

Final Rule to Update School Lunches and Breakfasts



U.S. Department of Agriculture
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BACKGROUND

Proposed Rule (Jan 2011)

- Title: *Nutrition Standards in the National School Lunch and School Breakfast Programs (76 FR 2494)*
- Published: Jan. 13, 2011
- Based on 2009 IOM report, *School Meals: Building Blocks for Healthy Children*
- 133,268 total comments received
 - <http://www.regulations.gov/#!documentDetail;D=FNS-2007-0038-64675>

Final Rule (Jan 2012)

- Title: *Nutrition Standards in the National School Lunch and School Breakfast Programs (77 FR 4088)*
 - Significant improvements to school meals, while modifying several key proposed requirements to address public comments regarding cost, timing, food waste, and administrative burden
 - Published: January 26, 2012
 - Effective date: July 1, 2012
- <http://www.gpo.gov/fdsys/pkg/FR-2012-01-26/pdf/2012-1010.pdf>

Changes from Proposed Rule

- USDA responsive to stakeholder concerns
 - Changes to breakfast phased-in gradually over 3 years
 - No meat/meat alternate required at breakfast
 - Additional year to implement sodium target #2
 - Students may take smaller portions of fruits and vegetables under Offer versus Serve
 - Compliance based on one-week reviews of menus

Congressional Action

- Several changes from proposed rule required as result of Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55)
 - No maximum weekly limit on starchy vegetables (or other vegetable subgroups)
 - USDA to evaluate studies on sodium intake/ health prior to 2nd and final sodium targets
 - Crediting of tomato paste unchanged
 - “Whole grain” definition provided in rule

NEW MEAL PATTERN

Final Rule Meal Pattern

	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades6-8 ^a	Grades9-12 ^a	GradesK-5	Grades6-8	Grades9-12
Meal Pattern	Amount of Food^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1) ^e	5 (1) ^e	5 (1) ^e	2.5 (0.5)	2.5 (0.5)	5 (1)
Vegetables (cups)^{c,d}	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green^f	0	0	0	0.5	0.5	0.5
Red/Orange^f	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes)^f	0	0	0	0.5	0.5	0.5
Starchy^f	0	0	0	0.5	0.5	0.5
Other^{f,g}	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total^h	0	0	0	1	1	1.5
Grains (oz eq)ⁱ	7-10 (1) ^j	8-10 (1) ^j	9-10 (1) ^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups)^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal)^{m,n,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories)^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg)^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of <u>trans</u> fat per serving.					

Reading the Meal Pattern Chart

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1) ^e	5 (1) ^e	5 (1) ^e	2.5 (0.5)	2.5 (0.5)	5 (1)

- First column
 - required food components & dietary specifications
- Next three columns
 - weekly SBP requirements based on age-grade
- Last three columns
 - amounts required for Lunch based on age-grade

Reading the Meal Pattern Chart

- Weekly requirements in cells; daily requirements in parentheses
- Fruits, Vegetables, Fluid Milk: daily/weekly minimums
- Grains, Meat/Meat Alternates: daily/weekly minimums and weekly maximums
- Calories: weekly minimums; weekly maximums
- Saturated Fat, Sodium: daily average in a week
- Trans Fat: daily/weekly maximum
- Chart available for download
<http://www.fns.usda.gov/cnd/Governance/Legislation/dietaryspecs.pdf>

IMPLEMENTATION TIMELINE

Implementation Timeline

NEW REQUIREMENTS	Implementation (School Year) for NSLP (L) and SBP (B)						
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2022/23
FRUITS COMPONENT							
Offer fruit daily	L						
Fruit quantity increase to 5 cups/week (minimum 1 cup/day)			B				
VEGETABLES COMPONENT							
Offer vegetables subgroups weekly	L						
GRAINS COMPONENT							
Half of grains must be whole grain-rich	L	B					
All grains must be whole-grain rich			L, B				
Offer weekly grains ranges	L	B					
MEATS/MEAT ALTERNATES COMPONENT							
Offer weekly meats/meat alternates ranges (daily min.)	L						
MILK COMPONENT							
Offer only fat-free (unflavored or flavored) and low-fat (unflavored) milk	L, B						
DIETARY SPECIFICATIONS (to be met on average over a week)							
Calorie ranges	L	B					
Saturated fat limit (no change)	L, B						
Sodium Targets ¹ -Target 1Target 2Final target			L, B			L, B	L, B
Zero grams of trans fat per portion	L	B					
MENU PLANNING							
A single FBMP approach	L	B					
AGE-GRADE GROUPS							
Establish age/grade groups: K-5, 6-8, and 9-12	L	B					
OFFER VS. SERVE							
Reimbursable meals must contain a fruit or vegetable (1/2 cup minimum)	L		B				
MONITORING							
3-year adm. review cycle		L, B					
Conduct weighted nutrient analysis on 1 week of menus	L	B					

Implementation Timeline

- Depicts when each requirement will be phased in for both breakfast and lunch over next 10 years
- Letter “L” denotes lunch and letter “B” denotes breakfast
- Available for download
http://www.fns.usda.gov/cnd/Governance/Legislation/implementation_timeline.pdf

GENERAL PROVISIONS

General Provisions

- New age/grade groups for Breakfast/Lunch
 - Grades K-5, 6-8, 9-12
 - Effective SY 2013-2014 for breakfast and SY 2012-2013 for lunch
 - Narrower to provide age-appropriate meals
 - Able to use same menu for grades K-8 due to overlap in requirements
- Food-Based Menu Planning required
- Offer versus Serve
 - A student has to select fruit or vegetable component
 - Schools required to offer full required amount, but student may select at least $\frac{1}{2}$ cup serving

MEAL COMPONENTS

Fruits

	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	GradesK-5	Grades6-8	Grades9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1) ^e	5 (1) ^e	5 (1) ^e	2.5 (0.5)	2.5 (0.5)	5 (1)

- Fruit is now *required* in the breakfast and lunch programs- lunch requirement is a change from current practices
 - Effective SY 2012-13 for lunch
 - Effective SY 2014-15 for breakfast due to significant increase in quantity

Fruits

- Fruits/vegetables separate; 2 components
- Daily serving at breakfast and lunch
- May select fresh, frozen without added sugar, canned in juice/light syrup, or dried
 - No more than half fruit offerings may be juice
 - 100% juice only
 - $\frac{1}{4}$ cup of dried fruit = $\frac{1}{2}$ cup of fruit
- Food Buying Guide for whole fruit crediting
- At breakfast, vegetables may be offered instead of fruits

Vegetables

	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	GradesK-5	Grades6-8	Grades9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Vegetables (cups)	0	0	0	3.75 (0.75)	3.75 (0.75)	5 (1)
Dark green	0	0	0	0.5	0.5	0.5
Red/Orange	0	0	0	0.75	0.75	1.25
Beans/Peas (Legumes)	0	0	0	0.5	0.5	0.5
Starchy	0	0	0	0.5	0.5	0.5
Other	0	0	0	0.5	0.5	0.75
Additional Veg to Reach Total	0	0	0	1	1	1.5

- Weekly minimums of all vegetable subgroups are required
- Final rule expands proposed orange subgroup to include red and orange vegetables

Vegetables

- Daily lunch serving reflects weekly variety
 - No SBP requirement; optional fruit substitute
- Vegetable subgroup weekly minimum requirements for
 - Dark Green (e.g., broccoli, collard greens, spinach)
 - Red/Orange (e.g., carrots, sweet potatoes)
 - Beans/Peas (Legumes) (e.g., kidney beans, lentils)
 - Starchy (e.g., corn, green peas, white potatoes)
 - Other (e.g., onions, green beans, cucumbers)
 - Additional vegetables to meet 5 cup weekly total

Vegetables (cont'd)

- Variety of preparation methods available
 - Fresh, frozen, and canned products
 - USDA Foods offers variety of no salt added or lower sodium products
- Raw, leafy greens credited as $\frac{1}{2}$ volume as served (i.e., 1 cup lettuce = $\frac{1}{2}$ vegetable serving)
- Beans/peas (legumes) may be credited as vegetable OR meat alternate
 - Count as one component per meal only

Grains

	Breakfast Meal Pattern			Lunch Meal Pattern		
	GradesK-5 ^a	Grades6-8 ^a	Grades9-12 ^a	GradesK-5	Grades6-8	Grades9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Grains (oz eq)	7-10 (1)	8-10 (1)	9-10 (1)	8-9 (1)	8-10 (1)	10-12 (2)

- Biggest change is a new requirement for whole grain-rich items
- Weekly grain quantities required at lunch have been reduced
 - In response to operator concerns about increased food quantities

Grains: Breakfast

- Offer daily minimums and weekly serving ranges of grains at breakfast
 - Weekly minimum and maximum quantities
 - Phased-in implementation of whole grain-rich
 - By SY 2013-14, at least half of offerings whole grain-rich
 - By SY 2014-15, all offerings are whole grain-rich
- Schools may substitute meat/meat alternate for grains once daily grains minimum met

Grains: Lunch

- Schools must offer the daily minimums and weekly serving ranges at lunch
 - Weekly minimum and maximum quantities
- By SY 2012-13, at least half of grains offered during the week must be whole grain-rich
- Beginning in SY 2014-15, all grains offered must be whole grain-rich

Criteria: Whole Grain-Rich Foods

- Currently no FDA standard label for whole grain content of foods
- USDA requires meeting temporary criteria:
 - Meet serving size requirements in the Grains/Breads Instruction, and
 - Meet at least one of the following:
 - Whole grains per serving must be ≥ 8 grams
 - Product includes FDA's whole grain health claim on its packaging
 - Product ingredient listing lists whole grain first (HUSSC criteria)

Other Grain Component Issues

- **Creditable Grain-Based Desserts**
 - Only two allowed at lunch per school week
 - A major source of solid fats and added sugars per DGA 2010
- **Formulated Grain-Fruit Products**
 - No longer able to meet grain or fruit components
 - Does not apply to granola bars, fortified cereals, etc.
- **Cost and Availability Concerns**
 - Many whole grain options available in USDA
 - Foods: brown rice, whole grain pasta, oatmeal, etc.

Meat/Meat Alternates

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Meats/Meat Alternates (oz eq)	0 ^k	0 ^k	0 ^k	8-10 (1)	9-10 (1)	10-12 (2)

- For breakfast, no daily or weekly meat/meat alternate requirement
- For lunch, the requirements go into effect in SY 2012-2013

Meat/Meat Alternates

- Daily and weekly requirements for lunch
 - 2 oz eq. daily for students in grades 9-12
 - 1 oz eq. daily for younger students
- Variety of meat/meat alternate encouraged
 - No protein subgroup requirement
- Both tofu and soy yogurt will be allowable as meat alternates
 - Additional vegetarian protein sources
 - Crediting instruction memo to follow

Fluid Milk

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food ^b Per Week (Minimum Per Day)					
Fluid milk (cups) ¹	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)

- Milk requirements go into effect for both breakfast and lunch in SY 2012-13

Fluid Milk

- Allowable milk options include
 - fat-free (unflavored or flavored)
 - low-fat (unflavored only)
 - fat-free or low-fat (lactose-reduced or lactose-free)
- Must offer at least two choices
- Does not alter nutrition standards for milk substitutes (soy, rice beverages)

DIETARY SPECIFICATIONS

Dietary Specifications

- **Calories**
 - Minimum and maximum calorie levels
 - Current regulations only establish minimums
 - Required by SY 2012-13 for lunch, and SY 2013-14 for breakfast
 - Grades K-5: 550-650 lunch, 350-500 breakfast
 - Grades 6-8: 600-700 lunch, 400-550 breakfast;
 - Grades 9-12: 750-850 lunch, 450-600 breakfast
- **Saturated Fat**
 - Limit to less than ten percent of total calories (same as current regulations)

Dietary Specifications

- New trans fat restriction
 - Nutrition label or manufacturer's specifications specify zero grams per serving
- No total fat requirement
- Maximum limits on sodium
 - Gradual implementation
 - Target 1: SY 2014-2015
 - Target 2: SY 2017-2018
 - Final Target: SY 2022-2023
- <http://www.fns.usda.gov/cnd/Governance/Legislation/sodium.pdf>

Sodium Reduction Timeline

Sodium Reduction in Final Rule for Breakfast: Timeline & Amount

Age/ Grade Group	<u>Baseline</u> Current Average Sodium Levels As Offered (mg)	Target 1: Meet by July 1, 2014 (SY 2014-15) (mg)	Target 2: SY 2017-18 (mg)	<u>Final</u> <u>Target</u>: SY 2022-23 (mg)	% Change (Current Levels vs. Final Targets)
K-5	573 (elementary)	≤ 540	≤ 485	≤ 430	-25%
6-8	629 (middle)	≤ 600	≤ 535	≤ 470	-25%
9-12	686 (high)	≤ 640	≤ 570	≤ 500	-27%

Sodium Reduction Timeline

Sodium Reduction in Final Rule for Lunch: Timeline & Amount

Age/ Grade Group	<u>Baseline:</u> Current Average Sodium Levels As Offered (mg)	Target 1: Meet by July 1, 2014 (SY 2014- 15) (mg)	Target 2: SY 2017-18 (mg)	<u>Final Target:</u> SY 2022-23 (mg)	% Change (Current Levels vs. Final Targets)
K-5	1,377 (elementary)	≤ 1,230	≤ 935	≤ 640	-54%
6-8	1,520 (middle)	≤ 1,360	≤ 1,035	≤ 710	-53%
9-12	1,588 (high)	≤ 1,420	≤ 1,080	≤ 740	-53%

Sodium Reduction Efforts

- Procurement specs and recipes will have to be modified
 - Technical assistance/training resources
 - USDA Foods reducing sodium in school foods
 - Already reduced for products (e.g., most cheeses)
- Prior to implementation of Target 2 and Final Target, USDA will evaluate relevant data on sodium intake and human health
 - Required by Section 743 of the Consolidated and Further Continuing Appropriations Act of 2012

A Review

TIMELINE OF CHANGES

Breakfast Changes Effective SY 2012-2013

- Offer *only* fat-free (flavored or unflavored) and lowfat (unflavored) milk
- Saturated fat limit <10% calories

Lunch Changes

Effective SY 2012-2013

- Offer fruit daily
- Offer vegetable subgroups weekly
- Half of grains must be whole grain-rich
- Offer weekly grain ranges
- Offer weekly meat/meat alternate ranges
- Offer *only* fat-free (flavored or unflavored) and low-fat (unflavored) milk
- Calorie ranges

Lunch Changes

Effective SY 2012-2013

- Saturated fat limit <10% calories
- Zero grams of *trans* fat per portion
- Single Food-Based Menu Planning approach
- Establish age/grade: K-5, 6-8 and 9-12
- Reimbursable meals must contain fruit or vegetable
- State agencies conduct weighted nutrient analysis on one week of menus

Breakfast Changes

Effective SY 2013-2014

- Half of grains must be whole grain-rich
- Offer weekly grain ranges
- Calorie ranges
- Zero grams of *trans* fat per portion
- Single Food-Based Menu Planning approach
- Establish age/grade: K-5, 6-8 and 9-12
- 3-year administrative review cycle
- Conduct weighted nutrient analysis on one week of menus

Lunch Changes Effective SY 2013-2014

- 3-year administrative review cycle

Breakfast Changes

Effective SY 2014-2015

- Fruit quantity to increase to 5 cups/week (minimum 1 cup/day)
- All grains must be whole grain-rich
- Target 1 for average weekly sodium limit
- Reimbursable meals must contain a fruit or vegetable

Lunch Changes

Effective SY 2014-2015

- All grains must be whole grain-rich
- Target 1 for average weekly sodium limit

Additional Lunch and Breakfast Changes

- SY 2017-2018
 - Target 2 sodium restriction
- SY 2022-2023
 - Final Target sodium restriction

* Prior to implementation of Target 2 and the Final sodium targets, USDA will evaluate relevant data on sodium intake and human health

Current Standards vs. Final Rule

Chart available at:

<http://www.fns.usda.gov/cnd/Governance/Legislation/comparison.pdf>

Current Breakfast vs. Final Rule

School Breakfast Program Meal Pattern

Food Group	Current Requirements K-12	Final Rule Requirements
Fruit	½ cup per day (vegetable substitution allowed)	Beginning SY 2014-15, 1 cup per day (vegetable substitution allowed) <i>Note: Students are allowed to select ½ cup of fruit under OVS.</i>
Grains and Meat/Meat Alternate (M/MA)	2 grains, or 2 meat/meat alternates, or 1 of each per day	Beginning SY 2013-14, daily and weekly grain ranges: Grades K-5: 1 oz eq. min. daily (7-10 oz weekly) Grades 6-8 : 1 oz eq. min. daily (8-10 oz weekly) Grades 9-12 : 1 oz eq. min. daily (9-10 oz weekly) *No meat/meat alternate requirement

Current Breakfast vs. Final Rule

School Breakfast Program Meal Pattern

Food Group	Current Requirements K-12	Final Rule Requirements
Whole Grains	Encouraged	At least half of the grains must be whole grain-rich beginning July 1, 2013. Beginning July 1, 2014, all grains must be whole grain rich.
Milk	1 cup daily (variety of fat contents allowed; flavor not restricted)	1 cup, must be fat-free (unflavored/flavored) or 1% low fat (unflavored) daily

Current Lunch vs. Final Rule

Food Group	Current Requirement	Final Rule Requirement
Fruit and Vegetables	1/2 - 3/4 cup of fruit and vegetables combined per day	3/4 - 1 cup of vegetables <u>plus</u> 1/2 -1 cup of fruit per day <i>Students allowed to select 1/2 cup fruit or vegetable under OVS.</i>
Vegetables	No specifications as to type of vegetable subgroup	Weekly requirement for: dark green; red/orange; beans/peas (legumes); starchy; other (as defined in 2010 DGA)

Current Lunch vs. Final Rule

Food Group	Current Requirement	Final Rule Requirement
<p>Meat/Meat Alternate (M/MA)</p>	<p>1.5 – 2 oz eq. (daily minimum)</p>	<p>Daily minimum and weekly ranges: Grades K-5: 1 oz eq. min. daily (8-10 oz weekly) Grades 6-8 : 1 oz eq. min. daily (9-10 oz weekly) Grades 9-12 : 2 oz eq. min. daily (10-12 oz weekly)</p>
<p>Grains</p>	<p>8 servings per week (minimum of 1 serving per day)</p>	<p>Daily minimum & weekly ranges: Grades K-5: 1 oz eq. min. daily (8-9 oz weekly) Grades 6-8 : 1 oz eq. min. daily (8-10 oz weekly) Grades 9-12 : 2 oz eq. min. daily (10-12 oz weekly)</p>

Current Lunch vs. Final Rule

Food Group	Current Requirement	Final Rule Requirement
Whole Grains	Encouraged	At least half of the grains must be whole grain-rich beginning July 1, 2012. Beginning July 1, 2014, all grains must be whole grain rich.
Milk	1 cup daily (variety of fat contents allowed; flavor not restricted)	1 cup, fat-free (unflavored/flavored) or 1% low fat (unflavored) daily

IMPLEMENTATION AND MONITORING

Implementation and Monitoring

- USDA/FNS Technical Assistance
 - Training and support through Team Nutrition, Regional Offices
 - Collaboration with National Food Service Management Institute, National Agricultural Library
 - Updating Food Buying Guide, menu planning resources

Implementation and Monitoring

- Financial Resources
 - Six cent reimbursement for eligible schools
 - Interim rule in Spring 2012, describing how States are expected to determine which schools are eligible for additional funding and administrative review requirements
 - \$47 million for each of two years
- Administrative reviews
 - Three-year cycle beginning in SY 2013-14 for lunch and breakfast
 - Use records for 1-week meal period (vs. 2 weeks in proposed rule)

CONCLUSION OF PRESENTATION