



## **I. PURPOSE**

This policy provides for the sale of food outside of the National School Lunch Program and School Breakfast Program and establishes state-compliant standards regarding foods sold outside of the reimbursable school meal service, including vending machines, for Athlos Academy of St. Cloud.

## **II. DEFINITIONS**

- A. Minimal Nutritional Standards: Food categories established by the U.S. Department of Agriculture (USDA) including soda water, popsicles (unless they contain fruit or fruit juices), chewing gum, and certain candies; including jellies, hard candy, marshmallows, fondant, licorice, spun candy, or candied popcorn, etc.
- B. National School Lunch/Breakfast Programs: Federally assisted meal programs which provide nutritionally balanced, low-cost or free lunches to children each school day.
- C. Nutrition Standards: Competitive food service and standards for schools across the nation as outlined in the Code of Federal Regulations Title 7, § 210.11.
- D. Reimbursable Meals: Meals served to children enrolled in school who are in attendance at the time of the meal service, claimed by an approved eligibility category, and meet the minimum meal pattern requirements.
- E. Smart Snacks Standards: This set of standards is the interim final rules for competitive foods passed in 2013 by the USDA which includes two components for snacks—one, a restriction on the ingredients of the snacks, which requires whole grains, dairy, fruit, vegetables and other protein sources, and two, specific limits on calories, sugar, fat, and sodium.

## **III. POLICY**

- A. Food sold outside of the reimbursable meals shall meet the following guidelines:
  - 1. This policy shall apply to all foods sold anywhere on school grounds during the school day when school is in session in all areas of the school accessible to students;

## Food Sales Outside of Reimbursable School Meals

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2. Foods sold outside of reimbursable meals that do not meet the USDA's Smart Snacks standards shall be prohibited.
- B. Athos Academy shall comply with the federally established nutrition standards with regards to food sold outside of reimbursable meals, including vending machines and school events, and:
1. Prohibit the sale of food with minimal nutritional value;
  2. Limit the calorie value to less than 300 per unit;
  3. Offer fruits, vegetables, and whole grains while limiting breaded and fried choices;
  4. Prohibit foods that are more than 35% total fat;
  5. Prohibit foods in which the 10% of the total calories come from saturated fat;
  6. Prohibit foods that contain caffeine;
  7. Prohibit foods with trans fats;
  8. Prohibit foods with a sodium content greater than 200 mg per portion; and
  9. Prohibit foods in which more than 35% of the product is sugar by weight.
- C. Vending Machines
1. The authority to implement vending machines in middle or elementary school rests with the Governing Board and all proceeds from vending machine sales and contracts shall be under the control of their control.
  2. All vending machines are under the supervision of the Lead School Administrator and all items to be dispensed from a vending machine shall be approved by the Lead School Administrator.
  3. The Lead School Administrator must abide by all applicable state laws regarding the collection of monies from vending machines.
  4. The food products sold in vending machines shall meet the USDA's Smart Snacks standards.
  5. Elementary school students shall not have access to vending machines that sell food products.
  6. No school employee or Governing Board member shall be interested, directly or indirectly, in a vending machine contract or personally benefit financially from a contract.

### Legal References:

[Minn. Stat. § 123B.20](#) (Dealing in Supplies)

[Minn. Stat. § 123B.52](#) (Contracts)

[Minn. Stat. § 471.345](#) (Contracts)

[Minn. Stat. § 471.87](#) (Conflict of Interest)

[C.F.R. tit. 7, § 210.11](#)

[USDA's Smart Snacks Standards](#)