

Competing Food Sales – School Nutrition



Texas Department of Agriculture (TDA) defines competitive foods and FMNV's as such according to the Texas Public School Nutrition Policy:

- **Competitive Foods:** Foods and beverages sold or made available to students that compete with the school's operation of the National School Lunch Program or School Breakfast Program. This definition includes, but is not limited to food and beverages sold or provided in vending machines, in school stores, in the classroom or as part of school fundraisers. School fundraisers include food sold by school administrators or staff (principals, coaches, teachers, etc.), student or student groups, parents or parent groups, or any other person, company, or organization.
- **FMNV:** Foods of Minimal Nutritional Value: Refers to the four categories of foods and beverages (soda water, water ices, chewing gum, and certain candies) that are restricted by the U.S. Department of Agriculture under the child nutrition programs. (Please contact food service director for complete list of FMNV's)

TDA has updated the Administrator's Reference Manual (ARM) to include all the regulations regarding food service regulations to include the new FMNV. Any sale in competition with the National School Breakfast or Lunch program will take funds away from these programs.

Competitive foods does **not** pertain to foods items made available by the school foodservice department. This does not mean cupcakes, cookies, ice cream, etc. are allowable simply if provided by food service. All foods offered must meet the new regulations for portion size.

The policy released on 6/01/04 states the following:

Charts summarizing the policy may be found at the following link

http://squaremeals.com/fn/render/channel/items/0,1249,2348_2360_0_0,00.html

Elementary Competitive Foods and Snacks

May not serve or provide access to them through direct or indirect sales anywhere on school premises throughout the school day until the end of the last scheduled class. Elementary classrooms may allow one nutritious snack per day under the teacher's supervision. The snack may be in the morning or afternoon but may not be the same time as the regular meal periods for that class. The snack must comply with the fat and sugar limits of the Public School Nutrition Policy and may not contain any FMNVs or consist of candy or dessert type items.

Middle School Competitive Foods

May not serve competitive foods or provide access to them through direct or indirect sales to students anywhere on school premises during meal periods. This does not pertain to food items made available by the foodservice department. The competitive foods included in this policy do not include FMNVs, which are not allowed until the end of the last lunch period.

High School Competitive Foods

High Schools may not serve or provide access to competitive foods during meal periods in areas where reimburseable meals are served and/or consumed. This does not pertain to food items made available by the school foodservice department. All competitive foods sold or provided to students must meet the nutrition standards listed in the School Nutrition Policy.

What would be the restriction in a K-12 school?

Access to FMNVs for students in grades K-6 would have to be prohibited all times anywhere on schools premises. Access to FMNVs for students in grades 6-8 would have to be prohibited during meal periods anywhere on school premises. The school should have a written policy and all students must be informed of the policy.

If foods are sold in the cafeteria they are considered in competition with the school meal program. The District can be at risk for loss of all reimbursements at that school.