

Smart Snacks Rule - FAQ

1. What is the Smart Snacks Rule?

As part of the Healthy Hunger-Free Kids Act of 2011, USDA issued their final rule on competitive food sold on school campuses. All food sold on campus, to include vending, school stores, fundraisers, during the school day (midnight to 30 minutes beyond the end of the school day) is subject to this new regulation. All food sold on campus must be in compliance with the regulations, with the exception of an exemption allowed for infrequent fundraisers.

2. What is considered a fundraiser?

USDA considers a fundraiser to be an event that includes any activity during which currency/tokens/tickets, etc. are exchanged for the sale/purchase of a product in support of the school or school-related activities. For example, giving away food but suggesting a donation would be considered a fundraiser, since funds may be raised as a result.

3. When are school-sponsored fundraisers allowable?

School-sponsored food-based fundraisers which meet the nutrition standards as defined by the Smart Snacks rule are permitted to occur on any school day provided it is 30 minutes past the last meal service period. School-sponsored food-based fundraisers that do not meet the nutrition requirements of the Smart Snacks rule must be granted a special exemption by the School Board not to exceed a maximum number of school days per school campus per school year. These fundraisers are not permitted until 30 minutes after the last meal period has ended.

4. How do I apply for the fundraiser exemption?

A form will be provided for completion and submission to the Wellness Director, serving as notification of your intent to hold a non-compliant fundraiser for documentation purposes. You must remain in compliance with the maximum number of dates allowed by Florida FDACS regulation (see below). More information to follow at a later date.

Maximum # of Days – Exemption:

Elementary (PK-6): 5 days

Middle/Combo Schools (6-8; K-12; K-8; 6-12): 10 days

High (9-12): 15 days

5. Do the Smart Snacks requirements apply if items are sold to someone other than a student?

The Smart Snacks nutrition requirements apply only when foods outside of the school food service program are sold or are available to be sold to students during the school day. These requirements are not applicable to food sold to adults and food sold after the end of the school day.

6. If pizza or any other kind of food is sold in the classroom, is it subject to the Smart Snacks Rule?

All food sold to students anywhere on campus during the school day is subject to the rule. The Smart Snacks rule does not apply to food given away to students.

7. Are vending machines, school stores and/or snack bars considered fundraising for purposes of the Smart Snacks rule?

No. Vending machines, school stores, and/or snack bars are not considered fundraisers. All food sold in vending machines, school stores, etc. must be in compliance with the nutritional requirements of the Smart Snacks rule.

8. Can competitive foods sold to students during the school day include ready-to-eat combination foods of meat/meat alternate and grain products (such as pizza, hot dogs, hamburgers)?

Competitive foods consisting of ready-to-eat food combinations may only be sold on campus during the school day by the food service department.

9. Will the Smart Snacks rule affect my concession stand sales during after-school athletic events?

No. Food sold after the end of the school day and food sold off campus are not regulated by the Smart Snacks rule.

10. Am I required to maintain documentation to support all food items sold on campus during the school day are in compliance with the Smart Snacks rule?

Yes. Any organization selling food on campus must maintain labels and other supporting documentation to substantiate all food sold was in compliance. If an exemption was approved, documentation supporting this approval is also required to be maintained by school administration.

Per the regulations, you can sell food items that meet the Smart Snacks nutritional requirements beginning 30 minutes after the last lunch period. Here is a link to a Smart Snacks calculator that can assist you in determining if a particular item meets the nutritional requirements of the regulations. <https://www.healthiergeneration.org/take-action/schools/snacks-and-beverages/smart-snacks/alliance-product-calculator/>