

Vending Regulations for Mississippi Schools

The Mississippi State Board of Education recognizes the critical roles that optimal nutrition and adequate hydration play in healthy weights, disease prevention, and dental health, as well as academic performance. The nutrition and fluid needs of young people at school are best met through well-balanced, nutrient-rich school meals provided through Child Nutrition Programs, planned by nutrition professionals following US Department of Agriculture (USDA) guidelines.

The following regulations apply to all Mississippi school campuses during the school day, defined as the hours between 7:00 am and 6:00 pm. To protect the integrity of the Child Nutrition Programs and to ensure that children do not have to choose between the School Lunch/Breakfast programs and vended items:

- No food items will be sold on the school campus for one (1) hour before the start of any meal service period through the end of the meal service period.
- During meal service, with the exception of fluid milk, a student may purchase individual components of the meal only if the full meal unit is also being purchased.

Food and beverage sales outside of Child Nutrition Programs, including vending machines, student stores, snacks bars, and other fundraising programs, are available in Mississippi schools at the discretion of the school district. When schools decide to offer vending, they shall provide a selection of healthful food and beverage options to students, with the following overall goals:

1. Minimize excessive intake of calories, especially empty calories from fat and sugar.
2. Increase intake of water and nutrients for optimal growth, development, and brain functioning, especially from nutrient-rich, minimally processed foods like whole grains, fruits, vegetables, nuts, seeds, lean meats, and dairy foods.
3. Develop marketing and nutrition education strategies to promote healthful options to all students, families, and school staff.

The following regulations cover all foods and beverages through vending machines, student stores, snack bars, fundraisers, and other sales available to students. Research supports that proper nutrition improves the health and performance of teachers, as well as students. Teachers also serve as important adult role models to children. With these factors in mind, at least 50 percent of the items vended in staff areas (those inaccessible to students) shall meet these regulations.

These regulations shall not be applicable to nor restrict the food and beverage items made available at school-related events (such as interscholastic sports, school plays, band concerts, or family events) where adults constitute a significant portion of the audience or are selling foods and beverages in booster programs.

FOR GRADES K-6:

No additional food or beverages may be sold to students in grades K-6.

FOR GRADES 7-12:

The following restrictions will govern food and beverage items that may be offered for sale. To assist schools in complying with these regulations, the Mississippi Department of Education, Office of Child Nutrition will maintain a list of products meeting the standards. Beverage and food vendors must submit nutrition information on beverage and food products in order to have them included on the list.

FOR SCHOOL CAMPUSES THAT HAVE UPPER AND LOWER GRADE STUDENTS:

To the extent possible, districts shall take the necessary steps to ensure adherence to these regulations allowing food and beverage to students in grades 7-12 only. In buildings where students in grades 5 and 6 are included in middle schools, these students may be allowed access to healthful food and beverage vending at the discretion of the local district.

BEVERAGES

As of **January 1, 2007**, carbonated soft drinks (to include, but not be limited to, full-calorie, sugared, no-calorie, low calorie, light or diet) shall no longer be sold in Mississippi schools during the school day.

Phase I:

January 1, 2007 – June 30, 2009: Only the following beverage options MAY be available for vending:

- **Bottled water**, including non-caffeinated, flavored waters with no more than 10 calories per 8 ozs. and those with non-nutritive sweeteners, in containers up to 20 ozs. (Water to be fluoridated, when/if possible.)
- **Milk*** in containers up to 16 ozs.
Reduced fat, low fat, and non-fat regular and flavored milk* with up to 160 calories per 8 ozs.
- **100% juice**** in containers up to 16 ozs.
100% juice** with no added sweeteners and up to 120 calories per 8 ozs.
- **No calorie, low-calorie, or light, non-carbonated beverages** in containers up to 1 liter (like light juice and sports drinks) with no caffeine and no more than 10 calories per 8 ozs.

NOTE: At least 50% of beverages in any one location to be bottled water as above

** Milk includes nutritionally equivalent milk alternatives, such as soymilk.*

*** 100% juice that contains at least 10% of the recommended daily value for one or more vitamins and minerals.*

Phase II:

After **July 1, 2009:** Only the following beverage options MAY be available for vending:

- **Bottled water**, including non-caffeinated, flavored waters with no more than 10 calories per 8 ozs., in containers up to 20 ozs. (Water to be fluoridated, when/if possible.)
- **Milk* and 100% juice**** in containers up to 12 ozs.
- Low fat and non-fat regular and flavored milk* with up to 160 calories per 8 ozs.
 - 100% juice** with no added sweeteners and up to 120 calories per 8 ozs.

NOTE: At least 50% of beverages in any one location to be bottled water as above.

** Milk includes nutritionally equivalent milk alternatives, such as soymilk.*

*** 100% juice that contains at least 10% of the recommended daily value for one or more vitamins and minerals.*

VENDING MACHINE FRONTS/FACEPLATES

By the school year 2007-08, all fronts to beverage vending machines (other than those in athletic spectator settings like stadiums) must feature water, milk, or juice products, show youth engaged in physical activity, and/or feature school logos or mascots.

FOODS

Snacks, Bars, and Dessert Items

This category includes, but is not limited to chips, crackers, popcorn, cereal, trail mix, nuts, seeds, peanut butter and other nut butters, jerky, cookies, animal/graham crackers and cereal bars, granola bars, bakery items (e.g., pastries, toaster pastries, muffins, soft pretzels), frozen desserts, ice cream, cheese, yogurt and smoothies (made with low-fat yogurt or other low-fat dairy alternatives and/or fruit/juice).

Based on manufacturer's nutritional data or Nutrition Facts labels, all foods must meet the following criteria per package:

- **Key Nutrients:** At least 5% of the recommended Daily Value (DV) for three or more nutrients (fiber; vitamins A, C, D, E; thiamin, niacin, riboflavin, calcium, iron, and zinc). At least 3 grams protein per package may be substituted for one of the listed nutrients. Schools are encouraged to offer foods that:
 - Are good sources (at least 10% of the recommended Daily Value or DV) of one or more nutrients listed above.
 - Contain at least 5 grams protein.
 - List a whole grain as the first item on the ingredient list.
- **Total Calories:** No more than 200 calories per package.
- **Fat:** No more than 35 percent of total calories from fat and 7 grams maximum (with the exception of nuts, seeds, peanut and other nut butters, and cheeses).
- **Saturated Fat and Trans Fat:** No more than 10 percent of calories from saturated fat and/or trans fat and 2 grams maximum (with the exception of nuts, seeds, peanut and other nut butters, and cheeses).
- **Added Sugar:** No more than 35 percent added sugar by weight and 15 grams maximum (excludes sugars naturally occurring in fruits, vegetables, and dairy). For smoothies (made with low-fat yogurt or other low-fat dairy alternatives and/or fruit/juice), yogurt and pudding, no more than 5 grams total sugar (added and naturally occurring) per ounce.

Fruits and Vegetables

Include quality*** fruits and vegetables available anywhere snack items are sold. For example, dried fruit in vending machines, fresh fruit (e.g., pineapple slices or melon cubes), or fresh vegetables (e.g., baby carrots) in snack bars and concessions.

Based on manufacturer's nutritional data or Nutrition Facts labels, all foods must meet the following criteria per package:

- **Key Nutrients:** At least 5% of the recommended Daily Value (DV) for three or more nutrients (fiber; vitamins A, C, D, E; thiamin, niacin, riboflavin, calcium, iron, and zinc). Schools are encouraged to offer foods with at least 10% of the recommended Daily Value (DV) for one or more of these nutrients.
- **Total Calories:** No more than 200 total calories.
- **Fat:** No more than 35 percent of total calories from fat and 7 grams maximum.
- **Saturated Fat and Trans Fat:** No more than 10 percent of calories from saturated fat and/or trans fat and 2 grams maximum.
- **Added Sugar:** No more than 35 percent added sugar by weight and 15 grams maximum (excludes sugars naturally occurring in fruits and vegetables).

*** "Quality" means fruits and vegetables prepared and packaged without added fat, sugar, or sodium

Timeline

To allow for improved availability of food products, these regulations will be phased-in on the following schedule:

School year 2006-07:

- For each vending location, at least 50% of all vended foods offered must meet the standards listed above.

School year 2007-08:

- For each vending location, at least 75% of all vended foods offered must meet the standards listed above.

School year 2008-09:

- All vended foods offered must meet the standards listed above.