

Whole Grain-Rich

School Meal Flexibilities

School Year 2018-2019

# Background

On November 30, 2017 the United States Department of Agriculture (USDA) released an interim final rule “Child Nutrition Programs: Flexibilities for Milk, Whole Grains and Sodium Requirements, Volume 82, No 229, pages 56703-56723” addressing school meal flexibilities for school year 2018-2019 (SY 18/19). Due to ongoing concerns surrounding food waste and understanding the challenges of providing appealing and palatable meals that meet the whole grain-rich requirements, Massachusetts Department of Elementary and Secondary Education (DESE) has elected to offer exemptions for these products.

In order to be approved for an exemption allowing the service of non-whole grain-rich products, School Food Authorities (SFAs) must demonstrate hardship in incorporating whole grain-rich items into their menu. In addition to a completed Product Exemption Request, documented evidence of hardship must be provided to the State Agency to be considered for approval.

# Process

When submitting Product Exemption Requests, SFAs must adhere to the following procedures:

* A separate Product Exemption Request must be submitted for each product for which an exemption is being requested. Product Exemption Requests must be sent to:
	+ Denise Courtney at dcourtney@doe.mass.edu or to her attention at the Office for Food and Nutrition Programs, Massachusetts Department of Elementary and Secondary Education: 75 Pleasant Street, Malden, MA 02148
* Product Exemption Requests must be completed. Incomplete Product Exemption Requests will be returned to the SFA.
* Each request must contain documentation that supports the SFA’s request for product flexibility.

# Evidence of Hardship

SFAs must ensure that each Product Exemption Request contains documentation that supports the SFA’s request for product flexibility by addressing one or more of the following:

* Demonstrated hardship in procuring, preparing, or serving whole grain-rich products that are acceptable to students. Examples include:
	+ Evidence that comparable products are not available from distributors (order guides and/or distributor catalogs)
	+ Evidence of the unsuccessful preparation of at least 3 comparable products (photos/invoices)
	+ Evidence of at least 3 comparable products are aesthetically unpleasing (photos/invoices)
	+ Evidence of at least 3 whole grain-rich comparable products that are 20% or greater in cost of its non-whole grain-rich counterpart (order guides and/or invoices)
* Food waste studies demonstrating significant waste of whole grain-rich products. Examples include:
	+ Evidence of food waste through plate waste studies
* Significant negative feedback from students and/or parents regarding the lack of availability or palatability of specific non-whole grain-rich products. Examples include:
	+ Evidence of written and/or recorded complaints from 20% or greater of the district or school’s average daily participation (ADP.)
	+ Evidence from taste tests representative of the student body that 20% or greater of the district or school’s ADP prefer non-whole grain-rich products compared to its whole grain-rich counterpart (photos/invoices).

# Approval/Denial

After review of the request, DESE will determine whether each product will be approved or denied.

* If the Product Exemption Request(s) is approved, DESE will notify the SFA via email and inform them that they may access a copy of the approved request in the Security Portal under the Compliance Packet.
* SFAs with approved Product Exemption Request(s) must provide the State Agency reviewer with a copy during an Administrative Review.
* If the Product Exemption Request is denied, DESE will notify the SFA via email and inform the SFA as to why it could not be approved.
* Approved Product Exemption Requests are valid only for the SY 18/19 school year and requests for product flexibilities must be resubmitted each year.
* In order to remain consistent with Massachusetts’ Nutrition Standards for Competitive Foods and Beverage in Public Schools, non-whole grain-rich and/or low-fat, flavored milk items may not be sold a la carte in public schools. SFAs must display signage for non-whole grain-rich and/or low-fat, flavored milk items informing students that these items are not available for sale a la carte.

Product Exemption Request SY 18/19

Please submit each request form and documentation to Denise Courtney via email at dcourtney@doe.mass.edu or to her attention at Office for Food and Nutrition Programs, Massachusetts Department of Elementary and Secondary Education: 75 Pleasant Street, Malden, MA, 02148.

# School Food Authority Information

| Agreement # |       |
| --- | --- |
| District/Program |       |
| School Nutrition Director’s Name |       |
| School Nutrition Director’s email |       |
| School Nutrition Director’s Phone Number |       |
| **STATE AGENCY USE ONLY** |
| Date Received: |  |
| [ ]  Request approved for SY 18/19 on                [ ]  Request denied for SY 18/19 on                 |

# Product Exemption Requested

*I am requesting a product exemption to substitute:*

[ ]  Whole grain-rich product                 for non-whole grain-rich product

 *(Example: Whole grain-rich product whole wheat ziti for non-whole grain-rich product white enriched ziti)*

The above whole grain-rich product exemption is requested for:

 [ ]  The entire                                     school district

 [ ]  The following school(s)

# Evidence of Hardship

*I am requesting a product exemption due to the following hardships:*

[ ]  Demonstrated hardship in procuring, preparing, or serving whole grain-rich products that are acceptable to students.

[ ]  Food waste studies demonstrating significant waste of whole grain-rich products.

[ ]  Significant negative feedback from students and/or parents regarding the lack of availability of specific non-whole grain-rich products.

[ ]  Significant negative feedback from students and/or parents regarding the lack of palatability of specific whole grain-rich products.

| ***Please provide an explanation for your product exemption request:*** |
| --- |
|             |

# Attestation

*I acknowledge that:*

[ ]  In order to remain consistent with Massachusetts’ Nutrition Standards for Competitive Foods and Beverage in Public Schools, non-whole grain items may not be sold a la carte in public schools. SFAs must display signage for non-whole grain-rich items informing students that these items are not available for sale a la carte.

[ ]  Any specific non-whole grain-rich products that are offered greater than half of the operating days during the week must also be offered alongside its whole grain-rich counterpart in order to satisfy the 50% or greater whole grain-rich requirement.

# Supporting documentation

[ ]  *Attach supporting documentation to your Product Exemption Request upon submission.*