



Summary of Provisions in the *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans* Final Rule

[Research shows](#) that school meals are *the* most nutritious food source for American schoolchildren—thanks in large part to the work of school nutrition professionals, parents, school meal partners, the food industry, and U.S. Department of Agriculture (USDA) to make school meals healthier over the past decade.

On April 25, 2024, USDA’s Food and Nutrition Service (FNS) published the final rule titled, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans*, which is the next step in continuing the science-based improvement of school meals and other USDA Child Nutrition Programs (CNP), as well as advancing USDA’s commitment to nutrition security. The changes are based on a comprehensive review of the *Dietary Guidelines for Americans, 2020-2025*, robust stakeholder input on the CNP meal patterns, and lessons learned from prior rulemakings. While this rulemaking is effective July 1, 2024, USDA is gradually phasing in required changes over time.

** Note: The effective date of the final rule is July 1, 2024. The “current requirement” statements made in this summary refer to standards under which schools and institutions are operating through school year 2023-2024. Program operators are not required to make any changes to their menus as a result of this rulemaking until school year 2025-2026 at the earliest. All provisions of the final rule are summarized below. For additional information regarding proposed provisions that were not finalized in this rule review the [comparison chart](#).*

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NUTRITION REQUIREMENTS

ADDED SUGARS

What are the current requirements for added sugars in school meals and the Child and Adult Care Food Program (CACFP)?

Currently, there are no added sugars limits in the school meal programs, and schools may choose to serve some menu items and meals that are high in added sugars, provided they meet weekly calorie limits.

The CACFP currently has requirements for *total* sugars, rather than *added* sugars. In CACFP, breakfast cereals must contain no more than 6 grams of total sugars per dry ounce and yogurt must contain no more than 23 grams of total sugars per 6 ounces.

What are the changes in the final rule for added sugars in school meals and CACFP?

The final rule establishes the following added sugars limits in the school lunch and breakfast programs.

- *Product-based limits to be implemented by school year 2025-2026 (beginning July 1, 2025):*
 - **Breakfast cereals** may have no more than 6 grams of added sugars per dry ounce.
 - **Yogurt** may have no more than 12 grams of added sugars per 6 ounces (2 grams of added sugars per ounce).

- **Flavored milk** may have no more than 10 grams of added sugars per 8 fluid ounces or, for flavored milk sold as a competitive food for middle and high schools, 15 grams of added sugars per 12 fluid ounces.
- *Weekly dietary limits to be implemented by school year 2027-2028 (beginning July 1, 2027):*
 - In addition to product-based limits described above, the final rule also establishes a dietary specification limiting added sugars to less than 10 percent of calories across the week in the school lunch and breakfast programs.

For consistency across Child Nutrition Programs, the final rule also replaces *total* sugars limits for breakfast cereals and yogurts in CACFP with *added* sugars limits.

- *Added sugars limits to be implemented by October 1, 2025, in CACFP:*
 - **Breakfast cereals** may have no more than 6 grams of added sugars per dry ounce.
 - **Yogurt** may have no more than 12 grams of added sugars per 6 ounces (2 grams of added sugars per ounce).

**Note: With State agency approval, CACFP operators may choose to implement the added sugars limits for breakfast cereals and yogurt prior to October 1, 2025.*

The [Dietary Guidelines for Americans](#) (*Dietary Guidelines*) recommend limiting added sugars to less than 10 percent of calories daily, yet school breakfasts currently provide about 17 percent of calories from added sugars and school lunches currently provide 11 percent ([Added Sugars in School Meals and Competitive Foods Report to Congress](#)). Further, the *Dietary Guidelines* indicate that about 70 to 80 percent of school-aged children currently exceed the recommended limit for added sugars. USDA determined that specific added sugars limits were needed to reduce added sugars in school meals, consistent with the goals of the *Dietary Guidelines*.

The product-based limits apply to the leading contributors to added sugars in school meals, items that are popular with children, and foods for which added sugars can be reduced while maintaining palatability. Paired with the weekly dietary limit, which will be implemented two school years later, the limits on added sugars finalized in this rulemaking will align school meals more closely with the *Dietary Guidelines*. USDA considered product availability when developing this rule, as well as the implementation timeframes. For example, before proposing the added sugars limits, USDA collected data for breakfast cereals and yogurts to ensure adequate products would be available for schools.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received tens of thousands of comments on added sugars, with most in support of reducing added sugars in school meals, primarily to promote child health and academic performance.

Some respondents cited challenges with the proposed limit on grain-based desserts at school breakfast. For example, school nutrition professionals raised concerns about the impact on grab-and-go breakfasts, which often include grain-based desserts, such as breakfast bars and toaster pastries. Therefore, in response to stakeholder input, USDA did not finalize the proposed limit for grain-based desserts at this time. USDA is committed to supporting alternative breakfast models, which encourage student participation by making school breakfast more accessible.

USDA will also provide resources and technical assistance that schools may use to reduce added sugars in school meals, identify grain items that are lower in added sugars, and explore methods for improving and simplifying grain-based dessert requirements by soliciting further stakeholder input.

MILK

What are the current requirements for milk in school meals?

Schools may currently offer fat-free and low-fat (1 percent fat) milk, flavored and unflavored, in reimbursable school lunches and breakfasts and for sale as a competitive beverage. Unflavored milk must be offered at each school meal service.

Fat-free and low-fat milk, flavored and unflavored, may also be offered to participants ages 6 and older in the Special Milk Program (SMP) and the Child and Adult Care Food Program (CACFP).

What are the changes in the final rule for milk in school meals?

USDA decided to maintain the current requirement for milk in school meals. All schools continue to have the option to offer fat-free and low-fat milk, flavored and unflavored, to K-12 students, and to sell fat-free and low-fat milk, flavored and unflavored, à la carte. Consistent with current requirements, unflavored milk must be offered at each school lunch and breakfast meal service. SMP and CACFP operators may continue to offer fat-free and low-fat milk, flavored and unflavored, to participants ages 6 and older.

Flavored milk offered to K-12 students in school lunch and breakfast and sold to students à la carte during the school day must comply with the product-based added sugars limit in this rule, to be implemented by school year 2025-2026 (beginning July 1, 2025). Flavored milk must contain no more than 10 grams of added sugars per 8 fluid ounces, or for flavored milk sold à la carte in middle and high schools, 15 grams of added sugars per 12 fluid ounces.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received thousands of comments regarding the proposed milk provisions. The decision to continue to allow flavored, fat-free and low-fat milk acknowledges concerns expressed in public comments about declining milk consumption among school-aged children and that school meals can play an important role in supporting milk consumption among children. Comments also noted that offering flavored milk, which is a more palatable option for some children, improves children's milk consumption and reduces milk waste. USDA recognizes that dairy products, including fluid milk, provide a variety of essential nutrients – some of which (e.g., calcium, vitamin D, and potassium) are under-consumed among school-aged children.

At the same time, a [recent analysis](#) of USDA's School Nutrition and Meal Cost Study data found that flavored milk is the leading source of added sugars in both the school lunch and breakfast programs, contributing almost half of the added sugars in lunches and about 30 percent of the added sugars in breakfasts. The limit on added sugars in flavored milk that must be implemented by school year 2025-2026 is intended to reduce schoolchildren's exposure to added sugars. USDA considered product availability when developing this rule, as well as the implementation timeframes. For example, companies representing more than 90 percent of the school milk market in the U.S. have committed through the [Healthy School Milk Commitment](#) to provide school milk options with no more than 10 grams of added sugars per 8 ounces by school year 2025-2026. This commitment aligns with USDA's required limits on added sugars for flavored milk.

WHOLE GRAINS

What are the current requirements for whole grains in school meals?

At least 80 percent of the weekly grains offered in the school lunch and breakfast programs must be whole grain-rich, meaning that a product must contain at least 50 percent whole grains; any grain ingredients that are not whole grain must be enriched, bran, or germ. The remaining grain items offered must be enriched.

What are the changes in the final rule for whole grains in school meals?

The final rule maintains the current whole grains requirement that at least 80 percent of the weekly grains offered in the school lunch and breakfast programs are whole grain-rich.

USDA also added a definition of "whole grain-rich" in Federal regulations to clarify that: *Whole grain-rich is the term designated by FNS to indicate that the grain content of a product is between 50 and 100 percent whole grain with any remaining grains being enriched.* This definition aligns with the current definition and meaning of whole grain-rich in school meals, which was previously included only in USDA policy guidance.

The whole grain requirement will help meet local and cultural preferences and allow schools to offer enriched grains, such as white rice or non-whole grain-rich tortillas, while still promoting whole grain-rich foods throughout the school week. This requirement is a minimum standard, not a maximum, and schools may choose to increase whole grain-rich offerings beyond 80 percent. These changes reflect a practical and feasible way to work toward the *Dietary Guidelines for Americans*' recommendation to increase whole grain consumption.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received thousands of comments on the whole grains provision, including feedback that whole grains are an important source of fiber and other nutrients. At the same time, some whole grain-rich products are not as widely available or accepted by students as enriched products. USDA recognizes the importance of encouraging increased consumption of whole grain-rich foods while allowing menu planners some flexibility to provide regional and cultural favorites that are not whole grain-rich. Maintaining the whole grain requirement will help meet these preferences and occasionally allow schools to offer enriched grains, such as white rice or non-whole grain-rich tortillas, while still promoting whole grain-rich foods throughout the school week. USDA encourages schools to incorporate whole grains in their menus as often as possible to support children's health and offers a variety of technical assistance resources to support efforts to offer whole grain-rich foods in the Child Nutrition Programs.

SODIUM

What are the current requirements for sodium in school meals?

Current regulations require schools to meet Sodium Target 1A for school lunch and Sodium Target 1 for school breakfast. These limits, which apply to meals on average over the school week, are shown in the tables below:

Current National School Lunch Program Sodium Limits:

Age/Grade Group	Target 1A: Effective July 1, 2023
Grades K-5	≤ 1,110 mg
Grades 6-8	≤ 1,225 mg
Grades 9-12	≤ 1,280 mg

Current School Breakfast Program Sodium Limits:

Age/Grade Group	Target 1: Effective July 1, 2022
Grades K-5	≤ 540 mg
Grades 6-8	≤ 600 mg
Grades 9-12	≤ 640 mg

What are the changes in the final rule for sodium in school meals?

In response to feedback from stakeholders, this final rule provides schools with plenty of time to gradually reduce sodium in school meals by instituting one achievable sodium reduction. The rule also includes a commitment to conduct a study on potential associations between sodium reduction and student participation.

- For the next three school years, through school year 2026-2027 (until June 30, 2027), schools will maintain current sodium limits (Sodium Target 1A for lunch and Sodium Target 1 for breakfast).
- By school year 2027-2028 (beginning July 1, 2027), schools will implement an approximate 15 percent reduction for lunch and an approximate 10 percent reduction for breakfast from current sodium limits.

National School Lunch Program Sodium Limits

Age/Grade Group	Current Sodium Limit: In place through June 30, 2027	Sodium Limit: Must be implemented by July 1, 2027
Grades K-5	≤ 1,110 mg	≤ 935 mg
Grades 6-8	≤ 1,225 mg	≤ 1,035 mg
Grades 9-12	≤ 1,280 mg	≤ 1,080 mg

School Breakfast Program Sodium Limits

Age/Grade Group	Current Sodium Limit: In place through June 30, 2027	Sodium Limit: Must be implemented by July 1, 2027
Grades K-5	≤ 540 mg	≤ 485 mg
Grades 6-8	≤ 600 mg	≤ 535 mg
Grades 9-12	≤ 640 mg	≤ 570 mg

These limits apply to the average amount of sodium in lunch and breakfast menus offered during a school week. Sodium limits do not apply per day, per meal, or per menu item. USDA

encourages schools to gradually reduce sodium at lunch and breakfast prior to the implementation deadline by adjusting food preparation methods and purchasing lower sodium foods. USDA is also committed to providing technical assistance and support to schools working to implement the sodium reductions finalized in this rule.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received tens of thousands of comments on the proposed sodium limits, a majority of which supported sodium reductions, as consuming too much sodium can have significant negative health impacts. Food and taste preferences develop at an early age, so limiting sodium in childhood – including in school meals – is important for life-long health.

USDA also listened to comments that noted sodium reduction in school meals is dependent on food product availability, and food product reformulation takes time and resources. Additionally, commenters raised concerns that students' consumption of higher sodium foods outside of school can impact their acceptance of lower-sodium school meals.

USDA's approach reflects an understanding that changes in school meals, including sodium reductions, must occur in the context of broader efforts to achieve improvements in diet quality for children and adults alike. That is why USDA took into account the [U.S. Food and Drug Administration's \(FDA\) voluntary sodium reduction goals](#) for industry when developing this rule. Taken together, USDA and FDA actions are part of a government-wide effort to help reduce sodium in the food supply and promote public health. USDA expects sodium reduction in school meals to be achievable as more food manufacturers develop tasty products with less sodium for schools and the broader marketplace.

USDA also heard from stakeholders about the need for technical assistance and support to schools working to implement the sodium reductions finalized in this rule. While providing schools the assistance that they requested, USDA will also be responsive to the many research requests received during the comment period. USDA has committed to conducting a study on potential associations between sodium reduction and student participation.

MENU PLANNING FLEXIBILITIES

MEATS/MEAT ALTERNATES AT BREAKFAST

What are the current requirements for meats/meat alternates at school breakfast?

The three required meal components for the School Breakfast Program (SBP) are fruits, grains, and fluid milk. Meats/meat alternates are not a required meal component at breakfast. Schools may substitute a 1.0 ounce equivalent of meats/meat alternates for the same quantity of grains, after meeting the daily minimum grains requirement.

What are the changes in the final rule for meats/meat alternates at school breakfast?

The final rule establishes a combined grains and meats/meat alternates meal component in the SBP and removes the requirement for schools to offer 1.0 ounce equivalent of grains each day at breakfast. Schools may offer grains, meats/meat alternates, or a combination of both to meet the minimum ounce equivalent in this combined meal component requirement.

How was USDA responsive to stakeholder feedback when making these changes?

USDA proposed this change to provide school nutrition professionals with greater flexibility to provide students with breakfasts that they enjoy. State agencies and schools provided input that this change would simplify program requirements. USDA also expects that allowing schools more flexibility to offer meats/meat alternates at breakfast will support implementation of the new added sugars limits by providing schools more menu planning options.

USDA received over 500 comments on the combined meats/meat alternates and grains component at breakfast provision. Many respondents noted that such a component could increase the variety of appealing breakfast options available to students; decrease the added sugars in school breakfasts; simplify menu planning; deliver filling, protein-rich breakfasts that students enjoy; encourage student participation; and reduce food waste.

SUBSTITUTING VEGETABLES FOR FRUITS AT BREAKFAST

What are the current requirements for substituting vegetables for fruits in school breakfasts?

Current regulations allow schools to substitute vegetables for fruits at breakfast, provided that the first two cups per week are from the dark green, red/orange, beans and peas (legumes), or other vegetable subgroups. However, in recent years, through Federal appropriations, Congress has provided schools the option to substitute any vegetable for fruits at breakfast, with no vegetable subgroup requirements.

What are the changes in the final rule for substituting vegetables for fruits in school breakfasts?

The final rule continues to allow schools to substitute vegetables for fruits in the School Breakfast Program and simplifies the vegetable variety requirement:

- Schools choosing to offer vegetables at breakfast one day per school week have the option to offer a vegetable from any of the vegetable subgroups.
- Schools choosing to substitute vegetables for fruits at breakfast on two or more days per school week are required to offer vegetables from at least two different subgroups.*

**Note: For school year 2024-2025, Congress has provided schools the option to offer any vegetables in place of fruits at breakfast (no subgroup requirements).*

How was USDA responsive to stakeholder feedback when making these changes?

USDA received hundreds of comments on the proposal, and many commenters noted that the change would allow greater menu flexibility at breakfast in a way that is less restrictive compared to the current standard, achievable for program operators, and durable for the long term.

The *Dietary Guidelines for Americans (Dietary Guidelines)* note that for most individuals, following a healthy eating pattern will require an increase in total vegetable intake and an increase from all vegetable subgroups. The *Dietary Guidelines* note that starchy vegetables are more frequently consumed by children and adolescents than the red and orange; dark green; or beans, peas, and lentils vegetable subgroups, underscoring the importance of encouraging variety.

TRADITIONAL INDIGENOUS FOODS

What are the current requirements for traditional Indigenous foods in school meals?

Traditional Indigenous foods may be served in reimbursable school meals in accordance with USDA food crediting guidance and [policy guidance issued in 2023](#), although this is not explicitly included in Program regulations.

What are changes in the final rule for traditional Indigenous foods in school meals?

The final rule specifically states in regulation that traditional Indigenous foods may be served in reimbursable school meals. The regulations include the definition of traditional foods from the Agricultural Improvement Act of 2014, which defines traditional food as “food that has traditionally been prepared and consumed by an [American] Indian tribe.” This existing definition includes wild game meat, fish, seafood, marine animals, plants, and berries. USDA expected for this term to be used broadly, to cover the diversity of food traditions among American Indian and Alaska Native communities.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received over 200 comments on this provision, with the majority in favor of the proposed changes. Many respondents stated that including traditional foods in school meals allows Indigenous children to meet their nutritional needs in a way that connects them with their culture. This change communicates USDA’s support for local efforts to incorporate traditional Indigenous foods in school meals.

SUBSTITUTING VEGETABLES FOR GRAINS IN TRIBAL COMMUNITIES

Where can schools, sponsors, institutions, and facilities currently substitute vegetables for grains?

USDA currently allows schools in American Samoa, Puerto Rico, and the U.S. Virgin Islands to serve vegetables to meet the grains component in school meals. Summer Food Service Program (SFSP) and Child and Adult Care Food Program (CACFP) operators in American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands may also use this option. For schools and institutions, this option is intended to accommodate cultural food preferences and to address product availability and cost concerns in these areas.

What are changes in the final rule for substituting vegetables for grains?

The final rule clarifies that any creditable vegetable can be substituted for grains or breads and expands the vegetables-for-grains substitution to:

- School food authorities and schools that are Tribally operated, operated by the Bureau of Indian Education, and that serve primarily American Indian or Alaska Native children;
- SFSP and CACFP sponsors, sites, institutions, and facilities that serve primarily American Indian or Alaska Native participants; and
- All schools, sponsors, sites, institutions, and facilities in Guam and Hawaii.

How was USDA responsive to stakeholder feedback when making these changes?

This action was built on the commitment USDA made in its [Equity Action Plan](#) to adapt its programs to include Tribal values and Indigenous perspectives, including supporting traditional foodways. USDA made this change based on the over 200 comments received on this proposal as well as feedback gathered during listening sessions with Tribal communities.

AFTERSCHOOL SNACKS

What are the current requirements for afterschool snacks served under the National School Lunch Program (NSLP)?

NSLP afterschool snacks for children in grades Kindergarten through 12 must contain two of the following four components: fluid milk, meats or meat alternates, vegetables or fruits, or whole-grains or enriched breads (or equivalent products).

Afterschool snacks for preschoolers ages 1 through 4 must include the food components and quantities required in the snack meal pattern established for the Child and Adult Care Food Program (CACFP), which require snacks to include two of the following five components: fluid milk, vegetables, fruits, grains, or meats/meat alternates.

What are the changes in the final rule for afterschool snacks in school meals?

To be implemented by July 1, 2025, the final rule updates NSLP afterschool snacks meal pattern requirements for K-12 children to align with CACFP snack requirements. Additionally, the rule revises the definition of *child* to clarify that children who are age 18 and under at the start of the school year may receive reimbursable NSLP afterschool snacks throughout that school year. This final rule also changes all regulatory references from “meal supplements” to “afterschool snacks.” This rule does not change requirements for afterschool snacks served to preschoolers; existing requirements for afterschool snacks served to preschoolers remain in effect.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received over 100 comments on the NSLP afterschool snacks proposal. Stakeholders pointed out that implementing a per day juice limitation and whole grain-rich requirement for NSLP afterschool snacks would be confusing for schools, given that NSLP and SBP apply these requirements per week. In response to stakeholder input, USDA instead adopted a weekly juice limitation and whole grain-rich requirement for NSLP afterschool snacks in the final rule.

BEANS, PEAS, AND LENTILS AT LUNCH

What are the current requirements for beans, peas, and lentils in school lunches?

Current Federal regulations require schools to offer vegetables from all five vegetable subgroups at lunch each school week, consistent with the *Dietary Guidelines for Americans, 2020-2025*. For the beans, peas, and lentils vegetable subgroup, schools must offer ½ cup at lunch over the course of the week to meet the vegetable subgroup requirement. Schools may credit foods in this subgroup toward the meats/meat alternates component or the vegetable component, but not both components in the same meal.

What are the changes in the final rule for counting beans, peas, and lentils in school lunches?

Under the rule, schools may count beans, peas, and lentils offered as meats/meat alternates at lunch toward the weekly beans, peas, and lentils vegetable subgroup requirement. When offering beans, peas, and lentils as meats/meat alternates, schools may only count those items toward one meal component daily: either the meats/meats alternates component or the vegetables component. When schools offer beans, peas, and lentils as meat alternates, they are still required to offer additional vegetables to meet the daily and weekly vegetable meal component requirements.

The final rule also changes the name of the “legumes (beans and peas)” vegetable subgroup

and references to “beans and peas (legumes)” to “beans, peas, and lentils” in Federal regulations for the National School Lunch Program, School Breakfast Program, and Child and Adult Care Food Program. Additionally, USDA extended this change to the Summer Food Service Program Federal regulations based on public input that encouraged consistent terminology across Child Nutrition Programs.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received over 100 comments on this provision, and many supported the flexibilities offered to menu planners for school lunch. Commenters noted that the proposal would not reduce the total amount of vegetables at lunch but would instead help schools offer legumes and allow for more menu planning flexibility. For example, offering legumes as part of an entrée such as a bean and cheese burrito, as opposed to a side dish, may be more appealing to children and help reduce food waste. Other respondents expressed support for increasing consumption of beans, peas, and lentils, which they described as versatile, inexpensive, sustainable, nutritious, and under-consumed by children and adolescents (and all other age groups).

NUTS AND SEEDS

What are the current requirements for nuts and seeds in the Child Nutrition Programs?

Nuts and seeds may be served as meats/meat alternates in the Child Nutrition Programs (CNP). In some cases, the regulations limit nut and seed crediting to 50 percent of the meats/meat alternates component. When nut and seed crediting is limited to 50 percent of the meats/meat alternates component, Program operators choosing to serve whole nuts and seeds must serve them alongside other meats/meat alternates to meet the component requirement.

What are the changes in the final rule for nuts and seeds?

This final rule allows nuts and seeds to credit for the full meats/meat alternates component in all meals (breakfast, lunch, and supper) offered through the CNP. Also, nuts and seeds can continue to meet the entire meats/meat alternates requirement at snack. Serving nuts and seeds is an option, not a requirement; Program operators are not required to make any changes to their menus to comply with this provision. When offering nuts and seeds, operators may choose to offer them to meet the full component or a portion of it, alongside other meats/meat alternates.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received hundreds of comments supporting the proposed change to allow nuts and seeds to credit for the full meats/meat alternates component, many of which noted that nuts and seeds are good sources of protein, vitamin E, fiber, and many minerals as well as a good

source of healthy fats. The change aligns regulations for all CNPs for consistency and expands options for Program operators interested in serving more nuts and seeds in meals, including in plant-based meals. USDA expects this change to reduce complexity by making the requirements consistent across programs and to provide more menu planning options, including vegan and vegetarian meals.

COMPETITIVE FOODS: BEAN DIP EXEMPTION

What are the current requirements for competitive foods in schools?

Competitive foods, also known as “Smart Snacks,” are foods sold outside of school meals on the school campus during the school day. To qualify as a Smart Snack, foods must meet nutrient standards for calories, sodium, fats, and total sugars. Total fat content must not exceed 35 percent of total calories and saturated fat must be less than 10 percent of total calories per item as packaged or served. The regulations also include a list of foods that are exempt from the total fat and saturated fat standards such as reduced-fat cheese, whole eggs, and celery and peanut butter (see more examples on page 10, [A Guide to Smart Snacks in Schools](#)).

What are the changes in the final rule for competitive foods in schools?

The final rule adds bean dip to the list of foods exempt from the total fat standard in the Smart Snacks regulations. This exemption applies to products marketed as hummus as well as bean dips made from any variety of beans, peas, or lentils. Bean dip will continue to be subject to the saturated fat standard for Smart Snacks, as well as all other Smart Snacks requirements.

This change provides schools the option to sell bean dip, including hummus, as a Smart Snack. Schools are not required to change operations as result of this provision.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received hundreds of comments on the proposal to exempt hummus from the Smart Snacks total fat standard, a majority of which supported the proposal. Supporters stated that hummus is filling; provides many nutrients, including fiber, protein, iron, magnesium, and healthy fats; and is often served alongside other nutrient-dense foods, such as vegetables or whole grains. Others noted that this would allow schools to add a healthy à la carte option to their cafeterias for all students, including those who follow vegan and vegetarian diets.

Instead of referring to “hummus” as proposed, this final rule uses the term “bean dip” to reflect input received from public comments and to clarify that this exemption will apply to hummus as well as other dips made with beans.

PROGRAM OPERATIONS

PROFESSIONAL STANDARDS: HIRING EXCEPTION FOR MEDIUM AND LARGE LOCAL EDUCATIONAL AGENCIES

What are the current hiring requirements for professional standards in school meals?

Professional standards hiring requirements are intended to ensure that school nutrition professionals who manage and operate the school meal programs have adequate knowledge and experience to meet program requirements. Current education requirements vary based on the size of the local educational agency (LEA) and are one important way of ensuring school nutrition program directors are prepared to manage the programs. Specifically, school nutrition directors in medium LEAs are currently required to have a bachelor's or associate's degree, and directors in large LEAs are required to have a bachelor's degree.

What are changes in the final rule for professional standards in school meals?

This final rule allows State agencies the discretion to approve the hiring of a professional with 10 or more years of school nutrition program experience but who does not hold a bachelor's or an associate's degree to serve as a school nutrition program director in a medium or large LEA. Directors hired under this exception must have a high school diploma or GED.

How was USDA responsive to stakeholder feedback when making these changes?

USDA is aware of the hiring challenges facing certain LEAs, specifically related to the education requirement for school nutrition program directors. Many individuals have devoted their careers to child nutrition but do not hold a college degree. USDA recognizes that the current education standards may limit certain professionals' ability to advance their careers, despite their years of valuable program experience. USDA appreciates the public comments and determined that hands-on-experience in the school nutrition programs is an effective way for candidates to demonstrate they have the knowledge and skills needed to succeed as a director in a medium-sized or large school district. The final rule takes an equitable step forward by allowing State agencies to support qualified professionals as they advance their careers in school nutrition and allow knowledgeable professionals to use their experience to benefit schools and students. This is particularly relevant in rural communities with small applicant pools and limited ability to hire directors who meet more stringent education requirements.

MEAL MODIFICATIONS

What are the current requirements for meal modifications?

Schools, institutions, and facilities operating the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Child and Adult Care Food Program (CACFP) are required to make meal modifications to ensure participants with disabilities have an equal opportunity to participate in and benefit from the programs. Summer Food Service Program (SFSP) regulations also encourage sponsors to make meal modifications to accommodate participants with medical or other special dietary needs.

Under current NSLP and SBP regulations, meal substitutions for disability reasons must be supported by a written statement signed by a licensed physician. Under current CACFP regulations, substitutions for disability reasons must be supported by a written statement signed by a licensed physician or licensed healthcare professional who is authorized by State law to write medical prescriptions. Under SFSP regulations, substitutions must be supported by a written statement from a recognized medical authority.

In 2016 and 2017, USDA updated its meal modification policy guidance to reflect the passage of The Americans with Disabilities Act Amendments Act of 2008. This update included permitting State licensed healthcare professionals to submit a medical statement on behalf of a participant with a disability in the NSLP, SBP, CACFP, and SFSP.

What are the changes in the final rule for meal modifications?

The final rule makes clear in regulations the existing policy guidance that State licensed healthcare professionals may write medical statements to request meal modifications on behalf of child or adult participants with disabilities in the NSLP, SBP, and CACFP. The final rule defines a State licensed healthcare professional as an individual authorized to write medical prescriptions under State law and expands the authority to write medical statements to registered dietitians.

The rule also updates and reorganizes the regulatory text to distinguish between disability and non-disability requests more clearly, and encourages schools, institutions, and facilities offering meals through NSLP, SBP, and CACFP to meet participants' non-disability (e.g., cultural, ethical, Tribal, and religious) dietary preferences. The rule does not cover SFSP, which will be addressed in a later rulemaking.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received over 100 comments on the meal modifications provision, many of which noted that the documentation is helpful for program operators and appreciated clarification on the

definition of a State licensed healthcare professional. Many commenters noted that the regulatory change would facilitate meal modifications for participants who need them. Additionally, based on public input, the final rule also permits registered dietitians to request meal modifications for program participants. These changes reflect the updated policy guidance and aim to improve access to modified meals for participants who need them.

GEOGRAPHIC PREFERENCE

What are the current requirements for geographic preference in Child Nutrition Programs (CNP)?

Since 2011, child nutrition regulations have allowed geographic preference but do not allow the preference for local to be used as a bid specification (e.g., a written description of the product or service that the vendor must meet to be considered responsive and responsible). Currently, bidders located in a specified geographic area can be provided additional points or credit calculated during the evaluation of the proposals or bids received in response to a solicitation.

What are the changes in the final rule for geographic preference in CNP?

The final rule allows “locally grown,” “locally raised,” or “locally caught” as procurement specifications for unprocessed or minimally processed food items in the CNP. The final rule continues to allow State agencies and program operators to adopt their own definition of “local” and does not prescribe a Federal definition of “local” for the purpose of procuring local foods for CNP.

The definition of unprocessed and the minimal food handling and processing techniques allowed within that definition remain unchanged in this final rule.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received nearly 400 comments referencing this proposal, and commenters noted that expanding the geographic preference option to allow local as a specification will broaden opportunities for CNP operators to purchase directly from local farmers, reinforce local food systems, and ease procurement challenges for operators interested in sourcing food from local producers.

CLARIFICATION ON POTABLE WATER REQUIREMENTS

What are the current requirements for potable (drinkable) water in schools?

In the National School Lunch Program (NSLP) and School Breakfast Program (SBP), schools must make potable (drinkable) water available and accessible to children at no charge during meal service.

What are the changes in the final rule for potable water in schools?

The final rule adds the word “plain” to the regulation and does not require schools to change menus or operations as a result. Schools may offer potable water with added fruits, vegetables, and herbs in addition to – but not instead of – plain water during meal service.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received many comments in support of the provision, noting that infused water would increase consumption and emphasizing the importance of ensuring that children have access to plain water at meal service even if other options are also available.

ARTIFICIAL *TRANS* FATS

What are the current requirements for artificial *trans* fats in schools?

Artificial *trans* fats are prohibited in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and in foods sold to children on campus outside of school meals on the school campus during the school day (Smart Snacks in School).

What are the changes in the final rule for artificial *trans* fats in schools?

The [U.S. Food and Drug Administration \(FDA\)’s actions to eliminate artificial *trans* fat](#) from the U.S. food supply have effectively eliminated artificial *trans* fats from foods made or sold in the U.S. This rule removes the dietary specification prohibiting artificial *trans* fats in NSLP, SBP, and Smart Snacks in School. Under this change, schools would not have to comply with, and State agencies would not have to monitor, artificial *trans* fats requirements.

How was USDA responsive to stakeholder feedback when making these changes?

USDA received many comments in support of removing the artificial *trans* fats prohibition and used this opportunity to reduce burden on program operators by eliminating a requirement that USDA determined is no longer necessary.

BUY AMERICAN

What are the current requirements for Buy American in school meals?

School food authorities are currently required to purchase domestic commodities or products to the maximum extent practicable. School food authorities can use limited exceptions to this provision due to challenges with product availability and/or cost. These two exceptions are provided in USDA guidance.

What are the changes in the final rule for Buy American in school meals?

The final rule adds the limited exceptions to the Buy American requirements related to product availability and/or cost to the regulations.

The final rule requires schools to maintain documentation to demonstrate the use of exceptions and allows schools to utilize an exceptions list when products are not available in sufficient and reasonably available quantities in the U.S. Schools must also include the Buy American requirements when making purchases and entering into contracts for food used in the school lunch and breakfast programs, beginning July 1, 2024.

The rule also implements a cap on the amount of non-domestic food purchases a school may make when utilizing the exceptions, beginning in school year 2025-2026 (July 1, 2025). USDA will use a phased-in approach to gradually reach the 5 percent cap on non-domestic food purchases. The approach includes a 10 percent cap on non-domestic food purchases beginning in school year 2025-2026 (July 1, 2025), an 8 percent cap beginning in school year 2028-2029 (July 1, 2028), and a 5 percent cap beginning in school year 2031-2032 (July 1, 2031). For schools that cannot meet the cap, States may provide an accommodation for temporary relief from the requirement. Items that appear on the exceptions list still count toward the cap.

The final rule also provides a definition of “substantially” using agriculture commodities that are produced in the United States to mean that over 51 percent of a food product must consist of agricultural commodities that were grown domestically. This definition was previously only provided for in USDA guidance.

Lastly, the final rule outlines in regulations the statutory requirements for fish and fish products to be compliant with Buy American requirements, requiring that farmed fish must be harvested within the United States or any territory of possession of the United States. Wild caught fish must be harvested within the Exclusive Economic Zone of the United States or by a United States flagged vessel.

How was USDA responsive to stakeholder feedback when making these changes?

The phased-in 5 percent cap balances the intent of the Buy American provision – to support American farmers, ranchers, and fishers – while also recognizing that there are times when purchasing domestic foods is not practical for schools. The changes aim to strengthen and clarify aspects of Buy American policy that were previously provided for only in guidance. Based on stakeholder feedback, USDA’s phased-in approach to the 5 percent cap will allow schools time to implement these changes, while maintaining the importance of purchasing domestic foods for school meal programs. USDA also listened to stakeholder requests and included the use of an exemptions list when products are not available in sufficient and reasonably available quantities in the U.S.