

**BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

**AR 3554      Other Food Sales**

Nutritional Standards for Foods and Beverages

Food sales outside the County Office of Education’s food service program shall comply with the nutritional standards specified in Education Code 38085. Beginning July 1, 2007, food sales outside the County Office of Education’s food service program shall comply with the standards described in Education Code 49431 for elementary schools and Education Code 49431.2 for middle schools, junior high schools, and high schools.

Beverage sales shall be subject to the nutritional standards specified in Education Code 49431.5.

The sale of food items that do not comply with the nutritional standards in Education Code 49431.2, when effective, may be permitted at a middle school, junior high school, or high school in any of the following circumstances:

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.
3.      The sale occurs during a school-sponsored student activity after the end of the school day.

Beverage sales that do not comply with the nutritional standards in law may be permitted at a middle school or junior high school as part of a school event under the following circumstances:

1.      The sale occurs during a school-sponsored event and takes place at the location of the event at least one-half hour after the end of the school day.
2.      Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program:

The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale.

In high schools and junior 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:

1. The specific nutritious food items are approved by the Program Director.
2. The food items sold are not those sold in the County Office of Education's food service program at that school during that school day.