Geographic Preference Expansion: The new rule would simplify local purchasing guidelines for school meal programs. It would allow “locally grown, raised, or caught” to be used as procurement specifications for unprocessed or minimally processed food items. Since 2011, child nutrition programs have been allowed to use “local preference,” which means that they can use the geographic origin of a product as *one* of the many factors to award a competitive bid to a producer or supplier. This change would empower child nutrition operators who want to buy local products to consider “local” as a necessary product specification that a vendor must meet, within a competitive bidding process. Complex purchasing policies for school meals are one of the biggest barriers to working with local, beginning, and small producers, and this change is a longtime priority of NFSN. You can see the specific language of the proposed regulatory change here.

Nutrition Standards: The US Department of Agriculture (USDA) sets specific numeric standards for all child nutrition programs. To be reimbursed for serving meals under the National School Lunch Program (NSLP), National School Breakfast Program (NSBP), and Child and Adult Care Food Program (CACFP), program operators like a school district’s nutrition director or the director of a child care operating CACFP, have to document that they are following these standards. USDA has issued a proposed rule that would update these standards and is seeking feedback from the public and communities involved in administering or using these programs.

- **Added Sugars**: The proposed rule would create a limit on added sugars in all child nutrition programs (school breakfast, school lunch, and the Child and Adult Care Food Program, or CACFP). A product-based limit would begin in School Year 2024-2025 for grain-based desserts, breakfast cereals, yogurt, and flavored milk (see the proposed limits on grams of added sugar for each product here). This would replace the current weekly maximum limit that is in place for CACFP. Beginning in SY27-28, there would be an additional limit to ensure that, on average throughout the week, no more than 10 percent of calories per meal are coming from added sugars. “Added sugars” means products like cane or beet sugar, corn syrup, honey, maple syrup or agave, or other sweetener products containing calories. The proposed rule does not contain specifics about artificial sweeteners or products like stevia but commenters are encouraged to share their views with USDA.
- **Milk**: Current standards allow low-fat or fat-free flavored milk (such as chocolate milk) for all K-12 grade levels, in addition to unflavored milk. The proposed rule asks whether flavored milk should be limited to Grades 9-12, Grades 6-12, or allowed for all grades as it is currently.
- **Sodium**: The proposed rule would replace the current sodium targets with phased-in reductions. School breakfast would have a 10% reduction in the sodium limit in SY5-26, and another 10% reduction beginning SY2027. School lunch would have 10% reductions in SY25, SY27, and SY29. You can see the numeric limits for each phase and age group here.

- **Whole Grains**: The current standards require 80% of products each week to be “whole grain rich.” The proposed rule asks for input on whether to keep the current standard or update to a requirement that all grains meet the whole grain-rich requirement, with the exception that enriched grains may be offered one day each school week.
- **Substituting Vegetables for Fruits at Breakfast**: The proposed rule would allow providers to substitute vegetables for fruits in breakfast (such as potatoes) if the menu includes other “vegetable subgroups” (such as leafy greens or carrots) on the other days. You can see the full breakfast Meal Pattern here for further details.
- **Nuts and Seeds**: Currently, nuts and seeds can only count toward 50% of the “meat/meat alternate” requirement for a reimbursable meal, and must be accompanied by another protein food (such as cheese). The proposed rule would allow nuts and seeds to fully count toward the “meat/meat alternate” requirement, and renames the category to “proteins” for better clarity in meal planning.
- **NSLP Afterschool Snacks**: The NSLP Afterschool Snacks program standards would now align with the CACFP snack standards. This change would require NSLP afterschool snack to contain at least two out of five component categories (milk, vegetables, fruits, grains, or meat/meat alternate).
- **Competitive Foods**: The rule keeps standards for calories, sodium, fats, and total sugars in USDA-designated “Smart Snacks,” and adds an exemption for hummus that allows it to be sold as a Smart Snack.

Traditional Foods and Menu Planning Options: The proposed rule seeks input on two specific regulations on traditional foods and menu planning, and is actively seeking additional ideas on how child nutrition program standards, products, and menu planning can better support the incorporation of Tribal and traditional foods and community needs for Native students. Specifically, it explicitly clarifies that traditional foods may be served as part of a reimbursable school meal, and establishes that the definition of “traditional foods” refers to a “food that has traditionally been prepared and consumed by an [American] Indian Tribe,” per the Agriculture Improvement Act of 2014. USDA asks stakeholders whether this definition of “traditional foods” is the appropriate one. The rule also would allow Tribally operated schools, schools operated by the Bureau of Indian Education, and schools serving primarily American Indian or Alaska Native children to substitute vegetables to meet the grain requirement (this is currently allowed for schools in American Samoa, Puerto Rico, and the U.S. Virgin Islands).

Buy American: The requirement for federal programs to “Buy American” whenever possible applies to school food purchases. Currently, exemptions are available when products aren’t easily sourced from within the US, or there is a “significant price differential.” However, the price differential is not defined nor documented under current guidance from USDA. This rule proposes new limits on exemptions, requires child nutrition programs to document their exemptions, and requires “Buy American” provisions to be part of school food vendor contracts. The proposed limit would set a 5% cap on total annual commercial food costs of non-domestic foods, and clarify that over 51% of a food product must consist of agricultural commodities that were grown domestically to count as a “domestic product.” This approach would dramatically improve USDA’s ability to understand the gaps and market opportunities in the school food value chain, but of course any additional documentation and compliance measures could be burdensome for school nutrition professionals. USDA wants to understand if this approach to limits and documentation will help meet the goal of supporting domestic producers and workers, who risk being undercut by cheaper competition, and supporting school nutrition professionals who may struggle with budget and product availability constraints.

Professional Standards: The proposed rule would allow medium and large school food authorities to substitute 10 years of school nutrition program experience for a bachelor's or associate's degree. The current Professional Standards for medium and large districts participating in federal child nutrition programs require a degree. USDA hopes that this change will ease difficulties in hiring and increase professional career pathways in school nutrition. USDA is especially looking to hear from school nutrition professionals about the possible consequences of this change.