

**Title of Regulation:**

**Regulation No.:**

**R 43-168**

**NUTRITION STANDARDS FOR  
ELEMENTARY SCHOOLS (K-5)  
SCHOOL FOOD SERVICE MEALS  
AND COMPETITIVE FOODS**

**Effective Date:**

**02/27/09**

**Constitutional and Statutory Provisions:**

Section(s):

59-5-60

General powers of [State] Board.

59-5-65

Powers and responsibilities of State Board of Education.

59-10-310, *et seq.*

Nutrition Standards

Code of Laws of South Carolina, 1976.

**State Board Regulation:**

Nutrition Standards for Elementary Schools (K-5) School Food Service Meals and Competitive Foods.

**I. School Meals**

Federal law--specifically, the National School Lunch Act (42 U.S.C. Section 1758(f), the National School Lunch Program (7 C.F.R. Section 210.10), and the School Breakfast Program (7 C.F.R. Section 220.8)--regulates the nutritional quality of foods served in the nation's school meal programs. For a school meal program to receive USDA subsidies, school meals must meet nutrition standards for saturated fat, vitamins, minerals, protein, calories, and portion sizes.

A.School food service meals should be made attractive to students by appealing to their taste preferences and meeting their cultural needs. Therefore, school districts must:

1. Offer a choice of entrées at lunch--a minimum of two in elementary (K-5) schools (one choice may be an entrée salad).

2. Encourage input regarding the selection of food items in elementary (K-5) schools to be offered in the school meal programs by promoting and encouraging student and parent participation in taste-testing events, in menu-review panels, and in online recipe reviewing.

3. Require that school cafeteria managers meet with student advisory committees in grades four through five a minimum of twice each year.

4. Allow students to purchase at à la carte prices additional servings of any food item that is part of a reimbursable school meal (serving sizes should be comparable to those of the meal components).

B.School food service meals should not only provide the optimal nutrition that students need for growth, development, and academic achievement but should also support the development of healthful eating behaviors in students, including their learning to eat a variety of foods. Therefore, school districts must:

1. Offer a minimum of two milk choices (1 percent fat and nonfat milk) for all grade levels at breakfast and lunch. Whole milk is no longer required by USDA regulations.

2. Offer a low-fat meal choice (30 percent or less of calories from fat) at every meal.
3. Provide low-fat and nonfat salad dressings.
4. Provide information on calories, percentages of fat, and serving sizes of school meal items to help children select appropriate portions of food.
5. Offer a minimum of four choices of fruits and vegetables daily, including fresh fruits and vegetables in season, in elementary (K-5) schools (salad bars or prepackaged salads may be included). Students can take two to four servings based on the school district's discretion.
6. Offer whole-grain foods in all programs in elementary (K-5) schools, whenever possible, to meet bread and cereal requirements.
7. Encourage preschool, kindergarten, and elementary students to try a variety of foods by serving the full reimbursable meal.

## II. Other Foods and Beverages (Competitive Foods)

A. All foods sold at any K-5 public school site should not only provide the optimal nutrition that students need for growth, development, and academic achievement but should also support the development of healthful eating behaviors in students. Therefore, school districts must:

1. Ensure that one serving of snacks, sweets, and side dishes has no more than 30 percent of calories from fat, less than 10 percent of calories from saturated fat, no more than 1 percent of calories from trans fatty acids, and no more than 35 percent of added sugar by weight. (Note: Nuts, seeds, and some cheeses are exceptions. Although more than 30 percent of their calories come from fat, these foods can be considered appropriate and nutritious snacks when served in small portions.)
2. Limit single-serving food items sold to students to the following maximum portion sizes: 1.25 ounces for snacks (includes baked chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruits, jerky); 2 ounces for cookies or cereal bars; 3 ounces for other bakery items (sweet rolls, muffins, etc.); 4 ounces for frozen desserts, including ice cream; 8 ounces for yogurt (not frozen); and 1/2 cup for fried potatoes or other fried vegetables.
3. Ensure that single servings of entrée items and side dishes are no larger than the portions of those foods served by school food services.

B. All beverages sold or otherwise made available to students at any K-5 public school site should not only provide the optimal nutrition that students need for growth, development, and academic achievement but should also support the development of healthful eating behaviors in students. Therefore, school districts must:

1. Make the following beverages available to all students: nonfat and 1 percent milk, water, and 100 percent juices that do not contain added sugars or sweeteners.
2. Not sell or serve the following beverages to students until after the last regularly scheduled class: soda, soft drinks, sports drinks, punches, iced teas and coffees, and fruit-based drinks that contain less than 100 percent real fruit juice or that contain added sweeteners.

3. Not sell beverages--except water or nonfat, low fat, or reduced-fat milk--in portions larger than 12 ounces.