



**Karen B. Salmon, Ph.D.**  
State Superintendent of Schools

---

## Maryland Nutrition Standards for All Foods Sold in School

### I. Purpose and Scope

The purpose of this policy is to promote a healthy school environment by defining the scope of authority of the Local Educational Agency (LEA) regarding foods and beverages available to students during the school day and to outline the federal and State regulations which apply to serving these foods and beverages in schools and facilities that participate in the School Breakfast Program (SBP) and the National School Lunch Program (NSLP). The policy and procedures establish minimum requirements and provide guidance for LEAs electing to set policies which go beyond those contained in this memorandum.

In 2010, Congress passed the Healthy, Hunger-Free Kids Act (Sec. 204 of Public Law 111-296), based on recommendations from the Institute of Medicine. The Act defined nutrition standards to ensure quality meals served in all LEAs participating in the NSLP and SBP. The Act also directed U.S. Department of Agriculture (USDA) to establish broader guidelines for all foods and beverages available during the school day, now adopted as the Final Rule on Nutrition Standards for all Foods Sold in School, commonly known as “Smart Snacks” (Federal Register, Vol. 81, No. 146, July 29, 2016). These standards detail criteria for allowable foods and beverages, such as nutrient content and portion size, and replace the term, Foods of Minimal Nutritional Value.

Schools play a powerful role in preparing students for a successful future. The updated School Lunch and Breakfast Programs contribute to student learning and the development of lifelong health habits. Schools must continue to strengthen this foundation by providing healthy foods and beverages, while limiting less healthy options throughout the school environment.

### II. Procedures

The policy is effective as of July 1, 2014\*<sup>▲</sup>, and applies to all foods and beverages sold to students on the school campus, including cafeteria a la carte items, vending machines, school stores, and fundraising activities, from 12:01 am until thirty minutes after the end of the official school day. The Maryland State Department of Education supports and adopts the aforementioned efforts from USDA to promote healthy choices for students, with minimal changes to the beverage standards. The following page outlines the combined federal and state standards. This policy was unanimously adopted by the Maryland State Board of Education on June 27, 2014.

Maryland LEA school wellness committees and schools may decide to implement policies that go beyond these Federal and State policies.

Questions may be sent to Sara Booker, RD, MPH, Nutrition Education and Training Coordinator in the Office of School and Community Nutrition Programs, Sara.Booker@Maryland.Gov, or 410-767-0204.

*\* Revised December 2017 to correct typo. Previous versions allowed  $\leq 5$  calories/8 oz.*

*▲ Revised June 2018 to reflect USDA flexibilities for the 2018/19 School Year to allow flavored, low-fat (1%) milk.*

# Maryland Nutrition Standards for All Foods Sold in School

from 12:01am through 30 minutes after the end of the school day

Other than foods offered as part of the National School Lunch Program & School Breakfast Program  
Effective July 1, 2014

## #1: Foods must fall into one of these categories:

- Be whole grain-rich (*at least 50% whole grain by weight, or listed as first ingredient*)
- First ingredient must be: fruit, vegetable, dairy product or protein food
- Be a combination of food that consists of at least ¼ cup of fruit and/or vegetable

## #2: If the food qualifies as one of the above, it must also meet all of these standards:

Calories		Sodium		Fats			Sugar
Snack / Side Dish	Entrees	Snack / Side Dish	Entrees	Total Fat	Saturated Fat	Trans Fat	<i>weight sugar ÷ total weight</i>
≤ 200 cal	≤ 350 cal	≤ 200mg	≤ 480mg	≤ 35% of calories	< 10% of calories	Zero grams	≤ 35% of total weight from sugar

## Beverages must meet these standards:

	Elementary	Middle	High School
<b>Plain Water or Plain Carbonated Water</b>	Any Size	Any Size	Any Size
<b>Low-fat Milk<sup>▲</sup>, Flavored or Unflavored</b> <b>Non-fat Milk, Flavored or Unflavored</b>	≤ 8 fl oz	≤ 12 fl oz	≤ 12 fl oz
<b>100% Fruit/Vegetable Juice</b>	≤ 8 fl oz	≤ 12 fl oz	≤ 12 fl oz
<b>100% Fruit/Vegetable Juice</b> - diluted with water, with or without carbonation - with no added sweeteners	≤ 8 fl oz	≤ 12 fl oz	≤ 12 fl oz
<b>Other Flavored and/or Carbonated Beverages</b> - soda is not allowed	Not Allowed	Not Allowed	≤ 12 oz: ≤ 40 calories/8 oz or ≤ 60 calories/12 oz <hr/> > 12 and ≤ 20 oz: <5 calories/8oz* or ≤ 10 calories/20 oz
<b>Caffeine</b> , beyond naturally-occurring trace amounts	Not Allowed	Not Allowed	Not Allowed

\* Revised December 2017 to correct typo. Previous versions allowed ≤ 5 calories/8 oz.

▲ Revised June 2018 to reflect USDA flexibilities for the 2018/19 School Year to allow flavored, low-fat (1%) milk.