



West Contra Costa Unified School District

| B U L L E T I N

Operations Division - Bulletin No. 2

Date: July 23, 2018

Subject: Compliance with Elementary and Secondary Foods and Beverages Sold to Students on Campus

To: All School Principals

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Department: Food Services

In California, any food or beverage sold to students outside of a federally reimbursable meal program is considered to compete with those meals, and is referred to as a competitive food or beverage. There are specific state and federal rules that govern competitive foods and beverages in schools.

There are different requirements for different grade levels.

An elementary school contains no grade higher than grade 6.

A middle/junior high contains grades 7 or 8, 7 to 9, 7 to 10.

A high school contains any of grades 10 to 12.

These requirements are effective from midnight to one-half hour after school.

These requirements apply to ALL foods and beverages sold to students by any entity.

Sold means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

Non-compliant foods may be sold from one-half hour after school through midnight.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance. (Records will be needed during State review)

Board policy 3554- All food and beverage items need to be pre-approved by Food Services Department and must meet USDA and State requirements for sale prior to board approval. Then the Board will authorize or deny the event of sales of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

See attached quick reference cards for more information on specific requirements:

FOOD RESTRICTIONS, Elementary and Secondary

References: *Education Code* sections 49430, 49431.2, 49431.7, *California Code of Regulations* sections 15575, 15577, 15578, *Code of Federal Regulations* sections 210.11, 220.12

BEVERAGE RESTRICTIONS, Elementary and Secondary

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.11, 220.12

ELEMENTARY SCHOOL – STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15500

Effective during school hours.

Applies to food and beverage sales by student organizations.

Student organization sales must meet all of the following:

1. Only one food or beverage item per sale.
2. The food or beverage item compliance must be pre-approved by WCCUSD Food Services Department.
3. The sale must occur after the lunch period has ended.
4. The food or beverage item cannot be prepared on campus.
5. Each school is allowed four sales per year.
6. The food or beverage item cannot be the same item sold in the food service program at that school during the same school day.

MIDDLE/HIGH SCHOOLS – STUDENT ORGANIZATIONS

Reference: California Code of Regulations Section 15501

Effective during or after school hours.

Applies ONLY to food and beverage sales by student organizations.

1. Up to three categories of foods or beverages *may* be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) compliance must be pre-approved by WCCUSD Food Services Department.
3. Only one student organization *may* be allowed to sell each day.
4. Food(s) or beverage(s) cannot be prepared on the campus.
5. The food or beverage categories sold cannot be the same as the categories sold in the food service program at that school during the same school day.

In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year. School administration may set these dates.

If you have any questions, contact the Food Service Department at 510-307-4580, and we will be glad to assist you. See attached quick reference cards for more information and the Nutritional Analysis Request form.