



# State of New Jersey

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June 2011

TO: Child Care Food Program Sponsors  
FROM: Tanya D.W. Johnson, Coordinator  
Child and Adult Care Food Program  
SUBJECT: **Water Availability in the Child and Adult Care Food Program**  
**CCFP MEMO #11-8**  
**FDC MEMO #11-11**

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, establishes a requirement to make potable water available to participants in the Child and Adult Care Food Program (CACFP). Section 221 of the Act added a new provision to the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(u)). The purpose of this memorandum is to provide guidance on the implementation of this provision.

This new provision requires child care centers, family day care homes, "At-risk" afterschool programs, and shelters participating in CACFP to make drinking water available to participants, as nutritionally appropriate. Throughout the day, including meal times, water should be made available to participants to drink upon their request, but does not have to be available for children to self-serve.

**While drinking water must be made available to participants during meal times, it is not part of the reimbursable meal and may not be served in lieu of fluid milk.**

This requirement does not apply to adult day care centers, though those centers are encouraged to ensure drinking water is available to participants.

The 2010 Dietary Guidelines for Americans do not establish a daily minimum intake for water consumption, but recommend that water is consumed daily. Water can be made available to participants in a variety of ways which include but are not limited to: having cups available next to the kitchen sink faucet, having water pitchers and cups set out, or simply providing water to a participant when it is requested. However, caregivers should not serve young children too much water before and during meal times, as excess water

may lead to meal displacement, thereby reducing the amount of food and milk consumed by the children.

Agencies should encourage centers/homes to serve water with the snacks when no other beverage is being served as the second creditable item of the two component meal. Also, make water available in lieu of other high calorie, sweetened beverages (juice drinks, soda, sports drinks, etc.) that are served outside of meal times.

We expect that this provision is instituted with no or very low cost. However, should circumstances arise in which safe water is not readily available in a centers/homes, purchasing water for children may be considered a reasonable and allowable CACFP cost. The purchasing of water will continue to be an unallowable cost if purchased for adult or employee consumption.

This provision is effective immediately; therefore agencies should notify centers/homes of these required changes now. However, to provide adequate time for training and technical assistance, full compliance should occur no later than October 1, 2011.

Agencies should direct any questions concerning this guidance to the appropriate child nutrition specialist at (609 984-1250).