



Policy Updates July 31, 2024

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TEXAS DEPARTMENT OF AGRICULTURE
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Food and Nutrition Division
Nutrition Assistance Programs



Updated 7/31/2024
www.SquareMeals.org

Unanticipated School Closures



Three Options for Serving Students during an Unanticipated School Closure

Option 1 – SFSP or SSO

- **Now available throughout entire school year (through June 30)!**
- All area eligibility requirements are in effect for SY 2024-2025.
- Non-congregate service, parent pick-up, and meal service time flexibilities available.
- Service can be at the closed school site, if available.
- Flexibilities available up to a maximum of 10 days unless an approved extension is granted.
- No instruction happening.



Three Options for Serving Students during an Unanticipated School Closure

Option 2 – CACFP At-Risk

- Available throughout entire school year (through June 30).
- Non-congregate flexibilities.
- One meal and one snack.
- Enrichment is waived.



Three Options for Serving Students during an Unanticipated School Closure

Option 3 – NSLP/SBP

- Anytime in the school year up until June 30.
- Non-congregate flexibilities available.
- Virtual instruction must be provided.
- Contact your ESC if this an option you would plan to utilize.



USC Resources!

- Notification form available on NSLP Administration/Forms page
- ARM Section 24, Disaster Situations



Excess Net Cash Resources



Excess Net Cash Resource Threshold Expansion

- Food service account cannot exceed six months' average expenditures (expanded from three months).
- Begins in School Year 2024-2025 – applies to SNP operators
- This change is not retroactive
 - SFAs with an already submitted spend-down plan for an excess of 3 months must adhere to that plan.
- New spend-down plan template has been released on the NSLP Administration/Forms page (<https://squaremeals.org/Programs/National-School-Lunch-Program/Administration-Forms>)
- ARM Section 16 update coming soon!



Miscellaneous Updates!



Miscellaneous Updates!

- NSLP/SBP Reimbursement Rates Published - <https://squaremeals.org/Programs/National-School-Lunch-Program/Reimbursement-Rates>
- NEW LOOK ARM – Section 5, Special Provisions – Coming soon!



USDA Final Rule

Flexibilities in Effect
July 1, 2024



#1 Nutrition Requirements



Milk

Nutrition Requirements

Previously

Schools may offer fat-free and low-fat (1% fat) milk, flavored and unflavored, in NSLP and SBP, and for sale as a competitive beverage.

- Unflavored milk must be offered at each school meal service.



Effective July 1, 2024

No changes to fat content or flavored or unflavored options



Effective July 1, 2025

Added Sugars Apply

Flavored milk must meet the new added sugar limits

Whole Grains

Nutrition Requirements

Previously

At least 80% of the weekly grains offered must be whole grain-rich. The remaining grain items offered must be enriched.

- *Whole grain-rich products must contain at least 50% whole grains; any grain ingredients that are not whole grain must be enriched, bran, or germ.*



Effective July 1, 2024

No changes current requirements

Added Sugars Nutrition Requirements

Previously

No limits to added sugars for SBP and NSLP



Effective July 1, 2025

Product-Based Limits

Limits to the following:

- **Breakfast cereals:** 6 grams added sugars per dry ounce.
- **Yogurts:** 12 grams added sugars per 6 ounces.
- **Flavored milks:**
 - SBP and NSLP
 - 10 g of added sugars per 8 fl oz
 - Competitive Foods (Smart Snacks)
 - Middle & High Schools, 15 g of added sugars per 12 fl oz



Effective July 1, 2027

Weekly Dietary Limits

Limit added sugars to less than 10% of total calories per week.


Sodium Nutrition Requirements

Now

Breakfast, Target 1

Lunch, Target 1A

BREAKFAST



AGE/GRADE GROUP	CURRENT LIMIT (TARGET 1)	SODIUM LIMIT 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




Effective July 1, 2027

Sodium Reduction

10% at Breakfast

15% at Lunch

LUNCH



AGE/GRADE GROUP	CURRENT LIMIT (TARGET 1A)	SODIUM LIMIT 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

#2 Menu Planning



Grains and Meats/Meat Alternates

School Breakfast Program

Previously

Daily Requirement

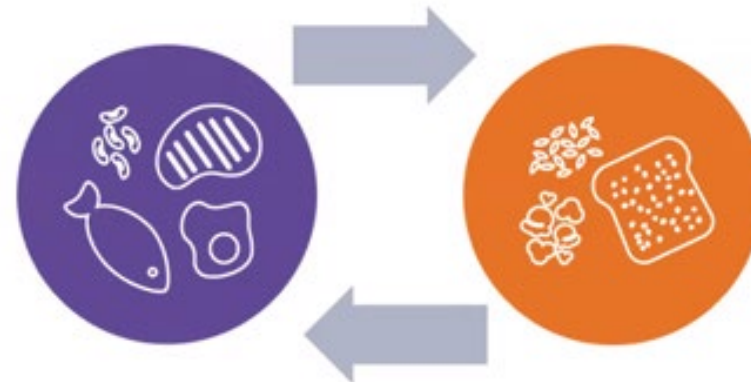
1.0 oz eq grain must be offered first, and then schools may offer a meat/meat alternate (M/MA) as a substitution for the grain component at breakfast.



Effective July 1, 2024

Daily Requirement

Allows schools to offer 1.0 oz eq of grains, M/MA, or a combination of both to meet the meal pattern



Substituting Vegetables for Fruit

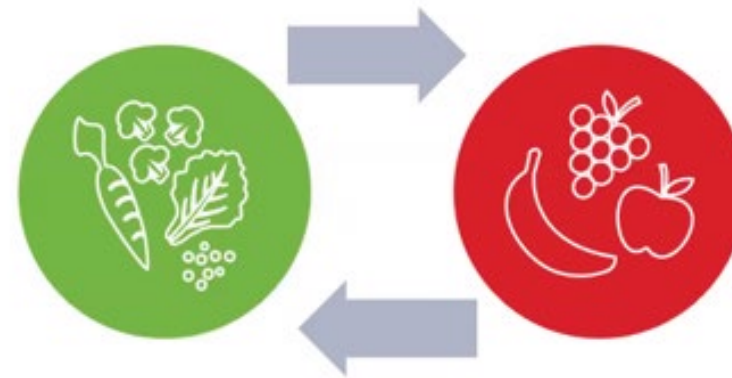
School Breakfast Program

Previously

Substitute vegetables for fruit, but first two cups per week are from all the subgroups except starchy

Congressional Flexibility

Removal of the vegetable subgroup requirement



Effective July 1, 2024

Congressional Flexibility

Possible Future Changes

Substituting vegetables for fruit

- Once per week: any subgroup
- More than once per week: two different subgroups

Beans, Peas, and Lentils Terminology Change

Previously

Old Terminology

Legumes (Beans and Peas)



Effective July 1, 2024

New Terminology

Beans, Peas, and Lentils



Beans, Peas, and Lentils

National School Lunch Program

Previously

Old Regulations

Beans and peas may count as a M/MA *or* vegetable in NSLP.



SY 2024 – 2025

New Regulations

- For NSLP, beans, peas, and lentils offered as a M/MA at lunch may also count towards the weekly beans, peas, and lentils subgroup requirement.
- However, beans, peas, and lentils only count towards one overall daily and weekly component: the vegetable component *or* the M/MA component.

Nuts & Seeds

Previously

Old Regulations

Credit limited to 50% of the M/MA component.



Effective July 1, 2024

New Regulations

May credit for 100% of the M/MA component.



Bean Dip

Previously

Old Regulations

Smart Snack total fat limits apply.



SY 2024 – 2025

New Regulations

Adds bean dip to the list of foods exempt from the total fat standard for Smart Snacks.

#3 Program Operation



Buy American

Previously

Exceptions Allowed

Buy American exceptions allowed for non-domestic products not produced in sufficient quantity or satisfactory quality in the U.S.

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Effective July 1, 2024

Exceptions Allowed: Clarification

- When competitive bids reveal the costs of a U.S. product are significantly higher.
- For products listed on the Federal Acquisitions Regulations (FAR) Nonavailable articles list.

Buy American

Federal Acquisitions Regulations (FAR) Nonavailable Articles List

25.104 Nonavailable articles.

(a) The following articles have been determined to be nonavailable in accordance with 25.103(b)(1)(i):

Acetylene, black.
Agar, bulk.
Anise.
Antimony, as metal or oxide.
Asbestos, amosite, chrysotile, and crocidolite.
Bamboo shoots.
Bananas.
Bauxite.
Beef, corned, canned.
Beef extract.



<https://www.ecfr.gov/current/title-48/chapter-1/subchapter-D/part-25/subpart-25.1/section-25.104>

Buy American

Now

Exceptions Allowed: No Limits

Buy American exceptions allowed for non-domestic products not produced in sufficient quantity or satisfactory quality in the U.S.



Effective July 1, 2025

Exceptions Allowed: Limits

Gradually phases in a 5% cap on non-domestic food purchases:

- 10% cap beginning July 1, 2025
- 8% cap beginning July 1, 2028
- 5% cap beginning July 1, 2031

Meal Modifications

Previously

Medical Statements

Medical statements for disabilities must be written by a medical authority licensed to write prescriptions by the State.



Effective July 1, 2024

Medical Statements: Clarification

“State licensed healthcare professionals” may write medical statements to request modifications on behalf of students with disabilities.



Effective July 1, 2025

Medical Statements: Registered Dietitians

Expands the authority to write medical statements to registered dietitians.



Additional Changes

Effective July 1, 2024

Potable Water

Adds the word “plain” to potable water requirements.

Synthetic *Trans* Fat

Removes dietary specification for *trans* fat.

Fluid Milk Substitutes

Updates unit of measurement for Vitamin A and Vitamin D from IUs to micrograms (mcg).

ARM Updates – Coming Soon!

- **Section 7, Breakfast**
- **Section 8, Lunch**
- **Section 17, Procurement**
- **Section 17b, Buy American**
- **Section 22, Competitive Foods**
- **Section 25, Meal Accommodations**

Resources

- **USDA – Food & Nutrition Service**
 - [Updates to the School Nutrition Standards](#)
 - [Best Practices for Reducing Added Sugars at School Breakfast](#)
- **TDA – Food & Nutrition Division**
 - www.squaremeals.org
 - Administrators Reference Manual (ARM): Sections 7, 8, and 9
- **ICN – Institute of Child Nutrition**
 - [Shaking It Up! \(Sodium Training\)](#)
 - [Whole Grain-Rich Foods \(Part 1 and Part 2\)](#)



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Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

2. fax:

(833) 256-1665 or (202) 690-7442; or

3. email:

program.intake@usda.gov

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