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

This document summarizes the federal and state laws for selling and giving competitive foods to students in Connecticut public schools, private schools, and residential child care institutions (RCCIs). It also indicates whether these laws apply to sponsors of the U.S. Department of Agriculture's (USDA) Child Nutrition Programs (CNPs) in public schools, private schools, and RCCIs; and non-sponsors of the CNP in public schools, private schools, and RCCIs.

Contents

Overview of Categories 2
- Category 1: Nutrition standards for foods and beverages 2
- Category 2: Restrictions for selling and giving foods and beverages 2
- Category 3: Accrual of income from selling foods and beverages 2

Category 1: Nutrition Standards for Foods and Beverages 3
- Law 1 (State): Healthy Food Certification 3
- Law 2 (State): Connecticut Nutrition Standards 5
- Law 3 (State): Sale of Beverages 7
- Law 4 (Federal): Smart Snacks Nutrition Standards 9
- Law 5 (Federal): Fluid Milk Options 11
- Law 6 (Federal): School Wellness Policy 13

Category 2: Restrictions for selling and giving foods and beverages to students 15
- Law 7 (State): Nutritious and Low-Fat Foods Available for Sale 15
- Law 8 (State): Competitive Foods (Candy, Coffee, Tea, and Soft Drinks) 17

Category 3: Restrictions for income accrual from sales of foods and beverages to students 19
- Law 9 (State): Income Accrual 19
- Law 10 (Federal): Revenue from Nonprogram Foods in CNPs 21
- Law 11 (State): ADS-BESB Right of First Refusal for Vending Machines in Public Schools 23

Glossary 25

Laws and Regulations 26

Resources for HFC Public Schools 27

Resources for Non-HFC Public Schools 28

Resources for Private Schools and RCCIs 30

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

Overview of Categories

Three categories of 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. These laws apply differently depending on the type of school. Some laws apply during the school day, while others apply at all times or while the U.S. Department of Agriculture's (USDA) Child Nutrition Programs are operating. When the laws differ, the stricter requirements apply.

Category 1: Nutrition standards for foods and beverages

- State statute for Healthy Food Certification (HFC): Section 10-215f of the Connecticut General Statutes (C.G.S.)
- State statute for Connecticut Nutrition Standards (CNS): C.G.S. Section 10-215e
- State beverage statute for public schools: C.G.S. Section 10-221q
- USDA's Smart Snacks nutrition standards for competitive foods: USDA 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
- USDA Final Rule: Expanding Fluid Milk Options in Child Nutrition Programs
- Local educational agency's (LEA) school wellness policy (SWP): USDA Final Rule: Local School Wellness Policy Implementation Under the HHFKA of 2010

Category 2: Restrictions for selling and giving foods and beverages

- State statute requiring public schools to sell nutritious and low-fat foods whenever foods are sold to students during the school day: C.G.S. Section 10-221p)
- State regulation restricting selling and giving candy, coffee, tea, and soft drinks to students: Section 10-215b-1 of the Regulations of Connecticut State Agencies)

Category 3: Accrual of income from selling foods and beverages

- State regulation for restricting accrual of income: Section 10-215b-23 of the Regulations of Connecticut State Agencies)
- USDA's regulation for revenue from nonprogram foods: 7 CFR 210.14 (f)

- 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

For guidance on how these requirements apply to different sources of foods and beverages in public schools, private schools, and RCCIs, refer to the resources listed at the end of this document. For a detailed list of resources on competitive foods, refer to the Connecticut State Department of Education's (CSDE) *Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools*.

Category 1: Nutrition Standards for Foods and Beverages

Law 1 (State): Healthy Food Certification

C.G.S. Section 10-215f: Certification that food meets nutrition standards

Description

Effective July 1, 2006, the state Healthy Food Certification (HFC) statute requires that each board of education (BOE) for all Connecticut public schools participating in the NSLP must certify annually to the Connecticut State Department of Education (CSDE) whether they will 1) comply with the Connecticut Nutrition Standards (CNS); and 2) allow exemptions for sales of noncompliant foods that meet the exemption criteria of the state HFC statute. Schools that choose the healthy food option (i.e., comply with the CNS) receive additional state funding. Public schools are not required to comply with the CNS but must certify each year whether they will or will not comply with the CNS. Private schools and RCCIs are not eligible for HFC.

The CNS applies to all foods available for sale to students on school premises separately from reimbursable meals and all foods served in the Afterschool Snack Program (ASP) of the National School Lunch Program (NSLP).

Food exemptions: Foods that do not comply with the CNS cannot be sold to students on school premises unless the local BOE votes to allow exemptions and the following criteria are met: 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. For more information, refer to the CSDE's resource,

Exemptions for Foods and Beverages in Public Schools. **Note:** The event's selling timeframe must also comply with the state competitive foods regulations, i.e., the sales cannot occur from 30 minutes before up through 30 minutes after the operation of any CNPs. For more information, refer to "Law 7 (State): Competitive Foods (Candy, Coffee, Tea, and Soft Drinks)" and "Law 8 (State): Income Accrual" in this document.

For more information, refer to the CSDE's *Requirements for Competitive Foods in HFC Public Schools* and visit the "Apply" section of the CSDE's HFC webpage. Training on the HFC requirements is available in the CSDE's Complying with Healthy Food Certification training program.

Applies To

All public schools that participate in the NSLP. Public schools are not required to comply with the CNS but must certify each year whether they will or will not comply with the CNS.

Applicable schools

- Public schools that participate in the NSLP

Applicable foods and beverages

- Selling foods to students

When Applies

The HFC Statement must be submitted to the CSDE by July 1 of each year.

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

Law 2 (State): Connecticut Nutrition Standards

C.G.S. Section 10-215e: Nutrition standards for food that is not part of lunch or breakfast program

Description

Effective July 1, 2006, this state statute required the CSDE to develop nutrition standards for all foods sold to students separately from reimbursable meals through the Child Nutrition Programs. The CNS also applies to foods served in reimbursable snacks in the ASP. These standards are required for public schools that choose the healthy food option under the state HFC statute (C.G.S. 10-215f).

To comply with the CNS and be allowed for sale to students, food items must meet at least one general standard and the serving (including any accompaniments served with the food, such as butter, cream cheese, salad dressing, and condiments) must meet the specific nutrient standards for the applicable food category. The six CNS food categories include: 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 meet one of the three general standards: 1) the food must be whole grain-rich (WGR); or 2) a food group must be the first ingredient, i.e., fruits, vegetables, dairy, or protein foods; or 3) the food must be a combination food that contains at least ¼ cup of fruit and/or vegetable per serving. The nutrient standards include limits for calories, total fat, saturated fat, sodium, and sugars; and prohibit caffeine, nonnutritive sweeteners and sugar alcohols, artificial fat replacers, significant fortification, and nutrition supplements.

For information on the specific CNS requirements, refer to the CSDE's resources, Summary of Connecticut Nutrition Standards, and the full standards document, Connecticut Nutrition Standards for Foods in Schools; and visit the CSDE's CNS webpage. The CSDE's List of Acceptable Foods and Beverages webpage identifies commercial food products that comply with the CNS.

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

Applies To

All schools in public school districts whose board of education votes to choose the healthy food option of HFC. Includes all foods available for sale to students on school premises separately from reimbursable meals and all foods served in the ASP.

Applicable schools

- Public schools that participate in the NSLP

Applicable foods and beverages

- Selling foods to students

When Applies

At all times, except for sales that meet the food exemption criteria of the state HFC statute (refer to "Food exemptions" under "Law 1 (State): Healthy Food Certification" above.

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

Law 3 (State): Sale of Beverages

C.G.S. Section 10-221q: Sale of beverages.

Description

Effective July 1, 2006, the state beverage statute defines five categories of beverages that are allowed for sale to students in Connecticut public schools: 1) milk; 2) 100 percent juice; 3) nondairy milk substitutes; 4) beverages containing only water and juice; and 5) water. Each category must meet specific nutrition requirements.

This statute applies to all Connecticut public schools, even if they do not choose the healthy food option of HFC or do not participate in the CNPs. For information on the specific federal and state beverage requirements, refer to the CSDE's resource, *Allowable Beverages in Connecticut Public Schools*, and visit the CSDE's Beverage Requirements webpage.

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 the following criteria are met: 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. The definitions for event and location are the same as food exemptions under the state HFC statute (C.G.S. Section 10-215f) (refer to "Food exemptions" in this document. For more information, refer to the CSDE's resource, *Exemptions for Foods and Beverages in Public Schools*.

Note: The event's selling timeframe must also comply with the state competitive foods regulations, i.e., sales cannot occur from 30 minutes before up through 30 minutes after the operation of any CNPs (refer to "Law 7 (State): Competitive Foods (Candy, Coffee, Tea, and Soft Drinks)" and "Law 8 (State): Income Accrual" in this document).

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

Applies To

All beverages available for sale to students on school premises, including beverages sold as part of reimbursable meals and ASP snacks through the CNPs and beverages available for sale sold separately from the CNPs. This includes public schools that choose not to participate in Healthy Food Certification (HFC) under C.G.S. Section 10-215f.

Applicable schools

All public schools:

- Public schools that are sponsors of the CNPs
- Public schools that are not sponsors of the CNPs
- Public schools that implement HFC
- Public schools that do not implement HFC

Applicable foods and beverages

- Selling beverages to students

When Applies

At all times, except for sales that meet the beverage exemption criteria of the state beverage statute (refer to "Beverage exemptions" above).

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

Law 4 (Federal): Smart Snacks Nutrition Standards

USDA 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

Description

Effective July 1, 2014, this USDA regulation defines the nutrition standards required for competitive foods sold to students in all schools and institutions that participate in the NSLP and SBP. The three Smart Snacks categories include: 1) entrees sold only a la carte; 2) snacks and side dishes; and 3) beverages. To comply with Smart Snacks, foods must meet at least one general standard and the serving (including any accompaniments served with the food, such as butter, cream cheese, salad dressing, and condiments) must meet the specific nutrient standards for the applicable food category.

The nutrient standards include limits for calories, total fat, saturated fat, sodium, and sugars. To meet one of the three general standards: 1) the food must be WGR; or 2) a food group must be the first ingredient, i.e., fruits, vegetables, dairy, or protein foods; or 3) the food must be a combination food that contains at least ¼ cup of fruit and/or vegetable per serving.

For information on the specific Smart Snacks standards, 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: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply to HFC public schools because the state HFC statute (C.G.S Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. For guidance on the different requirements, refer to the CSDE's resource, *Comparison of the Connecticut Nutrition Standards and the USDA's Smart Snacks Nutrition Standards*.

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

Applies To

All foods and beverages available for sale to students on school premises separately from reimbursable meals and afterschool snacks through the CNPs.

Applicable schools

All schools and institutions that participate in the NSLP and/or the SBP

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling foods to students
- Selling beverages to students

When Applies

During the school day.

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

Law 5 (Federal): Fluid Milk Options

USDA Final Rule: Expanding Fluid Milk Options in Child Nutrition Programs

Description

Effective June 8, 2026, this USDA final rule codifies the milkfat requirements for fluid milk following the January 14, 2026, enactment of the Whole Milk for Healthy Kids Act of 2025 (P.L. 119-69), and supports the statutory requirements for meals to align with the goals of the 2025-2030 Dietary Guidelines for Americans. This final rule defines the allowable types of milk for reimbursable meals and snacks in the CNPs and offered for sale as competitive foods under the USDA Smart Snacks Nutrition Standards. The allowable types of milk for ages 2 and older include whole, reduced-fat (2%), low-fat (1%), and fat-free fluid milk. Milk for ages 2-5 must be unflavored. Milk for ages 6 and older may be unflavored or flavored.

Effective July 1, 2025, the USDA final rule, Child Nutrition Programs: Meal Patterns Consistent with the 2020-2025 Dietary Guidelines for Americans, requires that flavored milk in reimbursable meals and afterschool snacks cannot exceed 10 grams of added sugars per 8 fluid ounces. Flavored milk sold as a competitive food in middle and high schools cannot exceed 15 grams of added sugars per 12 fluid ounces.

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

Applies To

All milk available for sale to students on school premises as part reimbursable meals and snacks in the CNPs including the NSLP, SBP, ASP, Special Milk Program (SMP), and Child and Adult Care Food Program (CACFP); and all milk available for sale to students a la carte (separately from reimbursable meals and snacks in the CNPs).

Applicable schools

All schools and institutions that participate in the NSLP, SBP, ASP, SMP, and CACFP At-risk Afterschool Meals.

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling milk to students

When Applies

- During the CNPs and the school day.

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

Law 6 (Federal): School Wellness Policy

USDA Final Rule: Local School Wellness Policy Implementation Under the HHFKA of 2010

Description

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 local school wellness policy (SWP) by the first day of school year 2006-07. Section 204 of this Act 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 HHFKA of 2010*.

Among other requirements, the local educational agency's (LEA) 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.

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

Applies To

Selling and giving foods and beverages to students on school premises, separately from reimbursable meals and afterschool snacks through the CNPs.

Applicable schools

All schools and institutions that participate in the NSLP and/or the SBP:

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling foods to students
- Selling beverages to students
- Giving foods to students
- Giving beverages to students

When Applies

During the school day.

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

Category 2: Restrictions for selling and giving foods and beverages to students

Law 7 (State): Nutritious and Low-Fat Foods Available for Sale

C.G.S. Section 10-221p: Boards to make available for purchase nutritious and low-fat foods

Description

Effective July 1, 2004, this state statute requires that whenever foods are available for purchase by students in Connecticut public schools 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.

This statute does not apply to the ASP, unless it begins before the end of the school day. This statute applies to all Connecticut public schools, including those that do not choose the healthy food option of HFC and those that do not participate in the CNPs. For more information, refer to section 4 of the CSDE's resource, *Questions and Answers on Connecticut Statutes for School Foods and Beverages*.

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

Applies To

All sales of foods to students on school premises in public schools during the school day.

Applicable schools

All public schools:

- Public schools that are sponsors of the CNPs
- Public schools that are not sponsors of the CNPs
- Public schools that implement HFC
- Public schools that do not implement HFC

Applicable foods and beverages

- Selling foods to students

When Applies

During the school day

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

Law 8 (State): Competitive Foods (Candy, Coffee, Tea, and Soft Drinks)

Regulations of Connecticut State Agencies Section 10-215b-1: Competitive foods

Description

Effective August 25, 1992, this state regulation 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. This includes selling candy, coffee, tea, and soft drinks to students at events on school premises that meet the food exemption criteria of the state HFC statute (refer to "Food exemptions" under "Law 1 (State): Healthy Food Certification" in this document) and the beverage exemption criteria of the state beverage statute (refer to "Beverage exemptions" under "Law 3 (State): Sale of Beverages" in this document).

- "Candy" includes all types of regular and sugar-free varieties, such as chocolates; candy bars; chocolate-covered nuts and fruits; hard candies and lollipops; chewy candies like caramels, taffy, and licorice; jelly candies like 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, nonnutritive sweeteners, and sugar alcohols) 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 the CSDE's resource, *Overview of Connecticut Competitive Foods Regulations*.

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

Applies To

Selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises while any CNPs are operating in any schools and institutions that participate in the CNPs, including public schools, private schools, and RCCIs.

Applicable schools

All schools and institutions that participate in the CNPs:

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling foods to students (candy only)
- Selling beverages to students (coffee, tea, and soft drinks only)
- Giving foods to students (candy only)
- Giving beverages to students (coffee, tea, and soft drinks only)

When Applies

From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.

- **For HFC public schools**, the stricter CNS under C.G.S. Section 10-215f (refer to Law 2) supersedes Section 10-215b-1 because the CNS prohibits sales of candy to students on school premises at **all times**, except for sales at the location of events that meet the exemption criteria of the state HFC statute.

- **For all public schools (HFC and non-HFC)**, the stricter state beverage statute under C.G.S. Section 10-221q (refer to Law 3) 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 the location of events that meet the exemption criteria of the state beverage statute.

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

Category 3: Restrictions for income accrual from sales of foods and beverages to students

Law 9 (State): Income Accrual

Regulations of Connecticut State Agencies Section 10-215b-23: Income from the sale of food items

Description

Effective August 25, 1992, this state regulation requires that 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) must accrue to the nonprofit school food service account (NSFSA). This includes the income from sales of foods and beverages to students at events on school premises that that meet the food exemption criteria of the state HFC statute (refer to "Food exemptions" under "Law 1 (State): Healthy Food Certification" in this document) and the beverage exemption criteria of the state beverage statute (refer to "Beverage exemptions" under "Law 3 (State): Sale of Beverages" in this document).

- "Income" means gross income.
- "Nonprofit school food service account" 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).

For more information, refer to the CSDE's resource, *Overview of Connecticut Competitive Foods Regulations*, and CSDE Operational Memorandum No. 1-18: *Accrual of Income from Sales of Competitive Foods in Schools*.

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

Applies to

The accrual of income from sales of foods and beverages to students anywhere on school premises while any CNPs are operating in any schools and institutions that participate in the CNPs, including public schools, private schools, and RCCIs.

Applicable schools

All schools and institutions that participate in the CNPs:

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling foods to students
- Selling beverages to students

When applies

From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.

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

Law 10 (Federal): Revenue from Nonprogram Foods in CNPs

NSLP Regulations 7 CFR 210.14 (f): Revenue from nonprogram foods

Description

Effective July 1, 2011, this USDA regulation requires that all revenue from the sale of nonprogram foods in the CNPs must accrue to the NSFSA.

"Nonprogram foods" are foods and beverages purchased using funds from the NSFSA and sold to students (other than reimbursable meals and ASP snacks served through the CNPs) and adults at any time or location on school premises. 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 SFAs, cafeteria a la carte sales account for the majority of nonprogram foods. Another common source is vending machines operated by the NSFSA.

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*.

Note: 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.

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

Applies to

All foods and beverages purchased using funds from the NSFSA and sold to students (outside of reimbursable meals and ASP snacks through the CNPs) and adults on school premises.

Applicable schools

All schools and institutions that participate in the CNPs

- Public schools
- Private schools
- RCCIs

Applicable foods and beverages

- Selling foods to students
- Selling beverages to students

When applies

At all times to sales from the CNPs.

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

Law 11 (State): ADS-BESB Right of First Refusal for Vending Machines in Public Schools

C.G.S. Section 17a-818: Food service facilities and vending stands in public buildings controlled by Department of Aging and Disability Services. Permissible uses of vending machine income.

Description

Effective October 1, 1945, C.G.S. Section 17a-818 (formerly C.G.S. 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.

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

Applies to

Vending machines operated by outside contractors in public schools.

Applicable schools

All public schools:

- Public schools that are sponsors of the CNPs
- Public schools that are not sponsors of the CNPs
- Public schools that implement HFC
- Public schools that do not implement HFC

Applicable foods and beverages

- Selling foods to students (vending machines only)
- Selling beverages to students (vending machines only)

When applies

At all times.

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

Glossary

The definitions below apply to the requirements for competitive foods in schools.

Child Nutrition Programs (CNPs): The federally funded child nutrition programs administered by the USDA, 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), 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: All foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the CNPs. Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include candy, coffee, tea, and soft drinks that are given to students on school premises while any CNPs are operating, including during and after the school day.

Giving: Providing foods and beverages free of any charge, contribution, or suggested donations; and without the exchange of tickets, coupons, tokens, and similar items to obtain foods and beverages.

Sales: The exchange of a determined amount of money or its equivalent (such as coupons, tickets, 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 Connecticut's statutes and regulations for competitive foods, sales include coupons and similar items that are given to students (such as food rewards) and can be exchanged for foods and beverages. However, the USDA's Smart Snacks nutrition standards do not apply when coupons and similar items are given to students.

School day: 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 midnight to 3:30 p.m. A summer school program operated by the board of education or school governing authority (BOE) is part of the regular school day.

School premises: 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.

Laws and Regulations

C.G.S. Section 10-215e: Nutrition standards for food that is not part of lunch or breakfast program:
https://www.cga.ct.gov/current/pub/chap_169.htm#sec_10-215e

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

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

C.G.S. Section 10-221q: Sale of beverages:
https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221p

C.G.S. Section 17a-818: Food service facilities and vending stands in public buildings controlled by Department of Aging and Disability Services. Permissible uses of vending machine income:
https://www.cga.ct.gov/current/pub/chap_319l.htm#sec_17a-818

NSLP Regulations 7 CFR 210.14 (f): Revenue from nonprogram foods:
https://www.ecfr.gov/current/title-7/part-210#p-210.14(f)

Regulations of Connecticut State Agencies Section 10-215b-1: Competitive foods:
https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/

Regulations of Connecticut State Agencies Section 10-215b-23: Income from the sale of food items:
https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/

USDA Final Rule: Expanding Fluid Milk Options in Child Nutrition Programs:
https://www.fna.usda.gov/cn/fr-050826

USDA Final Rule: Local School Wellness Policy Implementation Under the HHFKA of 2010:
https://www.fna.usda.gov/cn/fr-072916c

USDA 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:
https://www.fna.usda.gov/cn/fr-072916d

Resources for HFC Public Schools

Beverage Requirements (CSDE webpage):
https://portal.ct.gov/sde/nutrition/beverage-requirements

Competitive Foods in Schools (CSDE webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods

Complying with Healthy Food Certification (CSDE training program):
https://portal.ct.gov/sde/nutrition/healthy-food-certification/hfc-training-program

Connecticut Nutrition Standards (CSDE webpage):
https://portal.ct.gov/sde/nutrition/connecticut-nutrition-standards

Healthy Food Certification (CSDE webpage):
https://portal.ct.gov/sde/nutrition/healthy-food-certification

HFC Public Schools (CSDE's Competitive Foods in Schools webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods/hfc-public-schools

Overview of Connecticut Competitive Foods Regulations (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/compfoods/overview_ct_competitive_ foods_ regulations.pdf

Questions and Answers on Connecticut Statutes for School Foods and Beverages (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/questions_answers_connecticut_statutes_ school_foods_beverages.pdf

Requirements for Cafeteria A La Carte Foods and Beverages in HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/cafeteria_requirements_hfc.pdf

Requirements for Competitive Foods in HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/requirements_competitive_foods_hfc.pdf

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

Requirements for Food and Beverage Fundraisers in HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/fundraiser_requirements_hfc.pdf

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

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

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

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

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

Resources for Non-HFC Public Schools

Beverage Requirements (CSDE webpage):
https://portal.ct.gov/sde/nutrition/beverage-requirements

Competitive Foods in Schools (CSDE webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods

Non-HFC Public Schools (CSDE's Competitive Foods in Schools webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods/non-hfc-public-schools

Overview of Connecticut Competitive Foods Regulations (CSDE):
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

Questions and Answers on Connecticut Statutes for School Foods and Beverages (CSDE):
https://portal.ct.gov/-/media/sde/nutrition

Requirements for Cafeteria A La Carte Foods and Beverages in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/cafeteria_requirements_nonhfc.pdf

Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/requirements_competitive_foods_nonhfc.pdf

Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/fundraiser_requirements_nonhfc.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

Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/school_store_requirements_nonhfc.pdf

Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/vending_machine_requirements_nonhfc.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

Smart Snacks Nutrition Standards (CSDE webpage):
https://portal.ct.gov/sde/nutrition/smart-snacks-nutrition-standards

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/compfoods/summary_chart_requirements_competitive_foods_nonhfc.pdf

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

Resources for Private Schools and RCCIs

Competitive Foods in Schools (CSDE webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods

Overview of Connecticut Competitive Foods Regulations (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/compfoods/overview_ct_competitive_foods_regulations.pdf

Private Schools and RCCIs (CSDE's Competitive Foods in Schools webpage):
https://portal.ct.gov/sde/nutrition/competitive-foods/private-schools-and-rccis

Requirements for Cafeteria A La Carte Foods and Beverages in Private Schools and RCCIs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/cafeteria_requirements_private_rcci.pdf

Requirements for Food and Beverage Fundraisers in Private Schools and Residential Child Care Institutions (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/fundraiser_requirements_private_rcci.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

Requirements for Foods and Beverages in School Stores in Private Schools and Residential Child Care Institutions (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/school_store_requirements_private_rcci.pdf

Requirements for Foods and Beverages in Vending Machines in Private Schools and Residential Child Care Institutions (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/hfc/vending_machine_requirements_private_rcci.pdf

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

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

Smart Snacks Nutrition Standards (CSDE webpage):
https://portal.ct.gov/sde/nutrition/smart-snacks-nutrition-standards

Summary Chart: Federal and State Requirements for Competitive Foods in Private Schools and Residential Child Care Institutions (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/compfoods/summarychart_requirements_competitive_foods_private_rcci.pdf

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

For more information, visit the CSDE's Competitive Foods in Schools webpage and Beverage Requirements webpage or contact the HFC Coordinator 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/compfoods/overview_federal_state_laws_competitive_foods.pdf.

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

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To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture
   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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