Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

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 public schools, private schools, and residential child care institutions (RCCIs) that participate in the U.S. Department of Agriculture's (USDA) school nutrition programs. The school nutrition programs include the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), and Child and Adult Care Food Program (CACFP) At-Risk Afterschool Meals Program implemented in schools.

> **Note:** The information in this document is based on the current guidance in USDA Memo SP 01-2026: Whole Milk for Healthy Kids Act of 2025 – Implementation Requirements for the National School Lunch Program and the USDA final rule, Expanding Fluid Milk Options in Child Nutrition Programs.

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 in the School Nutrition Programs*.



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Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

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

Effective January 14, 2026, the Whole Milk for Healthy Kids Act of 2025 amends the Richard B. Russell National School Lunch Act to revise the requirements for milk and fluid milk substitutes provided through the NSLP. With the implementation of this law, the requirements for non-disability fluid milk substitutes in the NSLP meal patterns for grades K-12 are different from the meal patterns for the other school nutrition programs.

Allowable Fluid Milk Substitutes (Nondairy Beverages)

Section 7 CFR 210.10(d)(2) of the NSLP regulations and section 7 CFR 220.8(d) of the SBP regulations allow SFAs to choose to offer one or more allowable 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 210.10(d)(2)(ii) of the NSLP 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 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 Beverage Requirements for Public Schools" in this document).

Documentation for nondairy beverages for non-disability reasons

With the implementation of the Whole Milk for Healthy Kids Act of 2025, effective January 14, 2026, a written statement is not required to request a fluid milk substitute for non-disability reasons for the NSLP meal patterns for grades K-12.

Milk substitutes for non-disability reasons continue to require a written statement for the SBP and ASP meal patterns for grades K-12; the NSLP, SBP, and ASP preschool meal patterns; and the SMP. This statement must identify the need for the milk substitute and may be submitted by the parent/guardian, a state licensed healthcare professional, or a registered dietitian. Written requests for fluid milk substitutes must be maintained on file with the student's medical records.

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SFAs must consider the selling location of nondairy milk substitutes to ensure that meals and afterschool snacks are reimbursable. If nondairy milk substitutes are available in the milk cooler, SFAs must have a process in place (as applicable to the school nutrition program) to determine if the students who select them have a written request on file. Without this request, nondairy milk substitutes do not credit as the milk component in reimbursable meals and afterschool snacks (except for the NSLP meal patterns for grades K-12).

Nondairy beverages and the dietary specifications

The dietary specifications are the USDA's weekly nutrition standards for the NSLP and SBP meal patterns for grades K-12. School meals as averaged over the week must meet the calorie ranges and limits for saturated fat, sodium, and beginning July 1, 2027, added sugars.

Nondairy milk substitutes offered as part of reimbursable breakfasts and lunches for grades K-12 must fit within the weekly dietary specifications. Contributions from nondairy milk substitutes must be included in the calculations of all weekly dietary specifications, including calories, saturated fat, sodium, and beginning July 1, 2027, added sugars. Nondairy milk substitutes cannot cause the lunch or breakfast menu to exceed the weekly limits.

For information on the dietary specifications, refer to the CSDE's *Guide to the Dietary Specifications for the National School Lunch Program and School Breakfast Program Meal Patterns for Grades K-12* and visit the Dietary Specifications section of the CSDE's Meal Patterns for Grades K-12 in School Nutrition Programs webpage.

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Additional State Requirements for Nondairy Beverages in Public Schools

In addition to meeting the USDA's requirements for fluid milk substitutes, nondairy beverages in public schools must comply with the state beverage requirements of C.G.S. Section 10-221q. These requirements apply to all fluid milk substitutes available for sale to students in public schools, including reimbursable meals, afterschool snacks, a la carte sales, and the SMP.

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. The state beverage statute does not apply to private schools or RCCIs.

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.

USDA's Nutrition Standards for Fluid Milk Substitutes

SFAs 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 substitute 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, SFAs must obtain this information from the manufacturer.

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

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*).

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Identifying Acceptable Nondairy Beverage Products

List 17: Dairy Alternative Beverages of the CSDE's List of Acceptable Foods and Beverages webpage identifies commercial nondairy beverage products that meet the USDA's nutrition standards for fluid milk substitutes and the requirements of the state beverage statute. Certain brands of fortified soy milk and oat milk are the only currently available commercial products that meet these requirements.

Almond milk, cashew milk, rice milk, some brands of soy milk, most brands of oat milk, and other nondairy milk products do not meet these requirements and cannot be offered as fluid milk substitutes for non-disability reasons in the school nutrition programs.

> Before purchasing any type of nondairy beverage, SFAs must ensure it complies with the USDA's nutrition standards for fluid milk substitutes (refer to table 2).

If a commercial nondairy beverage product is not included on List 17: Dairy Alternative Beverages, the SFA must determine if it meets the USDA's nutrition standards for fluid milk substitutes. The Nutrition Facts label does not usually include all the nutrients needed to identify if a product complies with the USDA's nutrition standards for fluid milk substitutes. If any nutrient information is missing, SFAs must contact the manufacturer to obtain documentation that 1 cup provides the minimum amount of each required nutrient.

Screening products using the USDA's protein standard

SFAs may use the USDA's protein standard for screening commercial products to 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 SFA 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. SFAs are encouraged to submit this information to the CSDE so that new acceptable fluid milk substitutes can be added to the CSDE's

List of Acceptable Foods and Beverages webpage. For guidance on submitting products to the CSDE, refer to the CSDE's resource, *Submitting Food and Beverage Products for Approval*.

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 School Nutrition Programs*.

Considerations for Offering Nondairy Milk Substitutes

The considerations below apply to SFAs that choose to offer allowable fluid milk substitutes for students who do not consume regular cow's milk due to non-disability reasons.

Variety of choices

Since nondairy milk substitutes are optional, SFAs may decide how many choices to offer. SFAs may choose to offer only one nondairy milk substitute. If students decide not to take this option, the SFA is not obligated to offer any other nondairy milk substitute.

SFAs that choose to offer one or more allowable nondairy milk substitutes must make them available to all students.

Pricing of reimbursable meals

SFAs cannot charge more for reimbursable meals that contain nondairy milk substitutes.

Pricing of a la carte sales

SFAs may allow students to purchase allowable nondairy milk substitutes a la carte (separately from reimbursable meals and afterschool snacks). SFAs may charge a higher la carte price for nondairy milk substitutes than regular milk. However, as with all a la carte items, the price charged to students should reflect the actual cost of the item plus an amount determined by the SFA's formula for a la carte pricing. For more information, refer to the CSDE's *Pricing Worksheet for A La Carte Sales in the School Nutrition Programs*.

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Beverages Not Allowed for Non-disability Reasons

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

- juice;
- water;
- nondairy beverages 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;
- nutrition supplement beverages;
- lactase-free/reduced milk that does not meet the required fat content or flavor restrictions for each meal pattern (refer to the CSDE's resource, *Offering Lactose-Free and Lactose-Reduced Milk in the School Nutrition Programs*);
- powdered milk beverages; and
- milk reconstituted from dry milk powder (section 7 CFR 210.10(d)(3)(ii) of the NSLP regulations allows reconstituted milk only with approval from the state agency when there is a continuing emergency that prevents fluid milk from being available).

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

Meals and afterschool 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 in the School Nutrition Programs*.

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Summary of Requirements for Optional Nondairy Milk Substitutes

The table below summarizes the federal and state requirements for optional nondairy milk substitutes in the school nutrition programs.

Table 2. Summary of federal and state requirements

Requirement	Implementation guidance for nondairy beverages
Allowable types (USDA meal pattern regulations)	Nondairy beverages must meet the USDA's nutrition standards for fluid milk substitutes (refer to table 2).
Public schools only: 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 must meet the state beverage statute. They 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 Public Schools" in this document).
Documentation required	**NSLP for grades K-12:** Effective January 14, 2026, a written statement is not required for students requesting a nondairy milk substitute for the NSLP meal patterns for grades K-12. **SBP and ASP meal patterns for grades K-12; the NSLP, SBP, and ASP preschool meal patterns; and the SMP:** Milk substitutes for non-disability reasons continue to require a written statement that identifies the need for the milk substitute (refer to "Requesting nondairy beverages for non-disability reasons" in this document).
Informing state agency if SFA offers nondairy beverages	Effective January 14, 2026, the Whole Milk for Healthy Kids Act of 2025 rescinds the NSLP requirement for SFAs to inform the state agency if any schools choose to offer nondairy beverages for non-disability reasons (7 CFR 210.10(d)(2)(i)).

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Requirement	Implementation guidance for nondairy beverages
Weekly dietary specifications for school meals (apply only to the NSLP and SBP meal patterns for grades K-12)	Contributions of nondairy beverages must be included in the calculations of the dietary specifications for calories, saturated fat, sodium, and beginning July 1, 2027, added sugars (refer to "Nondairy beverages and the dietary specifications" in this document).
Identifying allowable products	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. Refer to the CSDE's resource, *Identifying Products that Meet USDA's Nutrition Standards for Fluid Milk Substitutes in the School Nutrition Programs,* to determine if beverages that are not included on List 17 comply with the USDA's nutrition standards for fluid milk substitutes.

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

Resources

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

Guide to Meal Modifications in the School Nutrition Programs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/nslp/specdiet/guide_meal_modifications_snp.pdf

Guide to the Dietary Specifications for the National School Lunch Program and School Breakfast Program Meal Patterns for Grades K-12 (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/mpg/guide_dietary_specifications_nslp_ sbp_ k12.pdf

Identifying Products that Meet the USDA's Nutrition Standards for Fluid Milk Substitutes in the School Nutrition Programs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/nslp/specdiet/identify_allowable_nondairy_milk_ substitutes_snp.pdf

List 17 Dairy Alternative Beverages (CSDE's List of Acceptable Foods and Beverages webpage):
https://portal.ct.gov/-/media/sde/nutrition/hfc/fblist/acceptablefoodslist17.pdf

Meal Patterns for Grades K-12 in School Nutrition Programs (CSDE webpage):
https://portal.ct.gov/sde/nutrition/meal-patterns-school-nutrition-programs

Meal Patterns for Preschoolers in School Nutrition Programs (CSDE webpage):
https://portal.ct.gov/sde/nutrition/meal-patterns-preschoolers-in-school-nutrition-programs

Milk Substitutes for Non-disability Reasons (CSDE's Crediting Foods in School Nutrition Programs)
https://portal.ct.gov/sde/nutrition/crediting-foods-in-school-nutrition-programs/milk #MilkSubstitutes

Milk Substitutes for Non-disability Reasons (CSDE's Special Diets in School Nutrition Programs webpage):
https://portal.ct.gov/sde/nutrition/special-diets-in-school-nutrition-programs/milk-substitutes-for-non-disability-reasons

NSLP Regulations 7 CFR 210.10(d)(2)(ii): Fluid milk substitutes for non-disability reasons:
https://www.ecfr.gov/current/title-7/part-210#p-210.10(d)(2)(ii)

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

NSLP regulations 7 CFR 210.10(d)(2): Fluid milk substitutes for non-disability reasons (USDA):
https://www.ecfr.gov/current/title-7/part-210#p-210.10(d)(2)

NSLP Regulations 7 CFR 210.10(d): Types of fluid milk:
https://www.ecfr.gov/current/title-7/part-210#p-210.10(d)(2)(ii)

Offering Lactose-Free and Lactose-Reduced Milk in the School Nutrition Programs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/nslp/specdiet/lactose_free_reduced_milk_snp.pdf

Pricing Worksheet for A La Carte Sales in the School Nutrition Programs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/nslp/forms/nonprogram_pricing_a_la_carte_introduction.pdf

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

SBP regulations 7 CFR 220.8(d): Fluid milk requirements:
https://www.ecfr.gov/current/title-7/part-220#p-220.8(d)

Special Diets in School Nutrition Programs (CSDE webpage):
https://portal.ct.gov/sde/nutrition/special-diets-in-school-nutrition-programs

Summary Charts of the Requirements for Meal Modifications in the School Nutrition Programs (CSDE):
https://portal.ct.gov/-/media/sde/nutrition/nslp/specdiet/summary_chart_meal_modifications_snp.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: Fluid Milk Substitutions in the School Nutrition Programs (73 FR 52903):
https://www.fns.usda.gov/school-meals/fr-091208

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

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USDA Memo SP 01-2025: Fluid Milk Requirements for School Meals:
https://www.fns.usda.gov/cn/fluid-milk-requirements-schools

USDA Memo SP 01-2026: Whole Milk for Healthy Kids Act of 2025 – Implementation Requirements for the National School Lunch Program:
https://www.fns.usda.gov/nslp/wmfhka-implementation

USDA Memo SP 02-2009: Final Fluid Milk Substitution Rule:
https://www.fns.usda.gov/final-fluid-milk-substitution-rule

What's in a Meal Module 9: Milk Component (CSDE's Training Program, What's in a Meal: Meal Patterns for Grades K-12 in the School Nutrition Programs):
https://portal.ct.gov/sde/nutrition/meal-pattern-training-materials#module9

Whole Milk for Healthy Kids Act of 2025:
https://www.congress.gov/bill/119th-congress/senate-bill/222/text

Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

For more information, visit the Connecticut State Department of Education's (CSDE) Special Diets in School Nutrition Programs webpage or contact the school nutrition programs 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/nslp/specdiet/milk_substitutes_snp.pdf.

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Allowable Fluid Milk Substitutes for Non-disability Reasons in the School Nutrition Programs

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3. email: program.intake@usda.gov

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