



**United States
Department of
Agriculture**

Food and
Nutrition
Service

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Center Drive
Alexandria, VA
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DATE: May 11, 2011

MEMO CODE: CACFP 20-2011

SUBJECT: Child Nutrition Reauthorization 2010:
Water Availability in the Child and Adult Care Food Program

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, establishes a requirement to make potable water available to children in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of this provision.

Section 221 of the Act added a new provision to the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(u)). 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 children, as nutritionally appropriate. Throughout the day, including at meal times, water should be made available to children 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 children 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 facilities 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 do recommend that water be consumed daily. However, caregivers should not serve young children too much water before and during meal times; excess water may lead to meal displacement, reducing the amount of food and milk consumed by the children. States and sponsors should encourage facilities to serve water with snacks when no other beverage is being served, and in lieu of other high calorie, sweetened beverages (juice drinks, soda, sports drinks, etc.) that are served outside of meal times.

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Water can be made available to children 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 child when it is requested.

We expect that this provision can be instituted with no or very low cost. However, circumstances may arise in which safe water is not readily available in a facility. In these instances, purchasing water for children may be considered a reasonable and allowable cost for participating facilities. The purchasing of water will continue to be an unallowable cost if purchased for adult or employee consumption.

This provision is effective immediately; therefore State agencies and sponsors should notify facilities 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.

State agencies should direct any questions concerning this guidance to the appropriate FNS Regional Office. Regional Offices with questions should contact the Child Nutrition Division.

Original Signed

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Director
Child Nutrition Division