

Comparison of the Kentucky State Regulation and the Proposed Federal Regulation of the Nutrition Standards for Foods Sold in Schools

General standard for competitive Food	Kentucky Standards	Federal Proposed Standards	Exemptions		Explanation/Comment
			Kentucky Standards	Federal Proposed Standards	
	Same (Must meet all standards outlined in the regulation).	1. Meet all of the proposed competitive food nutrient standards; and		Fresh fruits and vegetables with no added ingredients except water are exempt from all nutrient standards. Canned and frozen fruits with no added ingredients except water, or are packed in 100% juice, extra light syrup, or light syrup are exempt from all nutrient standards. Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all nutrient standards.	The State restriction of no more than 14 grams of sugar would override some of the federal exemptions listed.
	No Standard	2. Be a grain product that contains 50% or more whole grains by weight or have whole grains as the first ingredient; or			
	No Standard	3. Have as the first ingredient one of the non-grain main food groups: fruits, vegetables, dairy, or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); or			
	No Standard	4. Be a combination food that contains at least 1/4 cup fruit and/or vegetable; or			
	No standard	5. Contain 10% of the daily value of a nutrition of public health concern (i.e., calcium, potassium, vitamin D, or dietary fiber). Effective July 1, 2016 this criterion is obsolete and may not be used to qualify as a competitive food.			
		* If water is the first ingredient, the second ingredient must be one of items 2,3 or 4 above.			
NSLP/SBP Entrée Items Sold A la Carte	Schools may offer for A la Carte sale any item that is creditable under the SBP or NSLP meal pattern.	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after service in the lunch or breakfast program.			A la Carte sales of entrée items would be limited to the day that the entrée item is planned on the reimbursable meal menu and the day after. Served at other time, must meet calorie, whole grain, portion size and sodium requirements and all Competitive Food Nutrient Standards
Sugar-Free Chewing Gum	No Standard	Sugar-free chewing gum is exempt from all competitive food standards.			Follow Federal
Portion Size Requirements for Food	Portion or pack size for chips, crackers, popcorn, cereal, trail mix, nuts, seeds or jerky shall not exceed 2 ounces.	No Standard			The Federal General Standards, federal whole grain standard, federal sodium standard, federal calorie and trans fat standard, the State regulation for fat, saturated fat, and sugar (with the federal's non allowance of combination food) standards must be applied to food items in addition to the State regulation of portion sizes.
	Portion or pack size for cookies shall not exceed 1 ounce.	No Standard			
	Portion or pack size for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, or other bakery-type items shall not exceed two ounces.	No Standard			
	The portion or pack size for nonfrozen yogurt shall not exceed 8 ounces.	No Standard			
	The portion or pack size for frozen dessert items, including low-fat or fat free ice cream, frozen fruit juice bars, or frozen real fruit items, shall not exceed 4 ounces.	No Standard			

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Total Fat	Calories from fat shall not exceed 30%	Calories from fat shall not exceed 35%	Reduced fat cheese, nuts, seeds and nut/seed butters from the total fat standard.	<p>Reduced fat cheese, nuts, seeds and nut/seed butters from the total fat standard.</p> <p>Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard.</p> <p>Seafood with no added fat is exempt from the total fat standard.</p> <p>Combination products are not exempt and must meet all the nutrient standards.</p>	State regulation is to be followed. The additional federal exemptions outside of reduced fat cheese, nuts, seeds and nut/seed butters will not apply as they are not exempt from the State regulation. The federal standard that combination products are not exempt would be applied in addition to the State regulation.
Saturated Fat	The calories from saturated fat shall not exceed 10%.	The calories from saturated fat must be less than 10% as served.		<p>Reduced fat cheese, nuts, seed and nut/seed butters are exempt from the saturated fat standard.</p> <p>Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard.</p> <p>Combination products are not exempt and must meet all the nutrient standards.</p>	The Federal Regulation is to be followed without the exemptions. KY regulation does not identify allowable exemptions to the saturated fat requirement.
Trans Fat	No Standard	Acceptable food items must have zero grams of trans fat as served (≤ 0.5 g per portion).			The Federal Regulation is to be followed.
Sugar	Calories from sugar shall not exceed 32% by weight.	Calories from sugar shall not exceed 35% by weight.	Fresh, frozen, canned or dried fruits and vegetables.	<p>Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive sweeteners are exempt from the sugar standard.</p> <p>Dried whole fruits, or pieces, with nutritive sweeteners that are required for processing and/or palatability purposes (i.e. cranberries, tart cherries, or blueberries) are exempt from the sugar standard.</p>	The State is Regulation is to be followed for the % of calories from sugar by weight and the total grams of sugar not to exceed 14 grams. The limitation in federal general standards limit the exemption of the canned fruits in the State standard. Fruits and Vegetables would have to be packed in extra light syrup, light syrup or 100% juice.
	The grams of sugar shall not exceed 14 grams.	No Standard		Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard.	

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Sodium	Chips, cereals, crackers, baked goods and other snack items shall not contain more than 300 mg of sodium per serving.	Snack items and side dishes sold a la carte should not exceed 230 mg sodium per items served. (Effective July 1, 2016 snack items and side dishes sold a la carte must be no more than 200 mg sodium per item served, including any added accompaniments.			The federal standard for sodium for snack items and side dishes would be followed for the chips, cereals, crackers and baked goods listed in the State regulation. (Additionally all other standards would apply to foods). All entrée items would follow the federal sodium standard with the exception of pastas, meats and soups would follow the State standards. All other requirements for the sale of entree items would apply.
	Pastas, meats and soups shall not contain more than 450 mg of sodium per serving.	Entrée items sold a la carte should not exceed 480 mg sodium per item as served, including any added accompaniments.			
	Pizza, sandwiches, and main dishes shall not contain more than 600 milligrams of sodium per serving.				
Calories	No Standard	Snack items and side dishes sold a la carte should not exceed 200 calories per item as served, including any added accompaniments.			Federal would apply in addition to all other standards
	No Standard	Entrée items sold a la carte should not exceed 350 calories per item as served including any added accompaniments.			Federal would apply in addition to all other standards
Accompaniment	No Standard	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.			Federal would apply in addition to all other standards
Caffeine	No Standard	Elementary and Middle School: foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances.			Federal would apply in addition to all other standards
		High School: foods and beverages may contain caffeine.			