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SUBJECT: School Nutrition Program Administrative Reviews: Assessing Compliance with Dietary Specifications Using a USDA-Approved *Menu Planning Tool for Certification for Six Cent Reimbursement*

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The Food and Nutrition Services (FNS) recently released the new Administrative Review Guidance Manual¹, which includes four options that State agencies may use to assess compliance with Dietary Specifications – calories, saturated fat, and sodium – requirements. One option (i.e., Option 4) described in the Nutrient Analysis and Dietary Specifications Module of the Administrative Review Guidance Manual allows State agencies to request approval from FNS for an alternate process that incorporates a Department of Agriculture (USDA)-approved *Menu Planning Tool for Certification for Six Cent Reimbursement* (also referred to as *Menu Planning Tool*). The *Menu Planning Tool* is expected to be one element of a larger, comprehensive process that assesses compliance with Dietary Specifications requirements. Other than the tool used to assess compliance with Dietary Specifications requirements, this option is expected to be very similar to other State agency options (i.e., Options 1, 2 and 3) for reviewing Dietary Specifications.

This memo provides additional information on Option 4 for assessing a School Food Authority's compliance with Dietary Specifications, and the approval process for State agencies proposing an alternate method.

Minimum Criteria for Alternate Method of Assessing Compliance with Dietary Specifications

FNS will review the State's comprehensive Dietary Specifications review process and consider it for approval. At a minimum, any alternate method for assessing Regional Directors

¹ The new Administrative Review Guidance manual can be found on the FNS public website at:
<http://www.fns.usda.gov/cnd/guidance/AdminReview/ARguidancemanual.pdf>

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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compliance with Dietary Specifications submitted to FNS for approval to use in Administrative Reviews must:

1) Use a USDA-approved *Menu Planning Tool for Certification for Six Cent Reimbursement*;

The process must incorporate a *Menu Planning Tool* that is currently approved by USDA. The USDA-approved *Menu Planning Tool* is expected to be one element of a larger Dietary Specifications Administrative Review process proposed by a State agency.

A list of USDA-approved *Menu Planning Tools* is available at:
<http://healthymeals.nal.usda.gov/menu-planning/nutrition-standards-school-meals/menu-planning-tools-approved-certification-six-cent>

2) Evaluate food purchasing, menu planning, meal preparation, and meal service;

The proposed process must holistically evaluate how calories, saturated fat, and sodium are available to students in the environment where students consume school meals. For example, a school specifies reduced-sodium food products in bid specifications, but students freely access salt packets on a condiment table in the meal service area. The proposed process is expected to capture this type of information that would not be captured by a *Menu Planning Tool*.

This approach gives State agency reviewers opportunities for technical assistance that can positively impact children's health.

See Table A (attached) or the *Dietary Specifications Assessment Tool* (available at: <http://www.fns.usda.gov/cnd/guidance/adminreview.htm>) for sample questions.

3) Include a trigger that prompts State agencies to conduct a nutrient analysis, when necessary; and

The specificity of a nutrient analysis (compared to estimates provided by *Menu Planning Tools*) is required to justify any fiscal action taken for non-compliance. Regulations require State agencies to conduct weighted nutrient analyses as part of administrative reviews (7 CFR parts 210.10(h), 210.18(g)(2)(iv), and §220.8(h)). Therefore, the proposal must include a trigger that prompts State agencies to conduct a nutrient analysis, when necessary, and a description of how the need for a nutrient analysis is determined. For example, the proposed methodology may include use of the *Menu Planning Tools* to more efficiently target nutrient analyses.

4) Incorporate an on-site review to assess compliance with Dietary Specifications requirements.

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Any proposed methodology must incorporate an on-site review element (i.e., reviewers observing the school environment in-person to assess compliance), regardless of the need for a nutrient analysis.

Evaluation and Approval Process

FNS Regional Offices will evaluate all alternate methods proposed by State agencies for assessing compliance with the Dietary Specifications during Administrative Reviews.

When proposing an alternate method, State agencies must submit the following information to the appropriate FNS Regional Office (in no more than 15 pages total):

- A detailed summary of the proposed methodology, including how the process:
 - measures calories, saturated fat, and sodium;
 - assesses food purchasing, menu planning, meal preparation, and meal service; and
 - incorporates nutrient analyses, for cases when fiscal action needs to be assessed;
- An evaluation of the proposed methodology's strengths and weaknesses in measuring calories, saturated fat, and sodium;
- Results from testing conducted on the proposed methodology; and
- A decision tree or flow chart (one page) that summarizes the State's proposed Dietary Specifications review process.

The FNS Regional Office will evaluate each proposed methodology independently to determine appropriateness for measuring compliance with calories, saturated fat, and sodium requirements during an Administrative Review.

State agencies may submit proposals to their Regional Office at any time. FNS will notify the State of approval or denial within 60 days. The 60-day timeframe allows time

for FNS to ask the State clarifying questions and request any additional information, if needed. FNS may recommend improvements prior to granting approval.

Marketing of Approval Status

As previously specified, the USDA-approved *Menu Planning Tool* is expected to be one element of a larger process proposed by a State agency. Consequently, vendors may market any USDA-approved *Menu Planning Tool* as a potential component of an Administrative Review.

Marketing language permitted by FNS for both print and electronic product literature is as follows: "This software system is USDA-approved for Certification of Compliance with New

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Meal Patterns.” The developer may refer to the approval as “approved by USDA for use in Certification of Compliance with New Meal Patterns.”

Major Changes in the Previously Approved Process

The State agency must resubmit the methodology to the FNS Regional Office for approval if there are significant changes in the approach, for example:

- The State agency switches from one USDA-approved Menu Planning Tool to another;
- Dietary Specifications requirements change (except phased-in sodium requirements);
- A change in how the process measures the Dietary Specifications and/or how the methodology assesses food purchasing, menu planning, meal preparation, and/or meal service.

States should contact their FNS Regional Office with any questions about the re-approval process, including whether a specific change requires re-approval.

Original Signed

Cynthia Long
Director
Child Nutrition Division

Attachment

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Attachment

Table A.

Sample Questions to Evaluate Food Purchasing, Menu Planning, Meal Preparation, and Meal Service

The questions below are adapted from the *Dietary Specifications Assessment Tool*. These are examples of questions that seek information about calories, sodium, saturated fat, and *trans* fat in the school meals environment. Some questions may apply to multiple areas.

Food Purchasing
Do bid specifications for menu items and condiments/accompaniments require vendors to provide information on saturated fat?
Do bid specifications for menu items and condiments/accompaniments require vendors to provide information on sodium?
Do bid specifications for menu items and condiments/accompaniments require vendors to provide information on <i>trans</i> fat?
Menu Planning
Are milk and milk products (including yogurt and cottage cheese) offered low fat and/or fat-free?
Are non-creditable cheese products offered as part of a reimbursable meal? (Non-creditable cheese includes: cheese sauce without a CN label, cheese product, imitation cheese and powdered cheese).
Are reduced-fat, low fat, fat-free mayonnaise, sour cream, and/or salad dressings offered instead of full-fat varieties?
Are fresh, frozen, and/or low sodium or no sodium canned vegetables offered, rather than reduced sodium or regular canned vegetables?
How often are meats such as hot dogs, luncheon meats (e.g. ham, turkey) and/or sausage offered on the service line and/or salad bar? (All varieties - including reduced and/or low sodium).
Are canned fruits packed in water, fruit juice, or light syrup?
Are grain-based desserts such as doughnuts, pastries, cakes, and cookies limited to 2 oz. eq. per week or less?
Do whole grain-rich foods offered meet the USDA criteria for “whole grain-rich”?
Are appropriate age/grade groups used for menu planning, including the meal patterns and serving sizes?
Meal Preparation
Is low-fat (1 percent milk fat or less, unflavored) or fat-free (unflavored or flavored) milk is used for student consumption and in menu recipes?
Are broths and/or soups with low or reduced sodium used, rather than regular broths and soups?
Are other seasonings, such as herbs and spices, substituted for sodium?
Is oil used in recipes, rather than shortening, margarine, or butter?
Is fat drained from browned meats and poultry and/or skimmed from broths, soups, stews, or gravies and/or skin removed from poultry or skinless poultry?
Is a deep fat fryer used on-site to prepare school meal items?
Is butter or margarine added to breads and/or vegetables prior to serving?

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Are standardized recipes followed (i.e., all ingredients are weighed or measured with standardized weight or measuring utensils)?
Meal Service
Is cheese (all varieties including reduced fat) controlled by placing items in portion cups, portion controlled packaging or the use of appropriate serving size utensils to limit portion size allowed per meal? This includes cheese offered on salad bars.
How often are pickles, olives, packaged crackers and/or croutons offered on the service line and/or salad bar?
How often are extra, non-reimbursable food items (e.g., potato chips, ice cream, pudding and/or gelatin) offered on the menu?
Are portion sizes for accompaniments/condiments (e.g., hot sauce, ketchup, mustard, salad dressing) controlled by placing items in portion cups, portion controlled packaging the use of appropriate serving size utensils to limit portion size allowed per meal?
Are food items that may not contribute to reimbursable meal components, such as bacon, bacon bits, pepperoni, and chow mein noodles offered on salad bars and/or food bars?
Are larger portions and/or bonus items and/or seconds offered (in portion sizes that are inconsistent with the planned menu)?
Do students have access to butter and/or margarine? If so, how?
Do students have access to salt? If so, how?

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