

State Competitive Foods Policies

Updated by USDA

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STATE	POLICY
Alabama	The sale of foods of minimal nutritional value during meal service times will continue to be prohibited. Schools are required to restrict student access to concession, extra sales, vending and fundraisers that are in direct competition with the Child Nutrition Program during meal services anywhere on campus. If income from such sales occurs, the revenue is required to be deposited into the Child Nutrition account.
Alaska	USDA Regulations
Arizona	USDA Regulations
Arkansas	USDA Regulations
California	<p>The law currently in effect, requires that 50% of the items, other than foods reimbursed under federal law, offered for sale each school day at any schoolsite by any entity or organization during regular school hours be selected from a prescribed list of foods.</p> <p>In 2002, a new law (SB 19) was passed. The law will become operative Jan. 2004 if funds are appropriated in Budget Act of 2003 for the purpose of increasing State meal reimbursements by ten cents for all meals served, including paid, free, and reduced price meals. Establishes nutrition standards at <u>elementary schools</u>:</p> <p>1) The only food that may be sold to pupils during breakfast and lunch periods is food that is sold as a full meal. Fruit, non-fried vegetables, legumes, beverages, dairy products, or grain products may be sold as individual food items if they meet the following nutrition standards:</p> <ul style="list-style-type: none"> - Not more than 35% total calories from fat (excluding nuts and seeds) - Not more than 10% total calories from saturated fat - Not more than 35% total weight from sugar (excluding fruits and vegetables) <p>2) The only beverages that can be sold are water, milk, and juice that is at least 50% fruit juice with no added sweeteners.</p> <p>3) Foods sold as part of fundraising are exempted from the above standards if sold off campus or one-half hour after the end of the school day.</p> <p><u>In Middle Schools:</u></p> <p>1) No carbonated beverage allowed from ½ hour before school to end of the last lunch period.</p> <p><u>In High Schools:</u></p> <p>1) The above standards will only be implemented in 10 or more school sites that are awarded a two-year grant.</p>
Colorado	No competitive foods offered on campus from ½ hour prior to until ½ hour after the last regular breakfast or lunch. This may be waived for mechanically-vended beverages in senior high. Federal regulations for FMNV cannot be waived for any grade level.
Connecticut	No extra food items anywhere on campus from 1½ hour before and after any state or federally subsidized milk or food service program.

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	Extra foods means tea (including iced tea), coffee, soft drinks, and candy. Income from sales of any foods served on campus during this time must accrue to the food service account.
Delaware	USDA Regulations. (Has recommended policies.)
District of Columbia	USDA Regulations
Florida	No competitive foods in elementary schools. No competitive foods sold until one hour after last lunch period in secondary schools. However, in high schools, the sale of carbonated beverages is allowed at all times if a 100% fruit juice is sold at each location where the carbonated beverages are sold. The location cannot be where breakfast or lunch are served or eaten. 100/% juice may be sold all times during the day at any location.
Georgia	No foods of minimal nutritional value in elementary school until last lunch group is scheduled to return to class. In other schools, no foods of minimum nutritional value in dining, serving or kitchen areas during mealtime.
Guam	
Hawaii	The sale of food in all elementary and secondary schools shall be limited to the School Breakfast Program, School Lunch Program and approved cafeteria supplementary food items. Schools shall not permit anywhere on campus the sale of the other foods from the beginning of the school day to the ending of the school day except certain beverages through vending machines. These beverages may not be sold during meal serving periods. (At least one machine shall vend bottled water. Coffee and coffee-based beverages are not allowed.) Vending machines on elementary campuses should not be accessible to students.
Idaho	USDA Regulations
Illinois	No competitive foods in elementary schools during regular breakfast and lunch periods. Competitive foods include all confections, candy, potato chips, carbonated beverages, fruit drinks containing less than 50% pure fruit juice, tea, coffee, and any other foods or beverages designated as such by the State Board of Education. Income from sale of all food and beverages provided in any dining or serving area during the designated breakfast and lunch periods shall accrue to the food service account.
Indiana	USDA Regulations
Iowa	USDA Regulations
Kansas	USDA Regulations
Kentucky	No competitive foods on campus until ½ hour after last lunch period.

Louisiana	Competitive foods are allowed in Grade K-6 before the end of the last lunch period and in Grades 7-12 before the last 10 minutes of each lunch period only if income accrued to the school foodservice account and expended only for Child Nutrition Program purposes. A la carte meal service is prohibited. However, extra items may be sold only to those who have received a complete meal and the items must meet component requirements as defined by Enhanced Food-based Menu regulations. The only exceptions are milkshakes, yogurt, frozen yogurt, ice cream, and ice milk. Full-strength juice, milk, and bottled water (unflavored with no additives) may be sold at any time during the day to anyone, whether or not they have purchased a meal.
Maine	Only the School Foodservice Program can sell food/beverages (that exceed the 5% minimal nutritional value per 100 calories rule) on campus during the school day and profits must accrue to the foodservice program. However, local school boards may establish, by policy, a process whereby a school or approved student organization is allowed to benefit from the sale of such foods and beverages.
Mariana Islands	
Maryland	No foods of minimal nutritional value until the end of the last lunch period.
Massachusetts	USDA Regulations
Michigan	USDA Regulations
Minnesota	USDA Regulations
Mississippi	No food is to be sold on campus for one hour before breakfast or lunch and until the end of either serving period. School Foodservice shall sell only those foods that are components of the approved Federal meal patterns being served (or milk products). With the exception of milk products, a student may purchase the individual components of the meal only if the full meal also is being purchased.
Missouri	USDA Regulations
Montana	USDA Regulations
Nebraska	No competitive foods anywhere on campus from ½ hour before until ½ hour after breakfast or lunch.
Nevada	USDA Regulations
New Hampshire	USDA Regulations
New Jersey	No food of minimal nutritional value on campus until the end of the last lunch period. Funds from sale of foods and beverages during the hours of operation of the school lunch and breakfast programs must accrue to the foodservice account.
New Mexico	USDA Regulations
New York	From the beginning of the school day until the end of the last scheduled meal period, no sweetened soda water, no chewing gum, no candy including hard candy, jellies, gums, marshmallow candies, fondant, licorice, snop candy and candy coated popcorn, and no water

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	ices except those which contain fruit or fruit juices, shall be sold in any public school within the State.
North Carolina	Competitive food sales are allowed in the lunchroom or its general environs if the profits accrue to school foodservice and used solely for the school meal programs. Schools may sell extra food items after the established lunch hour is over, only with the approval of the local board of education. Local board approval is also needed to sell soft drinks to students so long as soft drinks are not sold during the lunch period, at elementary schools, or contrary to the requirements of the National School Lunch Program. A la carte foods may not include food of minimum nutritional value.
North Dakota	USDA Regulations
Ohio	USDA Regulations
Oklahoma	USDA Regulations
Oregon	USDA Regulations
Pennsylvania	USDA Regulations
Puerto Rico	
Rhode Island	USDA Regulations
Samoa	
South Carolina	USDA Regulations
South Dakota	USDA Regulations
Tennessee	USDA Regulations
Texas	USDA Regulations
Utah	USDA Regulations
Vermont	USDA Regulations
Virginia	Any food or beverage sold (including a la carte) in Virginia schools from 6:00 a.m. until the end of breakfast period, and during the lunch period, must meet the following nutrition standard. The foods and beverages sold must either be a recognized component of the food based meal pattern or must contain 5% of the Daily Value, per serving or per 100 calories, of at least one of these eight essential nutrients: iron, calcium, protein, vitamin A, vitamin C, niacin, thiamine, or riboflavin. The money from the sale of food or drink during the protected time periods must accrue to the school nutrition program account. Iced or hot coffee or tea may not be sold to students; non-carbonated water may be sold.

Virgin Islands	USDA Regulations
Washington	USDA Regulations
West Virginia	No foods of minimal nutritional value may be served or sold to students during the instructional day, except that county boards may permit the sale of soft drinks in county high schools except during breakfast and lunch periods. Revenues accrue to the principal for purchase of school supplies and to the faculty senate for allocation. The state has nutritional standards for foods served in schools during the day including: 1) no foods containing 40% or more sugar by weight, 2) any juice or juice product must contain a minimum of 20% real juice, and 3) all "other" foods shall reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per one ounce serving, or meet the USDA standard for a lunch component. Only meal components may be sold as a la carte for breakfast, and only fluid milk, milkshakes and bottled water (100% natural spring water containing no additives) may be served as a la carte items for lunch.
Wisconsin	USDA Regulations
Wyoming	USDA Regulations

Federal Regulations Definitions:

Competitive Foods: Means any foods sold in competition with the Program to children in food service areas during the lunch periods.

Food of Minimal Nutritional Value (FMNV) means:

- (i) In the case of artificially sweetened foods, a food which provides less than five percent of the Reference Daily intakes (RDI) for each of eight specified nutrients per serving; and
- (ii) In the case of all other foods, a food which provides less than five percent of the RDI of each of eight specified nutrients per serving.

The eight nutrients to be assessed for this purpose are – protein, vitamin A, vitamin C, niacin, riboflavin, thiamine, calcium, and iron. The categories of FMNV include: soda water, water ices, chewing gum, certain candies, hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy coated popcorn.