

## **Business and Non-Instructional Operations**

### **Food Sales Other than National School Lunch Program**

Good nutrition is essential to peak academic performance for students and to long-term health. The Orange Board of Education supports nutrition programs and nutrition education as an integral part of a high-quality education.

To ensure that foods served at schools address modern nutritional needs and to protect the health of students, the Business Manager and Principals of the buildings will address control over the sale of non-cafeteria/competitive food. For purposes of this policy, “competitive food” means any food that is sold in competition with the school lunch or breakfast program.

The district *will not* permit vending machines and the sale of competitive foods in the schools.

Schools and/or school organizations *will not* operate any vending machines that are accessible to students.

The Orange District schools shall make available for purchase by students nutritious and low-fat foods which shall include, but shall not be limited to, dairy products and low-fat dairy products and fresh or dried fruit at all times when food is available for purchase during the regular school day in schools.

The sale of beverages to students from any source, including, but not limited to, school stores, school cafeterias, and any fund-raising activities on school grounds during the school day, whether or not school-sponsored, shall be restricted to milk, non-dairy drinks such as soy or rice milk, 100% fruit juices, vegetable juices, or combination of such juices, beverages that contain only water or vegetable juice and water. All allowed beverages must fulfill the requirements specified in Connecticut statute regarding artificial sweeteners, flavoring, caffeine, and portion size.

The Principal is responsible for ensuring that foods from food fundraising sales and other non-cafeteria/competitive foods are sold in compliance with federal and state guidelines and district policy.

The Superintendent of Schools is authorized to discontinue the sale of competitive foods if not properly operated.

\*Note: Connecticut regulations prohibit schools from selling or dispensing tea, coffee, soft drinks and candy to students anywhere on school premises from 30 minutes prior to the start of any state or federally subsidized milk or meal program (National School Lunch Program, School Breakfast Program, After-School Snack Program and Special Milk Program) until 30 minutes after the end of the program. The income from the sale of any foods, including vending

machines, school stores, student fund-raisers, P.T.A., clubs etc., sold or distributed anywhere on the school premises during the same timeframe must accrue to the food service account. Federal regulations prohibit the sale of foods of minimal nutritional value during meal periods. The sale of soda is banned by Connecticut statute.

Legal Reference: National School Lunch Program and School Breakfast Program; Competitive Foods.

(7 CFR Parts 210 and 220, Federal Register, Vol.45, No. 20, Tuesday, January 29, 1980, pp. 6758-6772)

Connecticut General Statutes

[10-221p](#) Boards to make available for purchase nutritious low-fat foods and drinks

PA 06-63 An Act Concerning Healthy Food and Beverages in Schools

Policy adopted: May 13, 2013

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Only food or drinks which do meet the minimal nutritional values set by the Food and Nutrition Service of the United States Department of Agriculture (Section 17 of Public Law [95](#)-166 amending Section 10 of the Child Nutrition Act of 1966) and Connecticut state regulations may be sold or made available for sale in any school of the district between the beginning of the school day and the close of the last lunch period at that school. No food or drink distributing machine shall be accessible to students during those hours unless the food or drink being sold meets the minimal nutritional values specified. When any food is available for purchase during the day, nutritious low fat foods and drinks, as defined by state law, must also be available for purchase by students during the regular school day.

Promotional candy sales shall be limited to the period before the beginning of the school day and after the close of the school day. Such sales require approval of the school Principal.

Sale of food or drinks during the period from the beginning of the school day until the end of the last lunch period is regarded as being competitive with the National School Lunch Program or the School Breakfast Program. Food or drinks which do meet or exceed the minimal nutritional values of the USDA and which are sold during the period above are, however, not considered as being competitive with those programs. These may be sold during the times cited above, but all profits from such sales must accrue to the food service account.

The Secretary of the United States Department of Agriculture has approved a list of competitive foods which may be sold, and the State of Connecticut may extend that list, but only foods approved by the State of Connecticut and/or the Secretary may be sold in the schools of the district during the hours cited.

The listing of categories of foods of less than minimal nutritional value shall be used as a guide to sales of competitive foods and drinks in the schools, with the understanding that the listing may be modified by the USDA and/or the State of Connecticut. The list follows:

### **Categories of Foods of Minimal Nutritional Value**

1. **Soda Water** --As defined by 21 CFR 165.175 FDA regulations except that artificial sweeteners are an ingredient that is included in this definition.
2. **Water Ices** -- As defined by 21 CFR 135.160 FDA regulations except that water ices which contain fruit or fruit juices are not included in this definition.
3. **Chewing Gum** --Flavored products from natural or synthetic gums and other ingredients which form an insoluble mass for chewing.
4. **Certain Candies** -- Processed foods made predominantly from sweeteners with a variety of minor ingredients which characterize the following types:
  - A. Hard candy, such as sour balls, fruit balls, candy sticks, lollipops, starlight mints, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers and cough drops.
  - B. Jellies and gums, such as gum drops, jelly beans, jellied and fruit-flavored slices.
  - C. Marshmallow candies.
  - D. Fondant, such as candy corn, soft mints.
  - E. Licorice --a product made mostly from sugar and corn syrup which is flavored with an extract made from the licorice root.
  - F. Spun candy.
  - G. Candy coated popcorn, a product made by coating popcorn with a mixture made predominantly from sugar and corn syrup.
5. Coffee, tea.
6. Soft drinks. (Not permitted after 7/1/06 by Connecticut law)

Legal Reference: National School Lunch Program and School Breakfast Program; Competitive Foods.

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