To: School Business Administrators, Charter School Leads; Non Public School Administrators; Food Service Directors of Schools Participating in the School Nutrition Programs

From: Arleen Ramos-Szatmary, Coordinator School Nutrition Programs

Date: April 16, 2014

Subject: Guidance for Smart Snacks

The Healthy Hunger Free Kids Act 2010 (HHFKA) revised the requirement for the wellness policy and required USDA to establish nutrient standards for meals and other foods. The resulting federal Nutrition Standards for all Foods Sold in Schools take effect July 1, 2014.

Federal Regulations will control in New Jersey as of July 1, 2014 and surpass the NJ Administrative code and the NJ Chapter 45 Law particularly in the areas outlined below:

- **The federal standards restrict to 1% fat unflavored milk or skim flavored or unflavored milk.** The NJ Administrative code and the Chapter 45 Law now allow 2% fat milk and no more than 8 oz of whole milk.

- **The federal standards allow no more than 8 oz of juice in elementary schools and no more than 12 oz for middle and high schools.** The NJ Administrative code and the Chapter 45 Law now state that juice shall not exceed 12 oz for elementary, middle and high schools.

- **The foods of minimal nutritional value (soda water, water ices, chewing gum, hard candy, jellies and gums, marshmallow, fondant, licorice, spun candy, and candy coated popcorn) will no longer be defined by USDA or New Jersey as of July 1, 2014.**

- **HHFKA of 2010 requires the Wellness Policy to include goals for nutrition education, physical activity, and school based activities to promote student wellness.** The NJ School Nutrition/Wellness Policy no longer meets the new federal requirements.

The NJ Department of Agriculture will amend the Child Nutrition Program regulations consistent with the federal regulations under the HHFKA of 2010. LEAs must adhere to the federal requirements as of July 1, 2014. Local Wellness policies (LWPs) offer options for districts to encourage children to make healthy choices.