



State of New Jersey

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DATE: June 2011

TO: Child Care Food Program Sponsors

FROM: Tanya D.W. Johnson, Coordinator
Tanya D.W. Johnson
Child and Adult Care Food Program

SUBJECT: **Nutrition Fluid Milk and Fluid Milk Substitutions in Child Care Facilities**
CCFP MEMO #11-9
FDC MEMO #11-12

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, modified requirements for fluid milk and fluid milk substitutions in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of these provisions.

Section 221 of the Act amends section 17(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(g)) by requiring that fluid milk served in the CACFP be consistent with the most recent version of the Dietary Guidelines for Americans and allowing the substitution of non-dairy beverages that are nutritionally equivalent to fluid milk in cases of special dietary needs.

Fat-Free and Low-Fat Milk

Milk served in the CACFP must be consistent with the most recent version of the Dietary Guidelines for Americans. The 2010 Dietary Guidelines recommend that persons over two years of age consume fat-free (skim) or low-fat (1%) fluid milk. Therefore, fluid milk served in CACFP to participants two years of age and older must be: fat-free or low-fat milk, fat-free or low-fat lactose reduced milk, fat-free or low-fat lactose free milk, fat-free or low-fat buttermilk, or fat-free or low-fat acidified milk. Milk served must be pasteurized fluid milk that meets State and local standards, and may be flavored or unflavored. Whole milk and reduced-fat (2%) milk may not be served to participants over two years of age.

Because the Dietary Guidelines for Americans do not address milk served to children *under* the age of two, our requirements relating to children in this age group are unchanged at this time.

Non-dairy Beverages

In the case of children who cannot consume fluid milk due to medical or other special dietary needs, other than a disability, non-dairy beverages may be served in lieu of fluid milk. The requirements related to milk or food substitutions for a participant who has a medical disability and who submits a medical statement signed by a licensed physician remain unchanged.

Parents or guardians may now request in writing non-dairy milk substitutions without providing a medical statement. *As an example, if a parent has a child who follows a vegan diet, the parent can submit a written request to the child's caretaker asking that soy milk be served in lieu of cow's milk.*

Written requests must identify the medical or other special dietary need that restricts the diet of the child. Such substitutions are at the option and the expense of the facility.

The Nutrition Facts Label on food products may not list all the required nutrients. Therefore, you will need to request documentation from the product manufacturer to confirm the presence of all required nutrients at the proper level as listed below.

Milk Substitute Nutrition Standards

| Nutrient | Per Cup |
|-----------------|----------------|
| Calcium | 276 mg |
| Protein | 8 g |
| Vitamin A | 500 IU |
| Vitamin D | 100 IU |
| Magnesium | 24 mg |
| Phosphorus | 222 mg |
| Potassium | 349 mg |
| Riboflavin | .44 mg |
| Vitamin B-12 | 1.1 mcg |

An approved list of soy milks that meet the nutritional standards for milk may be obtained by visiting the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) website and entering the following WEB address into the address box of your WEB browser
(scroll down to paragraph VI):

<http://www.fns.usda.gov/wic/policyandguidance/wicfaqs-foodpackages.htm#VI>

For guidance or assistance to help identify acceptable products or potential manufacturers, contact your child nutrition specialist at (609) 984-1250.