



## State of New Jersey

DEPARTMENT OF AGRICULTURE  
DIVISION OF FOOD AND NUTRITION  
PO BOX 334  
TRENTON NJ 08625-0334

PHILIP D. MURPHY  
*Governor*  
SHEILA Y. OLIVER  
*Lt. Governor*

DOUGLAS H. FISHER  
*Secretary*

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: September 9, 2019

Subject: USDA Final Rule on the Flexibilities for Milk, Whole Grains, and Sodium Requirements

The Final Rule on *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium* was published on December 12, 2018 and is effective for School Year 2019-2020. This memo is being issued in order to provide a summary and clarification of these flexibilities.

**Milk Flexibility:** The Final Rule allows local operators to permanently offer flavored, low-fat milk in the National School Lunch Program and the School Breakfast Program. In addition, it allows flavored, low-fat milk in the Special Milk Program, the Afterschool Snack Program, and in the Child and Adult Care Food Program for participants ages 6 and older.

The Final Rule also establishes that National School Lunch Program and School Breakfast Program operators offering flavored milk must also offer unflavored milk (fat-free or low-fat) at the same meal service. Because a variety of milk is not required in the Afterschool Snack Program and the Special Milk Program, SFAs can choose to provide flavored milk only in these two programs.

**Whole Grain-Rich Flexibility:** The Final Rule requires that at least half of the weekly grains offered in the National School Lunch Program and School Breakfast Program meet the whole grain-rich criteria, and that the remaining grain items offered must be enriched. It is important to note that this requirement is intended to set a floor and not a ceiling: SFAs are highly encouraged to continue offering a significant portion of grain products in the form of whole grain-rich foods.

Production records and supporting documentation (CN Labels, Product Formulation Statements, Recipes, and Nutrition Labels) will continue to be closely monitored during an Administrative Review in order to accurately assess compliance with the whole grain-rich requirements. SFAs are reminded that supporting documents are required to be held on file for all food items for a minimum of three years, and that the State Agency may request such documents at any time.

**Sodium Flexibility:** The final rule retains the Sodium Target 1 through the end of SY 2023-2024, requiring compliance with the Sodium Target 2 in 2024-2025. The Final Target that would have gone into effect in SY 2022-2023 is also postponed until the updated Dietary Reference Intake report and the 2020 Dietary Guidelines are published. Please refer to the chart below for a consolidated review of Sodium Targets:

**National School Lunch Program:**

<b>Age/Grade Group:</b>	<b>Target 1 (2013-2014 – 2023-2024)</b>	<b>Target 2 (2024-2025)</b>
K-5	≤ 1,230 mg	≤ 935 mg
6-8	≤ 1,360 mg	≤ 1,035 mg
9-12	≤ 1,420 mg	≤ 1,080 mg

**School Breakfast Program:**

<b>Age/Grade Group:</b>	<b>Target 1 (2013-2014 – 2023-2024)</b>	<b>Target 2 (2024-2025)</b>
K-5	≤ 540 mg	≤ 485 mg
6-8	≤ 600 mg	≤ 535 mg
9-12	≤ 640 mg	≤ 570 mg

SFAs are encouraged to continue reducing sodium levels and planning for the Target 2 implementation.

The School Nutrition Programs team look forward to working with SFAs throughout New Jersey to uphold the high standards set by the National School Lunch and School Breakfast Programs, and to continue offering healthy, safe and affordable meals throughout the 2019-2020 School Year.

Please direct any questions to the Division of Food and Nutrition at 609-984-0692.