

ALLOWABLE BEVERAGES IN CONNECTICUT PUBLIC SCHOOLS

The restrictions for beverage sales to students in Connecticut public schools are mandated by [Section 10-221q](#) of the Connecticut General Statutes (C.G.S.) and the U.S. Department of Agriculture (USDA) Smart Snacks nutrition standards, *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School*.

- “Sale” means the exchange of foods and beverages for a determined amount of money or its equivalent, such as tickets, coupons, tokens and similar items. This includes any activities that suggest a student donation in exchange for foods and beverages.
- “Public schools” include regional educational service centers, the Connecticut Technical High School System, charter schools, interdistrict magnet schools and endowed academies.



The state beverage statute applies to beverages sold to students at **all times** as part of school meals and separately from school meals anywhere on school premises, such as cafeterias, vending machines, school stores and fundraisers. It also applies to all public schools regardless of whether they participate in the USDA school nutrition programs or Connecticut’s Healthy Food Certification (HFC) under C.G.S. [Section 10-215f](#). The requirements below include the stricter provisions of the state beverage statute and the USDA Smart Snacks beverage standards.

BEVERAGE CATEGORIES

Five categories of beverages are allowed for sale to students in Connecticut public schools. Portion sizes of allowable beverages cannot exceed 8 fluid ounces for elementary schools and 12 fluid ounces for middle and high schools, except for water, which is unlimited.

Beverages Allowed by C.G.S. Section 10-221q

- **Milk, low-fat (1%) unflavored and nonfat flavored or unflavored**, with no more than 4 grams of sugar per fluid ounce and no artificial sweeteners.*
- **Nondairy milk substitutes such as soy or rice milk (flavored or unflavored)** that comply with the USDA nutrition standards for nutritionally equivalent milk alternatives** and contain no artificial sweeteners,* no more than 4 grams of sugar per fluid ounce, no more than 35 percent of calories from fat and no more than 10 percent of calories from saturated fat.
- **100 percent juice (fruit, vegetable or combination)**, containing no added sweeteners.*
- **Beverages that contain only water and fruit or vegetable juice** with no added sweeteners* and that meet the requirements specified in the CSDE’s handout, [Requirements for Beverages Containing Water and Juice](#).
- **Water (plain or carbonated)**, which may be flavored but contains no added sweeteners or caffeine.*



* Sweeteners include **nutritive** (caloric) sweeteners (e.g., sugar, sucrose, honey, fruit juice concentrate and high fructose corn syrup) and **nonnutritive** sweeteners without calories. Nonnutritive sweeteners include **artificial** sweeteners (e.g., acesulfame potassium, aspartame and sucralose), “**natural**” sweeteners such as stevia (e.g., Rebiana, Reb A, Truvia, PureVia and SweetLeaf) and **sugar alcohols** (e.g., sorbitol, mannitol, maltitol and erythritol).

** For information on the USDA’s nutrition standards for nondairy milk substitutes, see the CSDE’s handout, [Allowable Milk Substitutes for Nondisabled Children](#).

BEVERAGE EXEMPTIONS

Beverages that do comply with C.G.S. Section 10-221q can be only sold to students in public schools if the local board of education or school governing authority votes to allow beverage exemptions and the following three criteria are met: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store. The “**school day**” is the period from midnight before to 30 minutes after the end of the official school day. An “**event**” is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. For example, soccer games, school plays and interscholastic debates are events but soccer practices, play rehearsals and debate team meetings are not.

PROHIBITED BEVERAGES

Beverages that do not comply with the state statute cannot be sold to students on school premises unless the sales meet the three exemption criteria above. Examples of prohibited beverages are listed below.

This list is not all-inclusive.



Examples of Beverages Prohibited by C.G.S. Section 10-221q

The mention of trade names and commercial products does not imply approval or endorsement by the CSDE or USDA. Product names are used solely for clarification.

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| <ul style="list-style-type: none"> ■ Coffee (regular, decaffeinated, herbal and iced) ■ Tea (regular, decaffeinated, herbal and iced) ■ Sports drinks (regular, low-calorie and zero calorie), e.g., Gatorade and Powerade ■ Energy drinks, e.g., Red Bull ■ Hot chocolate (regular, low-calorie and low-sugar) ■ Whole milk and reduced fat (2%) milk ■ Nondairy milk substitutes (such as soy milk, rice milk and almond milk) that do not comply with the USDA nutrition standards for fluid milk substitutes ■ Sweetened juice drinks (with or without carbonation) that are not 100 percent juice, e.g., Hawaiian Punch (high fructose corn syrup), Tropicana Twisters (high fructose corn syrup), Tropicana Trop50 (Reb A), Minute Maid Light Orange Juice Beverage (sucralose and acesulfame potassium), Minute Maid Coolers (high fructose corn syrup, sugar) * ■ Milk-based beverages that do not meet the federal standard of identify for fluid milk, e.g., Yoo-Hoo chocolate drink | <ul style="list-style-type: none"> ■ Waters (with or without carbonation) with added sweeteners, e.g., Propel Flavored Water Beverage with Vitamins (sucralose and acesulfame potassium), Glaceau Vitamin Water (crystalline fructose and cane sugar), Capri Sun Roarin' Waters Fruit Flavored Water Beverage (high fructose corn syrup and sucralose), Kool-Aid Jammers (high fructose corn syrup), Fruit20 Flavored Sparkling Water Beverage (sucralose), Dasani Flavored Water Beverage (sucralose and acesulfame potassium), Aquafina Flavorsplash Water (sucralose) ■ Waters mixed with drink mix powders with added sweeteners (regular and diet), e.g., Crystal Light Pure Fitness (evaporated cane juice, sugar, rebiana) ■ Water and juice beverages with added sweeteners or additional ingredients not allowed, e.g., Minute Maid Fruit Falls Water Beverage (sucralose and acesulfame potassium), Izze Sparkling Juice (additional fortification) |
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* A **juice drink** is a product resembling juice that contains some portion of full-strength juice with added water and possibly other ingredients such as sweeteners and flavorings. The label may indicate “contains juice,” “fruit flavored” or give the percentage of juice, such as “contains 15% juice.” A product labeled “100% natural” or “provides 100% vitamin C” is not an indication of 100 percent juice. Examples of juice drinks include grape juice drink, orange juice drink, pineapple-grapefruit beverage and cranberry cocktail. These products may be labeled drink, beverage, cooler, cocktail, ade, (e.g., lemonade, limeade), nectar or punch.

IDENTIFYING ALLOWABLE BEVERAGES

The CSDE's *List of Acceptable Foods and Beverages* identifies brand-specific beverages that comply with the state and federal beverage laws. The CSDE regularly evaluates beverages for compliance with these requirements. To submit a beverage product to the CSDE for review, provide the complete product label including the Nutrition Facts panel, list of ingredients, package size and product UPC codes (package and case). For more information, see the CSDE's handout, *Submitting Food and Beverage Products for Approval*.

STATE COMPETITIVE FOODS REGULATION

In addition to complying with the state beverage statute, beverage sales to students in public schools must comply with the state competitive foods regulations, which apply to all USDA school nutrition programs, e.g., National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) and Special Milk Program. Section 10-215b-23 of the Regulations of Connecticut State Agencies requires that the income from any foods and beverages sold to students anywhere on school premises from **30 minutes before up through 30 minutes** after any USDA school nutrition programs must accrue to the nonprofit **food service account**.



For example, if the breakfast period is from 7:00 a.m. through 8:00 a.m. and the lunch period is from 11:30 a.m. through 1:00 p.m., the school food service program must receive the income from all competitive foods and beverages sold anywhere on school premises from 6:30 a.m. through 8:30 a.m. and 11:00 a.m. through 1:30 p.m. This includes sales of beverages that comply with the state beverage statute and the Smart Snacks nutrition standards. For more information, see the CSDE's handout, *Connecticut Competitive Foods Regulations*.

The CSDE's *Guide to Competitive Foods in Schools* provides detailed information on how the state and federal requirements apply to specific categories of foods and beverages. The CSDE's *List of Acceptable Foods and Beverages* identifies foods and beverages that comply with all state and federal requirements.



RESOURCES

Allowable Milk Substitutes for Nondisabled Children:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/nslp/crediting/milksub.pdf

Beverage Requirements (CSDE Web Page):

www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=322418

Beverage Requirements for Connecticut Public Schools PowerPoint:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cf/beverages.pdf

Competitive Foods (CSDE Web Page):

www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=333772

Connecticut Competitive Foods Regulations:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cf/ctcfreg.pdf

Guide to Competitive Foods in Schools:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cf/cfg.pdf

List of Acceptable Foods and Beverages (CSDE Web Page):

www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=322432

Questions and Answers on Connecticut Statutes for School Foods and Beverages:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/hfc/cgsqa.pdf

Requirements for Beverages Containing Water and Juice:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cf/waterjuicebev.pdf

Summary of Smarts Snacks Nutrition Standards:

www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cf/smartsnacks.pdf

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For more information, visit the Connecticut State Department of Education's (CSDE) [Competitive Foods](#) and [Beverage Requirements](#) Web pages or contact the [school nutrition programs](#) staff in the CSDE Bureau of Health/Nutrition, Family Services and Adult Education, 25 Industrial Park Road, Middletown, CT 06457.

This handout is available at www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/cj/allowbev.pdf.

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;*
- (2) fax: (202) 690-7442; or*
- (3) email: program.intake@usda.gov.*

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