



Expanding Fluid Milk Options in Child Nutrition Programs (Implementation Memorandum)

Legal Authority

SP 08-2026, CACFP 04-2026

Program Requirements

On May 8, 2026, the United States Department of Agriculture's (USDA) Food and Nutrition Administration (FNA) published the final rule with comment period, *Expanding Fluid Milk Options in Child Nutrition Programs* ([91 FR 25073](#)), effective June 8, 2026. This rule expands fluid milk options by allowing schools and child and adult care providers participating in Child Nutrition Programs (CNP) to offer whole and reduced-fat milk to participants two years and older.

This rule codifies milkfat requirements following enactment of the Whole Milk for Healthy Kids Act of 2025¹ (WMFHKA) ([P.L. 119-69](#)) and supports the statutory requirements for meals to align with the goals of the *Dietary Guidelines for Americans, 2025–2030*² (*Guidelines*). By removing previous fluid milkfat-content restrictions, this deregulatory rule restores flexibility to Program operators, allowing them to offer a greater variety of fluid milk options, including whole and reduced-fat milk, to meet the nutrition needs and preferences of the children and adults they serve. This memorandum provides information and guidance related to implementing the updated fluid milk options available to operators of the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Food Program (CACFP), and the Special Milk Program for Children (SMP). The Summer Food Service Program is not included because meal requirements already allow for whole and reduced fat milk options.

Please note that for the NSLP, the provisions detailed below are already in effect. The WMFHKA, enacted on January 14, 2026, amended the National School Lunch Act³ by revising requirements for fluid milk provided in the NSLP. This law specifically allows schools to offer whole and reduced-fat milk in addition to low-fat and fat-free options at school lunch. It also allows school food authorities (SFAs)

to exclude the saturated fat from fluid milk when calculating the weekly average saturated fat requirement at lunch. The final rule with comment period codifies these two provisions for both school breakfast and school lunch. FNA guidance⁴ addresses additional provisions that will be codified in future rulemaking.

Types of Fluid Milk

Current fluid milk requirements for the NSLP, SBP, CACFP, and SMP are as follows:

- Children age 1 must be served unflavored whole milk;
- Children ages 2 through 5 must be served unflavored low-fat or unflavored fat-free milk; and

Children age 6 and older and adults must be served unflavored or flavored, low-fat or fat-free milk.

This rule modifies these restrictions and permits schools and child and adult care providers to offer child and adult participants expanded fluid milk options. Effective June 8, 2026, CNP operators participating in NSLP (including NSLP afterschool snacks, the preschool meal pattern, and Smart Snacks in School), SBP (including the preschool meal pattern), CACFP, and SMP may offer children age 2 and older and adult participants whole, reduced-fat, low-fat, and fat-free fluid milk to meet fluid milk requirements in these programs. The updated fluid milk requirements for each age group are summarized below:

- Fluid milk served to children age 1 must be unflavored whole milk;
- Fluid milk served to children ages 2 through 5 may be unflavored whole, reduced-fat, low-fat, or fat-free milk; and
- Fluid milk served to children age 6 and older and adult participants may be unflavored or flavored, whole, reduced-fat, low-fat, or fat-free milk.

Fluid Milk Requirements

All milk options offered must be pasteurized and meet State and local standards for such milk. The following milk options meet the meal pattern requirements for fluid milk and may be offered to all Program participants:

- whole, reduced-fat (2%), low-fat (1%) and fat-free (skim) milk;
- lactose-free and lactose-reduced milk;
- cultured milk, such as cultured buttermilk, cultured kefir milk, and cultured acidophilus milk; acidified milk, such as acidified kefir milk and acidified acidophilus milk; and
- ultra-high temperature (UHT) milk.

Dietary Specifications in the NSLP and SBP

SFAs participating in the NSLP and SBP must provide meals that meet certain nutrition requirements. Regulations require that the average saturated fat content of the meals offered in a week must be less than 10 percent of total calories. This rule modifies that requirement by excluding fluid milk from the weekly limit for saturated fat. Effective immediately, schools may exclude the saturated fat from fluid

milk offered as a beverage, served over cereal, or blended in a smoothie when calculating the weekly average saturated fat limit for lunch and breakfast. All other dietary specifications (including calories, sodium, and beginning July 1, 2027, added sugars) still apply on average to the entire weekly menu, and the contribution from fluid milk must be included in those calculations. Program operators are reminded that as of July 1, 2025, flavored milk may contain no more than 10 grams of added sugars per 8 fluid ounces.

Program operators are encouraged, but not required, to make changes to menus under these provisions. Program operators have discretion to decide which varieties of fluid milk to offer. The revised regulations give menu planners more flexibility to offer fluid milk options that meet the dietary preferences of Program participants and are compatible with product availability, cost considerations, and other local factors.

This final rule with comment period ([91 FR 25073, May 8, 2026](#)), is effective and can be implemented on June 8, 2026.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agencies should direct questions to the appropriate FNA Regional Office.

Comments

For questions concerning this memorandum, please contact the Policy Administrator at (404) 651-8193.

Note: Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

¹ Whole Milk for Healthy Kids Act of 2025 (Public Law 119–69). Available at: <https://www.congress.gov/119/plaws/publ69/PLAW-119publ69.pdf>

² U.S. Departments of Agriculture and Health and Human Services, Dietary Guidelines for Americans, 2025-2030. Available at: https://cdn.realfood.gov/DGA_508.pdf

³ Richard B. Russell National School Lunch Act. Available at: <https://www.govinfo.gov/content/pkg/COMPS-10333/pdf/COMPS-10333.pdf>

⁴ U.S. Department of Agriculture Food and Nutrition Service, Whole Milk for Healthy Kids Act of 2025 – Implementation Requirements for the National School Lunch Program, January 14, 2026. Available at: <https://www.fns.usda.gov/nslp/wmfhka-implementation>

Need to figure out how to fix chart to look like policy. Keep working on this on tomorrow.

| Current Requirements | Final Rule with Comment Period | Programs Impacted |
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| Fluid milk served to: • Children age 1 must be unflavored whole milk; | Fluid milk served to: • Children age 1 must be unflavored whole milk; | NSLP,* SBP, CACFP, and SMP * Includes NSLP afterschool snack, the preschool meal pattern, Smart Snacks |

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| <ul style="list-style-type: none"> • Children ages 2-5 must be unflavored low-fat or fat-free milk; and • Children age 6 and older and adult participants may be unflavored or flavored, low-fat, or fat-free milk. | <ul style="list-style-type: none"> • Children ages 2-5 may be unflavored whole, reduced-fat, low-fat, or fat-free milk; and • Children age 6 and older and adult participants may be unflavored or flavored, whole, reduced-fat, low-fat, or fat-free milk. | in School, and the Seamless Summer Option |
| School meals offered to all age/grade groups must, on average over the school week, provide less than 10 percent of total calories from saturated fat (including saturated fat from fluid milk). | School meals offered to all K-12 students must, on average over the school week, provide less than 10 percent of total calories from saturated fat (excluding saturated fat from milk used to meet the fluid milk component requirements). | NSLP and SBP (except preschool and NSLP afterschool snack) |