

Commissioner's Memo
10/7/2016

Child Nutrition Monitoring of Vending Machines

Memo Information

Memo Number **CNU-17-019**

Memo Date 10/7/2016

Memo Type Informational

Unit Child Nutrition

Regulatory Authority Healthy Hunger-Free Kids Act; Arkansas Department of Education Rules Governing Nutrition, Physical Activity, and BMI, Food and Drug Administration Calorie Labeling of Articles of Food in Vending Machines: Guidance for Industry

Response Required NO

Attention Superintendents; Principals

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Memo Text

ATTENTION CO-OP DIRECTORS, CHILD NUTRITION DIRECTORS, WELLNESS COMMITTEES

The purpose of this memo is to highlight the requirements for Arkansas schools that choose to operate vending machines and to identify best practices from the U.S. Department of Health and Human Services Food and Drug Administration for food labeling in vending machines.

During an Administrative Review conducted by the Arkansas Department of Education Child Nutrition Unit, area specialists will be ensuring that:

- Elementary students do not have in-school access to vending machines offering food and beverages
- Food and beverages sold through vending machines are Smart Snacks compliant
- The school district maintains documentation that all food and beverages comply by utilizing the Alliance for a Healthier Generation Smart Snacks calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product.
- Vended food and/or beverages are available only during approved times:

- Prior to the start of the first classes of the school day
- Thirty minutes after the last lunch period has ended
- Carbonated and sweetened non-carbonated beverages are restricted to no more than twelve (12) ounces per container and fifty-five (55) milligrams of caffeine per serving
- Vending machines operated outside of the non-profit food service are not accessible in the food service area during meal service
- At least 50% of beverage selections in vending machines are 100% fruit juice, low-fat or fat-free milk, and unflavored unsweetened water
- When middle and high school students share a common area with access to vending machines, the more restrictive nutrition standards are followed
- Beverage marketing includes only those items which are Smart Snack compliant

The United States Department of Agriculture Food and Nutrition Service released a memo outlining the new FDA Guidance for calorie labeling of food in vending machines:

http://www.fns.usda.gov/sites/default/files/cn/SP28_CACFP09_SFSP11-2016os.pdf

Additional information for vending machine best practices may be found in the FDA document - *Calorie Labeling of Articles of Food in Vending Machines: Guidance for Industry*

<http://www.fda.gov/downloads/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/UCM51>

Please note that Child Nutrition area specialists will not be evaluating compliance with the FDA Guidance. Wellness Committees should read the USDA memo and FDA Guidance in order to be familiar with the recommendations.