

## INFORMATION ITEM

### MEMORANDUM

August 28, 2003

TO: Principals

FROM: Margaret Stroud, Chief School Administrator

SUBJECT: **FOODS OF MINIMAL NUTRITIONAL VALUE (FMNV)**

CONTACT: Ralph J. Young (713) 225-7550

In July 2003, the USDA transferred responsibilities and oversight of its Child Nutrition Programs to the Texas Department of Agriculture (TDA). As part of that change, the newly created Food and Nutrition Division of TDA now oversees the National School Lunch, Breakfast and After School Snack program. In addition to federal funding to support our child nutrition programs, TDA sets and monitors adherence to nutritional guidelines for the state of Texas.

Retroactive to August 1, 2003, the new policy prohibits student access to carbonated beverages, certain candy and chewing gum by elementary school students at any time during the school day and to middle school students during meal periods. Additionally, carbonated beverages over 12 ounces are prohibited at all times on middle school campuses. Current beverage agreements that provide for the availability of larger containers are not affected but new or renewed contracts must comply.

Under the previous guidelines, sale of foods of minimal nutritional value were forbidden at all grade levels but only applied to food service areas and only during meal periods. The sale of FMNV by outside vendors in our campuses is now subject to the new restrictions.

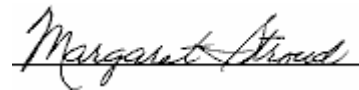
So how do these new policy changes affect HISD Food Services operations?

**HISD Food Services is and has been in compliance with this policy and does not offer any of the items mentioned in the recent TDA amendment at any elementary or middle school campus. In short, no change in their operational procedures or menu selections is required as a result of the new rules governing FMNV. Despite this fact, HISD Food Services is hard at work redefining school meals in our own move to improve student health.**

In an effort to enforce the newly established guidelines, TDA is required by federal law to monitor and enforce the new policy through both scheduled and unscheduled campus inspections. If violations concerning FMNV are discovered, TDA will **“disallow all federal meal reimbursements for the day and require the school to reimburse the food service account for any lost revenue.”**

For HISD, these penalties may result in millions of dollars in lost revenue as well as a potential loss in compensatory education funding.

While the new TDA guidelines may appear to be a challenge for some, I am confident that we all will work together to ensure compliance. Additional information concerning FMNV and what you can do to ensure compliance on your campus will be discussed at the September 3, 2003 principal's meeting.

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