

Topic: Smart Snacks

Overview:

Effective in 2008, an Oregon statute set nutrition standards for foods and beverages sold outside the National School Lunch Program (NSLP) and School Breakfast Program (SBP). The standards apply during the school day and during extended school hours for activities such as clubs, yearbook, athletic practice, band and drama rehearsals. They cover fundraisers held during school but not athletic events, theater performances and recitals, or other gatherings where parents and community members make up a significant part of the audience.

The Healthy, Hunger Free Kids Act of 2010 gave the U.S. Department of Agriculture (USDA) authority to set nutrition standards for all foods and beverages sold outside the federal child nutrition programs in schools. The initial implementation date for Smart Snacks was July 1, 2014.

As a result of the federal regulations, Oregon adopted new legislation in 2015 known as Oregon Smart Snacks. This law follows federal guidelines but allows the state to establish additional standards.

Additional Information:

What are competitive foods? Competitive foods are all food and beverages sold to students on the school campus during the school day, other than meals reimbursable under the National School Lunch Program (NSLP) and School Breakfast Program (SBP). Examples include:

- A la carte items
- School stores/snack bars
- Fundraising
- Vending machines

Where do the standards apply? The standards apply in all areas of the school campus under the school's jurisdiction that are accessible to students during the school day.

When do the standards apply? The standards apply from midnight before the school day through extended school hours for activities such as clubs, yearbook, athletic practices, band, and drama rehearsals.

Food Exempt from Smart Snack Standards:

- NSLP and SBP entrees from the menu sold the day of service or the day after service in the same or smaller portion sizes to students as a la carte or second meals
- Foods sold to adults
- Fresh and frozen fruits or vegetables with no added ingredients except water
- Canned fruit packed in 100% fruit juice or light/extra-light syrup
- Canned vegetables containing a small amount of sugar for processing purposes to maintain quality and structure
- Sugar-free gum

Coffee Drinks in High Schools:

For detailed information, see [Coffee Drinks at a Glance](#).

Requirements - Beverages:

Beverages	Grades K-5	Grades 6-8	Grades 9-12
Water Plain, with or without carbonation	No size limit	No size limit	No size limit, caffeine allowed
Flavored water	May not be sold	May not be sold	20 ounces 0 calories (may contain caffeine)
Fruit or vegetable juice Full strength, with or without carbonation, unsweetened	≤ 8 fl. oz. 120 calories (15 kcal/oz.)	≤ 10 fl. oz. 150 calories (15 kcal/oz.)	≤ 12 fl. oz. 180 calories (15 kcal/oz)
Diluted Juice (with water only) With or without carbonation, no added sugar or sweeteners	≤ 8 fl. oz. 120 calories (15 kcal/oz.)	≤ 10 fl. oz. 150 calories (15 kcal/oz.)	≤ 12 fl. oz. 180 calories (15 kcal/oz) (may contain caffeine)
Milk^a Unflavored or flavored low-fat (1%) or fat-free	≤ 8 fl. oz. 150 calories (18.75 kcal/oz.)	≤ 10 fl. oz. 190 calories (18.75 kcal/oz.)	≤ 12 fl. oz. 225 calories (18.75 kcal/oz.)
Low- or no-calorie beverages With or without carbonation and/or caffeine	May not be sold	May not be sold	≤ 20 fl. oz. 10 calories maximum (≤ .5 kcal/oz.) (may contain caffeine)
Other Beverages With or without carbonation and/or caffeine	May not be sold	May not be sold	≤ 12 fl. oz. 60 calories maximum (≤ 5 kcal/oz.) (may contain caffeine)

^a Including nutritionally equivalent milk alternatives as permitted by school meal requirements. Flavored milk may not contain more than 10 grams of added sugar per 8 fluid ounces. For grades 9-12, no more than 15 grams of added sugar per 12 fluid ounces.

Requirements - Side Dishes/Snacks:

- Be a whole grain-rich grain product; or
- Have as the first ingredient a fruit, vegetable, dairy product or protein; or
- Be a combination food that contains at least $\frac{1}{4}$ cup of fruit, vegetable or a combination of both

Side Dishes/Snacks	Grades K-5	Grades 6-8	Grades 9-12
Serving size^a	See below ^a	See below ^a	See below ^a
Calories per serving	≤ 150 calories	≤ 180 calories	≤ 200 calories
Total calories from fat^b	≤ 35% of total product calories	≤ 35% of total product calories	≤ 35% of total product calories
Saturated fat^c	≤ 10% of total product calories	≤ 10% of total product calories	≤ 10% of total product calories
Sugar content by weight^d	≤ 35% of total product weight	≤ 35% of total product weight	≤ 35% of total product weight
Sodium limit	≤ 200 milligrams (mg)	≤ 200 milligrams (mg)	≤ 200 milligrams (mg)

Exceptions:

^a Single serving, per item as packaged or served, including any condiments.

^b Total calories from fat limit does not apply to reduced-fat cheese; part-skim mozzarella cheese; nuts; nut butters; seeds; seed butters; bean dips, including hummus; other dips made with beans, peas or lentils; products consisting only of dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat; and seafood with no added fat when not part of a combination food.

^c Saturated fat limit does not apply to reduced-fat cheese; part-skim mozzarella cheese; nuts; and products consisting only of dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat, when not part of a combination food.

^d Sugar limit does not apply to products consisting only of dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat; dried whole fruits or vegetables; dried whole-fruit or whole-vegetable pieces; dehydrated fruits or vegetables with no added nutritive sweeteners; and dried fruits with nutritive sweeteners required for processing and/or palatability purposes.

Requirements Entrees/Main Dishes:

Entrée must contain a meat/meat alternate and one of the following general standards:

- Be a whole grain-rich food; or
- Have as the first ingredient a fruit, vegetable, dairy product or protein food; or
- Be a meat/meat alternate alone (except yogurt, low-fat or reduced-fat cheese, nuts, seeds, nut or seed butters, and meat snacks); or

Be a combination food that contains at least ¼ cup of fruit and/or vegetable

Entrees/Main Dishes	All Grades
Serving size	Per item as packaged or served, includes condiments
Calories per serving	≤ 350 calories
Total calories from fat^a	≤ 35% of total product calories
Saturated fat^b	≤ 10% of total product calories
Sugar content by weight	≤ 35% of total product weight
Sodium limit	≤ 480 milligrams (mg)

Exceptions:

^aTotal calories from fat limit does not apply to seafood, eggs, or beans, peas, and lentils served alone, or to combination foods.

^bSaturated fat limit does not apply to eggs when served alone or to combination foods

Record Keeping Requirements:

The school food authority (SFA) is required to retain supporting documentation per [7 CFR 210.15\(b\)](#). Documentation may include (depending on the food or beverage item):

- Recipe(s) with preparation instructions
- Nutrition labels for all ingredients or items
- Completed Oregon Smart Snacks calculator(s) for the type of food (snack, entrée, or beverage) based on the recipe and nutrition labels

Helpful Resources:

- ✓ [ODE Smart Snacks in Schools webpage](#)
- ✓ [Coffee Drinks at a Glance](#)
- ✓ [Oregon Smart Snack Standards Q&A](#)
- ✓ [Oregon Snack Calculator](#)
- ✓ [Oregon Beverage Calculator](#)
- ✓ [Oregon Entrée Calculator](#)

Regulatory Reference:

- ✓ [Oregon Law Chapter 317 \(2015\)](#) - Section 1 amended ORS 336.423
- ✓ [ORS 336.423](#)
- ✓ [Federal Interim Final Rule 7 CFR 210.11](#)

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Acronym References and Definitions

CFR Code of Federal Regulations
ODE Oregon Department of Education
ORS Oregon Revised Statutes
USDA United States Department of Agriculture