

# FORESIGHT LAW + POLICY

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## USDA Proposes Revisions to Child Nutrition Programs

February 7, 2023

In a Federal Register notice dated February 7, 2023, [Child Nutrition Programs: Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans](#), the U.S. Department of Agriculture (USDA), Food and Nutrition Service, proposed key regulatory revisions to the agency's child nutrition programs. USDA based the changes on the *Dietary Guidelines for Americans, 2020-2025* and incorporated feedback from a recent stakeholder engagement campaign. According to the Notice of Proposed Rulemaking (NPRM), the proposed changes put "children's health at the forefront while also ensuring that the nutrition standards are achievable and set schools up for success." The proposed revisions include the following:

- **New added sugars standards:** The rules would propose limits for leading sources of added sugars in both the school lunch and breakfast programs and would provide for a weekly limit of adding sugars to less than 10% of calories per week.
- **Reducing school meal sodium:** The rules would reduce the weekly school meal sodium limits gradually.
- **Strengthen the Buy American provisions:** These rules would clarify and strengthen the Buy American provision in school meal programs, in response to complaints that the current provisions are ambiguous and lack specificity.
- **Long-term milk standards:** The USDA offers two proposals here - under the first, milk would be limited in grades K-8 to a variety of unflavored milk. The second would maintain the current requirements allowing all K-12 schools to offer fat-free and low-fat, flavored, and unflavored.
- **Whole grain standards:** The USDA also offers two proposals: (1) the USDA would maintain the current requirement specifying that 80% of grains must be whole grain-rich; or (2) require all grains to meet the whole grain-rich requirement, but provide for enriched grains to be offered on one school day per week.

In addition to the proposed changes listed above, the NPRM proposed changes to school meal requirements, such as menu planning options for American Indian and Alaska Native Students; changes to afterschool snack requirements; substituting vegetables for fruits at breakfast; crediting nuts and seeds; flexibility in hiring requirements and other technical corrections; among others.

Public comments must be received by April 10, 2023. Instructions for submitting comments is available [here](#). If you have any questions about the proposed policy changes or rulemaking process, please contact Andrea Johnson ([Aunie.Johnson@FLPAdvisors.com](mailto:Aunie.Johnson@FLPAdvisors.com)). USDA estimates that the final rule will be issued prior to the 2024-2025 school year.