



CATEGORY: **Fiscal Management, Associated Student Body**

EFFECTIVE: **5-24-77**

REVISED: **6-15-12**

SUBJECT: **ASB Food Sales/Wellness Policy**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing food sales by student organizations on school premises during the school day. To outline regulations regarding lunch hours on minimum days and in high schools.
2. **Related Procedure:**
 - Food Services Responsibilities and Regulations 5500
 - Student body fund raising 2265
 - School Special Events, including Festivals, Potlucks and Carnivals 5153
 - Activities by Foundations, Booster Clubs, and other Non-district Organizations. 9325
 - School Wellness Policy..... 6342
 - Length of K-6 School Day 4022

B. LEGAL AND POLICY BASIS

1. **Reference:** Board Policy D-4010; California Education Code sections 49431, 49431.2, 49431.5; California Code of Regulations, Title 5, Sections 15500, 15501; USDA, 7 CFR, Parts 210 and 220; California Senate Bills 12 and 965.
2. **Child Nutrition Program.** It is the intent of federal, state, and district policies to provide healthful foods and nutrition education for all students while restricting or eliminating access to unhealthful foods in the school environment. The basic programs designed to meet these objectives are the regular food service programs, free and reduced-price meals and snacks, and nutrition education. Food sales by student body organizations are closely governed by federal and state regulations listed in the previous paragraph.
3. **Minimum Day Lunch Periods..** Regulations require that students be given adequate time to consume lunch before the school day ends, including minimum days.

C. GENERAL

1. **Competitive Food Sales Limitations:** Only student organizations may sell food to pupils on school campuses **from one-half hour before to one-half hour after school hours** including minimum days, following the guidelines in Section D. No parent or community organizations, private individuals or commercial entities may sell food to pupils on school campuses during those hours. Ex: PTA, PTSA or booster clubs.

D. IMPLEMENTATION**1. Elementary School Food Sales.**

Effective from one-half hour before to one-half hour after school hours. Applies to food and beverage sales by student organizations.

Student organization sales must meet all of the following:

- a. Only one food or beverage item per sale. The food or beverage must meet nutritional requirements listed in Section D.3.
- b. Four sales per year are permitted per campus.
- c. The food or beverage item cannot be the same item sold in the food service program at that school during the same school day.
- d. This food or beverage sale item shall not be prepared on the campus.
- e. Notification to the cafeteria site leader needs to be made.

2. Secondary School Food Sales.

Effective from one-half hour before to one-half hour after school hours. Applies to food and beverage sales by student organizations. Student organizations must meet all of the following:

- a. Up to three categories of foods or beverages may be sold each day (e.g., chips, sandwiches, juices, etc.) Food and beverages must meet nutritional requirements listed in Section D.3.
- b. Only one student organization may be allowed to sell each day.
- c. In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year. School administration determines these dates and needs to notify the cafeteria manager/site leader.
- d. Food or beverage items sold during the regular school day are not those sold by the district in the food service program at that school during that school day.
- e. Food or beverage items sold shall not be prepared on the campus.

3. Nutritional Guidelines for Food and Beverages Sold in Elementary and Secondary Schools by Student Organizations to Pupils from one-half hour before to one-half hour after the School Day:

- a. **Individually sold snacks** may have no more than:
- 1) 35% of its calories from fat. This does not apply to the sale of nut butters, seeds, eggs, fruits and vegetables that have not been deep-fried, legumes and cheese packaged for individual sale.
 - 2) 10% of its calories from saturated fat. This does not apply to eggs and cheese packaged for individual sale
 - 3) 35% sugar by weight, including naturally occurring and added sugars. This does not apply to the sale of fruits or vegetables that have not been deep fried.
 - 4) 175 calories per food item in elementary schools; 250 calories per food item in secondary schools.
- b. **Individually sold entrees** (in middle and high schools only) may have no more than:
- 1) 4 grams of fat per 100 calories.
 - 2) 400 calories.
 - 3) Snacks and entrees cannot be deep fried, par fried, or flash fried, nor can they contain artificial transfat.
- c. **Beverages.**
- 1) Fruit-based and vegetable-based drinks with at least 50% juice and no added sweeteners.
 - 2) Water without added sweeteners or caffeine.
 - 3) Milk, including one-percent, non-fat, soy, rice, and other similar non-dairy milk that contains Vitamins A & D and more than 25% of the calcium Daily Value per 8 fluid ounces and less than 28 grams of total sugar per 8 fluid ounces.
 - 4) Electrolyte replacement beverages that contain no more than 42 grams added sweetener per 20-oz. serving. (Electrolyte replacement beverages are not permitted to be sold on elementary school campuses.)
 - 5) No coffee, coffee drinks, tea or soda may be sold to students from one-half hour before to one-half hour after the school day.
- d. **Foods of Minimal Nutritional Value (FMNV).** The following food and beverages cannot be sold by any entity to a student from one-half hour before to one-half hour after the school day.
- 1) Carbonated or aerated water
 - 2) Water Ices – except if made with 100% juice
 - 3) Chewing gum

- 4) Candy bars
- 5) Hard candies
- 6) Jelly and gum candies
- 7) Marshmallow candies
- 8) Fondant
- 9) Licorice
- 10) Spun candy
- 11) Candy-coated popcorn

4. Beverage and Snack Vending Machines. Installation of such machines shall not be interpreted as implying endorsement of any product by the school or the school district.

- a. Beverage and snack vending machines may be installed in any school for the exclusive use of the staff.
- b. Only beverage vending machines are permitted in elementary schools for student use. They must meet the nutritional guidelines for beverages listed in Section D.3 (no electrolyte replacement beverages.).
- c. Beverage and snack vending machines are permitted in secondary schools. They may be installed for student body use subject to the following conditions:
 - 1) The only beverages that may be sold during the school day must meet the nutritional guidelines for beverages listed in Section D.3.
 - 2) Soft drinks cannot be sold from one-half hour before the school day until one-half hour after the school day. If soft drinks are in the vending machine, a vending machine timer is required.
 - 3) Snacks must meet the nutritional guidelines for snacks listed in Section D.3.
 - 4) Snacks cannot be sold from vending machines during the school's lunch period. A vending machine timer is required.
- d. Vending Machine Service Guidelines:
 - 1) Machines shall supply cold drinks only in plastic bottles or cans. (Glass containers are *not* permitted.)
 - 2) Installation shall conform to California state safety standards; location shall be determined by the principal.
 - 3) Machines shall be self-contained units which require no water connections or drains.
 - 4) Supplier shall provide complete servicing and maintenance.
 - 5) Machines shall be insured at supplier's expense against damage or loss.
 - 6) Successful contractors shall provide certificate of insurance covering product liability, public liability, and property liability.
 - 7) There is a district-wide contract for beverage vending machines.

5. Meal Periods on Minimum Days

- a. On minimum days, students must be given adequate time to consume lunch before the school day ends.
- b. The minimum day ends after the last class completes their meal period.
- c. The competitive food sale guidelines are in force one half-hour after the minimum day ends.

6. Extended Lunch Periods in High Schools

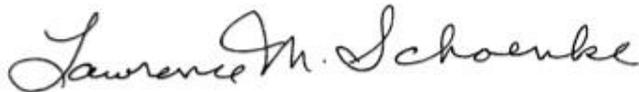
- a. Regulations require that schools provide sufficient lunch periods that are long enough to give all students enough time to be served and to eat their lunches.
- b. To accommodate the large numbers of students on high school campuses, high school principals must schedule 40-45 minute lunch periods.

E. FORMS AND AUXILIARY REFERENCE

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Business Operations Division, Food Services Department.
2. **Definition. School day** (for purposes of this procedure): The school day begins and ends when a majority of students are in attendance.

F. REPORTS AND RECORDS

G. APPROVED BY



General Counsel, Legal Services
As to form and legality

H. ISSUED BY



Chief of Staff