



## ADMINISTRATIVE PROCEDURE

THE ACCESS AND SALE OF COMPETITIVE FOODS  
AND FOODS OF MINIMAL NUTRITIONAL VALUE IN  
SCHOOLS OUTSIDE OF THE DEPARTMENT OF FOOD  
AND NUTRITION SERVICES PROGRAM

3542.44

Procedure No.

September 1, 2004

Date

- I. **PURPOSE:** To provide procedures to govern the sale and availability of foods and drinks that are offered outside of the Department of Food and Nutrition Services Program.
  
- II. **BACKGROUND:** Proper nutrition is an essential part of the educational process. The School Breakfast Program and the National School Lunch Program are structured by the United States Department of Agriculture (USDA) to meet established nutritional requirements for the school-age population. Recognizing the value of sound nutrition, Prince George's County Public Schools (PGCPS) has chosen to participate in these federal and state subsidized nutrition programs. In so doing, PGCPS must comply with the requirements outlined in the Code of Federal Regulations (CFR) 210.11, which govern these Child Nutrition Programs. It is the intent of this procedure to encourage participation in the Breakfast Program and the National School Lunch Program and to establish uniform policies for the sale of competitive foods and items of minimal nutritional value.
  
- III. **DEFINITIONS:**
  - A. Competitive Food
    1. Any food sold in competition with the School Breakfast Program and National School Lunch Program.
    2. All foods sold to students or given to students other than those offered through the school meal program are competitive foods.
    3. All revenue from the sale of competitive foods from 12:01 a.m. until the end of the last lunch period must be used to benefit the non-profit food service program.
  
  - B. Foods of Minimal Nutritional Value – Specific foods identified by the Secretary of the USDA are as follows:
    1. Soda Water: Any class of beverage that is carbonated.
    2. Fruit Drinks and Water Ices: Those containing less than 10% fruit or fruit juices.
    3. Chewing Gum: Flavored products made from natural or synthetic gums and other ingredients, which form an insoluble mass for chewing.



## ADMINISTRATIVE PROCEDURE

THE ACCESS AND SALE OF COMPETITIVE FOODS  
AND FOODS OF MINIMAL NUTRITIONAL VALUE IN  
SCHOOLS OUTSIDE OF THE DEPARTMENT OF FOOD  
AND NUTRITION SERVICES PROGRAM

3542.44

Procedure No.

September 1, 2004

Date

4. Candies: This includes hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy-coated popcorn.
- IV. **PROCEDURES**: The following is the implementation of the policies regarding the access and sale of competitive foods and foods of minimal nutritional value.
- A. Schools are prohibited from selling goods of minimal nutritional value from 12:01 a.m. until the end of the last lunch period in each school every school day.
- B. All revenue from the sale of competitive foods from 12:01 a.m. until the end of the last lunch period in each school day must accrue to the benefit of the Department of Food and Nutrition Services.
- C. Competitive food available or sold from the end of the last lunch period to 12:00 a.m. (midnight) must be used to benefit the school or a student organization at the school.
- D. Sale of food items by commercial organizations is prohibited at all times. Sampling of foods for acceptability is the responsibility of the Department of Food and Nutrition Services and must be approved by same.
- V. **RELATED PROCEDURES**: None.
- VI. **MAINTENANCE AND UPDATE OF THESE PROCEDURES**: This Administrative Procedure originates with the Director of Food and Nutrition Services and will be updated by that office as appropriate.
- VII. **CANCELLATIONS AND SUPERSEDURES**: This Administrative Procedure cancels and supersedes Administrative Procedure 3542.44, dated May 11, 2001.
- VIII. **EFFECTIVE DATE**: September 1, 2004.

Approved by:

André J. Hornsby  
Chief Executive Officer

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, and 11