



Proposed Revisions to Nutrition Standards

USDA Proposed Rule

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TEXAS DEPARTMENT OF AGRICULTURE
COMMISSIONER SID MILLER

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Food and Nutrition Division
National School Lunch Program



Updated 3/27/2024
www.SquareMeals.org

Background

Proposed Rule: Child Nutrition Programs – Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans

<https://www.fns.usda.gov/cn/proposed-updates-school-nutrition-standards>

- USDA is required to maintain nutrition program meal patterns that are consistent with the *Dietary Guidelines for Americans*.
- The proposed rule is subject to change.
- USDA accepted public and stakeholder comments on the proposed rule until Spring 2023.
- Final rule release in **Spring 2024**.
- Expected implementation is SY 2024 – 2025.



Added Sugars

Current Standard

No added sugar limit, but schools must meet weekly calorie limits.

Proposed Standard

Limit added sugars to an average of less than 10% of calories per week, phased in over a three-year period.

This includes additional specific limits for grain-based desserts, breakfast cereals, yogurts, and flavored milk.



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Milk

Current

Schools may offer fat-free and low-fat (1 percent 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.

Proposed

- **Alternative A** - Allow flavored milk (fat-free and low-fat) at school lunch and breakfast for high school children (grades 9-12) only. Elementary and middle school children (grades K-8) would be limited to a variety of unflavored milk. Flavored milk would be subject to the new proposed added sugars limit.
- **Alternative B** - Maintain the current standard allowing all schools to offer fat-free and low-fat milk, flavored and unflavored, at school lunch and breakfast, with the new proposed added sugars limit for flavored milk.



Milk

Current

Schools may offer fat-free and low-fat (1 percent 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.

Proposed

- **Alternative B** - Maintain the current standard allowing all schools to offer fat-free and low-fat milk, flavored and unflavored, at school lunch and breakfast, with the new proposed added sugars limit for flavored milk.

UPDATE: Per Consolidated Appropriations Act of 2024, Alternate B will go into effect.



Whole Grains

Current

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.

Proposed

- **Option 1** - Maintain the current requirement that at least 80% of the weekly grains offered are whole grain-rich, based on ounce equivalents of grains served in the school lunch and breakfast programs.
- **Option 2** - All grains offered in the school lunch and breakfast programs must meet the whole grain-rich requirement, except that one day each school week, schools may offer enriched grains.

Whole grain-rich = the grain content of a product is between 50 and 100% whole grain with any remaining grains being enriched.



Sodium

Current

Meet weekly transitional sodium limits.

NSLP Transitional Sodium Limits

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

SBP Transitional 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



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Proposed

Reduce the weekly sodium limit by 10% in 2025, 2027, and 2029.

NSLP Proposed Sodium Limits

Age/Grade Group	Sodium Limit: Effective July 1, 2025	Sodium Limit: Effective July 1, 2027	Sodium Limit: Effective July 1, 2029
Grades K-5	≤ 1000 mg	≤ 900 mg	≤ 810 mg
Grades 6-8	≤ 1105 mg	≤ 990 mg	≤ 895 mg
Grades 9-12	≤ 1150 mg	≤ 1035 mg	≤ 935 mg

SBP Proposed Sodium Limits

Age/Grade Group	Sodium Limit: Effective July 1, 2025	Sodium Limit: Effective July 1, 2027
Grades K-5	≤ 485 mg	≤ 435 mg
Grades 6-8	≤ 540 mg	≤ 485 mg
Grades 9-12	≤ 575 mg	≤ 520 mg

Sodium

Current

Meet weekly transitional sodium limits.

NSLP Transitional Sodium Limits

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

SBP Transitional 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



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UPDATE:

Per Consolidated Appropriations Act of 2024, maintain the current sodium limits through SY 2026 – 2027.

Buy American

Current

Schools must purchase domestic commodities or products to the maximum extent practicable with limited exceptions related to product availability and cost.

Proposed

Set a **5% limit on the use of exceptions** to purchase non-domestic food. Schools would need to maintain documentation showing that no more than 5 percent of their total annual commercial food costs were for non-domestic foods.

Add additional current USDA Buy American guidance into official regulation.



Afterschool Snacks

Proposes to **align NSLP afterschool snack standards with CACFP snack standards.**

Snacks would include two of the following five components:

- milk,
- vegetables,
- fruits,
- grains,
- or meats/meat alternates.

Nuts & Seeds

Proposes to **allow whole nuts and seeds to credit for the full meat/meat alternate component** in all child nutrition programs and meals, not just nut and seed butters.

This proposal would remove the 50% crediting limit for nuts and seeds at school breakfast and lunch.



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Substituting Vegetables for Fruits at Breakfast

Continues to allow schools to substitute vegetables for fruits at breakfast, but proposes to change the vegetable variety requirement.

Schools that substitute vegetables more than one day per school week would be required to offer vegetables from at least two subgroups.

Smart Snacks – Hummus Exception

Proposes to **add hummus to the list of foods exempt from the total fat standard in Smart Snacks** (competitive food regulations).

Hummus would continue to be subject to the saturated fat standard.



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Professional Standards

In a medium or large school district:

Proposes to allow State Agencies (TDA) to **approve the hiring of a program director with 10 years of school nutrition program experience in lieu of a bachelor's or associate's degree.**

Geographic Preference

Proposes to expand geographic preference options by **allowing locally grown, raised, or caught as procurement specifications** for unprocessed or minimally processed food items.

This aims to increase procurement of local foods for use in program meals and ease a local food procurement challenge commonly reported by program operators.



Terminology Changes

“meat/meat alternates”
to
“protein sources”

“legumes (beans and peas)”
to
“beans, peas, and lentils”



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Resources

<https://www.fns.usda.gov/cn/proposed-updates-school-nutrition-standards>



[Added Sugars](#)



[Milk](#)



[Sodium](#)



[Whole Grains](#)

A full description of all proposed provisions is available [for download](#). These provisions are designed to respond to stakeholder feedback and strengthen the school meal programs.

Additional Resources

- [Comparison Chart: Current Standards vs. Proposed Standards](#)
- Infographic: [Proposed Rule for School Meal Standards](#)
- Infographic: [Proposed Timeline for Implementation](#)
- Infographic: [The Road Ahead - Building Back Better with School Meals](#)
- [Media Toolkit](#)



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