




STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of the Sponsors of the National School Lunch Program, School Breakfast Program, and Special Milk Program

FROM: John D. Frassinelli, Chief 
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: March 13, 2019

SUBJECT: Operational Memorandum No. 06-19
Summary of Federal and State Milk Requirements for the National School Lunch Program (NSLP), School Breakfast Program (SBP), Seamless Summer Option (SSO) of the NSLP, Afterschool Snack Program (ASP) of the NSLP, and Special Milk Program (SMP)

This memorandum addresses the requirements for the milk component in the meal patterns for the NSLP, SBP, SSO, ASP, and SMP, as required by the U.S. Department of Agriculture (USDA) regulations for the NSLP ([7 CFR Part 210](#)), SBP ([7 CFR Part 220](#)), and SMP ([7 CFR Part 215](#)); and the USDA's [Final Rule](#), *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements*. It also addresses the additional state beverage requirements for milk and nondairy milk substitutes in public schools, which are mandated by Section 10-221q of the Connecticut General Statutes (C.G.S.). The differences between the milk requirements for each school nutrition program, and for grades K-12 and preschoolers, are summarized below.

Grades K-12 in the NSLP, SBP, SSO, and ASP

The NSLP, SBP, and SSO meal patterns for grades K-12 require a serving of fluid milk. The ASP meal pattern for grades K-12 allows a serving of fluid milk as one of the two required snack components. Milk must be pasteurized, meet all state and local requirements, and contain vitamins A and D at levels specified by the Food and Drug Administration (FDA).

The USDA meal patterns for grades K-12 allow low-fat milk (unflavored or flavored) and fat-free milk (unflavored or flavored). Low-fat and fat-free milk may also be lactose-reduced, lactose-free, buttermilk, and acidified. In addition to meeting the USDA meal pattern requirements, milk sold to students in public schools (as part of and separately from school meals) must also comply with the state beverage requirements of C.G.S. Section 10-221q. For more information, see "Additional State Requirements for Milk in Public Schools" on page 3.

School food authorities (SFA) must offer students a **variety** (at least two different choices) of allowable milk at every meal. The milk variety requirement does not apply to the ASP.

For example, at lunch and breakfast, a SFA could offer unflavored low-fat milk and unflavored fat-free milk; or could offer unflavored low-fat milk, chocolate fat-free milk, and unflavored fat-free milk. However, milk choices cannot consist of **only** flavored milk. For example, a SFA cannot offer chocolate fat-free milk and strawberry low-fat milk as the only two milk choices because both choices are flavored. **SFAs that choose to offer flavored milk (fat-free or low-fat) must also offer unflavored milk (fat-free or low-fat) at the same meal service.**

Note: Whole milk and reduced-fat (2%) milk do not credit in the NSLP, SBP, SSO, and ASP meal patterns for grades K-12. SFAs cannot serve these types of milk as part of reimbursable meals and ASP snacks unless a child's disability requires them, and the child's parent or guardian provides a medical statement signed by a recognized medical authority. For information on the requirements for meal modifications, see the Connecticut State Department of Education's (CSDE) guide, [Accommodating Special Diets in School Nutrition Programs](#).

For detailed guidance on the NSLP, SBP, and SSO meal patterns for grades K-12, see the CSDE's guide, [Menu Planning Guide for School Meals for Grades K-12](#), and visit the CSDE's webpages, [Meal Patterns for Grades K-12 in School Nutrition Programs](#) and [Crediting Foods in School Nutrition Programs](#). For detailed guidance on the ASP meal patterns for grades K-12, see the CSDE's [Afterschool Snack Program Handbook](#), and visit the CSDE's [Afterschool Snack Program](#) webpage.

Preschoolers (Ages 1-4) in the NSLP, SBP, SSO, and ASP

The NSLP, SBP, and SSO meal patterns for preschoolers require a serving of fluid milk. The ASP meal pattern for preschoolers allows a serving of fluid milk as one of the two required snack components. Milk must be pasteurized, meet all state and local requirements, and contain vitamins A and D at levels specified by the FDA.

Flavored milk is **not** allowed for preschoolers. The meal patterns for preschoolers require unflavored whole milk for age 1; and unflavored low-fat milk or unflavored fat-free milk for ages 2-4. In addition to meeting the USDA meal pattern requirements, milk sold to preschoolers in **public schools** (as part of and separately from school meals) must also comply with the state beverage requirements of C.G.S. Section 10-221q. For more information, see "Additional State Requirements for Milk in Public Schools" on page 3.

The milk variety requirement does not apply to the NSLP, SBP, SSO, and ASP meal patterns for preschoolers. SFAs can offer one choice of allowable milk to each age group. For example, unflavored whole milk for age 1 and unflavored low-fat milk for ages 2-4.

For detailed guidance on the NSLP, SBP, SSO, and ASP meal patterns for preschoolers, see the CSDE's guide, [Menu Planning Guide for Preschoolers in the NSLP, SBP, and ASP](#), and visit the CSDE's [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpage.

Flavored Milk for Preschoolers and Grades K-5 Eating Meals Together

SFAs that serve NSLP, SBP, and SSO meals to preschoolers and grades K-5 in the same service area at the same time may choose to serve the K-5 meal pattern to both grade groups. The K-5 meal pattern requires a variety of milk choices, which could include flavored low-fat or fat-free milk. However, the USDA strongly encourages SFAs to find ways to serve grade-appropriate meals to preschoolers and grades K-5 to best address their nutritional needs.

The USDA allows the option to serve the K-5 meal pattern to preschoolers **only** when preschoolers are co-mingled with K-5 students during the meal service. SFAs must follow the preschool meal patterns when meals are served to preschoolers in a different area or at a different time than K-5 students. For more information, see [USDA Memo SP 37-2017: Flexibility for Co-Mingled Preschool Meals: Questions and Answers](#).

Flavored Milk for Preschoolers and Grades K-12 Eating ASP Snacks Together

SFAs that serve ASP snacks to preschoolers and grades K-12 in the same service area at the same time may choose to serve the K-12 ASP meal pattern to both grade groups. The ASP meal pattern for grades K-12 allows flavored low-fat or fat-free milk. However, the USDA strongly encourages SFAs to find ways to serve grade-appropriate meals to preschoolers and grades K-12 to best address their nutritional needs.

The USDA allows the option to serve the K-12 ASP meal pattern to preschoolers **only** when preschoolers are co-mingled with K-12 students during the snack service. SFAs must follow the preschool ASP meal pattern when snacks are served to preschoolers in a different area or at a different time than K-12 students.

Preschoolers and Grades K-12 in the SMP

The SMP requires unflavored whole milk for age 1; unflavored low-fat milk or unflavored fat-free milk for ages 2-5; and low-fat milk (unflavored or flavored) or fat-free milk (unflavored or flavored) for ages 6 and older. In addition, milk sold to students in **public schools** must also comply with the state beverage requirements of C.G.S. Section 10-221q. For more information, see “Additional State Requirements for Milk in Public Schools” below.

The milk variety requirement does not apply to the SMP. SFAs can offer one choice of allowable milk to each age group. For example, unflavored whole milk for age 1, unflavored low-fat milk for ages 2-5, and unflavored low-fat milk for ages 6 and older.

For information on the SMP, visit the CSDE’s [Special Milk Program](#) webpage.

Additional State Requirements for Milk in Public Schools

In addition to meeting the USDA meal pattern requirements, milk sold to preschoolers and grades K-12 in public schools must also meet the state beverage requirements of C.G.S. [Section](#)

[10-221q](#). This includes milk sold as part of reimbursable meals and snacks, and milk sold a la carte to students, i.e., separately from reimbursable meals. The state beverage statute does not apply to private schools or residential child care institutions (RCCIs).

The state beverage statute requires that milk cannot contain more than 4 grams of sugars per ounce. Products that comply with the requirements of the USDA meal patterns and C.G.S. Section 10-221q are listed on the CSDE's [List of Acceptable Foods and Beverages](#) webpage. For more information on the state beverage statute, visit the CSDE's [Beverage Requirements](#) webpage.

Nondairy Milk Substitutes for the NSLP, SBP, SSO, and ASP

SFAs may choose to offer one or more allowable milk substitutes for children whose dietary needs do not constitute a disability. Parents or guardians must submit a written request for a nondairy milk substitute for their child. A medical statement signed by a recognized medical authority is not required. For information on the USDA's nutrition standards for fluid milk substitutes and the requirements for milk substitutes for children without disabilities, see the CSDE's handout, [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

Allowable milk substitutes for the USDA meal patterns include lactose-free and lactose-reduced milk (unflavored or flavored) and nondairy milk substitutes that meet the USDA's nutrition standards for fluid milk substitutes. **Note:** For children whose dietary needs do not constitute a disability, SFAs cannot offer any other beverages (including water and juice) in place of milk for reimbursable meals.

If SFAs choose to offer nondairy milk substitutes to students, the products must meet the USDA's nutrition standards for fluid milk substitutes. In addition to meeting the USDA's nutrition standards, nondairy milk substitutes sold to students in **public schools** must also comply with the state beverage requirements of C.G.S. Section 10-221q. This includes nondairy milk substitutes sold as part of reimbursable meals and ASP snacks; and nondairy milk substitutes sold a la carte to students, i.e., separately from reimbursable meals. The state beverage statute does not apply to private schools or RCCIs.

The state beverage statute requires that nondairy milk substitutes cannot contain artificial sweeteners; and cannot contain more than 4 grams of sugar per ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fats. Products that comply with the USDA's nutrition standards and C.G.S. Section 10-221q are listed on the CSDE's [List of Acceptable Foods and Beverages](#) webpage. For more information on the state beverage statute, visit the CSDE's [Beverage Requirements](#) webpage.

Summary of Milk Requirements

The CSDE has developed a chart that summarizes the federal and state milk requirements for grades K-12 and preschoolers in the NSLP, SBP, SSO, ASP, and SMP. This chart is available in the CSDE's handout, [Comparison of Meal Pattern Requirements for the Milk Component in School Nutrition Programs](#).

Questions may be directed to your school nutrition consultant.

Consultants for School Nutrition Programs	
County	Consultant
<ul style="list-style-type: none">Fairfield County (Includes Region 9)Litchfield County (Includes Regions 1, 6, 7, 12, and 14)	Fionnuala Brown fionnuala.brown@ct.gov 860-807-2129
<ul style="list-style-type: none">Hartford County (Includes Region 10)Middlesex County (Includes Regions 4, 13, and 17)	Teri Dandeneau teri.dandeneau@ct.gov 860-807-2079
<ul style="list-style-type: none">New Haven County (Includes Regions 5, 15, and 16)	Jackie Schipke jackie.schipke@ct.gov 860-807-2123
<ul style="list-style-type: none">New London CountyTolland County (Includes Regions 8 and 19)Windham County (Includes Region 11)	Susan Alston susan.alston@ct.gov 860-807-2081

JDF:sff

Important: This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain in a binder for future reference. All CSDE operational memoranda are posted on the CSDE's [Operational Memoranda for School Nutrition Programs](#) webpage.