

LODI UNIFIED SCHOOL DISTRICT

Rule 3554

Business and Non-Instructional Operations

Other Food Sales

Food and beverage sales outside the district's food service program shall comply with the nutritional standards specified in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578.

The sale of foods or beverages that do not comply with the standards in Education Code 49431-49431.5 may be permitted in either of the following circumstances: (Education Code 49431-49431.5)

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.

For any district school participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the district's food service program on school campuses during the school day shall comply with applicable nutritional standards specified in 7 CFR 210.11 and 220.12 or with state nutrition standards in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578, whichever rule is stricter. Refer to the CDE Competitive Foods and Beverages Quick Reference Cards for compliance standards.

These standards shall apply to all competitive foods and beverages sold from midnight before the school day to one-half hour after the end of the school day. (7 CFR 210.11)

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

1. The student organization sells only one food item per sale.
2. The specific nutritious food item is approved by the superintendent or designee in accordance with Board policy.
3. The sale does not begin until after the close of the regularly scheduled mid-day food service period.

4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school; the dates to be set by each school principal with the approval of the director of food services. Dates are to be set at least 30 days prior to date of function.
6. The food sold is not one sold in the district's food service program at that school during that school day.

In any middle or high schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. The specific nutritious food items are approved by the superintendent or designee in accordance with Board policy
2. Only one student organization each day can sell no more than three types of food or beverage items during the regularly scheduled lunch period(s).
3. Any one or more student organizations may conduct no more than four food sales or any food items during a school year in each school, but such sales shall be held on the same four days for any or all organizations. The dates are to be set by each school principal with the approval of the director of food services. Dates are to be set at least 30 days prior to date of function.
4. Food items defined as each separate kind of food offered for sale as a separate unit (orange juice and apple juice would be two items).
5. Food items sold during the regular school day are not prepared on the premises.
6. The food items are not those sold by the district in the food service programs at that school during that school day. Regular food service may not be suspended on any day school is in session.

The superintendent or designee shall maintain records, and shall require organizations selling foods and beverages to maintain records, to document compliance with federal nutrition standards for all competitive foods and beverages sold through and outside the district's food services program. At a minimum, these records shall include receipts, nutrition labels, and/or product specifications. (7 CFR 210.11)

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