Allowable Fluid Milk Substitutes for Non-disability Reasons for Children in the Child and Adult Care Food Program

This document summarizes the requirements for fluid milk substitutes (nondairy beverages) for children who do not consume regular cow's milk due to non-disability reasons. These requirements apply to all child care facilities that participate in the U.S. Department of Agriculture's (USDA) Child and Adult Care Food Program (CACFP), including child care centers, family day care homes, emergency shelters, and at-risk afterschool care centers.

> This document does not apply to fluid milk substitutes for children whose disability restricts their diet. For detailed guidance on the meal modification requirements for disability reasons, refer to the Connecticut State Department of Education's (CSDE) *Guide to Meal Modifications for Child Care Programs in the Child and Adult Care Food Program*.

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Allowable Fluid Milk Substitutes for Non-disability Reasons for Children in the Child and Adult Care Food Program

The USDA allows optional fluid milk substitutes (nondairy beverages) for children who do not consume regular cow's milk due to non-disability reasons. CACFP facilities may choose, but are not required, to offer one or more nondairy beverages to all students.

Allowable Fluid Milk Substitutes (Nondairy Beverages)

Section 7 CFR 226.20(g)(3) of the CACFP regulations allows CACFP facilities to choose to offer one or more fluid milk substitutes (nondairy beverages) for non-disability reasons. Fluid milk substitutes are plant-based beverages like fortified soy milk that are intended to replace cow's milk.

Nondairy milk substitutes for non-disability reasons must meet the USDA's nutrition standards for fluid milk substitutes defined in 7 CFR 226.20(g)(3)(ii) of the CACFP regulations (refer to table 2) and must be fortified in accordance with the Food and Drug Administration's (FDA) fortification guidelines. Only certain brands of fluid milk substitutes meet these standards.

Nondairy milk substitutes in child care centers operating in public schools must also meet the additional state beverage requirements for nondairy milk substitutes under C.G.S. Section 10-221q (refer to "Additional State Requirements for Nondairy Beverages in Child Care Programs Operating in Public Schools" in this document).

Required Documentation for Nondairy Beverages

Nondairy milk substitutes for non-disability reasons require a written statement that identifies the need for the milk substitute. This statement may be submitted by the parent/guardian, a state licensed healthcare professional, or a registered dietitian.

CACFP facilities must maintain all requests for fluid milk substitutes on file with children's other medical records.

> The provision allowing parents or guardians to submit a written request applies only to fluid milk substitutes for non-disability reasons. The USDA does not allow written parent/guardian requests for any other substitutions of foods or beverages in reimbursable meals and snacks for children with or without a disability.

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Additional State Requirements for Nondairy Beverages in Child Care Programs Operating in Public Schools

In addition to meeting the USDA's requirements for fluid milk substitutes, nondairy beverages in child care centers operating in public schools must comply with the state beverage requirements of C.G.S. Section 10-221q. Nondairy beverages cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per ounce, 35 percent of calories from fat, or 10 percent of calories from saturated fat. These requirements apply to all fluid milk substitutes available for sale to students in public schools, including reimbursable meals and snacks and a la carte sales.

Commercial products that meet the federal and state requirements for nondairy beverages are included in List 17: Dairy Alternative Beverages on the CSDE's List of Acceptable Foods and Beverages webpage. This webpage includes brand-specific lists of foods that meet the Connecticut Nutrition Standards and beverages that meet the requirements of the state beverage statute.

For more information on the state beverage statute, refer to the CSDE's resource, *Allowable Beverages for Connecticut Public Schools*, and visit the CSDE's Beverage Requirements webpage.

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USDA's Nutrition Standards for Fluid Milk Substitutes

CACFP facilities that choose to offer one or more nondairy milk substitutes for non-disability reasons must use commercial products that meet the USDA's nutrition standards for fluid milk substitutes. These nutrition standards ensure that children who require a nondairy milk substitutes receive the important nutrients found in milk.

Nondairy milk substitutes must meet each nutrient standard (nutrients per cup) or the percent daily value (% DV). The manufacturer's nutrition information might list the nutrient values, the unrounded or rounded percent Daily Value (% DV), or both. If any nutrient values are missing, CACFP facilities must obtain this information from the manufacturer.

Table 1. USDA's Nutrition Standards for Fluid Milk Substitutes

Nutrients per cup (8 fluid ounces)	Unrounded % DV [1]	Rounded % DV [2]
Calcium: 276 milligrams (mg)	21.23%	20%
Protein: 8 grams (g)	16%	16%
Vitamin A: 150 micrograms (mcg) retinol activity equivalent (RAE) [3]	16.67%	20%
Vitamin D: 2.5 micrograms (mcg) [3]	12.5%	15%
Magnesium: 24 mg	5.71%	6%
Phosphorus: 222 mg	17.76%	20%
Potassium: 349 mg	7.43%	10%
Riboflavin: 0.44 mg	33.85%	35%
Vitamin B12: 1.1 mcg	45.83%	45%

[1] The unrounded % DV is the minimum nutrients per cup divided by the current daily value for each nutrient (refer to the FDA's *Reference Guide: Daily Values for Nutrients*).

[2] The rounded % DV is based on the FDA labeling laws and is listed on the Nutrition Facts label (refer to Appendix H of the FDA's *A Food Labeling Guide: Guidance for Industry*).

[3] Effective July 1, 2024, the USDA final rule, *Child Nutrition Programs: Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans,* updated the units for the vitamin A and vitamin D requirements for fluid milk substitutes to align with the FDA labeling requirements (FDA final rule 81 FR 33742, *Food Labeling: Revision of the Nutrition and Supplement Facts Labels*).

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Identifying Acceptable Nondairy Beverage Products

Commercial products that meet the USDA's nutrition standards for fluid milk substitutes are identified in tables 2 and 3. These lists are for informational purposes only and do not imply endorsement by the CSDE or USDA.

Since manufacturers may discontinue products or change their formulation, CACFP facilities are responsible for checking fluid milk substitutes to ensure they meet the USDA's requirements (refer to table 2).

Screening products using the USDA's protein standard

CACFP facilities may use the USDA's protein standard to screen commercial nondairy beverages and determine if they might meet the USDA's nutrition standards for fluid milk substitutes. These standards require at least 8 grams of protein per cup (8 fluid ounces).

- If the product's Nutrition Facts label lists less than 8 grams of protein per cup, the product does not meet the USDA's nutrition standards for fluid milk substitutes.

- If the product's Nutrition Facts label lists at least 8 grams of protein per cup, the product might meet the USDA's nutrition standards for fluid milk substitutes. The CACFP facility must obtain additional information from the manufacturer to determine if the product also meets the standards for calcium, vitamin A, vitamin D, magnesium, phosphorus, potassium, riboflavin, and vitamin B12. CACFP facilities are encouraged to submit this information to the CSDE so new acceptable fluid milk substitutes can be added to the list of approved products.

For guidance on how to determine if nondairy beverages credit as fluid milk substitutes, refer to the CSDE's resource, *Identifying Products that Meet the USDA's Nutrition Standards for Fluid Milk Substitutes in the Child and Adult Care Food Program*.

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Table 2. Unflavored Fluid Milk Substitutes (Allowed for All Ages)

Manufacturer	Product	Container size (fluid ounces)	UPC codes
Campbell's Food Service	Pacific Foods Ultra Soy Original Plant-based Beverage	32	Unit: 0-52603-08200-6 12-count case: 100-52603-08200-3
Kikkoman	Pearl Organic Soymilk, Smart Original, aseptic package	8	Unit: 0-41390-06183-7 24-count case: 100-41390-06183-4
Marcel's Modern Pantry	Plant-based Oat Protein Beverage, 8 fl oz aseptic container	8	Unit 7-54686-00279-6 27 count case: 107-54686-00279-
Pacific Natural Foods	Ultra Soy All Natural Nondairy Beverage, Plain, aseptic package	32	Unit: 0-52603-08200-6 12-count case: 100-52603-08200-6
Ripple Foods	Ripple Dairy-free Milk, Original, aseptic package *	8	Unit: 8-55643-00611-3 48-count case: 108-10029-77028-3
Stremick's Heritage Foods	8th Continent Soymilk, Original, refrigerated	64	Unit: 0-53859-07066-3
Sunrich Naturals	Soymilk, Original, aseptic package *	8	Unit: 7-82758-33108-6
Sunrich Naturals	Soymilk, Original, aseptic package *	32	Unit: 7-82758-33232-8
Walmart	Great Value Soymilk, Original, paper carton *	32	Unit: 0-78742-09387-1

* **Not allowed in child care programs operating in public schools:** These beverages exceed the fat limit for nondairy milk substitutes required by C.G.S. Section10-221q and cannot be served as a fluid milk substitute in CACFP child care programs that operate in public schools.

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Table 3. Flavored Fluid Milk Substitutes (Allowed Only for Ages 6 and Older)

Flavored milk substitutes are allowed for ages 6 and older. However, the USDA's CACFP best practices recommend serving only unflavored fluid milk substitutes.

Manufacturer	Product	Container size (fluid ounces)	UPC codes
Kikkoman	Pearl Organic Soymilk, Smart Chocolate, aseptic package	8	Unit: 0-41390-06185-1 24-count case: 100-41390-06185-8
Kikkoman	Pearl Organic Soymilk, Smart Creamy Vanilla, aseptic package	8	Unit: 0-41390-06184-4 24-count case: 100-41390-06184-1
Ripple Foods	Ripple Dairy-free Milk, Chocolate, aseptic package	8	Unit: 8-55643-00615-1 48-count case: 108-10029-77030-6
Ripple Foods	Ripple Dairy-free Milk, Vanilla, aseptic package	8	Unit: 8-55643-00612-0 48-count case: 108-10029-77029-0
Stremick's Heritage Foods	8th Continent Soymilk, Vanilla, refrigerated	64	Unit: 0-53859-07067-0
Sunrich Naturals	Soymilk, Unsweetened Vanilla, aseptic package *	32	Unit: 7-82758-33932-7
Sunrich Naturals	Soymilk, Vanilla, aseptic package	32	Unit: 7-82758-33132-1
Sunrich Naturals	Soymilk, Vanilla, aseptic package	8	Unit: 7-82758-33208-3

* **Not allowed in child care programs operating in public schools:** These beverages exceed the fat limit for nondairy milk substitutes required by C.G.S. Section 10-221q and cannot be served as a fluid milk substitute in CACFP child care programs that operate in public schools.

Allowable Fluid Milk Substitutes for Non-disability Reasons for Children in the Child and Adult Care Food Program

Considerations for Offering Nondairy Milk Substitutes

The considerations below apply to CACFP facilities that choose to offer allowable nondairy milk substitutes for children who do not consume regular cow's milk due to non-disability reasons.

Variety of choices

Since nondairy milk substitutes are optional, CACFP facilities may decide how many choices to offer. CACFP facilities may choose to offer only one nondairy milk substitute. If children decide not to take this option, CACFP facilities are not obligated to offer any other nondairy milk substitute.

Availability

If CACFP facilities choose to offer allowable nondairy beverages, they must be available for all children when requested by their parents/guardians. If the CACFP facility grants a request for any nondairy beverage, all requests for that substitute must be granted.

- **Example:** A child care center chooses to provide an allowable brand of soy milk at a parent's request. That allowable brand of soy milk must be available to all children whose parents/guardians make any request for fluid milk substitutes.

The child's nondairy beverage approval must remain in effect until the parent/guardian, state licensed healthcare professional, or registered dietitian revokes the request in writing, or until the CACFP facility changes its fluid milk substitute policy.

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Beverages Not Allowed for Non-disability Reasons

CACFP facilities cannot substitute any other beverages as modifications to reimbursable meals and snacks for non-disability reasons. Some examples of beverages that are not allowed include:

- juice;
- water;
- nondairy milk substitutes that do not comply with the USDA's nutrition standards for fluid milk substitutes, such as almond milk, rice milk, cashew milk, some brands of soy milk, and most brands of oat milk;
- lactase-free/reduced milk that does not meet the required fat content or flavor restrictions for each CACFP meal pattern;
- nutrition supplement beverages; and
- powdered milk beverages.

> CACFP facilities can never substitute water or juice for milk for non-disability reasons in reimbursable meals and snacks.

Meals and snacks that offer these types of beverages in place of milk are not reimbursable unless the child has a medically documented disability that specifically requires this substitution. For information on the requirements for meal modifications for disability reasons, refer to the CSDE's *Guide to Meal Modifications for Child Care Programs in the Child and Adult Care Food Program*.

Allowable Fluid Milk Substitutes for Non-disability Reasons for Children in the Child and Adult Care Food Program

Summary of Requirements for Optional Nondairy Milk Substitutes

The table below summarizes the federal and state requreitns for optional nondairy milk substitutes in the CACFP.

Table 4. Summary of federal and state requirements

Requirement	Implementation guidance
Allowable types (USDA meal pattern regulations)	Nondairy beverages must meet the USDA's nutrition standards for fluid milk substitutes (refer to "USDA's Nutrition Standards for Fluid Milk Substitutes" and table 2 in this document).
Applies only to child care centers operating in public schools: State nutrition standards (C.G.S. Section 10-221q: beverages)	In addition to meeting the USDA's nutrition standards for fluid milk substitutes, nondairy beverages available for sale to students in public schools cannot contain artificial sweeteners and cannot exceed 4 grams of sugar per ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fat (refer to "Additional State Requirements for Nondairy Beverages in Child Care Programs Operating in Public Schools" in this document).
Documentation required	Nondairy beverages require a written statement that identifies the need for the milk substitute (refer to "Required Documentation for Nondairy Beverages" in this document).
Identifying allowable products	Commercial products that meet the federal and state requirements for nondairy beverages are included in tables 3 and 4 (refer to "Identifying Acceptable Nondairy Beverage Products" in this document).

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Resources

A Food Labeling Guide: Guidance for Industry (FDA):
https://www.fda.gov/media/81606/download

Bite Size: Meeting the Child and Adult Care Food Program (CACFP) Meal Patterns Module 5: Milk Component ("Bite Size Meal Pattern Training" section of CSDE's Meal Patterns for the Child and Adult Care Food Program webpage):
https://portal.ct.gov/sde/nutrition/meal-patterns-for-the-child-and-adult-care-food-program/bite-size-meal-pattern-training

CACFP Meal Patterns for Children (CSDE's Meal Patterns for the Child and Adult Care Food Program webpage):
https://portal.ct.gov/sde/nutrition/meal-patterns-for-the-child-and-adult-care-food-program#MealPatternsChildren

CACFP Regulations 7 CFR 226.20(g)(1): Modifications for disability reasons (USDA):
https://www.ecfr.gov/current/title-7/part-226#p-226.20(g)(1)

CACFP Regulations 7 CFR 226.20(g)(3): Fluid milk substitutes for non-disability reasons (USDA):
https://www.ecfr.gov/current/title-7/part-226#p-226.20(g)(3)

Guide to Meal Modifications for Child Care Programs in the Child and Adult Care Food Program (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/cacfp/specdiet/guide_special_diets_cacfp.pdf

Identifying Products that Meet the USDA's Nutrition Standards for Fluid Milk Substitutes in the Child and Adult Care Food Program (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/cacfp/specdiet/identify_allowable_nondairy_milk_substitutes_cacfp.pdf

Milk Substitutes for Non-disability Reasons (CSDE's Special Diets in the Child and Adult Care Food Program webpage):
https://portal.ct.gov/sde/nutrition/special-diets-in-the-child-and-adult-care-food-program/milk-substitutes-for-non-disability-reasons

Reference Guide: Daily Values for Nutrients (FDA):
https://www.fda.gov/food/nutrition-facts-label/daily-value-nutrition-and-supplement-facts-labels

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Serving Milk in the CACFP (USDA):
https://www.fns.usda.gov/tn/serving-milk-cacfp

Special Diets in the Child and Adult Care Food Program (CSDE webpage):
https://portal.ct.gov/sde/nutrition/special-diets-in-the-child-and-adult-care-food-program

Summary Charts of the Requirements for Meal Modifications for Children in the CACFP (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/cacfp/specdiet/summary_chart_meal_modifications_cacfp.pdf

USDA Final Rule: Child Nutrition Programs: Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans (89 FR 31962):
https://www.federalregister.gov/documents/2024/04/25/2024-08098/child-nutrition-programs-meal-patterns-consistent-with-the-2020-2025-dietary-guidelines-for

USDA Final Rule: Food Labeling: Revision of the Nutrition and Supplement Facts Labels (81 FR 33742):
https://www.federalregister.gov/documents/2016/05/27/2016-11867/food-labeling-revision-of-the-nutrition-and-supplement-facts-labels

USDA Memo CACFP 01-2025: Nutrition Requirements for Fluid Milk and Fluid Milk Substitutions in the Child and Adult Care Food Program, Questions and Answers:
https://fns-prod.azureedge.us/sites/default/files/resource-files/CACFP01-2025os.pdf

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For more information, visit the Connecticut State Department of Education's (CSDE) Special Diets in the Child and Adult Care Food Program webpage or contact the CACFP staff at the Connecticut State Department of Education, Bureau of Child Nutrition Programs, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841. This document is available at https://portal.ct.gov/-/media/sde/nutrition/cacfp/specdiet/milk_substitutes_cacfp.pdf.

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Allowable Fluid Milk Substitutes for Non-disability Reasons for Children in the Child and Adult Care Food Program

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   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov

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