United States Department of Agriculture

Food and Nutrition Service

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Alexandria, VA
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SUBJECT: FNS Guidance to School Food Authorities: Flexibility in the Meat/Meat Alternate and Grain Maximums for School Year 2012-2013

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

INTRODUCTION

In January 2012, at the direction of the Healthy Hunger-Free Kids Act passed by Congress, the U.S. Department of Agriculture (USDA) published a final rule to promote the health of America's school children. The rule establishes new, science-based nutrition standards for the National School Lunch and School Breakfast Programs.[1] These standards are based on the recommendations of doctors, nutritionists, and other experts, and are designed to ensure that taxpayer-funded school meals reinforce the efforts of parents who are trying to instill their children with healthy eating habits and lifestyles in the face of the nation's growing child obesity epidemic.

The new standards identify the healthy ranges for five categories of food--fruits, vegetables, grains, meats or meat alternatives, and fluid milk--as well as the healthy ranges for total calories, saturated and trans fat, and sodium. For the grains and the meats/meat alternates components there are science-based, age-appropriate daily minimum quantities, as well as weekly minimum and maximum quantities for total calories. School Food Authorities (SFAs) that comply with the new standards are eligible for reimbursement for school meals, as well as for a 6 cent per lunch performance-based reimbursement that became available on October 1, 2012.

On April 27, 2012, FNS published the interim rule entitled *Certification of Compliance with Meal Pattern Requirements for the National School Lunch Program under the Healthy, Hunger-Free Kids Act of 2010* (77 FR 25024)

[1] The rule became effective on July 1, 2012. 77 FR4 4088.

(http://www.gpo.gov/fdsys/pkg/FR-2012-04-27/pdf/2012-10229.pdf). In support of this interim rule, FNS developed the Certification Tool and Instructions released in May 2012 (SP 34-2012, http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2012/SP34-2012os.pdf). The instructions offer technical guidance to States and SFAs about how to assess their compliance with the new standards when certifying SFA eligibility for the 6 cent performance-based reimbursement. After considering several approaches for measuring compliance with the weekly ranges for the grains and meats/meat alternates components in an effort to find the easiest method for schools and SFAs, FNS opted for measuring, for each day of the week-long menu, the reimbursable meal offered with the smallest grain or meat/meat alternate quantity (*i.e.*, the minimum), and the reimbursable meal offered with the largest grain or meat/meat alternate quantity (*i.e.*, the maximum). The weekly minimum and weekly maximum offerings available to students are determined by summing respectively, the daily minimums and daily maximum quantities.

During this initial period of implementation, FNS sought feedback from State agencies and SFAs on the new requirements. Our State and SFA partners have identified significant operational challenges in meeting the requirements for the grains and meats/meat alternates components, particularly for SFAs with schools with multiple menu offerings and multiple serving lines during meal service. Those challenges, and the way in which FNS will help the States and SFAs address them, are discussed below.

OPERATIONAL CHALLENGES RELATING TO GRAINS

Grains are unique among the components of the new school lunch standards in that they may be served in a variety of ways. For example, grains may be served as part of the entrée such as a sandwich or pasta, as a side dish such as rice or a roll. or both. Grains may also be served occasionally (up to 2 oz per week) as a dessert (e.g. fruit cobbler). This variety may create challenges for school menu planners considering different portion sizes for a single meal and across the various meals that may be offered on a given day, and that must be summed to stay within the weekly ranges. We understand that in practice it may be difficult for SFAs to offer meals with relatively larger grain items (e.g., 3 oz.) on the same day as meals with smaller grain items (e.g., 1 oz.), and stay within the weekly ranges. Some SFAs report that they have been forced to standardize their grain serving sizes to achieve compliance. This has limited menu planners' flexibility and in some cases has unintentionally precluded offering popular items such as sandwiches on a daily basis. In addition, some SFAs have reported that at present popular grain products such as rolls and bread may not be readily available from suppliers in the wide range of serving sizes needed to meet the grain range weekly requirements, thus exacerbating planning challenges. Finally, the variation in the maximum grain limit by age/grade groups also has contributed significantly to the challenges SFAs face in planning menus and serving lines to accommodate schools that serve multiple age/grade groups.

OPERATIONAL CHALLENGES RELATING TO MEAT/MEAT ALTERNATES

We have also been advised that some SFAs have found it difficult to offer meals with meat/meat alternate items in a range of sizes (e.g., 3 oz. and 1 oz. on the same day), and stay within the weekly ranges. As a result, some SFAs have limited service of popular food items such as hamburgers and bone-in chicken breasts. Additionally, as with grains, SFAs have reported that some of the meat/meat alternate products used frequently are not yet available from suppliers in a useful range of sizes. We previously addressed this issue, noting that SFAs may have current inventories or products on order, including USDA Foods meats/meat alternate products that do not easily fit within the weekly ranges. (FNS memorandum SP 39-2012, *Existing Inventory of USDA Foods and Commercial Products [http://www.fns.usda.gov/cnd/governance/Policy-Memos/2012/SP39-2012os.pdf])* At that time, we recognized the continued challenges of preparing and offering such products while remaining within the new requirements this school year.

FNS OFFERS ADDITIONAL FLEXIBILITY TO ASSESS COMPLIANCE WITH WEEKLY RANGES

To help address these operational challenges, FNS is offering additional flexibility in menu planning for School Year (SY) 2012-13. There is no change in the method of measuring the required daily minimum quantities for grains or meats/meat alternates. Given the complexity of calculating the grains and meats/meat alternates components, however, and to allow for more time for suppliers to more widely offer a broader array of serving options **State agencies should consider any SFA compliant with the component requirements for grains and meat/meat alternates if the menu is compliant with the daily and weekly minimums for these two components, regardless of whether they have exceeded the maximums for the same components.**

In addition, State agencies should also take this flexible approach in assessing compliance with the grains and meats/meat alternates weekly ranges when conducting validation reviews on the 25 percent of previously certified SFAs this school year: There is no need for State agencies to reconsider or recertify any SFAs already certified as eligible to receive the 6 cent reimbursement based on previous guidance, as the previously certified menus would fit within this additional flexibility approach to assessment.

We will update the instructions that accompany the FNS-developed Certification Tool to reflect this additional flexible approach to assessment, as well as the Certification Questions and Answers (SP 31-2012, http://www.fns.usda.gov/cnd/governance/Policy-Memos/2012/SP31-2012osr2.pdf) and other documents as appropriate.

We understand that this is a year of transition, and State agencies are encouraged to work with SFAs to assist them in meeting the new requirements. The flexibility in the assessment approach reflected in this memorandum will facilitate implementation in SY 2012-13. FNS will continue

to monitor implementation data and feedback from SFAs and State agencies to determine whether the appropriate approach is being used to measure compliance, and whether other adjustments beyond the current School Year prove necessary.

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