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Area Memo: Meals/Food Service

Question and Answer Guidance on the Final Rule Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium, Effective July 1, 2022 (v.2)

Purpose

This memorandum seeks to inform institutions and sponsors participating in the Child and Adult Care Food Program (CACFP) of milk flexibility issued by the United States Department of Agriculture's (USDA) Food and Nutrition Service (FNS).

Legal Authority

USDA Policy Memorandum SP 04-2022, CACFP 04-2022; Final Rule, Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium, (87 FR 6984) and and USDA Policy Memorandum, SP 08-2026, CACFP 04-2026, Expanding Fluid Milk Options in Child Nutrition Programs.

Program Requirements

This memorandum supersedes CACFP 16-2019, DECAL Memorandum, Final Rule Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements, with Questions and Answers (October 21, 2019 v.2) and DECAL Policy Memorandum, Question and Answer Guidance on the Final Rule Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium, Effective July 1, 2022. In the guidance, CACFP institutions and sponsors are afforded the option to offer flavored, low-fat (1%) milk to participants ages six (6) and older.

Additionally, **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. This memorandum has been updated to reflect the expanded options. Note: Some language reflecting the former milk options have been removed.

Attached are Questions and Answers (QA) on the final rule titled, Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium (87 FR 6984, February 7, 2022). This guidance is intended to be transitional and in effect for school years (SY) 2022-2023 and 2023-2024. FNS plans to promulgate a new rule for long-term meal pattern requirements to be effective starting in SY 2024-2025. In case of a delay, this updated guidance will remain effective until subsequent standards are promulgated through rule making. This QA memorandum rescinds and replaces SP 37-2019, CACFP 16-2019, Questions and Answers on the Final Rule Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements, dated September 23, 2019.

FY 2026 - USDA Expands Fluid Milk Options

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, 2025–20302 (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.

Specifically, 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.

This rule modifies these restrictions and permits schools and child and adult care providers to offer child and adult participants expanded fluid milk options.

These QAs address the following key provisions of the final rule:

Flavored Milk

This rule also clarifies that lactose-free and reduced-lactose fluid milk meet the Special Milk Program for Children and the Child and Adult Care Food Program requirements for fluid milk to provide consistency across all Child Nutrition Programs.

The Summer Food Service Program (SFSP) currently allows flavored, low-fat milk with summer meals.

The current CACFP flexibilities and expanded milk options make no change to the milk service in the SFSP.

Whole Grains

The rule requires that at least 80 percent of the weekly grains in the NSLP and SBP be whole grain-rich; the remaining weekly grains offered must be enriched.

Sodium

The final rule retains Sodium Target 1 for NSLP and SBP through SY 2022-2023, retains Sodium Target 1 for SBP in SY 2023-2024, and institutes a Sodium Interim Target 1A for NSLP for SY 2023-2024.

Comments

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

Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium Effective July 1, 2022 - Final Rule (87 FR 6984, February 7, 2022)

Questions and Answers

1. **When must Program operators comply with the transitional meal standards established by this final rule?** The implementation date of the transitional meal standards in this rule is July 1, 2022. This rule revises the flavored milk, whole grain-rich, and sodium requirements beginning school year (SY) 2022-2023. Effective July 1, 2022, at least 80 percent of the weekly grains offered in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) must be whole grain-rich, andthe remaining weekly grains offered must be enriched. Therefore, schools will be able to offer a limited amount of enriched grain items as part of the weekly menu and credit them toward the grains component. This final rule permits Program operators to offer flavored, low-fat (1 percent) milk in the NSLP and SBP to children in grades K-12, and to children ages 6 and older participating in the Child and Adult Care Food Program (CACFP) and Special Milk Program (SMP). This transitional meal standard also applies for adult participants in the CACFP. In addition, this rule retains Sodium Target 1 in the NSLP and SBP through SY 2022-2023, retains Sodium Target 1 for SBP in SY 2023-2024, and institutes Sodium Interim Target 1A for NSLP beginning in SY 2023-2024. Please visit the Nutrition Standards for School Meals web page (https://www.fns.usda.gov/cn/nutrition-standards-school-meals) for updated information, such as the meal pattern charts with the transitional meal standards for SY 2022-2023 and SY 2023-2024.
2. **How will the transitional whole grain-rich standard impact breakfast when meats/meat alternates are used to meet part of the grains requirement?** The whole grain-rich requirement applies only to grain-based food items, and not meat/meat
alternates crediting toward the grains component at breakfast. At least 80 percent of the actual grains offered throughout the course of the week must be whole grain-rich. Whole grain-rich products contain at least 50 percent whole grains and the remaining grains, if any, must be enriched.
3. **Does USDA have a tool for schools to use in tracking the amount of whole grains and enriched grains offered?** Schools may track meal components, including grains, using the following methods:

- USDA-approved software, purchased by schools (see https://www.fns.usda.gov/tn/usdaapproved-nutrient-analysis-software)
- Production records: The Menu Planner for School Meals includes sample production records (please note States may have their own specific documentation requirements). See Chapter4: https://fns.usda.gov/sites/default/files/tn/MenuPlanner_Ch4_508.pdf

4. **What guidance exists for understanding the enriched grain requirements?** Enriched grains are refined grains that have been processed to remove the nutrient-rich bran and germ, and then have thiamin, riboflavin, niacin, folic acid, and iron added after processing. Similarly, a food that is fortified has certain vitamins and minerals added to increase the nutritional quality. Foods made from refined grains that meet at least one of the following criteria are considered creditable:
    1. The food is labeled as "enriched." For example, long grain rice that is enriched will have the product name "enriched long grain rice."
    2. An enriched grain is listed as the first ingredient on the food's ingredient list or second after water. The ingredient list will usually state "enriched flour" or "enriched wheat flour," or there is a sub-listing of nutrients used to enrich the flour, for example,"yellow corn flour {iron, folic acid, riboflavin, niacin, and thiamine}."
    3. For breakfast cereals, the product is labeled as "fortified" or the ingredient list names the vitamins and minerals that have been added to the product. If a breakfast cereal is fortified, it does not need to be enriched. For example, the ingredient list of a fortified breakfast cereal may read, "Ingredients: Wheat flour, sugar, contains 2% or less of salt, baking soda, caramel color, BHT for freshness. Vitamins and Minerals: Vitamin C (sodium ascorbate, ascorbic acid), niacin, vitamin B6 (pyridoxine hydrochloride), reduced iron, zinc oxide, folic acid, vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), vitamin A palmitate, vitamin D, vitamin B12."
        a. NOTE: The ingredient list of a non-fortified cereal would not name any added vitamins and minerals. For example, the ingredient list of a non-fortified breakfast cereal may read, "Ingredients: rice flour, corn flour, evaporated cane juice, pomegranate juice concentrate, sea salt." This particular cereal would not be considered a creditable grain because it is not made from whole or enriched grains and is not fortified.
        b. The Child Nutrition Labeling Program also includes enriched grain crediting information on product labels used by Program operators.
        c. Consistent with existing whole grain-rich guidance for schools, any non-creditable grains in products or recipes used to meet the enriched grain requirements are limited to an insignificant amount, which is defined as less than 0.25 ounce equivalency. For products from Exhibit A, Groups A - G, this means that there must be *fewer* than 4 grams of non-creditable grain per portion. For products from Group H, this means that there must be fewer than 7 grams of non-creditable grain per portion. FNS has updated our grain guidance and resources to promote options and compliance under these transitional meal standards.

5. What are the transitional milk standards in the final rule?

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:

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To ensure that milk variety is not limited to flavored milk, schools in the NSLP and SBP must offer at least one type of unflavored milk at each meal service.

6. Is the option to offer flavored, low-fat milk available to CACFP operators other than school sites? The option is not restricted to school locations. This transitional standard is available to all CACFP child care facilities that serve meals to children ages 6 and older, and adult day care centers. Flavored milk may only be offered to CACFP participants ages 6 and older.

7. Is flavored low-fat milk allowable in the NSLP afterschool snack service, and does the requirement to offer unflavored milk apply? The NSLP afterschool snack service must include two full servings of any of the following: fluid milk; meat or meat alternate; vegetable or fruit, or full-strength vegetable or fruit juice; whole-grain or enriched bread. Flavored, low-fat milk is allowable in the NSLP afterschool snack service. Because the service of afterschool snacks should be simple, the requirement to offer a variety of milk types, including unflavored milk, does not apply in the NSLP afterschool snack service. Juice must not be served when fluid milk is served as the only other component.

8. Do these transitional standards apply to Smart Snacks in Schools (SSIS)? The only change in this final rule that affects SSIS is the transitional standard allowing the sale of flavored, low-fat milk as a competitive food on the school campus, during the school day. This final rule does not change the SSIS requirements regarding grains or sodium (7 CFR 210.11). The SSIS standard is a nutrition requirement for an individual food item. In contrast, NSLP and SBP have daily and weekly requirements.

9. May schools offer water in place of milk? No. Fluid milk is a required component of a reimbursable meal. Program operators must not promote or offer water, juice, or any other beverage as an alternative selection to fluid milk in a reimbursable meal throughout the food service area. Schools must not directly or indirectly restrict the sale or marketing of fluid milk (7 CFR 210.10(d)(4)). Although water is not a required part of a reimbursable meal, potable water must be available to students at no charge during meals, in the food service area or on the service line, separate from fluid milk (to prevent confusion). Schools must use signage to help students select a reimbursable meal. See memorandum SP 28-2011 Revised Child Nutrition Reauthorization 2010: Water Availability During National School Lunch Program Meal Service (July 12, 2011, available at: https://www.fns.usda.gov/cn/water-availability-during-nslp-meal-service)

and memorandum SP 39-2019 Clarification on the Milk and Water Requirements in the School Meal Programs (September 23, 2019, available at: https://www.fns.usda.gov/cn/clarification-milk-and-waterrequirements-school-meal-program).

10. May State agencies establish State standards that are stricter than the Federal requirements for milk, whole grains, and sodium in the NSLP and SBP? The regulations at 7 CFR 210.19(e) allow State agencies discretion to set additional requirements that are not inconsistent with the minimum nutrition standards for school meals. However, a State agency must reimburse school food authorities for meals and afterschool snacks served in accordance with the Federal requirements. A State agency cannot withhold Federal Program funds or take back reimbursement for meals that meet the minimum Federal requirements. When considering matters of local control, USDA encourages States to establish standards incorporating the transitional meal standards that work best for their communities and schools.