

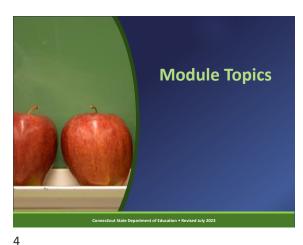
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Module 1	Introduction to Training Modules and HFC
Module 2	HFC Requirements
Module 3	Connecticut Nutrition Standards (CNS)
Module 4	Evaluating Foods for CNS Compliance
Module 5	Laws for Foods and Beverages in HFC Schools
Module 6	Fundraisers
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Complying with HEC Training Module

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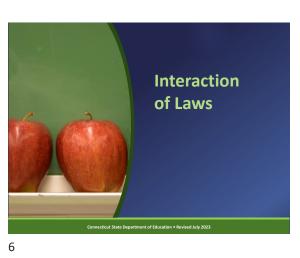
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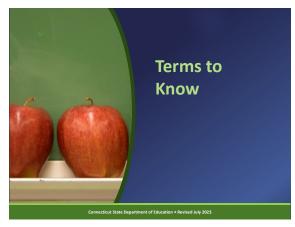


Module 5 Topics

- Interaction of Laws
- Terms to Know
- Overview of State and Federal Laws
- USDA's Smart Snacks **Nutrition Standards**
- State Beverage Statute
- State Statute for Nutritious and Low-fat Foods
- State Competitive **Foods Regulations**
- USDA's School Wellness Policy
- Summary of **Requirements for Noncompliant Foods** and Beverages
- Knowledge Check: What State Laws Apply Resources







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Competitive Foods

Foods and beverages available for sale to students on school premises separately from reimbursable meals served through the U.S. Department of Agriculture's (USDA) **Child Nutrition Programs**



Sale, Sales, Sell, Selling

Exchange of a determined amount of *money or its* equivalent * for foods and beverages

* Coupons, tickets, tokens, and similar items

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School Premises

All areas of the property under the jurisdiction of the local or regional board of education, the Connecticut Technical **Education and Career** System (CTECS), or the governing authority district or school



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School Day

The period from midnight before to 30 minutes after the end of the official school day



School Day

The period from midnight before to 30 minutes after the end of the official school day

 Includes summer school programs



School Day

The period from midnight before to 30 minutes after the end of the official school day

- Includes summer school programs
- Applies to half days

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School Day	
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The period from midnight before to 30 minutes after the end of the official school day

School ends at	3:00 PM
School	Midnight
day =	through 3:30 PM
After	3:31 PM through
school day =	11:59 PM

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Give, Giving

Foods and beverages are provided free of any charge, contribution, or suggested donations; and without the exchange of tickets, coupons, tokens, and similar items to obtain foods and beverages

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Compliant Foods and Beverages

Foods that meet the CNS and beverages that meet the requirements of the state beverage statute and the Smart Snacks beverage standards

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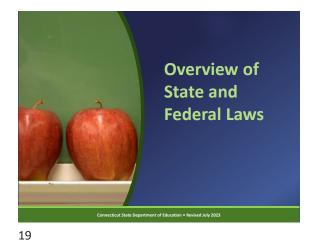
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Noncompliant Foods and Beverages

Foods that do not meet the CNS and beverages that do not meet the requirements of the state beverage statute and the Smart Snacks beverage standards

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Three Types of Laws for Competitive Foods

State	1. Connecticut General Statutes (C.G.S)
	2. Regulations of Connecticut State Agencies
	 State competitive foods regulations
Federal	3. USDA regulations for Child Nutrition Programs

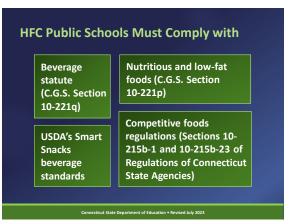
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HFC Public Schools Must Comply with

- HFC statute (C.G.S. Section 10-215f)
- CNS (C.G.S. Section 10-215e)

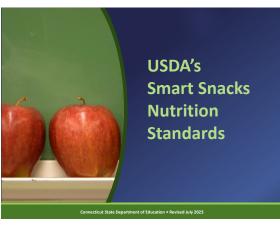


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School Lunch Program and School Breakfast **Foods Sold in School** Healthy, Hunger-Free



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

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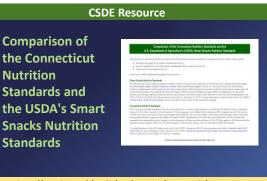


https://www.fns.usda.gov/cn/fr-072916d

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https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Comparison_ Chart_Connecticut_Nutrition_Standards_and_Smart_Snacks.pdf



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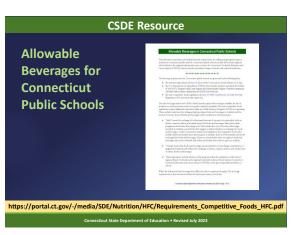
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State Beverage Statute Allows Only Five Categories *

- 1. Milk
- 2. 100% juice
- 3. Nondairy milk substitutes
- 4. Beverages containing only water and juice
- 5. Water
- * Must meet specific nutrition requirements

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Examples of Noncompliant Beverages *

Coffee and tea

State Beverage

Applies to all

meals

Separately from
reimbursable meals

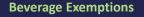
beverages available

for sale to students on school premises • Part of reimbursable

Statute

- Hot chocolate and cocoa
- Sports drinks
- Energy drinks
- Whole and reduced-fat milk
- Nondairy milk substitutes that do not meet USDA's nutrition standards for fluid milk substitutes
- Milk-based beverages

- Sweetened juice drinks (not 100% juice)
- Waters with added sweeteners
- Waters with drink mix powders
- Water and juice beverages with added sweeteners or other prohibited ingredients
 - * Do not meet state beverage statute, Smart Snacks, or both



- Beverage exemptions are not part of annual HFC Statement
 - BOE must vote separately



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Event

An occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity

Three Exemption Criteria

- **1.** The sale is in connection with an event occurring after end of regular school day or on weekend
- 2. The sale is at location of the event
- 3. The beverages are not sold from a vending machine or school store

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Is it an event?

Events	Not events
Soccer game	Soccer practices
High school debate competition	Debate team practices
School play	Play rehearsals
School chess match	Chess club meetings

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Examples of Events

- Awards banquets
- Boy Scout Blue & Gold dinner
- Craft fairs
- Debate team competitions
 Silent auctions
- Election day (if school is
- not in session) Family bingo nights
- Math team competitions
- Mock trial competitions
- School carnivals
- School concerts ٠

- School recitals
- School dances
- School fairs, e.g., health, science, and math
- Sports banquets
- Sports games, tournaments, and matches, e.g., football, basketball, soccer, tennis,
- field hockey, volleyball, wresting, and cross county Talent shows
- Theatrical productions



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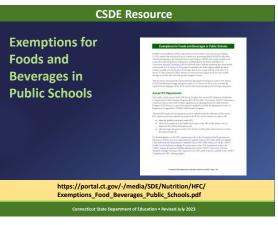


Location

The same place where the event is being held

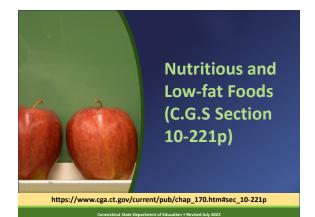
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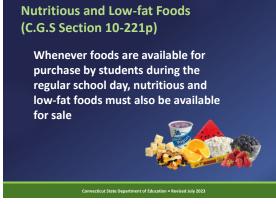


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Foods Available for Purchase

Foods sold in vending machines, school stores, fundraisers, and any other sources of food sales in schools during the school day

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Low-fat Foods Low-fat dairy foods (such as low-fat cheese and

low-fat or nonfat yogurt) and fresh or dried fruit



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Nutritious and Low-fat Foods Must Be Available

- At same location as the food sales
- Or elsewhere on school premises at the same time



How C.G.S Section

10-221p Applies to **School Stores**

same time

Low-fat dairy products and fresh/dried fruit must be available for purchase at

• from school store or elsewhere on school premises while school store is selling food

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Reminder: Food Sales During School Day Must Always Comply with CNS

Law	When applies
Nutritious and Low-fat Foods (C.G.S Section 10-221p)	School day
HFC (C.G.S. 10-215f) CNS (C.G.S. 10-215e)	At all times *
* Except sales that meet food exem (excludes vending machines and s	

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How C.G.S Section 10-221p Applies to **Fundraisers**

- Low-fat dairy products and fresh/dried fruit must be available for purchase while fundraiser is being held
 - location of fundraiser or
 - elsewhere on school premises while fundraiser is selling food

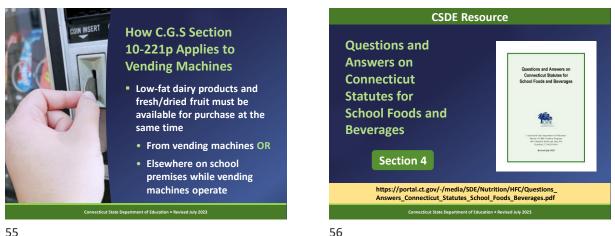


How C.G.S Section 10-221p Applies to **Fundraisers**

Food Orders

Low-fat dairy products and fresh/dried fruit must be available must be available for purchase when students receive the foods

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https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title 10Subtitle 10-215bSection 10-215b-23/ ut State Department of Education • Revised July 2023

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Child Nutrition Programs

- National School Lunch Program (NSLP)
- School Breakfast Program (SBP) Afterschool Snack Program (ASP)
- Seamless Summer Option (SSO) of NSLP
- Special Milk Program (SMP)
- Fresh Fruit and Vegetable Program
- Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools
- Summer Food Service Program (SFSP) operated in schools

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

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Regulations of Connecticut State Agencies

Section	Restricts	When
10-215b-1: Competitive Foods	Selling and giving <i>candy,</i> <i>coffee, tea, and soft drinks</i> to students on school premises while CNPs are operating	30 minutes before up thorough 30 minutes after the operation of any CNPs
10-215b-23: Accrual of Income	Accrual of income from all sales of foods and beverages to students on school premises while CNPs are operating	Same





Candy

All types of regular and sugar-free varieties, such as chocolates, candy bars, chocolate-covered nuts and fruits, hard candies, chewy candies, jelly candies, and breath mints



Coffee and Tea

All types including regular, decaffeinated, herbal, and iced

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Soft Drinks

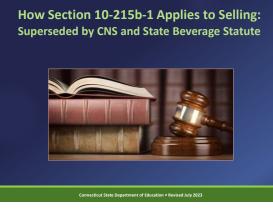
All beverages (with or without carbonation) that contain water and/or juice and added sweeteners, and that may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients

Examples of Soft Drinks

- Soda (regular and diet)
- Sports drinks (regular, low-calorie, and zero calorie)
- Flavored waters with added sweeteners
- Sweetened beverages with or without carbonation that are not 100% juice, e.g., lemonade and fruit punch drinks

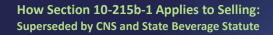


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- HFC statute prohibits selling candy at all times (except events meeting exemption criteria)
- State beverage statute prohibits selling coffee, tea, and soft drinks at all times (except events meeting exemption criteria

THEREFORE

Section 10-215b-1 applies only to sales at events that occur while CNP is operating

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How Section 10-215b-1 Applies to Giving

When CNPs operate	Cannot give candy, coffee, tea, and soft drinks to students from
SBP 7:00 AM - 8:00 AM	6:30 AM – 8:30 AM
NSLP 11:30 AM - 1:00 PM	11:00 AM – 1:30 PM
ASP 3:30 PM - 4:30 PM	3:00 PM – 5:00 PM



Example: How Section 10-215b-23 Applies

When income accrues

to food service *

6:30 AM - 8:30 AM

11:00 AM - 1:30 PM

4:00 PM- 5:00 PM

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Regulations of Connecticut State Agencies Section 10-215b-23: Accrual of Income

Nonprofit school food service account (NSFSA) must receive gross income from all sales of foods and beverages to students anywhere on school premises from 30 minutes before until 30 minutes after any state or federally subsidized CNPs



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Example: How Section 10-215b-23 Applies to Vending Machine Contracts

Contract specifies school food service receives 20% of total vending sales

Vending machines operate from 30 minutes before up through 30 minutes after the NSLP NSFSA must receive 100% of total vending sales (gross income) during this time

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* Includes income from foods and beverages

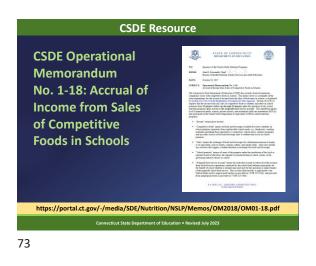
When CNPs operate

SBP 7:00 AM - 8:00 AM

ASP 3:30 PM - 4:30 PM

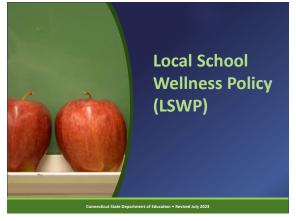
sold at exempted events

NSLP 11:30 AM - 1:00 PM





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LSWP

A written document of official policies that guide the efforts of a local educational agency (LEA) or school district to establish a school environment that promotes students' health, well-being, and ability to learn by supporting healthy eating and physical activity

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LSWP Legislation

Strengthened by Healthy, Hunger-Free Kids Act of 2010 (HHFKA)

 Effective August 29, 2016, under USDA's final rule, Local School Wellness Policy Implementation Under the HHFKA of 2010



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https://fns-prod.azureedge.us/sites/default/files/108-265.pdf



School W	ellness Policies Webpage
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School Wellness	
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Related Resources	educational agency (LEA) or school district's efforts to establish a school environment that promotes
Laws, Reputations	students' health, well-being, and ability to learn by supporting healthy earling and physical activity. The local 2017 requirement was established by the Child Nutrition and WC Deau/Introduce Act of 2004
Cirtaci	(Hubble Law 108-265) To and further strengthened by the Healthy, Hungen Aree KMS Act of 2016. It requires that schools and mittactors participating in the U.S. Department of Agriculture's (USDA)
	National School used: Program InSUP1 and School Breakfast Program (SBP) must develop a USWP that
	promotes the basility of students and addresses the growing problem of childhood obesity. The responsibility for LSWP development is at the local level to allow each school distinct and institution to
Provided by: Department of Education	address their unique reads.
	- Fisal Rule
	Comparison Chart: Local School Wellness Palicies (WPT: Comparison Chart of 2064 versus 2010 Requirements
	• Prval Bule: Local School Wallness Policy Implementation Under the HINTKA of 2010
	 Summary of USDA Final Rule on SWP 1
	Local Wellness Policies: Overview and Action Steps USDA Memory SP 24-17: Local School Wellness Polics: Gastance and CBAs



Summary of Requirements for Noncompliant Foods and Beverages

Requirements for

- Noncompliant foods
- Candy sales
- Gum sales
- Coffee, tea, and soft drinks



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Noncompliant Foods Cannot be sold to students on school premises unless sales meet food exemption criteria

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3. The foods are not sold from a vending machine or school store

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If Event Occurs While CNPs Are Operating

- Section 10-215b-1 Cannot sell candy, tea, coffee, and soft drinks
- Section 10-215b-23 Income must accrue to NSFSA





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Examples of Candy (includes Sugar Free)

- Chocolate
- Candy bars
- Chocolate-covered nuts and fruits
- Hard candies and lollipops
- Caramels, taffy, and licorice
- Jelly candies, e.g., gumdrops, gummies, and jelly beans
- Breath mints

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Gum

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Requirements for Candy

- 1. BOE voted to allow food exemptions AND
- 2. Sales meet exemption criteria of state HFC statute AND
- 3. Event cannot occur while any CNPs are operating



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Requirements for Gum

- 1. BOE voted to allow food exemptions AND
- 2. Sales meet exemption criteria of state HFC statute



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unless sales meet three requirements

Cannot be sold to students on school premises

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Requirements for Coffee, Tea, and Soft Drinks

- 1. BOE voted to allow beverage exemptions AND
- 2. Sales meet exemption criteria of state beverage statute AND
- 3. Event does not occur while **CNPs** are operating





Concession stand located at football

field sells foods

and beverages to

football game after

the school day from

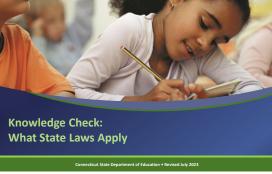
ASP operates from

students during

4:00 - 6:00 PM

4:30 - 5:30 PM





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- 10-215b-1 of state regulations) ☑ Income must accrue to NSFSA while
- CNPs operate (Section 10-215b-23 of state regulations)
- Nutritious and low-fat foods (C.G.S. 10-221p)

What State Laws Apply

- □ Food exemptions (C.G.S. 10-215f)
- Beverage exemptions (C.G.S. 10-221q)
- □ No selling/giving candy, coffee, tea, and soft drinks while CNPs operate (Section 10-215b-1 of state regulations)

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- □ Income must accrue to NSFSA while CNPs operate (Section 10-215b-23 of state regulations)
- □ Nutritious and low-fat foods (C.G.S. 10-221p)

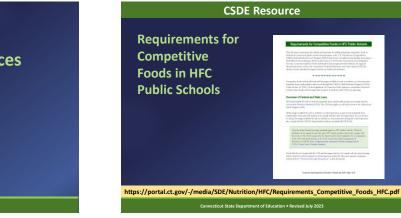








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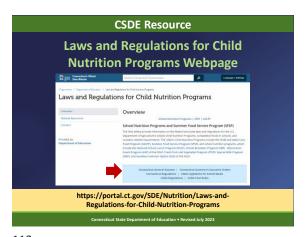




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	Indexa) and state laws require that comparitive floats available for rate to students on school premises must construent nutrition standards and other restrictions.
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	ican Sign Language), should contact the responsible state or local agency that administers the program or
USDA	's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at 877-8339.
	a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program
	mination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/
	nents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf, from any USDA office, by z (866) 632-9992, or by writing a letter addressed to USDA, The letter must contain the complainant's name
	s, telephone number, and a written description of the alleged discriminatory action in sufficient detail to
	n the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation
The co	ompleted AD-3027 form or letter must be submitted to USDA by:
	mail: U.S. Department of Agriculture
	Office of the Assistant Secretary for Civil Rights
	1400 Independence Avenue, SW
	Washington, D.C. 20250-9410; or
	fax: (833) 256-1665 or (202) 690-7442; or
2. 3.	email: program.intake@usda.gov

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