school premises include student organizations and clubs, parent-teacher organizations, and school programs.

#### Smart Snacks beverage standards for meetings

The Smart Snacks beverage standards apply to all beverages available for sale to students from meetings on school premises during the school day (refer to [“Definition of ‘sales’ for Smart Snacks”](#) in this section). This also includes fee-based meetings that include the cost of beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and meetings where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section). The example below shows how the Smart Snacks beverage standards apply.

Example 1: The school day ends at 3:00 p.m. A fee-based meeting from 2:00 p.m. to 3:30 p.m. on school premises includes the cost of beverages provided to students. The Smart Snacks beverage standards apply because students receive the beverages before the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day).

Example 2: The school day ends at 3:00 p.m. A fee-based meeting from 3:30 p.m. to 5:00 p.m. on school premises includes the cost of beverages provided to students. The Smart Snacks beverage standards do not apply because students receive the beverages after the end of the school day.

#### State nutrition standards for meetings

The CNS and state beverage statute apply to all foods and beverages available for sale to students from meetings on school premises at all times, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). This also includes fee-based meetings that include the cost of foods and beverages provided to students (refer to [“Fee-based Programs and Activities”](#) in this section), and meetings where students can exchange purchased or free tickets for foods and beverages (refer to [“Tickets, coupons, and tokens”](#) in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from meetings on school premises must always comply with the CNS or state beverage statute. Meetings are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

### Other state requirements for meetings

In addition to the federal and state nutrition standards, meetings on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from meetings from on school premises (refer to “[State nutrition standards for meetings](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that meetings selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to meetings.

**Example:** The school day ends at 3:00 p.m. A meeting sells foods to students on school premises before 3:30 p.m. (during the school day). The meeting must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this meeting must comply with the CNS because meetings are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the meeting occurs while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits meetings on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The CNS and state beverage statute prohibit sales (including orders and distribution) candy, coffee, tea, and soft drinks to students on school premises at all



times. Meetings on school premises can never sell or distribute candy, coffee, tea, and soft drinks to students. Fee-based meetings on school premises can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.

- **Giving candy, coffee, tea, and soft drinks:** Meetings on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m. and the ASP operates after the school day from 3:30 to 4:30 p.m., meetings on school premises cannot give or distribute candy, coffee, tea, and soft to students from 11:00 a.m. to 1:30 p.m. and 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from meetings on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets that students can exchange for foods and beverages at meetings on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section); and fees charged to cover the cost of foods and beverages provided to students at meetings on school premises (refer to “[Fee-based Programs and Activities](#)” in this section). The examples below show how C.G.S. Section 10-221p applies to meetings.

Example 1: The NSLP operates from 11:30 a.m. to 1:00 p.m. A meeting on school premises sells foods and beverages to students from 11:30 a.m. to 12:30 p.m. The NSFSA must receive the meeting’s income from all foods and beverages sold to students because these sales occur during the NSLP meal period. **Note:** All foods available for sale to students from this meeting must comply with the CNS because meetings are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this meeting must comply with the state beverage statute and Smart Snacks because 1) meetings are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

Example 2: The NSLP operates from 11:30 a.m. to 1:00 p.m. A student club holds a meeting on school premises from 12:00 p.m. to 1:00 p.m. Students pay a meeting fee that includes the cost of lunch. The NSFSA must receive the income from the portion of the meeting fee that covers the cost of foods and beverages provided to students. **Note:** All foods provided in this lunch must comply with the CNS because meetings are not eligible for food exemptions under the state HFC statute (refer to

“[Food exemptions](#)” in section 2). All beverages provided in this lunch must comply with the state beverage statute and Smart Snacks because 1) meetings are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

## Noncompliant Foods and Beverages

Noncompliant foods do not meet the requirements of the CNS. Noncompliant beverages do not meet the requirements of the state beverage statute and the Smart Snacks beverage standards.

### Smart Snacks beverage standards for noncompliant beverages

The Smart Snacks beverage standards prohibit sales of noncompliant beverages to students on school premises during the school day. For more information, refer to “[Definition of “sales” for Smart Snacks](#)” in this section.

### State nutrition standards for noncompliant foods and beverages

The CNS prohibits sales of noncompliant foods to students on school premises at all times, including during and after the school day, except for sales that meet the exemption criteria of the state HFC statute (refer to “[Food exemptions](#)” in section 2). The state beverage statute prohibits sales of noncompliant beverages to students on school premises at all times, except for sales that meet the exemption criteria of the state beverage statute (refer to “[Beverage exemptions](#)” in section 2). For more information, refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section.

### Noncompliant foods and beverages located at an event

If the BOE has voted to allow food and beverage exemptions, noncompliant foods and beverages could be sold to students at the location of an event on school premises that occurs after the school day or on the weekend. For example, a fundraiser located at a dance recital (event) on school premises in the evening (after the school day) could sell cookies and lemonade to students during intermission. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for noncompliant foods and beverages” below).

### Other state requirements for noncompliant foods and beverages

In addition to the federal and state nutrition standards, noncompliant foods to students on school premises must comply with Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students on school premises (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section).

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They also apply to fundraisers that are events (refer to “[Fundraisers that are events](#)” in this section), and fundraisers located at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section).

The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating. C.G.S. Section 10-221p (nutritious low-fat foods) does not apply because noncompliant foods can never be sold to students on school premises during the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to foods and beverages sold to students at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The CNS and state beverage statute prohibit sales (including orders and distribution) candy, coffee, tea, and soft drinks to students on school premises at all times. Candy, coffee, tea, and soft drinks cannot be sold to students (or purchased with program fees and distributed to students) on school premises unless 1) the BOE has voted to allow food and beverage exemptions; 2) the sales are at the location of an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Noncompliant foods and beverages located at an event](#)” in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Candy, coffee, tea, and soft drinks cannot be given to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., coupons for candy, coffee, tea, and soft drinks cannot be given to or exchanged by students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets on school

premises that students can exchange for noncompliant foods and beverages, including ticket sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to [“Tickets, coupons, and tokens”](#) in this section); program fees charged to cover the cost of noncompliant foods and beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section); student orders for compliant foods and beverages on school premises (refer to [“Fundraiser catalogs and orders”](#) in this section; and student donations in exchange for compliant foods and beverages on school premises (refer to [“Suggested donations for foods and beverages”](#) in this section). The example below shows how Section 10-215b-23 applies.

Example: The At-risk Afterschool Meals program operates after the school day from 4:30 p.m. to 6:00 p.m. A student club sells foods and beverages to students at a sports competition (event) on school premises from 3:30 p.m. to 6:00 p.m. (after the school day). The NSFSA must receive the club’s income from all foods and beverages sold to students from 4:00 p.m. to 6:30 p.m. **Note:** All foods and beverages sold to students from this student club must comply with the CNS and state beverage statute because these sales are not eligible for food exemptions under the state HFC and beverage statutes (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). The Smart Snacks beverage standards do not apply to these sales because they occur after the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to [“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”](#) and [“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”](#) in section 2.

### School Cafeterias

Cafeterias that sell la carte foods and beverages to students must comply with the applicable federal and state nutrition standards. A la carte sales are foods and beverages sold separately from reimbursable meals in the NSLP and SBP. Examples include ice cream, cookies, chips, pretzels, crackers, bagels, muffins, pasta, rice, bottled water, milk, juice, fresh fruit, salads, vegetables, soups, and entrees such as pizza and sandwiches.

#### Smart Snacks beverage standards for school cafeterias

The Smart Snacks beverage standards apply to all a la carte beverages available for sale to students in school cafeterias during the school day. This also includes purchased tickets that students can exchange for a la carte beverages in the cafeteria (refer to [“Tickets, coupons, and tokens”](#) in this section).

#### State nutrition standards for school cafeterias

The CNS and state beverage statute apply to all a la carte sales of foods and beverages available to students in school cafeterias at all times, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). They also apply to purchased or free tickets that students can exchange for a la carte foods and beverages in the cafeteria (refer to [“Tickets, coupons, and tokens”](#) in this section). In addition to a la carte beverages, the state beverage statute applies to all beverages available for sale to students as part of reimbursable meals. The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students in the cafeteria must always comply with the CNS or state beverage statute. Cafeteria a la carte sales are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Preparing foods and beverages for sale at events

The cafeteria could prepare foods and beverages that will be sold to students on school premises at the location of an event that meets the exemption criteria of the state HFC and beverage statutes. For example, the cafeteria could make cupcakes and cookies to sell to students at the location of a school concert (event) that occurs in the evening (after the school day). For more information, refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2.

## Other state requirements for school cafeterias

In addition to the federal and state nutrition standards, school cafeterias must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in school cafeterias (refer to “[State nutrition standards for school cafeterias](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that cafeterias selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). Most cafeterias already sell these types of foods as a la carte items. C.G.S. Section 10-221p does **not** apply to cafeterias that solely sell reimbursable meals without any a la carte choices. The statute does not apply unless the school offers a la carte foods and beverages for sale during the meal periods.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits school cafeterias from selling and giving candy, coffee, tea, or soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Cafeteria a la carte sales are not eligible for food and beverage exemptions under the state HFC and beverage statute because they do not meet the exemption criteria. School cafeterias can never sell or distribute candy, coffee, tea, and soft drinks to students; or purchase candy, coffee, tea, and soft drinks and distribute them to students.
  - **Giving candy, coffee, tea, and soft drinks:** School cafeterias cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school cafeterias cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.



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- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. The income from cafeteria sales of a la carte foods and beverages in the NSLP and SBP already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises during this time, including sales at events on school premises that meet the exemption criteria of the state beverage statute.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.



## School Stores

School stores, kiosks, and other school-based enterprises that sell foods and beverages to students on school premises must comply with all applicable federal and state nutrition standards. The CSDE's resource, *Requirements for Foods and Beverages in School Stores in HFC Public Schools*, summarizes the requirements for school stores.

### Smart Snacks beverage standards for school stores

The Smart Snacks beverage standards apply to all beverages available for sale to students from school stores on school premises during the school day (refer to "[Definition of "sales" for Smart Snacks](#)" in this section). This also includes school stores where students can exchange purchased tickets or coupons for beverages that will be consumed on school premises during the school day (refer to "[Tickets, coupons, and tokens](#)" in this section).

### State nutrition standards for school stores

The CNS and state beverage statute apply to all foods and beverages available for sale to students from school stores on school premises at all times, including during and after the school day (refer to "[Definition of "sales" for Connecticut statutes and regulations](#)" in this section). This also includes school stores where students can exchange purchased or free tickets for foods and beverages (refer to "[Tickets, coupons, and tokens](#)" in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from school stores must always comply with the CNS or state beverage statute. The state HFC and beverage statutes specifically prohibit food and beverage exemptions for school stores. For more information, refer to "[Food exemptions](#)" and "[Beverage exemptions](#)" in section 2.

### Other state requirements for school stores

In addition to the federal and state nutrition standards, school stores must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from school stores on school premises (refer to "[State nutrition standards for school stores](#)" in this section and "[Definition of "sales" for Connecticut statutes and regulations](#)" in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that school stores selling foods to students during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). The example below shows how C.G.S. Section 10-221p applies to school stores.

Example: A school store sells foods to students during the school day. The school store must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this school store must comply with the CNS because school stores are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2). All beverages available for sale to students from this school store must comply with the state beverage statute and Smart Snacks because 1) school stores are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits school stores from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The state HFC and beverage statutes specifically prohibit food and beverage exemptions for school stores. School stores can never sell or distribute candy, coffee, tea, and soft drinks to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** School stores cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., school stores cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from school stores on school premises that operate from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales of tickets or similar items that students can exchange for foods and beverages in school stores (refer to “[Tickets, coupons, and tokens](#)” in this section). The examples below show how Section 10-215b-23 applies to school stores.

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. The school store sells foods and beverages to students during the school day. The NSFSA must receive the school store’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods available for sale to students from this school store must comply with the CNS because school stores are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages sold to students from this school store must comply with the state beverage statute and Smart Snacks because 1) school stores are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

Example 2: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a school club sells tickets that students can exchange for foods in the school store during the school day. The NSFSA must receive the income from all tickets sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods that students can purchase with the tickets must comply with the CNS because ticket sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Special Milk Program (SMP)

Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the USDA's school meal programs. The USDA requires the following types of milk for each age group:

- unflavored whole milk for age 1;
- unflavored low-fat (1%) milk or unflavored fat-free milk for ages 2-5; and
- unflavored low-fat (1%) milk, unflavored fat-free milk, or flavored fat-free milk for ages 6 and older.

For more information, visit the CSDE's [SMP](#) webpage.

### Smart Snacks beverage standards for the SMP

The Smart Snacks beverage standards do not apply to the SMP unless the school also participates in the NSLP or SBP.

### State nutrition standards for the SMP

The CNS does not apply to schools that participate only in the SMP. Schools must participate in the NSLP to be eligible for HFC. For schools that participate in the NSLP and SMP, the CNS does not apply to the SMP because the SMP does not sell foods to students. However, the state beverage statute applies to all beverages served in the SMP.

Beverages served in the SMP must always comply with the state beverage statute. The SMP is not eligible for beverage exemptions because it does not meet the definition of an event and it operates during the school day.

### Other state requirements for the SMP

In addition to the state nutrition standards, the SMP must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. The state competitive foods regulations apply while CNPs are operating. The state statute for nutritious low-fat foods (C.G.S. Section 10-221p) does not apply because the SMP does not sell foods to students.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SMP from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to

“Definition of “sales” for Connecticut regulations” and “Definition of “giving” for Connecticut statutes and regulations” in this section).

- **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The SMP can never sell or distribute candy, coffee, tea, and soft drinks to students; or purchase candy, coffee, tea, and soft drinks and distribute them to students.
  - **Giving candy, coffee, tea, and soft drinks:** The SMP cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation. For example, if the SMP operates from 11:00 a.m. to 12:00 p.m., the SMP (or any other entity on school premises) cannot give or distribute candy, coffee, tea, and soft drinks to students from 10:30 a.m. to 12:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SMP already accrues to the NSFSA. The NSFSA must also receive the income from all sales of foods and beverages to students on school premises during this time. The example below shows how Section 10-215b-23 applies when the SMP is operating.

Example: A NSLP school operates the SMP for students in half-day pre-kindergarten. The SMP operates from 11:00 a.m. to 12:00 p.m. A fundraiser on school premises sells foods and beverages to students during the milk service. The NSFSA must receive the fundraiser’s income from all foods and beverages sold to students from 10:30 a.m. to 12:30 p.m. **Note:** All foods available for sale to students from this fundraiser must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale to students from this fundraiser must comply with the state beverage statute and Smart Snacks because 1) fundraisers are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

### Sports Competitions

Sports competitions that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. Examples include concession stands, clubs, and organizations that sell foods and beverages at games, matches, and tournaments.

#### Smart Snacks beverage standards for sports competitions

The Smart Snacks beverage standards apply to all beverages available for sale to students from sports competitions on school premises during the school day. This also includes sports competitions where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section). The examples below show how the Smart Snacks beverage standards apply to sports competitions.

Example 1: The school day ends at 3:00 p.m. A school booster club at a baseball game on school premises sells beverages to students beginning at 3:15 p.m. The Smart Snacks beverage standards apply because these sales occur before the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day).

Example 2: The school day ends at 3:00 p.m. A school booster club at a baseball game on school premises sells beverages to students beginning at 3:45 p.m. The Smart Snacks beverage standards do not apply because these sales occur after the end of the school day.

#### State nutrition standards for sports competitions

The CNS and state beverage statute apply to all foods and beverages available for sale to students at sports competitions on school premises at all times, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section), unless they meet the exemption criteria of the state HFC and beverage statutes (refer to [“Sports competitions that are events”](#) in this section). This also includes sports competitions where students can exchange purchased or free tickets for foods and beverages (refer to [“Tickets, coupons, and tokens”](#) in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

#### Sports competitions that are events

Sports competitions that occur on school premises after the school day or on the weekend are eligible for food and beverage exemptions because they meet the definition of an event (refer to [“Food exemptions”](#) and [“Beverage exemptions”](#) in section 2). If the BOE has voted to allow food and beverage exemptions, noncompliant foods and beverages could be sold to students at the location of a sports competition (event) on school premises after the school day or on the weekend.



If the sports competition occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for sports competitions” below).

### Other state requirements for sports competitions

In addition to the federal and state nutrition standards, sports competitions on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages located at sports competitions on school premises (refer to “[State nutrition standards for sports competitions](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to foods and beverages available for sale to students at the location of sports competitions (events) on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Sports competitions that are events](#)” in this section).

- C.G.S. Section 10-221p (nutritious low-fat foods)** requires that sports competitions selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). This statute does not typically apply because most sports competitions on school premises usually operate after the school day and outside of the time that CNPs are operating. The examples below show how C.G.S. Section 10-221p applies to sports competitions.

Example 1: The school day ends at 2:30 p.m. A booster club at a football game sells beverages to students beginning at 2:45 p.m. (during the school day). Up through 3:00 p.m., the booster club must also sell low-fat dairy products and fresh or dried fruit, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this booster club must comply with the applicable federal and state nutrition standards. Up through 3:00 p.m., all foods must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). Up through 3:00 p.m., all beverages available for sale to students must comply with the state beverage statute and the Smart Snacks nutrition standards because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) the Smart Snacks beverage standards apply to all foods and beverages available for sale to students on school premises during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

Example 2: The school day ends at 2:30 p.m. A booster club at a football game sells foods and beverages to students beginning at 3:15 p.m. (after the school day). C.G.S.

Section 10-221p does not apply because the sales occur after the school day. **Note:** If the board of education has voted to allow food and beverage exemptions, the CNS and state beverage statute do not apply because these sales are at the location of an event (football game) that occurs after the school day. The Smart Snacks beverage standards do not apply because these sales occur after the school day.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports competitions on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to sports competitions that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Sports competitions cannot sell or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises unless the 1) BOE has voted to allow food and beverage exemptions; 2) the sales are held at a sports competition (event) that occurs after the school day or on the weekend; and 3) the sports competition does not occur while any CNPs are operating.
  - **Giving candy, coffee, tea, and soft drinks:** Sports competitions on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., sports competitions on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from sports competitions on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Sports competitions that are events](#)” in this section); and sales of tickets that students can exchange for foods and beverages at sports competitions on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section). The example below shows how C.G.S. Section 10-221p applies to sports competitions.

Example: The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A booster club at a football game sells foods and beverages to students beginning at 2:45 p.m. The NSFSA must receive the income from all foods and beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** These sales meet the exemption criteria of the state HFC and beverage statutes because they occur at a football game (event) held after the school day. Noncompliant foods and beverages (excluding candy, coffee, tea, and soft drinks) could be sold to students at the football game if the BOE has voted to allow food and beverage exemptions. For more information, refer to “[Sports competitions that are events](#)” in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Sports Practices

Sports practices that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards. This includes practices of any sports teams, sports clubs, and sports organizations that occur on school premises at any time. The federal and state nutrition standards also apply to fee-based sports programs that include the cost of foods and beverages provided to students on school premises.

### Smart Snacks beverage standards for sports practices

The Smart Snacks beverage standards apply to all beverages available for sale to students at sports practices on school premises during the school day (refer to “[Definition of “sales” for Smart Snacks](#)” in this section). This also includes fee-based sports programs that include the cost of beverages provided to students during practices (refer to “[Fee-based Programs and Activities](#)” in this section), and sports practices where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section). The examples below show how the Smart Snacks beverage standards apply to sports practices.

Example 1: The school day ends at 3:00 p.m. A fee-based sports program on school premises includes the cost of foods and beverages provided to students during practices. Students receive these beverages beginning at 3:15 p.m. The Smart Snacks beverage standards apply because students receive the beverages before the end of the school day (i.e., the period from the midnight before to 30 minutes after the end of the official school day). **Note:** All beverages provided to students from this sports program must comply with the

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state beverage statute because practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).

Example 2: The school day ends at 3:00 p.m. A fee-based sports program includes the cost of foods and beverages provided to students during practices on school premises. Students receive the beverages beginning at 3:45 p.m. The Smart Snacks beverage standards do **not** apply because students receive the beverages after the end of the school day. **Note:** All beverages provided to students from this sports program must comply with the state beverage statute because practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2).

#### State nutrition standards for sports practices

The CNS and state beverage statute apply to all foods and beverages available for sale to students at sports practices on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). This also includes fee-based sports programs that include the cost of beverages provided to students during practices (refer to “[Fee-based Programs and Activities](#)” in this section), and sports practices where students can exchange purchased or free tickets for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section). The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from sports practices on school premises must always comply with the CNS or state beverage statute. Sports practices are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

#### Other state requirements for sports practices

In addition to the federal and state nutrition standards, sports practices on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages at sports practices on school premises (refer to “[State nutrition standards for sports practices](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do not typically apply to sports practices. Most sports practices on school premises operate after the school day and outside of the time that CNPs are operating

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that sports practices selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). The example below shows how C.G.S. Section 10-221p applies to sports practices.

Example: The school day ends at 3:00 p.m. A fee-based sports program includes the cost of foods and beverages provided to students during practices on school premises. Students receive these foods before 3:30 p.m. (during the school day). The fee-based sports program must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods are available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages provided (sold) to students from this sports program must comply with the applicable federal and state nutrition standards. Foods must comply with the CNS because practices are not eligible for food exemptions under the state HFC statute (refer to [“Food exemptions”](#) in section 2). All beverages provided to students during practices must comply with the state beverage statute because practices are not eligible for beverage exemptions (refer to [“Beverage exemptions”](#) in section 2). Up through 3:30 p.m. (during the school day), all beverages must also comply with the Smart Snacks beverage standards. If the foods are provided to students while CNPs are operating, the state competitive foods regulations also apply. For more information, refer to [“Fee-based Programs and Activities”](#) in this section.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits sports practices on school premises from selling and giving candy, coffee, tea, and soft drinks (including sports drinks) to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to [“Definition of “sales” for Connecticut regulations”](#) and [“Definition of “giving” for Connecticut statutes and regulations”](#) in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Sports practices can never sell or distribute candy, coffee, tea, and soft drinks to students on school premises. Fee-based sports programs can never

purchase candy, coffee, tea, and soft drinks (including sports drinks) with program fees and distribute them to students during practices on school premises.

- **Giving candy, coffee, tea, and soft drinks:** Sports practices on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., sports practices on school premises cannot give or distribute candy, coffee, tea, and soft drinks (including sports drinks) to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students during sports practices on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from fees charged to cover the cost of foods and beverages provided to students during practices on school premises (refer to “[Fee-based Programs and Activities](#)” in this section). The example below shows how Section 10-215b-23 applies to sports practices.

Example 1: The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A sports program sells beverages to students during daily practices from 3:30 p.m. to 5:30 p.m. The NSFSA must receive the income from all beverages sold to students from 3:00 p.m. to 5:00 p.m. **Note:** All beverages sold to students during these practices must comply with the state beverage statute because sports practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2). The Smart Snacks beverage standards do not apply because the beverage sales occur after the school day.

Example 2: The ASP operates after the school day from 3:30 p.m. to 4:30 p.m. A fee-based sports program includes the cost of beverages provided to students during practices from 3:30 p.m. to 5:30 p.m. The NSFSA must receive the income from the portion of the sports program fee that covers the cost of beverages provided to students from 3:00 p.m. to 5:00 p.m. during practices. **Note:** All beverages available for sale to students during these practices must comply with the state beverage statute because sports practices are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2). The Smart Snacks beverage standards do not apply because the beverage sales occur after the school day.

For more information, refer to “[Fee-based Programs and Activities](#)” in this section.



## Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) of the NSLP

The SFSP and SSO must serve meals and snacks that meet the USDA meal patterns. The SSO follows the NSLP and SBP meal patterns. For information on the SSO meal pattern requirements, visit the CSDE's [Meal Patterns for Grades K-12 in School Nutrition Programs](#) and [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpages. For information on the SFSP meal pattern requirements, refer to the [SFSP Meal Pattern](#).

### Smart Snacks beverage standards for the SFSP and SSO

Under the Smart Snacks regulations, the SFSP is not part of the school day unless it operates on school premises during a summer school program operated by the board of education or school governing authority. The Smart Snacks beverage standards do not apply unless the SFSP:

- operates at a school during the school day, during which summer school NSLP meals are being served on campus; and
- sells beverages to students separately from reimbursable SFSP meals and snacks.

The Smart Snacks beverage standards do not apply to the SSO unless the site is also operating a summer school program and serving NSLP meals on school campus.

### State nutrition standards for the SFSP and SSO

The CNS does not apply when the SFSP or SSO operates on school premises unless these programs sell foods to students separately from reimbursable meals. The state beverage statute applies to all beverages available for sale to students on school premises, including beverages that are part of reimbursable SFSP/SSO meals and SFSP snacks.

Foods available for sale to students separately from SFSP and SSO meals must always comply with the CNS. Beverages available for sale to students as part of and separately from SFSP and SSO meals must always comply with the state beverage statute. The SFSP and SSO are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

### Other state requirements for the SFSP and SSO

In addition to the federal and state nutrition standards, the SFSP and SSO must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all foods and beverages available for sale to students on school



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premises separately from reimbursable meals in the SFSP and SSO (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

C.G.S. Section 10-221p and the state competitive foods regulations do not typically apply to the SFSP and SSO. Most SFSP and SSO operations provide only reimbursable meals and do not sell a la carte foods and beverages.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that when foods are available for sale to students on school premises during the school day, low-fat dairy products and fresh or dried fruit must also be available for sale at the same location or elsewhere on school premises at the same time (refer to [“State Statute Requiring Nutritious and Low-fat Foods”](#) in section 2). This statute does not apply unless the SFSP or SSO 1) operates on school premises during a summer school program operated by the board of education or school governing authority; and 2) sells foods to students separately from reimbursable meals during the school day.
- **Section 10-215b-1 of the state competitive foods regulations** prohibits the SFSP and SSO from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after its operation (refer to [“Definition of ‘sales’ for Connecticut regulations”](#) and [“Definition of ‘giving’ for Connecticut statutes and regulations”](#) in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The SFSP and SSO are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event. The SFSP and SSO can **never** sell or distribute candy, coffee, tea, and soft drinks to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** A SFSP or SSO on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after its operation. For example, if the SFSP operates on school premises from 11:00 a.m. to 12:00 p.m., candy, coffee, tea, and soft drinks cannot be given to students from the SFSP or any other entity on school premises from 10:30 a.m. to 12:30 p.m.

- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Income from the SFSP and SSO already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises during this time. The example below shows how Section 10-215b-23 applies when the SSO is operating.

**Example:** The SSO operates on school premises during the summer months and serves lunch from 11:00 a.m. to 12:00 p.m. An organization sells foods and beverages to students on school premises during the SSO meal period. The NSFSA must receive the organization's income from all foods and beverages sold to students from 10:30 a.m. to 12:30 p.m. **Note:** All foods and beverages available for sale to students from this organization must comply with the applicable state nutrition standards. Foods must comply with the CNS because the sales do not meet the criteria for food exemptions under the state HFC statute (refer to "[Food exemptions](#)" in section 2). Beverages must comply with the state beverage statute because the sales do not meet the criteria for beverage exemptions (refer to "[Beverage exemptions](#)" in section 2).

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to "[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)" and "[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)" in section 2.

## Summer School Programs

Summer school programs operated by the BOE on school premises are part of the regular school day.

### Smart Snacks beverage standards for summer school programs

The Smart Snacks beverage standards apply to all beverages available for sale to students from summer school programs on school premises during the summer school day. For example, if summer school ends at 2:30 p.m., Smart Snacks applies to all foods available for sale to students on school premises through 3:00 p.m. This includes:

- beverages available for sale to students on school premises (refer to [“Definition of ‘sales’ for Smart Snacks”](#) in this section);
- fee-based programs and activities on school premises that include the cost of beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- programs and activities on school premises where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to [“Tickets, coupons, and tokens”](#) in this section);
- student orders for beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- distribution of fundraiser beverages to students on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to [“Fundraiser catalogs and orders”](#) and [“Timing of distribution and consumption”](#) in this section);
- fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to [“Suggested donations for foods and beverages”](#) in this section).

### State nutrition standards for summer school programs

Summer school programs operated by the BOE are part of the regular school day. The CNS and state beverage statute apply to all foods and beverages available for sale to students from summer school programs on school premises at all times, including during and after the school day (refer to [“Definition of ‘sales’ for Connecticut statutes and regulations”](#) in this section). This also includes:

- fee-based summer school programs that include the cost of foods and beverages provided to students on school premises (refer to [“Fee-based Programs and Activities”](#) in this section);
- summer school programs where students can exchange tickets, coupons, tokens, and similar items for foods and beverages on school premises, regardless of when the foods and beverages will be consumed (refer to [“Tickets, coupons, and tokens”](#) in this section);

- student orders for foods and beverages from fundraisers on school premises, if the foods and beverages will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of foods and beverages to students on school premises, if the foods and beverages have been ordered by students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- fundraisers on school premises that give foods and beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

Foods and beverages available for sale to students from summer school programs on school premises must always comply with the CNS or state beverage statute. Summer school programs are not eligible for food and beverage exemptions under the state HFC and beverage statutes because they do not meet the definition of an event.

### Other state requirements for summer school programs

In addition to the federal and state nutrition standards, summer school programs on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from summer school programs on school premises (refer to “[State nutrition standards for summer school programs](#)” in this section and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state statute applies during the summer school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that summer school programs selling foods to students on school premises during the summer school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to summer school programs.

Example: The summer school day ends at 2:00 p.m. The summer school program sells foods to students before 2:30 p.m. (during the school day). The summer school program must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this summer school program must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because summer school programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2).

All beverages must comply with the state beverage statute and Smart Snacks because 1) summer school programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the summer school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits summer school programs from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. Summer school programs are not eligible for beverage exemptions because they do not meet the definition of an event. Summer school programs can never sell or distribute candy, coffee, tea, and soft drinks to students on school premises. Fee-based summer school programs can never purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students on school premises.
  - **Giving candy, coffee, tea, and soft drinks:** Summer school programs cannot give or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SSO serves breakfast from 7:00 to 8:00 a.m. and lunch from 12:00 p.m. to 1:00 p.m., a summer school program on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:30 a.m. to 1:30 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from summer school programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales of tickets that students can exchange for foods and beverages (refer to “[Tickets, coupons, and tokens](#)” in this section); summer school program fees charged to cover the cost of foods and beverages provided to students on school premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section); and student donations in exchange for foods and beverages on school premises (refer to “[Suggested](#)

[donations for foods and beverages](#)” in this section). The example below shows how Section 10-215b-23 applies to summer school programs.

Example: The SSO serves breakfast from 7:00 to 8:00 a.m. and lunch from 12:00 p.m. to 1:00 p.m. A summer school program on school premises sells foods and beverages to students during the meal periods. The NSFSA must receive the summer school program’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from this summer school program must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because summer school programs are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages must comply with the state beverage statute and the Smart Snacks beverage standards because 1) summer school programs are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) the Smart Snacks beverage standards apply to all beverages available for sale to students on school premises during the summer school day.

### Vending Machines

Vending machines that sell foods and beverages to students on school premises must comply with all applicable federal and state nutrition standards. The CSDE's resource, [Requirements for Foods and Beverages in Vending Machines in HFC Public Schools](#), summarizes the requirements for vending machines. For more information, refer to the CSDE's [Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools](#).

#### Smart Snacks beverage standards for vending machines

The Smart Snacks beverage standards apply to all beverages available for sale to students from vending machines on school premises during the school day. This also includes vending machines where students can exchange purchased tokens for beverages (refer to "[Tickets, coupons, and tokens](#)" in this section).

#### State nutrition standards for vending machines

The CNS and state beverage statute apply to all foods and beverages available for sale to students from vending machines on school premises at all times, including during and after the school day. This also includes vending machines where students can exchange purchased or free tokens for foods and beverages (refer to "[Tickets, coupons, and tokens](#)" in this section).

Foods and beverages available for sale to students from vending machines must **always** comply with the CNS or state beverage statute. The state HFC and beverage statutes specifically prohibit food and beverage exemptions for vending machines. For more information, refer to "[Food exemptions](#)" and "[Beverage exemptions](#)" in section 2.

#### Other state requirements for vending machines

In addition to the federal and state nutrition standards, vending machines must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages in vending machines on school premises (refer to "[State nutrition standards for vending machines](#)" in this section and "[Definition of "sales" for Connecticut statutes and regulations](#)" in this section).

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that vending machines selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises



at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to vending machines.

Example: The school day ends at 3:00 p.m. A vending machine on school premises sells foods to students before 3:30 p.m. (during the school day). The vending machine must also sell low-fat dairy products and fresh or dried fruit, or these foods must be available for sale elsewhere on school premises at the same time. **Note:** All foods and beverages available for sale to students from this vending machine must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because the state HFC statute specifically prohibits food exemptions for vending machines (refer to “[Food exemptions](#)” in section 2). All beverages must comply with the state beverage statute because the state beverage statute specifically prohibits beverage exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 2). In addition, up through 3:30 p.m., all beverages must comply with Smart Snacks because the sales occur during the school day. If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits vending machines on school premises from selling and giving candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section).
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they apply at all times, not just while CNPs are operating. The state HFC and beverage statutes specifically prohibit food and beverage exemptions for vending machines. Vending machines on school premises can never sell or distribute candy, coffee, tea, and soft drinks to students.
  - **Giving candy, coffee, tea, and soft drinks:** Vending machines on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students while any CNPs are operating. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., vending machines on school premises cannot dispense candy, coffee, tea, and soft drinks to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. They must be turned off during these times.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from vending machines on school premises from 30 minutes before up through 30 minutes after the

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operation of any CNPs, including during and after the school day. This also includes the income from sales of tokens that students can exchange for foods and beverages in vending machines on school premises (refer to “[Tickets, coupons, and tokens](#)” in this section).

If any vending machines operate during this time, the gross income (not just the percentage of the income specified in the vending machine contract) must accrue to the NSFSA.

The examples below show how Section 10-215b-23 applies to the income from sales of foods and beverages to students from vending machines on school premises.

Example 1: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. Vending machines on school premises sell foods and beverages to students during the meal periods. The district’s vending machine contract specifies that the school food service department will receive 20 percent of the total vending sales. The NSFSA must receive 100 percent of the vending machine income from foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from these vending machines must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because the state HFC statute specifically prohibits food exemptions for vending machines (refer to “[Food exemptions](#)” in section 2). All beverages must comply with the state beverage statute because the state beverage statute specifically prohibits beverage exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 2). If the sales occur during the school day, beverages must also comply with the Smart Snacks beverage standards. If the vending machines sales occur while CNPs are operating, the state competitive foods regulations also apply.

Example 2: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. During the meal periods, a school club sells tokens that students can use to obtain foods and beverages from the vending machines. The NSFSA must receive the income from all tokens sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m. **Note:** All foods and beverages available for sale to students from these vending machines must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because the state HFC statute specifically prohibits food exemptions for vending machines (refer to “[Food exemptions](#)” in section 2). All beverages must comply with the state beverage statute because the state beverage statute specifically prohibits beverage

exemptions for vending machines (refer to “[Beverage exemptions](#)” in section 2). If the sales and token exchange occur during the school day, beverages must also comply with the Smart Snacks beverage standards. If the vending machines sales occur while CNPs are operating, the state competitive foods regulations also apply.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.

## Vendors

Vendors that sell foods and beverages to students on school premises must comply with the applicable federal and state nutrition standards (refer to “[Sales to Students](#)” in this section). Examples of vendors include food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities that sell foods and beverages to students on school premises.

The federal and state nutrition standards do not apply when vendors sell beverages to adults (such as teachers, staff, and parents) on school premises (refer to “[Sales to adults](#)” in this section), or sell foods and beverages to students off school premises (refer to “[Fundraisers held off school premises](#)” in this section). The example below shows how the laws for competitive foods apply to vendors.

Example: An ice cream truck sells ice cream that does not comply with the CNS. The ice cream truck cannot sell this ice cream to students on school premises unless it is located at an event that meets the exemption criteria (refer to “[Vendors at events](#)” in this section). The laws for competitive foods do not apply to an ice cream truck located off school premises.

### Smart Snacks beverage standards for vendors

The Smart Snacks beverage standards apply to all beverages available for sale to students on school premises during the school day. This includes:

- beverages available for sale to students from vendors on school premises (refer to “[Sales to Students](#)” in this section);
- vendors operating fee-based programs and activities on school premises that include the cost of beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section);

### 3 | When the Laws Apply

- vendors on school premises where students can exchange purchased tickets for beverages that will be consumed on school premises during the school day (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for beverages on school premises that are intended to be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of beverages to students from vendors on school premises, if the beverages have been ordered by students on school premises and will be consumed by students on school premises during the school day (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- vendors operating fundraisers on school premises that give beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

#### State nutrition standards for vendors

The CNS applies to all foods available for sale to students separately from reimbursable meals from vendors on school premises at all times, including during and after the school day (refer to “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). The state beverage statute applies to all beverages available for sale to students as part of and separately from reimbursable meals from vendors on school premises at all times, including during and after the school day. This also includes:

- vendors operating fee-based programs and activities on school premises that include the cost of foods and beverages provided to students (refer to “[Fee-based Programs and Activities](#)” in this section);
- vendors on school premises where students can exchange tickets, coupons, tokens, and similar items for foods and beverages on school premises, regardless of when the foods and beverages will be consumed (refer to “[Tickets, coupons, and tokens](#)” in this section);
- student orders for foods and beverages from vendors on school premises, if the foods and beverages will be distributed to students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- distribution of foods and beverages to students from vendors on school premises, if the foods and beverages have been ordered by students on school premises (refer to “[Fundraiser catalogs and orders](#)” and “[Timing of distribution and consumption](#)” in this section);
- vendors operating on school premises that give foods and beverages to students in exchange for a suggested donation (refer to “[Suggested donations for foods and beverages](#)” in this section).

The CNS and state beverage statute apply regardless of when students will receive or consume the foods and beverages.

Foods and beverages available for sale to students from vendors on school premises must always comply with the CNS or state beverage statute. For example, an ice cream truck cannot sell noncompliant ice cream to students on school premises during or after the school day. Selling ice cream is not an event and is not eligible for food exemptions. Vendors are not eligible for food and beverage exemptions unless the sales occur at the location of an event held after the school day or on the weekend (refer to “[Vendors at events](#)” below).

### Vendors at events

If the BOE has voted to allow food and beverage exemptions, vendors could sell noncompliant foods and beverages to students at an event on school premises that occurs after the school day or on the weekend (refer to “[Food exemptions](#)” and “[Beverage exemptions](#)” in section 2). For example, an ice cream truck located at a school carnival (event) in the evening (after the school day) could sell noncompliant ice cream to students. If the event occurs while any CNPs are operating, additional restrictions apply (refer to “Other state requirements for vendors” below).

### Other state requirements for vendors

In addition to the federal and state nutrition standards, vendors on school premises must comply with C.G.S. Section 10-221p and Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations. These requirements apply to all sales of foods and beverages to students from vendors on school premises (refer to “[State nutrition standards for vendors](#)” and “[Definition of “sales” for Connecticut statutes and regulations](#)” in this section). They also apply to sales from vendors at the location of events that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section). The state statute applies during the school day and the state competitive foods regulations apply while CNPs are operating.

- **C.G.S. Section 10-221p (nutritious low-fat foods)** requires that vendors selling foods to students on school premises during the school day must also sell low-fat dairy products and fresh or dried fruit, or these foods must be sold elsewhere on school premises at the same time (refer to “[State Statute Requiring Nutritious and Low-fat Foods](#)” in section 2). The example below shows how C.G.S. Section 10-221p applies to vendors.

**Example:** The school day ends at 3:00 p.m. A vendor sells foods to students on school premises before 3:30 p.m. (during the school day). The vendor must also sell low-fat dairy products and fresh or dried fruit at the same time, unless these foods

are available for sale elsewhere on school premises at the same time. **Note:** All foods available for sale to students from this vendor must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). If the sales occur while CNPs are operating, the state competitive foods regulations also apply.

- **Section 10-215b-1 of the state competitive foods regulations** prohibits vendors on from selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day (refer to “[Definition of “sales” for Connecticut regulations](#)” and “[Definition of “giving” for Connecticut statutes and regulations](#)” in this section). This regulation also applies to vendors at events on school premises that meet the exemption criteria of the state HFC and beverage statutes.
  - **Selling candy, coffee, tea, and soft drinks:** The state HFC and beverage statutes supersede Section 10-215b-1 because they prohibit selling candy, coffee, tea, and soft drinks to students (including orders and distribution) on school premises at all times, not just while CNPs are operating. Vendors cannot sell or distribute candy, coffee, tea, and soft drinks to students (or purchase candy, coffee, tea, and soft drinks with program fees and distribute them to students) unless 1) the BOE has voted to allow food and beverage exemptions; 2) the vendor is located at an event that occurs after the school day or on the weekend; and 3) the event does not occur while any CNPs are operating. For more information, refer to “[Vendors at events](#)” in this section.
  - **Giving candy, coffee, tea, and soft drinks:** Vendors cannot give, provide, or distribute candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates after the school day from 3:30 p.m. to 4:30 p.m., vendors on school premises cannot give or distribute candy, coffee, tea, and soft drinks to students from 3:00 p.m. to 5:00 p.m.
- **Section 10-215b-23 of the state competitive foods regulations** requires that the NSFSA must receive the income from all foods and beverages sold to students from vendors on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from: sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Fundraisers located at an event](#)” in this section); sales of tickets on school premises that students can exchange for foods and beverages, including ticket sales at events on school premises that meet the exemption criteria of the state HFC and beverage statutes (refer to “[Tickets, coupons, and tokens](#)” in this section); vendor fees charged to cover the

cost of foods and beverages provided to students premises (refer to “[Fee-based Programs and Activities](#)” in this section); student orders for foods and beverages on school premises (refer to “[Fundraiser catalogs and orders](#)” in this section; and student donations in exchange for foods and beverages on school premises (refer to “[Suggested donations for foods and beverages](#)” in this section). The example below shows how Section 10-215b-23 applies to vendors.

Example: The SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m. A vendor sells foods and beverages to students during the meal periods. The NSFSA must receive the vendor’s income from all foods and beverages sold to students from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.

**Note:** All foods and beverages available for sale to students from this vendor must comply with the applicable federal and state nutrition standards. All foods must comply with the CNS because sales during the school day are not eligible for food exemptions under the state HFC statute (refer to “[Food exemptions](#)” in section 2). All beverages available for sale to students from this vendor must comply with the state beverage statute and Smart Snacks because 1) sales during the school day are not eligible for beverage exemptions (refer to “[Beverage exemptions](#)” in section 2); and 2) Smart Snacks applies to all beverages available for sale to students on school premises during the school day. For more information, refer to “[Vendors at events](#)” in this section.

For additional guidance on Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations, refer to “[State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks](#)” and “[State Competitive Foods Regulations Section 10-215b-23: Income Accrual](#)” in section 2.





## 4 — Summary of Food Restrictions

Table 3-1 summarizes the restrictions for selling and giving competitive foods to students, based on the federal and state requirements. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 3. For definitions of terms, refer to the [Glossary](#).

HFC public schools must disregard the Smart Snacks food standards because the stricter CNS requirements of the state HFC statute supersede Smart Snacks. The CNS applies to all foods available for sale to students separately from reimbursable meals on school premises at all times. Foods that do not comply with the CNS cannot be sold to students on school premises unless the BOE has voted to allow food exemptions (as part of the annual HFC Statement), and the foods are sold at the location of an event that occurs after the school day or on the weekend. Noncompliant foods can never be sold to students from vending machines or school stores. For more information, refer to “[Food exemptions](#)” in section 2.

C.G.S. 10-221p (nutritious low-fat foods) applies when foods are sold to students during the school day. Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if foods are sold or given to students while any CNPs are operating, including during and after the school day.



## 4 | Summary of Food Restrictions

Table 3-1. Restrictions for competitive foods in Connecticut HFC public schools	
Food	Requirements
<b>Candy</b> , including all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.	<p>The CNS prohibits sales of candy to students on school premises at all times, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to <a href="#">“Food exemptions”</a> in section 2.</p> <p>If the event occurs while any CNPs are operating, Section 10-215b-1 of the state competitive foods regulations supersedes the exemptions for candy allowed by the state HFC statute (C.G.S. Section 10-215f). Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving candy to students at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to <a href="#">“Restrictions for candy”</a> in section 2 and <a href="#">“Candy and gum”</a> in section 3.</p> <p>Section 215b-23 of the state competitive foods regulations does not apply because candy sales are not allowed while any CNPs are operating.</p>
<b>Gum</b> , regular and sugar-free	<p>The <a href="#">Federal Food, Drug, and Cosmetic Act</a> defines gum as a food. The CNS prohibits sales of regular and sugar-free gum to students on school premises at all times, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to <a href="#">“Food exemptions”</a> in section 2.</p> <p>If the event occurs while any CNPs are operating, Section 10-215b-23 requires that the NSFSA must receive the income from all foods (including gum) and beverages sold to students anywhere on school from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2 and <a href="#">“Candy and gum”</a> in section 3.</p>

**Table 3-1. Restrictions for competitive foods in Connecticut HFC public schools**

Food	Requirements
<p><b>All foods sold separately from school meals (except entree items), e.g.,</b> cookies, crackers, pretzels, popcorn, chips, puffed snacks, cereals, ice cream, pudding, yogurt, cheese, nuts/seeds, nut/seed butters, baked goods (e.g., pastries, toaster pastries, bagels, muffins, waffles, pancakes, rolls and buns), cooked grains (e.g., rice and pasta), soup, fruits, vegetables, and combination foods</p>	<p><b>Compliant foods</b></p> <p>Foods that comply with the CNS may be sold to students on school premises at any time. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating foods for compliance with the CNS. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable commercial products.</p> <p>For foods made from scratch, the selling entity must compare the standardized recipe’s nutrition information per serving (including any added accompaniments) with each nutrition standard for the appropriate CNS category. Complete the appropriate CNS worksheet and maintain on file with the standardized recipe’s nutrient analysis to document CNS compliance. For more information, refer to “<a href="#">Identifying Allowable Foods and Beverages</a>” in section 1 and “<a href="#">Compliant Foods and Beverages</a>” in section 3.</p> <p>If foods are available for sale to students during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to “<a href="#">State Statute Requiring Nutritious and Low-fat Foods</a>” in section 2.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p><i>Continued on next page</i></p>

**Table 3-1. Restrictions for competitive foods in Connecticut HFC public schools**

Food	Requirements
<p><b>All foods sold separately from school meals (except entree items), <i>continued</i></b></p>	<p><b>Noncompliant foods</b></p> <p>The CNS prohibits sales of noncompliant foods to students on school premises at all times, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute (C.G.S. Section 10-215f). For more information, refer to “<a href="#">Food exemptions</a>” in section 2 and “<a href="#">Noncompliant Foods and Beverages</a>” in section 3.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul style="list-style-type: none"> <li>• Section 10-215b-1 supersedes the exemptions for candy allowed by the state HFC statute because it prohibits selling and giving candy to students anywhere on school premises (including events that meet the food exemption criteria of the state HFC statute) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, Soft Drinks</a>” in section 2.</li> <li>• Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</li> </ul>

**Table 3-1. Restrictions for competitive foods in Connecticut HFC public schools**

Food	Requirements
<p><b>Entree items sold separately from school meals</b>, e.g., pizza, chicken nuggets, chef's salad, burritos, lasagna, hamburgers, and fruit-yogurt parfaits</p>	<p>The CNS standards for entrees do not apply to entree items that are sold separately from reimbursable meals (a la carte) during the meal periods on the same day that they are planned and served as part of a reimbursable school meal. Entrees from the reimbursable meal may be sold a la carte during the meal periods if they are the same or smaller portion size as the NSLP and SBP; have the same accompaniments; comply with the CNS trans fat standard; and do not contain artificial sweeteners, nonnutritive sweeteners, sugar alcohols, or chemically altered fat substitutes. For more information, refer to the CSDE's <a href="#">Summary of Connecticut Nutrition Standards</a>.</p> <p><b>Entrees sold only a la carte</b></p> <p>The CNS standards for entrees apply only to entree items that are <b>sold only a la carte</b>, i.e., entrees that are not part of reimbursable meals. For example, if a school sells pizza that is not part of a reimbursable meal, the pizza must comply with the CNS. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating entrees for compliance with Smart Snacks. For example, to determine if a hamburger on a bun complies with the CNS, the school must add the nutrition information per serving for the hamburger and bun plus the nutrition information per serving for any condiments such as ketchup and mustard, and compare this total with the CNS requirements for the category of entrees sold only a la carte.</p> <ul style="list-style-type: none"> <li>• <b>Compliant entrees sold only a la carte:</b> Entrees that comply with the CNS may be sold to students on school premises at any time. Added accompaniments such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing must be included when evaluating foods for compliance with the CNS. Consult the CSDE's <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable commercial products. For foods made from scratch, complete the appropriate CNS worksheet, and maintain on file with the standardized recipe's nutrient analysis to document CNS compliance. For more information, refer to <a href="#">"Identifying Allowable Foods and Beverages"</a> in section 1 and</li> </ul> <p><i>Continued on next page</i></p>

**Table 3-1. Restrictions for competitive foods in Connecticut HFC public schools**

Food	Requirements
<b>Entree items sold separately from school meals, <i>continued</i></b>	<p>“<a href="#">Compliant Foods and Beverages</a>” in section 3. If entrees are sold only a la carte during the school day, C.G.S. Section 10-221p requires that nutritious low-fat foods must also be sold at the same location or elsewhere on school premises at the same time. For more information, refer to “<a href="#">State Statute Requiring Nutritious and Low-fat Foods</a>” in section 2.</p> <p>If any CNPs are operating, Section 215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <ul style="list-style-type: none"> <li>• <b>Noncompliant entrees sold only a la carte:</b> The CNS prohibits sales of noncompliant entrees to students on school premises at all times, except for sales at events on school premises that meet the food exemption criteria of the state HFC statute. For more information, refer to “<a href="#">Food exemptions</a>” in section 2 and “<a href="#">Noncompliant Foods and Beverages</a>” in section 3.</li> </ul> <p>However, if the event occurs while any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises (including events that meet the food exemption criteria of the state HFC statute) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>



## 5 — Summary of Beverage Restrictions

Table 4-1 summarizes the restrictions for selling and giving competitive beverages to students, based on the federal and state laws.

The Smart Snacks beverage standards apply to all beverages available for sale to students separately from reimbursable meals on school premises during the school day. The state beverage statute (C.G.S. Section 10-221q) applies to all beverages available for sale to students on school premises at all times, as part of reimbursable meals and separately from reimbursable meals.

Beverages that do not comply with the state beverage statute cannot be sold to students on school premises unless the BOE has voted to allow beverage exemptions, and the beverages are sold at the location of an event that occurs after the school day or on the weekend (refer to “[Beverage exemptions](#)” in section 2). Noncompliant beverages can never be sold to students from vending machines or school stores.

Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions if beverages are sold or given to students while any CNPs are operating, including during and after the school day.

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
Almond milk products that do not meet the USDA’s nutrition standards for fluid milk substitutes	<p>Refer to “<b>Milk substitute products</b> that do <b>not</b> meet the USDA’s nutrition standards for fluid milk substitutes.”</p> <p><b>Note:</b> The commercial almond milk products that are currently available do not meet the USDA’s nutrition standards for fluid milk substitutes.</p>

## 5 | Summary of Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Beverages containing 100 percent juice diluted with water, with added sweeteners, with or without carbonation <sup>1</sup></b>	<p>The state beverage statute prohibits sales of beverages containing juice and water with added sweeteners to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because beverages containing juice and water with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>• Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>• Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<p><sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a>.</p>	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Beverages containing 100 percent juice diluted with water, without added sweeteners, with or without carbonation</b>	<p>Beverages containing 100 percent juice diluted with water without added sweeteners comply with the Smart Snacks beverage standards. To comply with the state beverage statute, products must meet the requirements indicated in the CSDE's resource, <a href="#">Requirements for Beverages Containing Water and Juice</a>. Consult the CSDE's <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Beverages containing 100 percent juice diluted with water without added sweeteners, and that comply with the Smart Snacks beverage standards and the state beverage statute, may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to "<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>" in section 2.</p>
<b>Club soda</b>	Refer to " <b>Water, plain, without added sweeteners</b> (with or without carbonation), e.g., club soda, seltzer, sparkling water."
<b>Cocoa</b>	Refer to " <b>Hot chocolate (cocoa)</b> , regular, low-calorie and sugar-free."

## 5 | Summary of Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
Coffee, regular, decaffeinated, herbal, and iced	<p>The state beverage statute prohibits sales of coffee (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul style="list-style-type: none"> <li>Section 10-215b-1 prohibits selling and giving coffee to students on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving coffee to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<p><b>Hot chocolate (cocoa)</b>, regular, low-calorie, and sugar-free</p>	<p>The state beverage statute prohibits sales of hot chocolate to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Section 10-215b-23: Accrual of income</a>” in section 2.</p>
<p><b>Juice, 100 percent full-strength</b> (fruit juice, vegetable juice, or combination)</p>	<p>Juice (100 percent full-strength) complies with the state beverage statute and Smart Snacks beverage standards; it may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p>Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Juice, 100 percent full-strength, carbonated</b> (fruit juice, vegetable juice, or combination)	<p>Carbonated juice (100 percent full-strength) complies with the state beverage statute and Smart Snacks beverage standards; it may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2.</p> <p>Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Juice drinks (not 100 percent juice)</b> , regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars <sup>1</sup>	<p>Juice drinks are products resembling juice that contain full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.</p> <p>The state beverage statute prohibits sales of juice drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to <a href="#">“Beverage exemptions”</a> in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because juice drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>• Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>• Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to <a href="#">“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”</a> and <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2.</p>

<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the [Glossary](#).



## 5 | Summary of Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Lemonade</b> (not 100 percent juice) <sup>1</sup>	Refer to <b>“Juice drinks (not 100 percent juice),</b> regular or low-calorie, regular or low-calorie, e.g., lemonade, punch drinks, cranberry cocktail, nectars.”
<b>Milk, fat-free,</b> unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee	<p>Fat-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, fat-free milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2.</p>
<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a> .	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Milk, low-fat,</b> unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee	<p>Low-fat milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Low-fat milk that complies with the Smart Snacks beverage standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Milk, reduced fat (2%),</b> unflavored or flavored	<p>Smart Snacks prohibits sales of reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce, cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFS must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
Milk, whole, unflavored or flavored	<p>Smart Snacks prohibits sales of whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce, cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFS must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Milk, lactose-free, low-fat (1%),</b> unflavored or flavored	<p>Low-fat lactose-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Low-fat lactose-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Milk, lactose-free fat-free,</b> unflavored or flavored, e.g., chocolate, strawberry, vanilla, coffee	<p>Fat-free lactose-free milk (unflavored or flavored) complies with the Smart Snacks beverage standards. To comply with the state beverage statute, low-fat milk cannot exceed 4 grams of sugar per ounce and cannot contain artificial sweeteners. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Fat-free lactose-free milk that complies with the Smart Snacks beverage standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

**Table 4-1. Restrictions for beverages in Connecticut HFC public schools**

Beverage	Requirements
<b>Milk, lactose-free reduced-fat (2%), unflavored or flavored</b>	<p>Smart Snacks prohibits sales of lactose-free reduced-fat milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce, cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>



Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Milk, lactose-free whole</b> , flavored or unflavored	<p>Smart Snacks prohibits sales of lactose-free whole milk to students on school premises during the school day. Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, milk cannot exceed 4 grams of sugar per ounce, cannot contain artificial sweeteners. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA’s regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<p><b>Milk substitute products</b> that meet the USDA’s nutrition standards for fluid milk substitutes</p>	<p>Milk substitute products that meet the USDA’s nutrition standards for fluid milk substitutes comply with the Smart Snacks beverage standards. <b>Note:</b> Only certain brands of soy milk meet the USDA’s nutrition standards for fluid milk substitutes.</p> <p>To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot exceed 12 fluid ounces. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products that comply with the federal and state standards.</p> <p>Milk substitute products that comply with the Smart Snacks beverage standards and the state beverage statute may be available for sale to students on school premises at any time. Portion sizes cannot exceed 8 fluid ounces for elementary students and 12 fluid ounces for middle and high students.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p> <p>For information on the USDA’s requirements for milk substitutes, refer to the CSDE’s resource, <a href="#">Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</a>. For information on the USDA’s requirements for milk substitutes in school meals for children with disabilities, refer to the CSDE’s resource, <a href="#">Accommodating Special Diets in School Nutrition Programs</a>.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Milk substitute products</b> that do <b>not</b> meet the USDA's nutrition standards for fluid milk substitutes	<p>Smart Snacks prohibits sales of milk substitute products that do not meet the USDA's nutrition standards for fluid milk substitutes to students on school premises during the school day. <b>Note:</b> Only certain brands of soy milk meet the USDA's nutrition standards for fluid milk substitutes. Most milk substitute products (such as almond milk, cashew milk, rice milk, and many brands of soy milk) do not meet these standards.</p> <p>Sales can occur on school premises after the school day if the product complies with the state beverage statute. To comply with the state beverage statute, nondairy milk substitutes cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per fluid ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat. The portion size cannot exceed 12 fluid ounces.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to "<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>" in section 2.</p> <p>For consistency with the <i>Dietary Guidelines for Americans</i> and the USDA's regulations for the NSLP and SBP, the CSDE recommends that schools sell only low-fat (1%) and fat-free milk.</p> <p>For more information on milk substitutes, refer to the CSDE's resource, <a href="#">Allowable Milk Substitutions for Children without Disabilities in School Nutrition Programs</a>. For information on milk substitutes in school meals for children with disabilities, refer to the CSDE's resource, <a href="#">Accommodating Special Diets in School Nutrition Programs</a>.</p>

## 5 | Summary of Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Rice milk products</b> that do <b>not</b> meet the USDA’s nutrition standards for fluid milk substitutes	<p>Refer to “<b>Milk substitute products</b> that do <b>not</b> meet the USDA’s nutrition standards for fluid milk substitutes.”</p> <p><b>Note:</b> The commercial rice milk products that are currently available do not meet the USDA’s nutrition standards for fluid milk substitutes.</p>
<b>Seltzer, flavored</b>	Refer to “ <b>Water, flavored, without added sweeteners</b> (with or without carbonation), e.g., flavored seltzer and flavored sparkling water.”
<b>Seltzer, unflavored</b>	Refer to “ <b>Water, plain, without added sweeteners</b> (with or without carbonation), e.g., club soda, seltzer, sparkling water.”
<b>Soy milk substitute products</b> that meet the USDA’s nutrition standards for fluid milk substitutes	Refer to “ <b>Milk substitute products</b> that meet the USDA’s nutrition standards for fluid milk substitutes.”

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Soda, diet <sup>1</sup></b>	<p>The state beverage statute prohibits sales of diet soda to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 1.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<p><sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a>.</p>	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Soda, regular</b> <sup>1</sup>	<p>The state beverage statute prohibits sales of regular soda to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because soda meets the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<b>Sparkling water, plain, without added sweeteners</b>	Refer to “ <b>Water, plain, without added sweeteners</b> (with or without carbonation), e.g., club soda, seltzer, sparkling water.”
<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a> .	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
Sparkling water, plain, without added sweeteners	Refer to “ <b>Water, plain, without added sweeteners</b> (with or without carbonation), e.g., club soda, seltzer, sparkling water.”
Sports drinks, regular <sup>1</sup>	<p>The state beverage statute prohibits sales of regular sports drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving sports drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a> .	



**Table 4-1. Restrictions for beverages in Connecticut HFC public schools**

Beverage	Requirements
<p><b>Sports drinks,</b> low-calorie and zero calorie <sup>1</sup></p>	<p>The state beverage statute prohibits sales of low-calorie and zero calorie sports drinks to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because sports drinks meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>• Section 10-215b-1 prohibits selling and giving sports drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving sports drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>• Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<p><sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a>.</p>	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
Tea, regular, decaffeinated, herbal, and iced	<p>The state beverage statute prohibits sales of tea (regular, decaffeinated, herbal, and iced) to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">Beverage exemptions</a>” in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions.</p> <ul style="list-style-type: none"> <li>• Section 10-215b-1 prohibits selling and giving tea to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving tea to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>• Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks</a>” and “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Water with added sweeteners</b> (with or without carbonation) <sup>1</sup>	<p>The state beverage statute prohibits sales of water with added sweeteners to students on school premises at all times, except for sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to <a href="#">“Beverage exemptions”</a> in section 2.</p> <p>If the event occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the state competitive foods regulations require additional restrictions because waters with added sweeteners meet the state definition of soft drinks.</p> <ul style="list-style-type: none"> <li>Section 10-215b-1 prohibits selling and giving soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. These regulations also apply to selling and giving soft drinks to students at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> <li>Section 10-215b-23 requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises during this time. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute.</li> </ul> <p>For more information, refer to <a href="#">“State Competitive Foods Regulations Section 10-215b-1: Candy, Coffee, Tea, and Soft Drinks”</a> and <a href="#">“State Competitive Foods Regulations Section 10-215b-23: Income Accrual”</a> in section 2.</p>
<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a> .	

Table 4-1. Restrictions for beverages in Connecticut HFC public schools

Beverage	Requirements
<b>Water, flavored, without added sweeteners</b> (with or without carbonation), e.g., flavored seltzer and flavored sparkling water	<p>Flavored water without added sweeteners (with or without carbonation) complies with the state beverage statute and the Smart Snacks beverage standards for high schools. However, the Smart Snacks beverage standards are different for elementary and middle schools, and require additional restrictions.</p> <ul style="list-style-type: none"> <li>• <b>High schools:</b> Flavored water without added sweeteners complies with the Smart Snacks beverage standards for high schools; it may be available for sale to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products.</li> <li>• <b>Elementary and middle schools:</b> The Smart Snacks beverage standards prohibit flavored water without added sweeteners in elementary and middle schools; it cannot be sold until after the school day. Portion sizes are unlimited. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products.</li> </ul> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>

## 5 | Summary of Beverage Restrictions

Table 4-1. Restrictions for beverages in Connecticut HFC public schools	
Beverage	Requirements
<b>Water, plain, without added sweeteners</b> (with or without carbonation), e.g., club soda, seltzer, sparkling water	<p>Plain water without added sweeteners (with or without carbonation) complies with the state beverage statute and Smart Snacks beverage standards; it may be available for sale to students on school premises at any time. Portion sizes are unlimited. Consult the CSDE’s <a href="#">List of Acceptable Foods and Beverages</a> webpage for allowable products.</p> <p>If any CNPs are operating, Section 10-215b-23 of the state competitive foods regulations requires that the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This also includes the income from sales at events on school premises that meet the beverage exemption criteria of the state beverage statute. For more information, refer to “<a href="#">State Competitive Foods Regulations Section 10-215b-23: Income Accrual</a>” in section 2.</p>
<b>Water fortified with vitamins, with added sweeteners</b> (with or without carbonation) <sup>1</sup>	Refer to “ <b>Water with added sweeteners</b> (with or without carbonation)”
<b>Water, plain</b> (no added ingredients)	Refer to “Water without added sweeteners, (with or without carbonation), e.g., seltzer, sparkling water”
<sup>1</sup> These beverages are defined as soft drinks under Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies. For the definition of soft drinks, refer to the <a href="#">Glossary</a> .	

## 6 — Resources

This section includes resources that provide guidance on implementing the laws for competitive foods in HFC public schools. For a comprehensive list of resources, refer to the CSDE's *Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools*.

### Beverages

Allowable Beverages in Connecticut Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Allowable\\_Beverages\\_Public\\_Schools.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Allowable_Beverages_Public_Schools.pdf)

Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milk\\_Substitutes\\_SNP.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milk_Substitutes_SNP.pdf)

Beverage Requirements (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Beverage-Requirements>

Beverage Requirements for Connecticut Public Schools (CSDE Presentation):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Beverage\\_Requirements\\_Connecticut\\_Public\\_Schools\\_Presentation.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Beverage_Requirements_Connecticut_Public_Schools_Presentation.pdf)

Exemptions for Foods and Beverages in Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Food\\_Beverage\\_Exemptions\\_Public\\_Schools.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Food_Beverage_Exemptions_Public_Schools.pdf)

Requirements for Beverages Containing Water and Juice (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Water\\_Juice\\_Beverages\\_Requirements.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Water_Juice_Beverages_Requirements.pdf)

## Child Nutrition Programs

Afterschool Snack Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Afterschool-Snack-Program>

Connecticut Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Child-Nutrition-Programs>

Nutrition Standards for School Meals (USDA):

<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

Operational Memoranda for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Lists/Operational-Memoranda-for-School-Nutrition-Programs>

Program Guidance for School Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Program-Guidance-School-Nutrition-Programs>

Resources for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Resources-for-Child-Nutrition-Programs>

Seamless Summer Option (SSO) of the NSLP (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Seamless-Summer-Option-SSO-of-the-NSLP>

Special Milk Program (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Special-Milk-Program>

Summer Food Service Program (SFSP):

<https://portal.ct.gov/SDE/Nutrition/Summer-Food-Service-Program>



## Competitive Foods

Competitive Foods in Schools (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Competitive-Foods>

CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Guide to Competitive Foods in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Competitive\\_Foods\\_Guide\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Competitive_Foods_Guide_HFC.pdf)

Overview of Connecticut Competitive Foods Regulations (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview\\_CT\\_Competitive\\_Foods\\_Regulations.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview_CT_Competitive_Foods_Regulations.pdf)

Overview of Federal and State Laws for Competitive Foods in Connecticut Public Schools, Private Schools, and Residential Child Care Institutions (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview\\_Federal\\_State\\_Laws\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Overview_Federal_State_Laws_Competitive_Foods.pdf)

Questions and Answers on Connecticut Statutes for School Foods and Beverages:

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Questions\\_Answers\\_Connecticut\\_Statutes\\_School\\_Foods\\_Beverages.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Questions_Answers_Connecticut_Statutes_School_Foods_Beverages.pdf)

Regulations of Connecticut State Agencies (Sections 10-215b-1 and 10-215b-23):

[https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title\\_10Subtitle\\_10-215b/](https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/)

Requirements for Competitive Foods in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements\\_Competitive\\_Foods\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements_Competitive_Foods_HFC.pdf)

Resource List for Competitive Foods in Schools:

[https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf)

Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Resources\\_Federal\\_State\\_Requirements\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Resources_Federal_State_Requirements_Competitive_Foods.pdf)

Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary\\_Chart\\_Requirements\\_Competitive\\_Foods\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary_Chart_Requirements_Competitive_Foods_HFC.pdf)

## Connecticut Nutrition Standards

Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison\\_Chart\\_Connecticut\\_Nutrition\\_Standards\\_and\\_Smart\\_Snacks.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison_Chart_Connecticut_Nutrition_Standards_and_Smart_Snacks.pdf)

Connecticut Nutrition Standards (CSDE Presentation):

[https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/-/media/SDE/Nutrition/HFC/CNS/Connecticut\\_Nutrition\\_Standards\\_Presentation.pdf](https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/-/media/SDE/Nutrition/HFC/CNS/Connecticut_Nutrition_Standards_Presentation.pdf)

Connecticut Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards>

Connecticut Nutrition Standards for Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/Connecticut\\_Nutrition\\_Standards\\_full\\_document.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/Connecticut_Nutrition_Standards_full_document.pdf)

Connecticut Nutrition Standards Worksheets (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To#CNSWorksheets>

Summary of Connecticut Nutrition Standards (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/Connecticut\\_Nutrition\\_Standards\\_Summary.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/Connecticut_Nutrition_Standards_Summary.pdf)

## Culinary Programs

CSDE Operational Memorandum No. 31-14: Federal and State Requirements for Culinary Education Programs (Smart Snacks versus Connecticut Nutrition Standards):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM31-14.pdf>

Culinary Programs (Related Resources section of CSDE's HFC webpage):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#CulinaryPrograms>

Requirements for Foods and Beverages in Culinary Programs in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary\\_Programs\\_Requirements\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary_Programs_Requirements_HFC.pdf)

Requirements for Foods and Beverages in Culinary Programs in Non-HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary\\_Programs\\_Requirements\\_NonHFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary_Programs_Requirements_NonHFC.pdf)

Requirements for Foods and Beverages in Culinary Programs in Private Schools and Residential Child Care Institutions (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary\\_Programs\\_Requirements\\_Private\\_RCCI.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Culinary_Programs_Requirements_Private_RCCI.pdf)

“School Culinary Programs” section of the CSDE’s Resource List for Competitive Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf)

## Evaluating Foods

Connecticut Nutrition Standards Worksheet 1: Snacks (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet1\\_Snacks.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet1_Snacks.xlsx)

Connecticut Nutrition Standards Worksheet 2: Yogurt and Pudding (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet2\\_Yogurt\\_Pudding.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet2_Yogurt_Pudding.xlsx)

Connecticut Nutrition Standards Worksheet 3: Smoothies (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet3\\_Smoothies.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet3_Smoothies.xlsx)

Connecticut Nutrition Standards Worksheet 4: Fruits and Vegetables (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet4\\_Fruits\\_Vegetables.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet4_Fruits_Vegetables.xlsx)

Connecticut Nutrition Standards Worksheet 5: Soups (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet5\\_Soups.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet5_Soups.xlsx)

Connecticut Nutrition Standards Worksheet 6: Cooked Grains (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet6\\_Cooked\\_Grains.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet6_Cooked_Grains.xlsx)

Connecticut Nutrition Standards Worksheet 7: Entrees (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet7\\_Entrees.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet7_Entrees.xlsx)

Connecticut Nutrition Standards Worksheet 8: Non-entree Combination Foods (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet8\\_Nonentree\\_Combination\\_Food.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet8_Nonentree_Combination_Food.xlsx)

Connecticut Nutrition Standards Worksheet 9: Nutrient Analysis of Recipes (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet9\\_Nutrient\\_Analysis\\_Recipes.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet9_Nutrient_Analysis_Recipes.xlsx)

Connecticut Nutrition Standards Worksheet 10: Evaluating Recipes for Sugars (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS\\_worksheet10\\_Evaluate\\_Recipes\\_Sugars.xlsx](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/CNS/CNS_worksheet10_Evaluate_Recipes_Sugars.xlsx)

Connecticut Nutrition Standards Worksheets (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To-#CNSWorksheets>

Evaluating Foods for Compliance with the Connecticut Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Connecticut-Nutrition-Standards/How-To>

Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluating\\_Recipes\\_CNS\\_Compliance.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluating_Recipes_CNS_Compliance.pdf)

How to Evaluate Foods Made from Scratch for Compliance with the CNS (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate\\_Scratch\\_Foods\\_CNS\\_Compliance.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate_Scratch_Foods_CNS_Compliance.pdf)

How to Evaluate Purchased Foods for Compliance with the CNS (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate\\_Purchased\\_Foods\\_CNS.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Evaluate_Purchased_Foods_CNS.pdf)

Meeting the Whole Grain-rich Requirement for the NSLP and SBP Meal Patterns for Grades K-12 (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Crediting/WGRRequirementSNPgradesK-12.pdf>

Submitting Food and Beverage Products for Approval (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Submitting\\_Food\\_Beverage\\_Products.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Submitting_Food_Beverage_Products.pdf)

## Fundraisers

Fundraisers (Related Resources section of CSDE's HFC webpage):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#Fundraisers>

Healthy Food Certification Fundraiser Requirements (CSDE Presentation):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser\\_Requirements\\_HFC\\_Presentation.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_HFC_Presentation.pdf)

Healthy Fundraising (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/Resources/HealthyFundraising.pdf>

Requirements for Food and Beverage Fundraisers in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser\\_Requirements\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_HFC.pdf)

Sample Fundraiser Form for HFC (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample\\_Fundraiser\\_Form\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample_Fundraiser_Form_HFC.pdf)

“School Fundraisers” section of the CSDE’s Resource List for Competitive Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf)

## Healthy Food Certification Requirements

Complying with Healthy Food Certification (CSDE Presentation):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Complying\\_Healthy\\_Food\\_Certification\\_Presentation.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Complying_Healthy_Food_Certification_Presentation.pdf)

Ensuring District Compliance with Healthy Food Certification (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Ensuring\\_District\\_Compliance\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Ensuring_District_Compliance_HFC.pdf)

Exemptions for Foods and Beverages in Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Food\\_Beverage\\_Exemptions\\_Public\\_Schools.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Food_Beverage_Exemptions_Public_Schools.pdf)

Healthy Food Certification (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification>

Requirements for Competitive Foods in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements\\_Competitive\\_Foods\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements_Competitive_Foods_HFC.pdf)

Responsibilities of District Contact Person for Healthy Food Certification (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/HFC\\_District\\_Contact\\_Responsibilities.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/HFC_District_Contact_Responsibilities.pdf)

## List of Acceptable Foods and Beverages

Contact Information for Vendors Selling Foods and Beverages Listed on the Connecticut State Department of Education's List of Acceptable Foods and Beverages (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Contact\\_Information\\_Vendors\\_Acceptable\\_Foods\\_Beverages.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Contact_Information_Vendors_Acceptable_Foods_Beverages.pdf)

List of Acceptable Foods and Beverages (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

Submitting Food and Beverage Products for Approval (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Submitting\\_Food\\_Beverage\\_Products.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Submitting_Food_Beverage_Products.pdf)

Summary of Updates to the Connecticut State Department of Education's List of Acceptable Foods and Beverages (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Summary\\_Updates\\_CSDE\\_List\\_Acceptable\\_Foods\\_Beverages.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/FBlist/Summary_Updates_CSDE_List_Acceptable_Foods_Beverages.pdf)

## Regulations and Policy

C.G.S. Section 10-215. Lunches, breakfasts and other feeding programs for public school children and employees:

[https://www.cga.ct.gov/current/pub/chap\\_169.htm#sec\\_10-215](https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215)

C.G.S. Section 10-215a. Nonpublic school and nonprofit agency participation in feeding programs:

[https://www.cga.ct.gov/current/pub/chap\\_169.htm#sec\\_10-215a](https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215a)

C.G.S. Section 10-215e. Nutrition standards for food that is not part of lunch or breakfast program:

<https://www.cga.ct.gov/2011/pub/chap169.htm#Sec10-215e.htm>

C.G.S. Section 10-215f. Certification that food meets nutrition standards:

[https://www.cga.ct.gov/current/pub/chap\\_169.htm#sec\\_10-215f](https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215f)

C.G.S. Section 10-221o. Lunch Periods and Recess:

[https://www.cga.ct.gov/current/pub/chap\\_170.htm#sec\\_10-221o](https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221o)

C.G.S. Section 10-221p. Boards to make available for purchase nutritious and low-fat foods:

[https://www.cga.ct.gov/current/pub/chap\\_170.htm#sec\\_10-221p](https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221p)

C.G.S. Section 10-221q. Sale of beverages:

[https://www.cga.ct.gov/current/pub/chap\\_170.htm#sec\\_10-221q](https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221q)

Code of Federal Regulations (CFR) for the School Breakfast Program (7 CFR 220) (USDA):

<https://www.fns.usda.gov/part-220—school-breakfast-program>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215) (USDA):

<https://www.fns.usda.gov/part-215—special-milk-program-children>

Code of Federal Regulations (CFR) for the Special Milk Program (7 CFR 215):

<https://www.fns.usda.gov/part-215%E2%80%94special-milk-program-children>

CSDE Operational Memorandum No. 11-14: Overview of Federal versus State Nutrition Standards for Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2014/OM11-14.pdf>

Final Rule: Nutrition Standards for the National School Lunch and Breakfast Programs (77 FR 4088):

<https://www.fns.usda.gov/school-meals/fr-012612>

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHFKA of 2010 (81 FR 50131):

<https://www.fns.usda.gov/school-meals/fr-072916d>

Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296):

<https://www.fns.usda.gov/school-meals/healthy-hunger-free-kids-act>

Laws and Regulations for Child Nutrition Programs (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Laws-and-Regulations-for-Child-Nutrition-Programs>

USDA Food and Nutrition Service (FNS) Policy Memos and Documents for Child Nutrition Programs (USDA):

<https://www.fns.usda.gov/resources>

## School Stores

CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Requirements for Foods and Beverages in School Stores in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/School\\_Store\\_Requirements\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/School_Store_Requirements_HFC.pdf)

School Stores (Related Resources section of CSDE's HFC webpage):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#SchoolStores>

“School Stores” section of the CSDE's Resource List for Competitive Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf)



## Smart Snacks

Comparison of the Connecticut Nutrition Standards and the USDA’s Smart Snacks Nutrition Standards (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison\\_Chart\\_Connecticut\\_Nutrition\\_Standards\\_and\\_Smart\\_Snacks.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison_Chart_Connecticut_Nutrition_Standards_and_Smart_Snacks.pdf)

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHFKA of 2010 (Federal Register, Vol. 81, No. 146, July 29, 2016):

<https://www.fns.usda.gov/school-meals/fr-072916d>

Questions and Answers on Smart Snacks (USDA):

<https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/SmartSnacksQA.pdf>

Smart Snacks Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Smart-Snacks-Nutrition-Standards>

Summary of Smart Snacks Nutrition Standards (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary\\_Smart\\_Snacks\\_Nutrition\\_Standards.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary_Smart_Snacks_Nutrition_Standards.pdf)

## Vending Machines

CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2018/OM01-18.pdf>

Requirements for Foods and Beverages in Vending Machines in HFC Public Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Vending\\_Machine\\_Requirements\\_HFC.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Vending_Machine_Requirements_HFC.pdf)

“School Vending Machines” section of the CSDE’s Resource List for Competitive Foods in Schools (CSDE):

[https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources\\_Competitive\\_Foods.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/Resources/Resources_Competitive_Foods.pdf)

Vending Machines (Related Resources section of CSDE’s HFC webpage):

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#VendingMachines>

## Glossary

This section includes definitions for terms that apply to the laws for competitive foods in HFC public schools. Some terms apply only to Connecticut’s statutes and regulations or have a different definition from the USDA’s Smart Snacks. These terms are identified by “*applies to state statutes and competitive foods regulations*” or “*applies to Smart Snacks*” in parentheses after the term. All other definitions apply to the federal and state laws.



**a la carte sales:** Foods and beverages that are sold separately from reimbursable meals served through the CNPs. A la carte items include, but are not limited to, foods and beverages sold in the cafeteria serving lines, a la carte lines, kiosks, vending machines, school stores, and snack bars located anywhere on school grounds. For more information, refer to “competitive foods” in this section.

**accompaniments:** Foods that accompany another food or beverage item, such as butter, cream cheese, syrup, ketchup, mustard, mayonnaise, and salad dressing. Foods must be evaluated for compliance with the CNS based on the amount of the food item as served including any added accompaniments. Examples include hamburger with ketchup and mustard, bagel with cream cheese, waffles with syrup, whole grain-rich pasta with butter, salad with dressing, and fruit crisp with whipped cream.

**Afterschool Snack Program (ASP):** The USDA’s federally assisted snack program implemented through the National School Lunch Program (NSLP). The ASP provides cash reimbursement to help schools serve snacks to children in afterschool activities aimed at promoting the health and well-being of children and youth. Schools must provide children with regularly scheduled activities in an organized, structured, and supervised environment that includes educational or enrichment activities, e.g., mentoring/tutoring programs. Programs must meet state or local licensing requirements and health and safety standards. For more information, visit the CSDE’s [Afterschool Snack Program](#) webpage.

**At-risk Afterschool Meals:** The USDA’s federally assisted meal program implemented through the Child and Adult Care Food Program (CACFP) that provides snacks and meals at no charge for students ages 18 and younger in at-risk afterschool programs. Eligible facilities include public and private schools, nonresidential child care centers, and outside school-hours care centers. To participate, sponsors must have a structured, supervised afterschool enrichment program. Cash assistance is available for up to one snack and one meal per day for each student. All snacks and meals must meet the requirements of the CACFP meal patterns for children. For more information, visit the CSDE’s [CACFP At-risk Afterschool Care Centers](#) webpage.

**artificial sweeteners:** A category of nonnutritive sweeteners used as sugar substitutes to sweeten foods and beverages. The six artificial sweeteners approved by the Food and Drug Administration (FDA) include 1) acesulfame potassium (Ace-K) (e.g., Sweet One®, Sunett®, and Sweet & Safe®); 2) advantame; 3) aspartame (e.g., Nutrasweet®, Equal®, and Sugar Twin®); 4) neotame (e.g., Newtame®); 5) saccharin (e.g., Sweet and Low®, Sweet Twin®, and Necta Sweet); and 6) sucralose (Splenda®). These nonnutritive sweeteners are calorie-free except for aspartame, which is very low in calories. For more information, refer to “nonnutritive sweeteners” in this section.

**candy:** All types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints.

**Child Nutrition Programs (CNPs):** The USDA’s federally funded programs that provide nutritious meals and snacks to children, including the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), Summer Food Service Program (SFSP), Fresh Fruit and Vegetable Program (FFVP), Child and Adult Care Food Program (CACFP), and CACFP At-risk Afterschool Meals operated in schools. The CACFP also provides nutritious meals and snacks to the frail elderly in adult day care centers. For more information, visit the CSDE’s [Child Nutrition Programs](#) webpage.

**competitive foods** (*applies to Smart Snacks*): All foods and beverages available for sale to students on school premises during the school day, other than reimbursable meals and ASP snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, refer to “a la carte sales” in this section.

**competitive foods** (*applies to state statutes and competitive foods regulations*): All foods and beverages available for sale to students on school premises at all times, other than reimbursable meals and ASP snacks served through the USDA’s Child Nutrition Programs. Potential sources of competitive foods include, but are not limited to, cafeteria a la carte sales, vending machines, school stores, and fundraisers. For more information, refer to “a la carte sales” in this section.

**Note:** Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include certain foods and beverages that are given to students while CNPs are operating. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 3.

**compliant foods and beverages:** Foods that comply with the CNS and beverages that comply with the Smart Snacks beverage standards and the state beverage statute.

**Connecticut Nutrition Standards (CNS):** State nutrition standards developed by the Connecticut State Department of Education, as required by [Section 10-215e](#) of the Connecticut General Statutes. These standards apply to all foods sold to students separately from reimbursable meals, and to snacks served in the Afterschool Snack Program. The CNS focuses on limiting fat, saturated fats, trans fats, sodium, and added sugars, moderating portion sizes, and increasing consumption of nutrient-rich foods such as fruits, vegetables, whole grains, low-fat dairy, lean meats, and legumes. All schools in any district that chooses to comply with the healthy food option of Healthy Food Certification under Section 10-215f of the Connecticut General Statutes must follow the Connecticut Nutrition Standards for all sources of foods available for sale students, such as school cafeterias, vending machines, school stores, and fundraisers. For more information, visit the CSDE’s [Connecticut Nutrition Standards](#) webpage.

**creditable foods:** Foods and beverages that credit toward the USDA’s meal patterns for reimbursable meals and ASP snacks in the Child Nutrition Programs. Examples include 100 percent juice, low-fat and fat-free milk, entrees (such as pizza, chicken nuggets, and turkey sandwich), soup, low-fat yogurt, fruits, vegetables, french fries, salad, brown rice, and whole grain-rich crackers, cookies, muffins, and pasta. For information on crediting foods for grades K-12 in the NSLP and SBP, refer to the CSDE’s resource, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE’s [Crediting Foods for Grades K-12 in School Nutrition Programs](#) webpage. For information on crediting foods for grades K-12 in the ASP, refer to the CSDE’s resource, [Afterschool Snack Program Handbook](#), and visit the CSDE’s [ASP](#) webpage. For information on crediting foods for preschoolers, refer to the CSDE’s resource, [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and visit the CSDE’s [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage.

**Dietary Guidelines for Americans:** A federal document that provides science-based advice for Americans ages 2 and older to promote health and to reduce risk for chronic diseases through diet and physical activity. The *Dietary Guidelines for Americans* is published jointly every five years by the U.S. Department of Health and Human Services and the USDA, and forms the basis of federal food, nutrition education and information programs. For more information, visit the [Dietary Guidelines](#) webpage.

**entrees** (*applies to state statutes and competitive foods regulations*): The entrees category of the Connecticut Nutrition Standards includes three types of main dish food items: 1) a combination food of meat/meat alternate and whole grain-rich (WGR) food, e.g., breakfast egg sandwich on a whole-wheat English muffin, turkey wrap on whole-wheat tortilla, pizza with WGR crust, hamburger on a whole-grain bun, and bean burrito with whole-corn tortilla; 2) a combination food of vegetable/fruit and meat/meat alternate, e.g., chef's salad with turkey, cheese and hard-boiled egg; cheese and egg; fruit and cheese platter; yogurt and fruit parfaits; school-made yogurt and fruit smoothies; baked potato with chili; and chicken vegetable stir-fry; and 3) a meat/meat alternate alone (e.g., sausage patty, hard-boiled egg, grilled chicken), excluding yogurt, low-fat or reduced fat cheese, nuts, seeds, nut/seed butters, and meat snacks, e.g., jerky and meat sticks. Yogurt, low-fat or reduced fat cheese, nuts, seeds, nut/seed butters, and meat snacks must meet the nutrition standards for the snacks category.

**event** (*applies to state statutes and competitive foods regulations*): An occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, school concerts, and theatrical productions. For example, soccer games, school plays, and interscholastic debates are events, but soccer practices, play rehearsals, and debate team meetings are not. For more information, refer to [table 1-3](#) in section 1.

**fundraisers:** Any activities conducted by any school-related or outside organization or group on school premises, during which money or its equivalent (e.g., tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities. Fundraisers also include any activities that suggest a student donation in exchange for foods and beverages, since funds may be raised as a result. **Note:** Smart Snacks applies to purchased tickets and similar items that can be exchanged for foods and beverages. The state statutes and competitive foods regulations apply to all tickets and similar items that can be exchanged for foods and beverages, including tickets that students purchase and tickets given to students free of any charge. For more information, refer to “[Sales to Students](#)” and “[Giving Foods and Beverages to Students](#)” in section 1.

**full-strength fruit or vegetable juice:** An undiluted product obtained by extraction from sound fruits and vegetables. Full-strength juice may be fresh, canned, frozen, or reconstituted from concentrate and may be served in either liquid or frozen state. The name of the full-strength fruit or vegetable juice as it appears on the label must include the words “juice” or “full-strength juice” or “100 percent juice” or “reconstituted juice” or “juice from concentrate.” For more information, refer to the CSDE’s resources, [Crediting Juice for Grades K-12 in the NSLP and SBP](#) and [Crediting Juice for Preschoolers in the NSLP and SBP](#).

**giving** (*applies to Smart Snacks*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following four conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased tickets, coupons, tokens, and similar items for foods and beverages; 3) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 4) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, refer to “[Giving Foods and Beverages to Students](#)” in section 3.

**giving** (*applies to state statutes and competitive foods regulations*): Providing foods and beverages to students free of any charge, contribution, or suggested donations. Foods and beverages are being given to students when all of the following five conditions apply: 1) students do not purchase foods and beverages; 2) students do not exchange purchased tickets, coupons, tokens, and similar items for foods and beverages; 3) students are not given tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages; 4) programs and activities that charge a fee do not include the cost of foods and beverages provided to students; and 5) fundraisers do not give foods and beverages to students in exchange for a suggested donation. For more information, refer to “[Giving Foods and Beverages to Students](#)” in section 3.

**Healthy Food Certification:** A state statute (Section 10-215f of the Connecticut General Statutes) that requires each board of education or governing authority for all public schools participating in the NSLP to certify annually to the CSDE whether they will follow the Connecticut Nutrition Standards (CNS) for all foods sold to students separately from reimbursable meals. Districts that choose to implement the CNS receive additional funding per lunch, based on the total number of reimbursable lunches (paid, free, and reduced) served in the district in the prior school year. For more information, refer to “Connecticut Nutrition Standards” in this section and visit the CSDE’s [Healthy Food Certification](#) webpage.

**juice drink:** A product resembling juice that contains full-strength juice with added water and possibly other ingredients, such as sweeteners, spices or flavorings. Juice drinks are not 100 percent juice.

**meals:** Refer to “reimbursable meals” in this section.

**meal pattern:** The required food components and minimum serving sizes that schools and institutions participating in the USDA Child Nutrition Programs must provide to receive federal reimbursement for meals and snacks served to children. For information on the meal patterns for grades K-12 in the NSLP and SBP, refer to the CSDE's resource, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE's [Meal Patterns for Grades K-12 in School Nutrition Programs](#) webpage. For information on the meal patterns for preschoolers in the NSLP and SBP, refer to the CSDE's resource, [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and visit the CSDE's [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage. For information on the ASP meal patterns, refer to the CSDE's resources, [ASP Meal Pattern for Grades K-12](#) and [ASP Meal Pattern for Preschoolers](#).

**National School Lunch Program (NSLP):** The USDA's federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The NSLP provides nutritionally balanced, low-cost or free lunches to children each school day. It was established under the National School Lunch Act, signed by President Harry Truman in 1946. For more information, visit the CSDE's [National School Lunch Program](#) webpage.

**noncompliant foods and beverages:** Foods that do not comply with the CNS and beverages that do not comply with the Smart Snacks beverage standards and the state beverage statute. For more information, refer to “[Noncompliant Foods and Beverages](#)” in section 3.

**noncreditable foods:** Foods and beverages that do not credit toward the USDA's meal patterns for reimbursable meals and ASP snacks in the Child Nutrition Programs. Examples include bottled water, reduced fat (2%) milk, bacon, condiments (such as ketchup, mustard, and salad dressing), cream cheese, potato chips, ice cream, pudding, and candy. For more information, refer to the CSDE's resources, [Noncreditable Foods for Grades K-12 in the NSLP and SBP](#), [Noncreditable Foods for Grades K-12 in the ASP](#), and [Noncreditable Foods for Preschoolers in the NSLP and SBP](#).

**nonnutritive sweeteners:** Ingredients without calories that are hundreds of times sweeter than sugars and that are used as sugar substitutes to sweeten foods and beverages. Nonnutritive sweeteners include the six FDA-approved artificial sweeteners (acesulfame potassium (Ace-K), advantame, aspartame, neotame, saccharin, and sucralose) and three plant-based sweeteners (stevia, monk fruit, and thaumatin) that are [Generally Recognized as Safe \(GRAS\)](#) by the FDA. For more information on nonnutritive sweeteners, refer to “[Additional Information about High-Intensity Sweeteners Permitted for Use in Food in the United States](#)” on the FDA's webpage.



**nonprofit school food service account (NSFSA):** The restricted account in which all of the revenue from all food service operations conducted by the school food authority (SFA) principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-federal funds used to support paid lunches as provided in [7 CFR 210.14\(e\)](#), and proceeds from nonprogram foods as provided in [7 CFR 210.14\(f\)](#).

**nonprogram foods:** Foods sold in a school at any time or location on the school premises (other than reimbursable meals), purchased using funds from the nonprofit school food service account. Section [7 CFR 210.14 \(f\)](#) of the NSLP regulations requires that all revenue from the sale of nonprogram foods must accrue to the nonprofit school food service account.

**nutrition standards for fluid milk substitutes:** The nutrition requirements for nondairy beverages (such as soy milk) used as fluid milk substitutes in the USDA’s Child Nutrition Programs. The USDA requires that any fluid milk substitutes are nutritionally equivalent to cow’s milk and meet the following nutrients based on a serving of 1 cup (8 fluid ounces): 276 milligrams (mg) of calcium; 8 grams (g) of protein; 500 international units (IU) of vitamin A; 100 IU of vitamin D; 24 mg of magnesium; 222 mg of phosphorus; 349 mg of potassium; 0.44 mg of riboflavin; and 1.1 micrograms (mcg) of vitamin B-12. For more information, refer to the CSDE’s resource, [\*Milk Substitutes for Children without Disabilities in School Nutrition Programs\*](#).

**nutritive sweeteners:** Sugars and sweeteners that contain calories and are used to sweeten foods and beverages. Examples include brown rice syrup, brown sugar, corn sweetener, corn syrup, corn syrup solids, dextrin, dextrose, fructose, fruit juice concentrate, glucose, high-fructose corn syrup, honey, invert sugar, lactose, malt syrup, maltose, molasses, maple syrup, nectars (e.g., peach nectar, pear nectar), raw sugar, sorghum syrup, sucrose, and syrup. For more information, refer to “added sugars” in this section.

**portion:** Refer to “serving size” in this section.

**public schools:** Connecticut public schools include all local and regional school districts, the regional educational service centers, the Connecticut Technical Education and Career System (CTECS), charter schools, interdistrict magnet schools, and endowed academies.

**reimbursable meals:** Meals that comply with the requirements of the USDA regulations for Child Nutrition Programs.

**reimbursable snacks:** Snacks that comply with the requirements of the USDA regulations for the Afterschool Snack Program (ASP).

**sales** (*applies to state statutes and regulations*): The exchange of a determined amount of money or its equivalent (such as tickets, coupons, tokens, and similar items) for foods and beverages on school premises at any time. Sales also include fee-based programs and activities that include the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, refer to “[Sales to Students](#)” in section 3.

**sales (applies to Smart Snacks)**: The exchange of a determined amount of money for foods and beverages on school premises during the school day. Sales also include the purchase of tickets, coupons, tokens, and similar items that can be exchanged for foods and beverages; fee-based programs and activities that include the cost of foods and beverages provided to students; and activities that suggest a student donation in exchange for foods and beverages. Potential sources of food and beverage sales in schools include cafeteria a la carte sales, vending machines, school stores, fundraisers, and any other sources selling foods and beverages to students on school premises. For more information, refer to “[Sales to Students](#)” in section 3.

**School Breakfast Program (SBP)**: The USDA’s federally assisted meal program operating in public and nonprofit private schools and residential child care institutions. The SBP provides nutritionally balanced, low-cost or free breakfasts to children each school day. The program was established under the Child Nutrition Act of 1966 to ensure that all children have access to a healthy breakfast at school to promote learning readiness and healthy eating behaviors. For more information, visit the CSDE’s [School Breakfast Program](#) webpage.

**school campus** (*applies to Smart Snacks*): All areas of the property under the jurisdiction of the school that are accessible to students during the school day.

**school day**: The period from the midnight before to 30 minutes after the end of the official school day. For example, If the school day ends at 3:00 p.m., the school day is from midnight to 3:30 p.m. Summer school programs operated by the school governing authority are part of the regular school day.

**school food authority (SFA)**: The governing body that is responsible for the administration of one or more schools and has the legal authority to operate the USDA’s school nutrition programs, e.g., National School Lunch Program, School Breakfast Program, Afterschool Snack Program of the NSLP, Seamless Summer Option of the NSLP, Special Milk Program, and Fresh Fruit and Vegetable Program.

**school premises** (*applies to state statutes and competitive foods regulations*): All areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (Connecticut Technical Education and Career System (CTECS)), or the governing authority district or school.

**Seamless Summer Option (SSO) of the NSLP:** The USDA’s federally assisted summer feeding program that combines features of the NSLP, SBP, and SFSP, and serves meals free of charge to children ages 18 and younger from low-income areas. School districts participating in the NSLP or SBP are eligible to apply to the CSDE to participate in the SSO. SSO meals follow the meal patterns of the NSLP and SBP. For more information, visit the CSDE’s [Seamless Summer Option \(SSO\) of the NSLP](#) webpage.

**serving size:** The weight, measure or number of pieces or slices of a food, or volume of a beverage, provided to students. All foods and beverages are evaluated for compliance with the CNS and Smart Snacks based on the amount served, including any added accompaniments. For more information, refer to “accompaniments” in this section.

**Smart Snacks:** The USDA’s federal nutrition standards for foods and beverages available for sale to students on school campus during the school day, separately from reimbursable meals and ASP snacks in the USDA Child Nutrition Programs. Smart Snacks includes nutrition standards for entrees sold only a la carte, side dishes, and beverages. The USDA requires the Smart Snacks nutrition standards for all schools and institutions that participate in the NSLP and SBP. These standards were legislated by the final rule, [National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HRFKA of 2010](#) (81 FR 50131), effective July 1, 2014. For information on the general standards and nutrient standards for each Smart Snacks category, refer to the CSDE’s resources, [Summary of Smart Snacks Nutrition Standards](#) and [Questions and Answers on Smart Snacks](#), and visit the CSDE’s [Smart Snacks Nutrition Standards](#) webpage. **Note:** For HFC public schools, Smart Snacks applies only to beverages. HFC public schools must disregard the Smart Snacks food standards because the stricter CNS requirements of the state HFC statute (C.G.S. Section 10-215f) supersede Smart Snacks.

**soft drinks** (*applies to state statutes and competitive foods regulations*): Beverages (with or without carbonation) that contain water and/or juice and added sweeteners and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie, and zero calorie), sweetened beverages (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks), and flavored water with added sweeteners. For more information, refer to “sweeteners” in this section and “[State Competitive Foods Regulations](#)” in section 1.

**Special Milk Program (SMP):** The USDA’s federally assisted program that provides milk to children in schools and child care institutions that do not participate in other federal meal service programs. The SMP reimburses schools for the milk they serve. Schools that participate in the NSLP or SBP may also participate in the SMP to provide milk to children in half-day pre-kindergarten and kindergarten programs where children do not have access to the school meal programs. For more information, visit the CSDE’s [Special Milk Program](#) webpage.

**sugar alcohols (polyols):** A type of carbohydrate used as sugar substitutes to sweeten foods and beverages. Sugar alcohols are incompletely absorbed and metabolized by the body and contribute fewer calories than most sugars. They also perform other functions such as adding bulk and texture to foods. Common sugar alcohols include sorbitol, mannitol, xylitol, maltitol, maltitol syrup, lactitol, erythritol, isomalt, and hydrogenated starch hydrolysates (HSH). Products with sugar alcohols are often labeled “sugar free.” Consuming large amounts of sugar alcohols may cause bloating, gas, or diarrhea. For more information, refer to “nonnutritive sweeteners” in this section.

**Summer Food Service Program (SFSP):** The USDA’s federally assisted summer feeding program for children ages 18 and younger that provides nutritious meals when schools end for the summer. For more information, visit the CSDE’s [Summer Food Service Program](#) webpage.

**sweeteners:** Ingredients used to sweeten foods and beverages. Sweeteners include nutritive sweeteners that contain calories (such as sugars, syrups, and fruit juice concentrate); nonnutritive sweeteners that do not contain calories, including artificial nonnutritive sweeteners (such as aspartame, acesulfame potassium, and sucralose) and plant-based nonnutritive sweeteners (such as stevia, monk fruit, and thaumatin); and sugar alcohols that are low in calories (such as sorbitol, mannitol, maltitol, and erythritol). For more information, refer to “added sugars,” “artificial sweeteners,” and “nonnutritive sweeteners” in this section.

**whole foods:** Foods that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.

**whole fruits and vegetables:** Fresh, frozen, canned, and dried fruits and vegetables that are unprocessed or minimally processed and do not contain added ingredients such as fat, sugars, or sodium.





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DEPARTMENT OF EDUCATION