



United States Department of Agriculture
Food and Nutrition Service

Southeast Region

Reply to

Attn. of: SA 9-1

March 2, 1999

Subject: 210.10-18: Questions and Answers on the School Meals Initiative (SMI) for Healthy Children

To: All State Directors:

National School Lunch Program (NSLP)
Southeast Region

This information was initially issued as Policy memoranda 97-2, dated December 3, 1996; 97-6 dated December 9, 1996; 97-26, dated August 22, 1997 and un-numbered memoranda dated December 4, 1995, and October 8, 1998. Any changes will appear in **bold**.

Attached is a set of answers to questions that were submitted to USDA on the School Meals Initiative (SMI) for Healthy Children. Please note that several questions concerning State agency monitoring of SMI issues have not been included because they are addressed in the Reviewer's Guide to SMI Nutrition Reviews and Technical Assistance.

At this time we would like to summarize the general requirements for implementing the dietary guidelines. Public Law 104-149 authorized four specific meal planning systems as being "reasonable approaches" for schools to meet the dietary guidelines: NuMenus, Assisted NuMenus, Food Based system, and the meal pattern in effect for School Year 1994/1995. Schools may implement any one of the four systems for the current and subsequent school years without prior approval. Implementation means schools are planning and preparing meals using one of the approved meal planning options and are actively moving toward compliance with the nutrition standards.

The law recognizes that additional approaches may be developed that would meet the dietary guidelines and gives the Department discretion to develop guidelines on what would constitute "reasonable" alternate approaches. The Department plans to develop these criteria through the formal rule making process by publishing a proposed regulation which will provide opportunity for the public to participate and comment. As only four meal planning options are approved at this time, the attached Questions and Answers do not address additional potential reasonable approaches.

Should your staff have any questions regarding this matter, please contact our office.

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Attachment

SCHOOL MEALS INITIATIVE FOR HEALTHY CHILDREN

QUESTIONS AND ANSWERS

General

1. Will guidance on the special circumstances in RCCIs be issued?

We will try to provide guidance on specific circumstances as they become known to us.

2. Will USDA provide nutrition standards that go beyond age 17? For the purposes of the CACFP, nutrition standards for adults over 51 are provided in the training manual. For age groups not provided, the appropriate RDA could be divided by one-third and one-fourth, respectively, for the NSLP and SBP?

The Department has no plans to issue nutrition standards for persons over 17. Because of the limited number of older students attending high school, there would be little practical value in attempting to apply a different set of standards in a normal school setting. Moreover, while residents of RCCIs may often be older than 17, the RDA and calorie requirements for this population do not, in fact, differ substantially from those set for 17 year olds. Therefore, the requirements for the 14 - 17 age group should be applied to persons over age 17.

3. Do the nutrition standards apply to children under age 2?

Yes. As stated in the June 13, 1995 introductory text to Part 210.10(b), the Dietary Guidelines and, therefore, the revised nutrition standards apply to children age 2 and above. SFAs will continue to follow the meal patterns for children under age 2 regardless of the menu planning alternative chosen for other age groups.

4. Are there changes under any of the menu planning alternatives for meals served to adults and preschool children in the Child and Adult Care Food Program (CACFP)?

Instructions for adult and preschool meals are included in the training materials and approved software. There are no changes in the minimum portion sizes under the food-based menu planning alternative for preschool children. For preschool children age 2 and above, the minimum calorie and nutrient levels are provided in the regulation.

5. Are there changes under any of the menu planning alternatives for snacks for adults and preschool children?

There are no changes to the requirements for snacks under any of the menu planning alternatives.

6. Can a school using NSMP vend meals to the CACFP, the SFSP or to other programs using NSMP?

As noted on page 31206 of the **June 13, 1995 Federal Register** (preamble), the school may use NSMP for vended meals as long as the entity receiving the meals agrees. For the purposes of other child nutrition programs, the entity contracting to receive meals needs the approval of their State agency to have meals planned using the nutrient analysis approach.

7. Will USDA provide guidance on the selection of a menu planning method? Will a video be produced on this subject? What other actions or materials does USDA plan to develop in the future?

We have already provided basic information on NuMenus, Assisted NuMenus and the enhanced food-based meal planning system, including information about the advantages and potential drawbacks of each. We are also in the process of developing guidance specific to the traditional meal pattern. If schools believe they need additional assistance with deciding which alternative to use, they should contact their State agency.

The Department has also provided other guidance materials to State agencies and schools, and additional materials will be developed in the near future. Schools have already received a Tool Kit for Healthy School Meals, which includes new recipes designed to comply with the Dietary Guidelines, and the Department has provided States with a menu cycle that can be used as a model for those that choose Assisted NuMenus. A **Menu Planner for Healthy School Meals** that serves as a companion to the training manual for locals **was distributed in September 1998**, and we expect to have a revised Food Buying Guide available for School Year 1999.

8. Must schools using a food-based menu planning system comply with the nutrient standards, including the Dietary Guidelines?

The law clearly requires all schools to serve meals meeting all of the nutrition standards by the school year beginning July 1, 1996, unless a waiver has been authorized by the State agency. This statutory requirement applies to all schools regardless of the meal planning method they have chosen.

9. While specific standards for sodium, cholesterol and dietary fiber have not been established, the regulations do require improvement in these areas. How can we help SFAs and schools to improve in these areas without standards?

The Dietary Guidelines did not establish target levels for sodium, cholesterol, and dietary fiber because there is currently no consensus within the scientific community regarding recommended amounts for consumption. While there is no consensus, there are a number of different groups that have developed recommendations in these areas. For example, the School Nutrition Dietary Assessment Study (SNDA) used the recommendations of the National Research Council, published in Diet and Health as benchmarks for assessing intakes of sodium, cholesterol, and carbohydrate.

However, it is not necessary to set specific standards to bring about improvement in these areas. During their initial reviews, SAs may identify the current levels for these elements in the planned menus. During the next review(s), the SA would compare the levels from that nutrient analysis to those found in previous review(s) to determine if there was improvement in reducing sodium and cholesterol and in increasing dietary fiber.

10. May a school use different menu planning approaches for lunch and breakfast?

Yes.

11. Can different menu planning alternatives be used within the SFA?

Yes; although when making this decision, SFAs should keep in mind that maintaining different systems may not be sustainable from an administrative standpoint over time.

12. Can different menu planning alternatives be used within a school?

No, generally there would be no way to maintain the nutritional integrity of the meal service if more than one system was used. In addition, multiple systems would require extensive record-keeping. However, under special circumstances when separate and distinct student populations exist in a single building, different menu planning approaches may be used.

13. When is the SFA considered to be using the ANSMP approach?

ANSMP is an approach in which menu cycles are developed by entities other than that SFA. The SFA is considered to be using the ANSMP approach when it purchases or receives the menu cycle(s) with the recipes, product specifications and preparation techniques that support those menu cycles and the resulting nutrient analyses.

If the SFA develops its own menu cycles, recipes, etc. But has another entity (such as a university) or a central system (like the headquarters of an FSMC) do the actual analysis, it is not considered a ANSMP system.

Nutrient Analysis

1. How are salad and other specialty food bars incorporated into the nutrient analysis?

Standardized recipes are developed for salad bars and other specialty food bars and are entered into the data base at the local level. Recipes include the amounts of all ingredients available at the bar and the estimated number of portions served as part of the reimbursable meal service, as is the case with any other recipe. Guidance on treating theme bars is provided on pages 3-19, 3-20, 3-21 and 9-5 of the Healthy School Meals Training Manual.

2. Must all menu items or foods offered as part of a reimbursable meal (and therefore included in the nutrient analysis) be offered before the point of service?

All menu items planned as part of a reimbursable meal need to be available before the point of service to ensure that the cashier can determine that a reimbursable meal has been taken. However, schools may offer certain extra items which have no direct bearing on the eligibility of the meal for reimbursement but would be counted in the nutrient analysis even when they are placed beyond the point of service. For example, it may be more efficient to place condiments beyond the point of service. Another example would be a free salad bar available to all children in the cafeteria regardless of whether or not they received a reimbursable meal. In these situations, the amount of food taken by children who also received reimbursable meals would be estimated and included in the nutrient analysis. Schools electing to use one of the food-based systems will need to include estimates of these items on their production records so that the State agency can count them as part of its nutrient analysis of the food service.

3. What is the status of the National Nutrient Database?

The Department intends to issue **regular** updates for commodities and other foods already incorporated into the data base.

4. Why are a la carte meals excluded from the nutrient analysis?

Except for prohibiting the sale of foods of minimal nutritional value, the Department does not regulate the school food service's sale of competitive foods. Moreover, while every reimbursable meal must provide a minimum number of menu or food items, there is no similar consistency among a la carte sales. A child could take one item or several, and the item(s) could either supplement the reimbursable meal or replace it. Finally, as a practical matter, the analysis of the reimbursable meal service is possible because schools must make accurate meal counts of reimbursable meals at the point of service. There is no similar mechanism for the a la carte service. For these reasons, it is not appropriate to include a la carte items in the nutrient analysis.

5. How will ala carte items be considered for weighting and production records?

Items sold ala carte are not included in the analysis. For items offered as part of a reimbursable meal and also sold ala carte, the SFA must estimate the number of portions offered as part of the reimbursable meal. A periodic count at the point of service could be done to verify the sales, but it is not part of the regulatory requirement.

6. How will meals to teachers, food service staff an other adults in schools be considered for weighting and production records?

These adult meals should be treated in the same manner as ala carte meals. However, adult meals that are essentially the same as student meals need not be excluded from the nutritional analysis if that is more convenient for the SFA.

7. Must the numbers of a la carte sales, special needs and adult meals that are excluded from the nutrient analysis be documented?

We suggest that SFAs develop estimates from production records, meal counts, observations, etc. Whatever method is used should be for review purposes. The SA is not required to document the accuracy of the estimates, but may determine, during the review, that the estimates should be adjusted.

8. How does the unit price requirement mesh with offer-versus serve under NuMenus and Assisted NuMenus?

The requirement to price the reimbursable meal as a unit does not differ substantially from one meal planning option to another. Under the food-based alternatives, the meal planner must satisfy specific component/quantity requirements, while meal planners using NuMenus and Assisted NuMenus determine for themselves what constitutes the meal, as long as an entree, milk and at least one other menu item are planned at a minimum. Under all systems, the child then must be offered a complete meal and must take the minimum number of items. In the event that multiple choices of some components are available (e.g., more than one entree or several types of fruits/vegetables when only two are planned as part of the meal) the meal planner must convey to the child and the cashiers what needs to be taken.

9. Will there be more guidance on using an unweighted nutrient analysis?

As Secretary Glickman's letter indicated, schools are authorized to conduct unweighted nutrient analyses temporarily while the Department evaluates whether or not unweighted analyses reflect the nutrient content of meals as accurately as weighted analyses do. During this interim period, we believe the guidance on simple, unweighted averages that is in the training manual is sufficient. If the evaluation indicates that unweighted averages should be authorized permanently, we will consider developing more extensive guidance.

10. May schools use an alternative to the approved software?

The regulation makes it quite clear that NuMenus and Assisted NuMenus must be conducted using software approved by the Department. Unless approved software is used, there is no guarantee that the analysis will yield an accurate analysis. Schools using a food-based system may, of course, use an unapproved package as a tool to judge their compliance with the nutrition standards. These schools should be cautioned, however, that the State agency will use approved software when it conducts its own nutrient analysis, and the State's results may differ substantially from the school's own analysis.

11. The SFA or school receives vended meals from another source. How is compliance with the nutrition standards determined?

If the receiving SFA uses the NSMP approach, it needs enough information from the vendor to conduct a nutrient analysis, or a nutrient analysis from the vendor which could be another SFA using the NSMP approach.

If the SFA or school uses one of the food-based approaches, the State agency must be able to obtain sufficient information to conduct a nutrient analysis as part of the SMI monitoring review. The SFA or school needs to insure that the vendor can provide the information necessary to conduct an SMI assessment review. No matter which menu planning option the SFA or school selects, the contract with the vendor needs to include a provision that specifies what information is required for the State agency to conduct a nutrient analysis and that the vendor must provide all of that.

12. When an NSMP SFA conducts a nutrient analysis, what food quantities should be used-the planned, prepared, or served amounts?

The planned quantities from the production records or other types of planning records are used. If any significant changes are made to the menu or to production levels, a new analysis is needed.

13. For NSMP systems, are leftovers included in the analysis? Must the menus for the week be reanalyzed to include leftovers?

We do not require that leftovers be incorporated into the analysis or that a reanalysis for that week be done. However, if the leftovers are needed to verify that reimbursable meals were offered, the SFA must document how the leftovers were used, either by amending or annotating the production records. We encourage SFAs to consider if the leftovers, particularly the same foods, are a frequent occurrence and to make appropriate changes or adjustments to production levels.

14. In some RCCIs, it is standard practice to use leftovers from the previous dinner as extras for lunch. The amount leftover varies each time. Is it sufficient to do the nutrient analysis on the planned menu and not include the leftovers?

Yes.

15. How are family style meals handled for nutrient analysis?

Nutrient analysis is based on food production and the number of planned servings. When planning family style meals, overall production and the number of children to be served is determined. Therefore, the analysis would be done in the same way as for non-family style meals, even though there is greater opportunity for varying portions. If a school is serving family style

meals under NSMP or ANSMP, there must be sufficient quantities of food to ensure that a reimbursable meal is available to each child.

16. Can the SFA use the milk variety "recipe" (which sets standard percentages of whole, low-fat, or flavored milk) that is included in some software packages?

Any such recipe must be adjusted to the available varieties in the appropriate proportions offered at the school or SFA. Please note that variety recipes may also be created for other situations where the same food items are offered together and are selected in about the same quantities; e.g., bread baskets, fresh fruit bowls, condiments, cold cereals, etc.

17. Are separate analyses for lunch and breakfast needed if the SFA is combining analyses to determine compliance with the nutrition standards?

No.

Special Needs Situations

1. If the only change in food provided to a child with special needs is the form or consistency, are these meals included in the nutrient analysis?

Yes.

2. If the diet ordered for a child with special needs changes the level of calories or other nutrients, are these meals included in the nutrient analysis?

No.

3. Do the provisions for children with special dietary needs apply to the new meal planning methods?

Yes. Schools are still required to make appropriate accommodations for children whose disabilities prevent them from eating the regular meal, and the Department continues to encourage schools to make accommodations for children who are not disabled but have special dietary needs. If the accommodation does not require substituting food items (e.g., blenderized meals), those meals would be included in the nutrient analysis. If a substitution is involved, those meals would not be included in the analysis.

Food-based Menu Planning Systems

1. Is yogurt subject to the crediting limitation of 50% that applies to nuts and seeds when used as a meat alternate?

No, yogurt is not subject to this limitation. Four ounces (weight) or one-half cup (volume) of yogurt equal one ounce of the meat/meat alternate requirement. Therefore, the amounts listed for yogurt in the charts of minimum quantities meet the full, minimums required for the meat/meat alternate component. For example, under the traditional food-based menu planning alternative, six ounces or 3/4 of a cup of yogurt provide the full meat/meat alternate requirement for children in K-3.

2. For food-based approaches, must leftovers be included on the production record so that the SA may include them in the nutrition assessment review?

As we discussed, leftovers that are needed to verify that reimbursable meals were offered, must be documented, either by amending or annotating the production records. However, if the leftovers are not essential to document reimbursable meals, the SFA may, but is not required to, include leftovers on their production records.

3. For the kindergarten-grade 6 grouping, must the additional 1/2 cup of fruits/vegetables be served as part of that component or can the school/SFA show, through production records, that an additional amount was provided with the entree?

The additional serving may be provided as either an additional portion of the fruit/vegetable component or may be incorporated into the menu as part of another component. As is currently the case, the production records would indicate how the minimum portion size was met.

4. If an SFA has middle schools with grades 6, 7, and 8 and chooses to use levels for grades 7-12, wouldn't the meals perhaps exceed the fat levels for the 6th graders?

The percentages of fat are determined on the actual number of calories offered, not the minimum requirement for the grade group. For example, the minimum calorie levels for 6th graders 664, with maximum calories from fat as 199 and from saturated fat as 66. The minimum calories actually offered to 6th graders, in this case, would be 825, making the fat calories 248 and 83, respectively. Technically, however, the percentages of calories from fat would be met. In reality, however, the younger children would not be offered meals with the proper nutritional balance for their grade group in terms of all nutrients, particularly calories and the percentages of calorie from fat and saturated fat.

We can only reiterate our strong commitment to meeting the appropriate nutrient levels by grade groups.

5. How will the minimum weekly quantities for the fruits/vegetables and grains/breads components be met for institutions that operate seven days?

They would need to make proportional increases to reflect the two added serving days.

6. For the additional weekly quantities for the fruits/vegetables and grains/breads components, how will weeks with fewer than five serving days be handled?

As is done currently, the additional weekly quantities would be prorated over the actual number of serving days.

7. Will fruit/vegetable items need to meet a 1/8 cup minimum serving in order to be counted?

As is currently required, a minimum serving of 1/8 cup (two tablespoons) must be served.

8. Must schools with kindergarten through grade 8 use two grade groupings or do they have the option of using the larger portion sizes for grades 7-12 for all students?

While the portion sizes are minimum levels, schools need to keep in mind that, they were developed to provide, as nearly as possible, the appropriate amounts of nutrients by age/grade group.

We cannot promote too strongly the use of applicable portion sizes.

*First, the younger children would not be offered meals that provide the proper nutritional balance for their grade group, particularly in calories and the requisite levels of calories from fat. The result is "overnutrition" for these children which may contribute to childhood obesity and other health problems.

*Second, as discussed further in the next question, the percentages of fat from calories may be technically met for the younger children because the percentages are based on the calories offered. However, in actuality, the levels of fat exceed the ideal levels for younger children.

*Third, using larger portion sizes for the lower grades will increase costs. In developing the cost analysis for the rule, we assumed that SFAs and schools would use the appropriate portions for younger children. It is unlikely that cost neutrality can be attained if the age/grade groupings are not observed.

Offer versus Serve

1. Will OVS be extended to meals prepared by schools using NSMP for the CACFP and/or the SFSP?

OVS is possible in some cases in the SFSP. It has not been extended to CACFP.

2. If a student requests reduced sized servings under offer versus serve, is the meal still reimbursable?

Yes, it is a long-standing policy that a student may request smaller portions of any items he would otherwise decline. This policy continues to apply under all of the new menu planning alternatives.

Is there always a maximum of two items that may be declined, even if more than 5 items are offered as part of the reimbursable meal?

Yes.

3. Under NSMP, in schools with multiple choices of entrees and menu items, the regulations imply that a student would have to take up to 10 items, if for example, 12 were offered. Does this mean that schools will need to define what a reimbursable meal is; i.e., entree, milk, and other items not to exceed, say, four?

As may happen currently, if different entrees, vegetables, bread items, etc. are offered, a number of combinations of menu items are possible to make up a reimbursable meal. The menu planner would need to describe what constitutes a reimbursable meal.

For NSMP, without OVS, a reimbursable meal must include an entree, milk and at least one other menu item. Therefore, for a point of service count, a cashier would need to confirm that one of the variety of entrees was taken, milk and one or more other menu items from the variety offered. Under OVS, the regulations require students to take an entree and allow them to decline up to two menu items if four or more are offered.

4. How will students know which menu items and/or foods they have to take to have a reimbursable meal?

Schools which elect to continue using the traditional meal pattern will not need to change the ways they have taught children about reimbursable meals in the past, and schools deciding to use the enhanced food-based system will experience little, if any, change apart from minor modifications to encourage consumption of additional fruit/vegetable and grain/bread items. We recognize that schools which depart from the strict component/quantity requirements of the past by using NuMenus and Assisted NuMenus may need to alter their methods somewhat, especially if they offer extensive choices. Even in these instances, though, children will learn quickly that they must take an entree, and information about other menu items can be conveyed visually through the use of menu boards and placards.

We are planning to revise our guidance on meal requirements and offer versus serve to reflect the new array of options available to schools, and we will consider including examples of effective teaching techniques. It is also important to note that even under NuMenus, most meals are likely to be designed around the concept of four components and five items. Therefore, there should be few problems explaining the requirements of offer-versus-serve.

5. Is an entree required under OVS for the food based menu planning alternative?

No. The term entree has applicability only to NSMP and ANSMP.

NSMP

1. How should milk and other beverages be listed on menus under the Nutrient Standard Menu Planning (NSMP) alternative for the school lunch program? The question is whether fluid milk should be planned and offered as a choice with other beverages such as tea or juice.

There is no "Beverage" menu item category under NSMP-the menu item is "Milk." This means that if a school wants to offer other beverages as part of the reimbursable meal, they may not be offered as an alternative to milk. That is, a school may offer other beverages in addition to milk as long as students are aware that the choice is not between milk and other beverages. The school may offer other beverages as one of the side dish choices which are part of the school's unit-priced meal. The school's policy should be clearly publicized so that students understand their options.

When formulating their menus, schools should also bear in mind that certain beverages may contain calories but few other nutrients and that their placement may put them in competition with more nutritious foods. Schools may still offer these beverages as a menu item but could structure different groups within the additional menu items. For example, students may be offered a choice of entrees, a choice of two items from a selection of fruits and vegetables, a choice of milk, and a choice of one item from a group including desserts, flavored juices or teas. In this way, alternate beverages are available as part of a reimbursable meal but are not offered in the same group as alternates to milk or to other nutritious foods. Please keep in mind, however, that full strength juice could be listed as a choice in a fruit/vegetable category.

2. Are there any minimum serving sizes for milk under NSMP/ANSMP?

No.

3. How does Appendix A relate to NuMenus?

NuMenus and Assisted NuMenus are not subject to the crediting specifications of A because the meal planner ascertains the nutrient and calorie levels automatically by computer analysis as part of the planning process and makes adjustments as necessary. Meal planners using NuMenus should keep in mind that vegetable protein products fortified to meet the nutrient requirements of Appendix A should not exceed the 30 percent level as established under that Appendix for food based systems. Not only should meal planners avoid highly fortified foods as a general rule, but also the excessive levels of zinc and iron associated with fortified vegetable protein products not meeting the standards of Appendix A and exceeding the levels of these nutrients associated with a healthful diet.

4. Under NuMenus, is it acceptable for a student to take the entree and one other item if the planned meal includes the entree, milk and three additional menu items?

No. When more than three items are included in the meal, the child may not decline more than two items. In this example, therefore, the child must take the entree and at least two other menu items.

5. What is needed for production records under NuMenus?

The computer printout generated in the course of planning the meal service will generally be the production record.

6. Is the third menu item in NSMP (one being the entree and two being milk) at the SFA discretion based on the nutrient analysis?

Yes; the initial nutrient analysis may suggest what item(s) would be appropriate to meet the calorie and nutrient levels.

Grains/Breads, Fruits/Vegetables

1. Does the Grain/Bread Instruction apply to NuMenus and Assisted NuMenus?

No, because there are no specific component/quantity requirements under Numenus or Assisted NuMenus.

2. Do crediting policies apply to NuMenus and Assisted NuMenus?

No, for the same reason.

3. Does the new Grain/Bread Instruction apply to both food-based menu planning systems?

The basic crediting policies apply to both systems; however, the authority to credit one dessert per day as a bread item applies only to the enhanced food-based system.

4. Can a grain/bread item be served and credited as a dessert in the School Breakfast Program?

Certain pastries, such as doughnuts, have traditionally been credited for school breakfasts, and they continue to be creditable under the current instruction as long as they equal a serving as defined in the instruction.

5. What constitutes a serving of a grains/breads item?

Basically, a serving is a slice of bread or one-half cup of pasta or cereal grains. Please see Appendix A of FCS Instruction 738-1, Revision 2, The Grains/Breads Requirement for the Food Based Menu Planning Alternatives in the Child Nutrition Programs, for specific details.

What types of desserts may be credited as part of the grain/bread component?

See Instruction 783-1, Exhibit A and the Bread Equivalent Chart for details. Grain/bread Based desserts cannot be used as credit in the Traditional food-based menu option.

6. What is the minimum amount that may be credited towards a grains/breads item?

The smallest creditable amount of a grains/breads food item is one-fourth of a serving.

7. What is the minimum amount of a grains/bread item that can be credited as an item for a reimbursable meal?

The minimum amount is one full serving as defined in the grains/breads instruction. At the point of service, the student must have the equivalent of a full serving of grains/breads in order to have met the grains/breads component requirement for a reimbursable meal.

For example, if the child has a salad that contains a one-fourth cup of pasta (one-half of the "full" serving of pasta), the student must have another item that is at least one-half of a serving of another grain/bread item in order to have a reimbursable meal. Cashiers must be aware of what individual items constitute the minimum daily serving for this component and which constitute only a part of the minimum daily serving and must be supplemented with another grain/bread item to meet a "full" serving.

8. Is juice still limited to contributing no more than one-half of the vegetable/fruit component?

Yes. There have been no changes to the crediting policies covering fruits and vegetables.

9. Full-strength fruit or vegetable juice may count towards not more than one-half of vegetable/fruit requirement. Does this requirement apply to the additional 1/2 cup of vegetables/fruits for children in grades K-6?

As is the current policy, only one half of the daily and weekly minimums may be met with full-strength juices.

Monitoring/Accountability

1. How will States get the nutrient information they need to perform the analysis of menus used by schools electing to use one of the food-based menu planning systems?

Much of the information necessary to conduct a nutrient analysis will be loaded into the approved software States will use. The National Nutrient Database will include all USDA commodities, standard reference food items used in the school lunch and breakfast programs, the quantity recipes developed by the Department and a wide range of processed foods. To ensure that detailed information on processed foods is available, the Department is working with the food industry to facilitate the submission of this data. Since schools may use processed foods that are not included in the database, States should direct schools to maintain the brand name of the product and the nutrient information provided on the label as part of their production records.

2. The regulation authorizes schools to devise their own system for ensuring the accuracy of meal counts in lieu of the edit checks specified in the regulations provided the State agency has identified no counting and claiming violations in its most recent administrative review. For purposes of this provision, what does the Department consider to be "no counting and claiming violations"? Is there a tolerance?

Essentially, a school would be considered to have no counting and claiming violations if a system of edit checks is in place and is being properly used and the State agency did not identify a violation of Performance Standard One that the edit check could have revealed. For example, if a clerk accidentally entered an incorrect number during recording and the error would not have been picked up by the edit check, the school could be authorized to develop its own internal control. However, if

there is no edit check in place or the school is not using it properly, the school cannot be authorized to depart from the regulatory edit check. Tolerances are not authorized by the regulations.

3. Please tell us exactly what changes were made concerning non-profit status and the associated record keeping.

No change was made to the requirement that the SFA must be non-profit. However, the regulations no longer specify which records must be maintained to document compliance.

4. Can a State agency conduct CRE/**SMI** reviews more frequently than every 5 years?

Yes. **Please refer to the Reviewer's Guide to SMI for additional details.**