

Competitive Foods and Beverages

School Wellness Summit

September 16, 2025

Nutrition Services Division (NSD)
California Department of Education (CDE)



Agenda

- Names and definitions
- School classifications
- State and federal rules
- Fundraising
- Marketing and advertising
- Recordkeeping
- Administrative Review
- Resources
- Questions



Names and Definitions (1)

Competitive foods

- A food or beverage that meets the competitive food definition at the state or federal level

Smart Snacks in School

- The name given to the federal competitive food rules

Non-program food

- A food or beverage sold by the Food Service Department outside of the school meal program



Names and Definitions (2)

A competitive food is a food or beverage that is:

1. Sold
2. To a student
3. On the school campus
4. During the school day
5. Outside of the reimbursable meal



Names and Definitions (3)

School campus:

All areas of the property under the jurisdiction of the school that are accessible to students during the school day



Names and Definitions (4)

School day:

From midnight before to 30 minutes after the end of the official school day



Names and Definitions (5)

Sold:

The exchange of food or beverages for money, coupons, vouchers or order forms when any part of the exchange occurs on a school campus



Names and Definitions (6)

Sold (in two parts):

Part I: The exchange money, coupons, vouchers or order forms

Part II: The exchange of the food or beverage

Both may occur at different times but must occur on campus, during the school day and involve a student to meet the definition of sold



Learning Check #1 (1)

A student on a high school campus approaches a vending machine on school campus during lunch time. The student adds a dollar and receives a bag of chips.



Learning Check #1 (2)

A student on a high school campus approaches a vending machine on school campus during lunch time. The student adds a dollar and receives a bag of chips.

Think through the five criteria...

- Is the item being sold?
- To a student?
- On the school campus?
- During the school day?
- Outside the reimbursable meal program?



Learning Check #2 (1)

The Parent-Teacher Association is holding a multi-cultural day on a K-6 campus. Parents are cooking items at home and bringing them to school. The items are being given away to students and staff. The event takes place at 12:30 p.m.



Learning Check #2 (2)

The Parent-Teacher Association is holding a multi-cultural day on a K-6 campus. Parents are cooking items at home and bringing them to school. The items are being given away to students and staff. The event takes place at 12:30 p.m.

Think through the five criteria...

- Is the item being sold?
- To a student?
- On the school campus?
- During the school day?
- Outside the reimbursable meal program?



Learning Check #3 (1)

The robotics club at a middle school is fundraising by selling candy bars. Each student from the club receives a case of candy bars at lunch time.

So far, does this scenario break any competitive food criteria?



Learning Check #3 (2)

The students are instructed to take the case home and sell all the candy bars to friends and family in their neighborhood. The students then bring the money back to the adult in charge of the robotics club.



In the full scenario, does this situation break any competitive food criteria?

Learning Check #3 (3)



What can go wrong in this scenario?



What steps could the district take to prevent the potential for a noncompliant sale?

Learning Check #4

Is there another scenario that occurs on your school sites that you'd like to review?



School Classifications

When participating in a Child Nutrition Program...

Public, noncharter schools

- Must follow both state and federal competitive food requirements

Charter schools and private schools

- Must follow federal competitive food requirements



State and Federal Rules: Updates (1)

Federal updates (from 2024 Meal Pattern Final Rule)

- Trans fat
- Added sugar in milk
- Bean dip exemption



State and Federal Rules: Updates (2)

State updates (from 2024 California laws and regulations)

- Food dyes
- Food additives
- Added sugar in milk



State and Federal Rules: Differences(1)

The state and federal rules are different for:

- Entrees
 - Sold by food service
 - Grain-only entrees at breakfast
- Caffeine
- Alternative beverages
- Student organization sales



State and Federal Rules: Differences(2)

The state and federal rules are different for:

- Trans fat
- Bean dip exemption
- Food dyes and additives



Second Meals

Second meals:

- Can be sold to students
- Are considered non-program foods
- Are considered competitive foods
- Each individual item must meet the competitive food standards for compliance



Fundraising

California:

- Allows fundraising
- Does not allow exempted fundraisers during the “school day”

Any scenario that meets the competitive food criteria **must** meet the requirements



Marketing and Advertising

State and federal requirements

The only food or beverage items that can be marketed or advertised on a school campus during the school day are those that meet state and federal competitive food rules

Examples:

- Signs
- Table drapes
- Gift cards



Recordkeeping

The district is responsible for ensuring that all groups and individuals selling competitive foods maintain records that document compliance

May include:

- Nutrition Facts labels
- Ingredient lists
- Nutrient analysis



Administrative Review (1)

- No fiscal action
- Technical Assistance
- Corrective Action Plan
- May withhold reimbursement for repeated or egregious violations not corrected



Administrative Review (2)

- Review applicable state and federal competitive food rules
- Selected school sites only
- Month and day of review



Administrative Review (3)

Food Service

- Review all individually sold items identified on one week menu
- Review at least 10 percent of individual items sold in other venues for month of review

All other groups

- Review at least 10 percent of all competitive foods for each group, individual, or entity for the month of review



Administrative Review (4)

Compliance issues

If noncompliance is identified, review may be expanded to:

- Check more than 10 percent of items and
- Review beyond the month and day of review



Administrative Review (5)

Best practices:

- Share this rule with your district and school administration
- Encourage district administration to develop procedures
- Encourage naming a lead for each group responsible for collecting and saving documentation



Determining Compliance (1)

Steps:

- Quick Reference resource
- Meet all five criteria that defines a competitive food?
- Public, noncharter? Charter/private?
- Elementary, middle, or high school?
- Food or beverage?



Determining Compliance (2)

Steps (continued):

Food:

- Entrée or snack?
- Sold by Food Service or another entity?
- Meet the general food standard?
- Meet the nutrient standards?



Determining Compliance (3)

Steps (continued):

Beverage:

- Marketed or labeled as an allowable beverage category?
- Meet criteria for the beverage category?



Student Organizations

A California rule

- Only applies to public, noncharter schools

“Student organization” means a group of students that are not associated with the curricula or academics of the school



Resources (1)

CDE's Competitive Foods and Beverages web page:
<https://www.cde.ca.gov/ls/nu/he/compfoods.asp>

- Quick Reference Resources (under Resources tab)
 - Public, noncharter schools
 - Charter and private schools



Resources (2)

Online competitive food calculator:

Alliance for a Healthier Generation Smart Snacks

<http://foodplanner.healthiergeneration.org/calculator>

- Charter and private schools



Homework

Wait...what??



Professional Standards Crediting

Instructional Hours – (0.75 hours)

Key Area: Administration (3000)

Training Topic: Program Management (3200)

Learning Objective: Healthy School Environment
(3230)



Questions



For additional questions

CompetitiveFoods@cde.ca.gov



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Thank you!