If you can’t find a meal component...

CEs unable to meet the meal pattern requirements for serving reimbursable meals may submit a Meal Pattern Waiver. However, this waiver is only to be used after a CE has actively attempted to purchase the necessary items to comply with meal plan requirements.

Here are some suggestions for offering similar meal component substitutions:

**CEs having trouble buying vegetables:**

**Red/Orange:**
- Try these cold items: cherry tomatoes, carrot sticks, red bell peppers
- Serve vegetable juices such as tomato juice within the 50% weekly limit

**Dark Green:**
- Try these cold items: broccoli, leafy green salads, including romaine, spinach, and kale
- Serve pre-packaged salad entrees

**Starchy Vegetables**
- Try these cold items: corn salad, potato salad
- Serve baked potato as an entée

**Beans and Peas:**
- Try these cold items: bean salad using pinto beans, black eyed peas, black beans, or garbanzo beans
- Use beans in entrees such as tacos or burritos
- Make pre-packaged meals with hummus

**Other Vegetables**
- Try these cold items: celery, cauliflower, cucumbers, fresh green beans
- Utilize the Texas Department of Agriculture’s [Farm Fresh Network](https://www.farmfreshnetwork.com) and [Seasonality Wheel](https://www.texasnetag.gov/seasonality-wheel)

**CEs having trouble buying whole grains rich items:**

- Contact local bakeries in your area
- Add whole grain rich crackers or tortillas chips to your weekly meals
- Use whole grain rich wraps instead of enriched sandwich bread

**CEs having trouble buying whole fruits:**

- Serve dried fruits such as raisins and craisins
- Serve fruit juices within the 50% weekly limit

**CEs having trouble buying meat/meat alternates:**

- Serve meat alternates such as nuts, nut/sunflower butters, cheese, yogurt, eggs, hummus, or bean dips
- Create snackables with lunch meat, cheese, and crackers
Meal Pattern Waiver

If after CEs attempt to make appropriate substitutions and are still unable to meet the meal pattern requirements, a meal pattern waiver is to be submitted for TDA review and approval. Click to access the Waiver instructions/intake form.

NOTE: The date range entered on the Intake Form must align with a reasonable procurement cycle or delivery schedule. The ending date entered will be the day before your next scheduled shopping trip or date of next food delivery. If in the next cycle, that item or a different item is still unavailable, a new form must be submitted.

Here are some examples of waiver submission approvals and denials:

Examples of Meal Pattern Waiver approvals:

• Milk vendor can only provide one type of milk fat type. For example: only 2% white milk
• Produce vendor shorted order of carrot sticks; therefore CE will not have enough Red/Orange vegetables this week until next order
• Produce vendor shorted order of whole apples, will serve more than the allowed juice this week until next order

Examples of Meal Pattern Waiver denials:

• CE citing that all components are unavailable
• CE citing that a component is anticipated to be unavailable
• User who completed waiver not an authorized user/representative in TX-UNPS

Once a waiver has been submitted for review, CEs will receive an approval notification from TDA within 1-2 business days. If the waiver has been approved, CEs must retain documentation demonstrating the attempts to meet standard meal pattern requirements.
A meal pattern substitution waiver will only be granted if the program operator has shown sufficient evidence that the product is not available, and that the operator has made every effort to serve the meal plan. If granted a waiver, operators may be asked to report separately the number of meals served under the meal pattern substitution waiver. TDA recommends that program operators retain counts for these meals in an easily retrievable format.

When food substitutions are made for planned menus, program operators must retain documentation demonstrating the operator’s efforts to meet meal pattern requirements in each of the following areas:

**Component/Food Item¹**

**Information Contained in Documentation**

- Date the substitution will be served
- Component² the substitution represents for the planned type of meal (breakfast, lunch, supper, snack)
- Food item used to replace the original planned food item.
- Date substitution is served
- Number of servings prepared; number of servings served; and number of servings remaining

**Required Type of Documentation**

- Required food production record (FPR)³

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¹ For this guidance, food items are the foods served that contain the required meal pattern components for the meal or snack. This includes milk and juice.

² Components include milk, meat/meat alternates, fruits, vegetables, and grains.

³ All substitute food items must be recorded in the FPR.
Efforts to Obtain Original Planned Food Item

Information Contained in Documentation
- Reason the food item is not available
- Expected timeline to get the planned food item (if known)
- Expected timeline to get the substitute food item
- Actions the operator took to obtain the planned food item
- Reason the operator selected the substitute food item

Suggested Types of Documentation
- Email, dated phone notes, faxes, or other communications from the vendor about food items that are not available
- Emails, dated phone notes, faxes or other communications to vendors, other CEs, or other source
- Log the CE uses to track communications about food item substitutions

Procurement

Information Contained in Documentation
- Food products attempted to purchase
- Method of procurement
- Emergency procurement approval (if applicable)

Suggested Types of Documentation
- Micro-purchase or small purchase logs (if applicable)
- Contract (if applicable)
- Invoices/Receipts