



SUMMER FOOD SERVICE PROGRAM

CLARIFICATION OF FEDERAL POLICY

In Texas, organizations contracting directly with the Texas Department of Agriculture (TDA) to operate nutrition programs federally funded through the United States Department of Agriculture (USDA) are called Contracting Entities, or CEs. The Summer Food Service Program (SFSP) is a federally funded nutrition program and, as such, sponsors are considered CEs. CEs operating the Seamless Summer Option (SSO) should reference the *Administrator's Reference Manual (ARM) Section 12, Seamless Summer Option*, for guidance.

Each year, the USDA publishes the SFSP *Administrative Guidance for Sponsors (AGS)* which provides federal policy, program guidance and information for all CEs that participate or plan to participate in SFSP. TDA occasionally issues a Clarification of Federal Policy, such as this one, to supplement and clarify federal policy set out in the AGS.

Child Nutrition Labels and Manufacturer's Documentation in SFSP

On November 26, 2014, USDA released [TA 07-2010 \(v.3\) – Guidance for Accepting Processed Product Documentation for Meal Pattern Requirements](#) which offered clarification and guidance on processed product documentation. On March 11, 2015, USDA simultaneously released memos [SFSP 13-2015 - CN Labels Copied with a Watermark Acceptable Documentation](#) and [SFSP12-2015 - Administrative Review Process Regarding the Child Nutrition \(CN\) Label, Watermarked CN Label and Manufacturer's Product Formulation Statement](#), which clarify the usage of a Child Nutrition (CN) label with a watermark as acceptable documentation in an administrative review.

This clarification of federal policy provides CEs with an overview of CN labels and product formulation statements, as well as guidance based on the USDA memos on the administrative review process regarding these types of processed product documentation.

CEs are responsible for providing meals that meet the SFSP meal pattern requirements and must maintain records of supporting documentation for TDA review. Types of food product labels and documentation needed in order to identify a food product's ingredients and contribution toward meeting the SFSP meal pattern requirements include the following:

- A CN label
- A product formulation statement (product analysis sheet) from the food manufacturer
- An ingredients listing/nutrition facts label

In addition to the documentation listed above, a CE may also provide the following during an administrative review.

- A watermarked CN label and the bill of lading (invoice) containing the product name and CN number

NOTE: This is an acceptable form of documentation during an administrative review only when the original CN label from the product carton, or the valid photograph or photocopy of the original CN Label, is not available. **CEs should be aware that the product information on a CN label with a watermark may not reflect the actual crediting information of the purchased food product, and TDA may verify the crediting information during a review.**

NOTE: Food products such as pizzas, pot pies, and raviolis vary greatly as to how they may be credited toward meeting the SFSP meal pattern requirements. Because of the uncertainty of the actual amount of the meat/meat alternate contained in these types of products, they should not be used unless they have a CN label, product formulation statement, or are prepared using a standardized recipe.

For food products in which a CN label or product formulation statement cannot be obtained, it is recommended that additional food items are served that meet the SFSP meal pattern requirements to reduce the risk the meal will be disallowed.

REMINDER: Using yields from *The Food Buying Guide for Child Nutrition Programs* will help ensure CEs are meeting the SFSP meal pattern requirements. *The Food Buying Guide for Child Nutrition Programs* may be located at: <http://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>

An Overview of CN Labels

Main dish products that contribute at least ½ ounce to the meat/meat alternate component of the meal pattern (for example cheese or meat pizzas, meat or cheese burritos, breaded fish, chicken nuggets) and juice and juice products containing at least 50% full-strength juice by volume (for example frozen juice bars and sherbet) are the only products eligible for Federal CN labeling. 100% juice products are not eligible for a CN label.

Eligible products which carry a CN label must:

- Be produced under federal inspection by USDA or USDC
- Have the contribution toward the SFSP meal pattern requirements determined using yields in *The Food Buying Guide for Child Nutrition Programs*
- Be produced under inspection

While CEs are not required to offer food products with CN labels, CN labels provide a warranty against audit claims, if used according to the manufacturer's directions. CEs may find more information on CN labeling on the FNS webpage at: <http://www.fns.usda.gov/cnlabeling/child-nutrition-cn-labeling-program>

The CN Labeling Program

The United States Department of Agriculture (USDA), Food Nutrition Service (FNS), Child Nutrition (CN) Labeling Program works directly with commercial food processing firms and in cooperation with the following agencies in USDA or the U.S. Department of Commerce (USDC) to approve and manage CN labels:

- Food Safety Inspection Service (FSIS)
- Agricultural Marketing Service (AMS)
- National Marine Fisheries Service (NMFS)

This voluntary program requires an evaluation of a product's formulation by FNS to determine its contribution toward the meal pattern requirements. Once approved, it allows manufacturers to state this contribution on their labels.

Authorized Manufacturers of CN Labeled Products

Manufacturers are only authorized to use and distribute the CN label on actual product manufactured following a Federally-Approved Quality Control Program. CEs may find information on how to request copies of federally inspected product labels from manufacturers during the bidding process on the FNS webpage at:

http://www.fns.usda.gov/cnd/cnlabeling/copying_labels.htm.

Manufacturers *may not*:

- Use the CN label statement to promote a product's nutritional value or acceptability; or
- Place the CN logo and contribution statement on fact sheets or any other product information.

The AMS has published a list of manufacturers that have met the FNS's Quality Control Program requirements for the CN Labeling Program, as well as a list of authorized CN labels issued to these manufacturers. The list of authorized CN labels includes the CN label expiration date. CEs and sites should frequently check this list, available at

<http://www.fns.usda.gov/cnlabeling/authorized-manufacturers-and-labels>, to ensure the CN labeled products being used are still authorized and creditable.

NOTE: CN labels are generally approved for a period of five years; however some approvals are for a shorter period of time such as one year.

Identifying a CN Label

A CN label must have the following information printed on the principal display panel of the label:

- A product name
- Ingredient listing in descending order by weight
- Inspection shield or mark for the appropriate inspection program
- Establishment number (for meat, poultry and seafood items only)
- Manufacturer's or distributor's name and address
- CN label statement, which contains the following information:
 - The CN logo, which is a distinct border around the CN statement
 - The statement of the product's contribution toward the SFSP meal pattern requirements. This identifies the contribution of a specific portion of a meat/meat

alternate product toward the meat/meat alternate, grains/breads and/or vegetable/fruit component of the meal pattern requirements. It also identifies the contribution that juice drinks and juice drink products make toward the vegetable/fruit component of the SFSP meal pattern requirements.

NOTE: The statement *does not* assure that the product meets SFSP meal pattern requirements, but only states the crediting contribution of a specific portion.

- A unique six-digit product identification number assigned by the Agricultural Marketing Service (AMS) – CN Labeling Program, which will appear in the upper right hand corner of the CN label statement
- The statement specifying the use of the logo and CN label statement is authorized by Food and Nutrition Service (FNS)
- The month and year the label was given final approved by FNS

See the section *Examples of Processed Product Documentation* for an example of a CN Label.

An Overview of Product Formulation Statements

When a meat/meat alternate or juice product is commercially prepared and does not carry a CN label, a CE must be able to demonstrate how the product contributes toward the SFSP meal pattern requirements; the CE must request a product formulation statement from the food manufacturer. An appropriate product formulation statement provides specific information about the product and shows how the food credits toward the SFSP meal pattern citing Child Nutrition Program resources and/or regulations.

NOTE: Product formulation statements are sometimes referred to by other names, such as product analysis, specifications, or recipe analysis.

A product formulation statement must be on a manufacturers' letterhead and must contain:

- A detailed explanation of what the product actually contains;
- The amount of each ingredient in the product by weight or measure, as appropriate;
- A certifying statement as to the contribution of the product to the meal pattern; and
- The signature of a high-ranking official of the manufacturer.

The CE is responsible for:

- Reviewing the manufacturer's product formulation sheet before purchase to determine the reasonableness of information provided by the manufacturer;
- Ensuring that proper documentation is maintained on each commercially prepared product used to contribute toward the SFSP meal pattern requirements;
- Ensuring the product received meets specifications and has the correct code number; and
- Providing site managers with serving sizes and crediting information.

An example of a sample product formulation statement for the meat/meat alternate product can be found in the section *Examples of Processed Product Documentation*. Other examples of product formulation statements, including one for documenting grains, can also be found at:

<http://www.fns.usda.gov/cnlabeling/food-manufacturersindustry>

An Overview of CN Labels and Product Formulation Statements during an Administrative Review

CEs *must* maintain all the documentation that supports meals served meet SFSP meal requirements for TDA review. This section outlines the CN label and product formulation statement documentation a CE may be required to provide for an administrative review.

REMINDER: CEs, not manufacturers, are responsible for providing meals that meet the SFSP meal pattern requirements and must maintain records of supporting documentation. **A failure to maintain such documentation, such as CN labels, nutrition facts labels, and/or product formulation statements, may result in the disallowance of meals.**

CN Labels Documentation

Acceptable and valid documentation for the CN label includes:

- The original CN label from the product carton; or
- A photocopy of the CN label shown attached to the original product carton; or
- A photograph of the CN label shown attached to the original product carton.

NOTE: CN labels which are photographed or photocopied must be visible and legible.

Watermarked CN Labels Documentation

If the original CN label from the product carton, or the valid photograph or photocopy of the original CN label is not available, CEs may provide the bill of lading (or invoice) containing the product name and one of the following:

- A hard copy of the CN label copied with a watermark displaying the product name and CN number provided by the vendor; or
- An electronic copy of the CN label with a watermark displaying the product name and CN number provided by the vendor.

Manufacturers may provide the CE with a watermarked CN label during the bidding process.

NOTE: CN labels with a watermark without the additional documentation required *are not* an acceptable form of documentation for a review.

Product Formulation Statement Documentation

TDA may request a product formulation statement when a valid CN label or watermarked CN label with a bill of lading is not provided.

Examples of Processed Product Documentation

Example of a CN Label

All CN Labels must have a(n):

- Product name
- Ingredient listing
- Inspection shield
- Establishment number
- Manufacturers' or distributor's name and address
- CN Label Statement

Chicken Stir-Fry Bowl

Ingredient Statement:
Chicken, brown rice, broccoli, red peppers, carrots, onions, water, olive oil, soy sauce, spices.

CN 099135

Each 4.5 oz. Chicken Stir-Fry Bowl provides 1.5 oz. equivalent meat, 1.0 oz eq Grains, ¼ cup dark green vegetable, ¼ cup red/orange vegetable, and ½ cup other vegetable for Child Nutrition Meal Pattern Requirements. (Use of this logo and statement authorized by the Food and Nutrition Service, USDA 09/14).

CN CN

Net Wt.: 18 pounds



Chicken Wok Company
1234 Kluck Street Poultry, PA 12345

Example of a Watermarked CN Label

All Watermarked CN Labels must:

- Be a hardcopy or electronic copy
- Display the product name and CN number
- Be provided with the Bill of Lading (invoice)

CN 080018

Each 4.29 oz. Multi Cheese/Cheese Substitute Garlic French Bread provides 2.00 oz. equivalent meat, 1.00 oz. equivalent grains for the Child Nutrition Meal Pattern Requirements. (Use of this logo and statement authorized by the Food and Nutrition Service, USDA 12-12).

CN




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Customer Service Call 1 (877) 302-7426
Website at www.SchwansFoodService.com

Multi Cheese/Cheese Substitute Garlic French Bread made with Whole Grain

#129019-2

INGREDIENTS: FRENCH BREAD (WATER, WHOLE WHEAT FLOUR, ENRICHED UNBLEACHED WHEAT FLOUR (FLOUR), BARLEY FLOUR, NIACIN, REDUCED IRON, THIAMINE MONONITRATE (VITAMIN B1), RIBOFLAVIN (VITAMIN B2), FOLIC ACID), VITAL WHEAT GLUTEN, PEA PROTEIN, CONTAINS 2% OR LESS OF EACH OF THE FOLLOWING: SUGAR, SALT, SOYBEAN OIL, YEAST, DOUGH CONDITIONER (ENZYME, HYDRATED MONOGLYCERIDES, WHEAT FLOUR, DATEM, DEXTROSE, SUNFLOWER OIL, ASCORBIC ACID, L-CYSTEINE, AZODICARBONAMIDE (ADA)), CHEESE BLEND (LOW MOISTURE PART SKIM MOZZARELLA CHEESE (PASTEURIZED MILK, CULTURES, SALT, ENZYMES), MOZZARELLA CHEESE SUBSTITUTE (WATER, VEGETABLE OIL (CORN OIL AND/OR SOY OIL), CHEESE SOLIDS, MODIFIED CORN STARCH, NONFAT DRY MILK, SWEET WHIP CREAM, SALT, MAGNESIUM OXIDE, FERRIC ORTHOPHOSPHATE, VITAMIN A PALMITATE, NIACINAMIDE, ZINC OXIDE, PYRIDOXINE HYDROCHLORIDE (VITAMIN B6), CYANOCOBALAMIN (B12), MONOGLYCERIDE, CARBON DIOXIDE), SWISS CHEESE (PASTEURIZED MILK, CULTURES, SALT, ENZYMES), SUBSTITUTE YELLOW CHEDDAR CHEESE BLEND (WATER, CASEIN, SOYBEAN OIL, WHEY, CHEDDAR CHEESE, MILK, CHEESE CULTURE, SALT, ENZYMES), MODIFIED CORN STARCH, CONTAINS 2% OR LESS OF SODIUM ALUMINUM PHOSPHATE, SODIUM CITRATE, SALT, LACTIC ACID, SODIUM PHOSPHATES, SORBIC ACID (PRESERVATIVE), ANNATTO, NATURAL FLAVOR, MONO AND DIGLYCERIDES, MAGNESIUM OXIDE, NIACINAMIDE (VITAMIN B3), FERRIC ORTHOPHOSPHATE, ZINC OXIDE, CYANOCOBALAMIN (VITAMIN B12), PYRIDOXINE HYDROCHLORIDE (VITAMIN B6), RIBOFLAVIN, THIAMINE MONONITRATE (VITAMIN B1), FOLIC ACID, VITAMIN A PALMITATE)), SAUCE (WATER, SOYBEAN OIL, MODIFIED CORN STARCH, SALT, SUGAR, CONTAINS 2% OR LESS OF DEHYDRATED GARLIC, NATURAL FLAVOR (MALTODEXTRIN, MONOGLYCERIDE, TURMERIC), GUM BLEND (GUAR GUM, XANTHAN GUM, PROPYLENE GLYCOL ALGINATE), SOY LECITHIN), CONTAINS: MILK, SOY, WHEAT

COOKING INSTRUCTIONS / INSTRUCCIONES:
PREHEAT THE CONVECTION OVEN TO 375°F OR A CONVENTIONAL OVEN TO 400°F. PRODUCT MUST BE COOKED FROM A FROZEN STATE FOR BEST RESULTS. PLACE FROZEN PIZZAS ON A 18" x 26" x 1 1/2" BUN PAN. PRESENTAR EL HORNO DE CONVECCION A 375°F O UN HORNO CONVENCIONAL A 400°F. LAS PIZZAS CONGELADAS EN UNA FUENTE DE 18" x 26" x 1 1/2".

OVEN TYPE / TIPO DE HORNO	TEMPERATURE / TEMPERATURA	COOKING TIME / TIEMPO DE COCCIÓN
CONVECTION / CONVECCION	375°F	19-23 MINUTES / 19 A 23 MINUTOS
CONVENTIONAL / CONVENCIONAL	400°F	18-20 MINUTES / 18 A 20 MINUTOS

NOTE: OVEN TEMPERATURE AND TIME MAY VARY DUE TO OVEN LOAD AND/OR PRODUCT TEMPERATURE. REFRIGERATE OR DISCARD ANY UNCOOKED PORTION. NOTA: LA TEMPERATURA DEL HORNO Y EL PERIODO DE TIEMPO PUEDEN VARIAR DEBIDO A LA CARGA DEL HORNO Y/O LA TEMPERATURA DEL PRODUCTO. REFRIGERAR O DESECHAR LA PARTE NO COCIDA.

NOT READY TO EAT? COOK THOROUGHLY. FOR FOOD SAFETY AND QUALITY, COOK BEFORE EATING TO AN INTERNAL TEMPERATURE OF 160°F. FOR INSTITUTE OF JALISCO

COOK BEFORE SERVING

KEEP FROZEN

L.B.N. [Licensed Connecticut 3906]



10072180783599

CONTAINS: 60 - 4.29 OZ. PORTIONS

NET WT.: 16 LBS. 1.40 OZ.

Example of a Product Formulation Statement

Sample Product Formulation Statement (Product Analysis) for Meat/Meat Alternate (M/MA) Products

Child Nutrition Program operators should include a copy of the label from the purchased product carton in addition to the following information on letterhead signed by an official company representative.

Product Name: _____ Code No.: _____

Manufacturer: _____ Case/Pack/Count/Portion/Size: _____

I. Meat/Meat Alternate

Please fill out the chart below to determine the creditable amount of Meat/Meat Alternate

Description of Creditable Ingredients per Food Buying Guide (FBG)	Ounces per Raw Portion of Creditable Ingredient	Multiply	FBG Yield/ Servings Per Unit	Creditable Amount *
		X		
		X		
		X		
A. Total Creditable M/MA Amount¹				

*Creditable Amount - Multiply ounces per raw portion of creditable ingredient by the FBG Yield Information.

II. Alternate Protein Product (APP)

If the product contains APP, please fill out the chart below to determine the creditable amount of APP. If APP is used, you must provide documentation as described in Attachment A for each APP used.

Description of APP, manufacture's name, and code number	Ounces Dry APP Per Portion	Multiply	% of Protein As-Is*	Divide by 18**	Creditable Amount APP***
		X		÷ by 18	
		X		÷ by 18	
		X		÷ by 18	
B. Total Creditable APP Amount¹					
C. TOTAL CREDITABLE AMOUNT (A + B rounded down to nearest ¼ oz)					

*Percent of Protein As-Is is provided on the attached APP documentation.

**18 is the percent of protein when fully hydrated.

***Creditable amount of APP equals ounces of Dry APP multiplied by the percent of protein as-is divided by 18.

¹Total Creditable Amount must be rounded **down** to the nearest 0.25oz (1.49 would round down to 1.25 oz meat equivalent). Do **not** round up. If you are crediting M/MA and APP, you do not need to round down in box A (Total Creditable M/MA Amount) until after you have added the Total Creditable APP Amount from box B to box C.

Total weight (per portion) of product as purchased _____

Total creditable amount of product (per portion) _____

(Reminder: Total creditable amount cannot count for more than the total weight of product.)

I certify that the above information is true and correct and that a _____ ounce serving of the above product (ready for serving) contains _____ ounces of equivalent meat/meat alternate when prepared according to directions.

I further certify that any APP used in the product conforms to the Food and Nutrition Service Regulations (7 CFR Parts 210, 220, 225, 226, Appendix A) as demonstrated by the attached supplier documentation.

Signature

Title

Printed Name

Date

Phone Number

Attachment A

Soy Company X
Soy Protein Concentrate
Product Y

Documentation for Company X Product(s) Used as Alternate Protein Products (APP) for Child Nutrition Programs

- a) Company X certifies that Product Y meets all requirements for APP intended for use in foods manufactured for Child Nutrition Programs as described in Appendix A of 7 CFR 210, 220, 225, and 226.
- b) Company X certifies that Product Y has been processed so that some portion of the non-protein constituents have been removed by fractionating. This product is produced from soybeans by removing the majority of the soybean oil and some of the other non protein constituents.
- c) The Protein Digestibility Corrected Amino Acid Score (PDCAAS) for Product Y is 0.99. It was calculated by multiplying the lowest uncorrected amino acid score by true protein digestibility as described in the Protein Quality Evaluation Report from the Joint Expert Consultation of the Food and Agriculture Organization/World Health Organization of the United Nations, presented December 4-8, 1989, in Rome, Italy. The PDCAAS is required to be greater than 0.8 (80% of casein).
- d) The protein level of Product Y is at least 18% by weight when fully hydrated at a ratio of 2.43 parts water to one part product.
- e) The protein level of Product Y is certified to be at least 61.8% on an "as-is" basis for the as-purchased product. *(Note: Protein is often provided on a moisture free basis (mfb) which is not the information FNS requires.)*

All of the above information is required for APP and must be presented for approval.

Note: *It is also helpful to have the ingredient statement for product Y. For example, if the product is uncolored and unflavored the ingredient statement might be "soy protein concentrate" or if the product is colored and textured the ingredient statement might be "textured vegetable protein (soy flour, caramel color)"*