Competitive Food Reference - Public, Noncharter

A resource to assist groups or individuals that sell foods and beverages to students, during the school day, on the school campus, outside of the school meal program.

This resource is updated to reflect the U.S. Department of Agriculture's Final Rule - Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans (DGAs), effective July 1, 2024.

Key

*A whole grain item contains:

- The statement "Diets rich in whole grain foods… and low in total fat… may help reduce the risk of heart disease…," or
- A whole grain as the first ingredient, or
- A combination of whole grain ingredients comprising at least 50 percent of the total grain weight (manufacturer must verify), or
- At least 50 percent whole grain by weight.

**Dried blueberries, cranberries, cherries, tropical fruit, chopped dates, or chopped figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100 percent juice only.

Elementary School – Food Restrictions

References: California *Education Code* (*EC*) sections 49430, 49431, 49431.7; Title 5, *California Code of Regulations* (5 *CCR*) sections 15575, 15577, 15578; Title 7, *Code of Federal Regulations* (7 *CFR*) sections 210.11, 220.12; California *Health and Safety Code* (*HSC*) Section 109025

- An **elementary school** contains no grade higher than grade 6.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** foods sold to students by any entity.
- **Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

Compliant Foods

Must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain-rich (WGR) item* (or have one of these be the first ingredient), or

- Be a combination food containing at least one-quarter cup of fruit, vegetable, or a combination of fruit and vegetable.

Must meet the following nutrition standards:

- Less than or equal to 35 percent calories from fat (except nuts, seeds, or dried fruit and nut/seed combination, with no added fat; or reduced-fat cheese or part-skim mozzarella, eggs, fruit, non-fried vegetables, seafood), and
- Less than 10 percent calories from saturated fat (except nuts, seeds, or dried fruit and nut/seed combination, with no added fat; or reduced-fat cheese or part skim mozzarella, eggs), and
- Less than or equal to 35 percent sugar by weight (except fruit**, non-fried vegetables, dried fruit and nut/seed combination), and
- Less than 0.5 grams trans fat per serving (no exceptions), and
- Less than or equal to 200 milligrams sodium per item/container (no exceptions), and
- Less than or equal to 200 calories per item/container (no exceptions)
- Beginning January 1, 2027, no food shall contain any of the following substances (no exceptions):
  - Brominated vegetable oil
  - Potassium bromate
  - Propylparaben
  - Red dye 3
- Beginning December 31, 2027, no food shall contain any of the following substances (no exceptions):
  - Blue 1
  - Blue 2
  - Green 3
  - Red 40
  - Yellow 5
  - Yellow 6

Paired Foods

- If exempt food(s) are combined with nonexempt food(s) or added fat/sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet nutrition standards for trans fat, sodium, and calories.

Check your district's local school wellness policy for stricter rules.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

Elementary School – Beverage Restrictions

References: *EC* Section 49431.5; 5 *CCR* Section 15576; 7 *CFR* sections 210.10, 210.11, 220.8, 220.12; *HSC* Section 109025

- An **elementary school** contains no grade higher than grade 6.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** beverages sold to students by any entity.
- **Sold** means the exchange of beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, or water **and** meet all criteria under that specific category.

Compliant Beverages

- Fruit or Vegetable juice:
  - At least 50 percent juice, and
  - No added sweeteners, and
  - Less than or equal to 8 fluid ounce serving size
- Milk:
  - Cow's or goat's milk, and
  - 1 percent (unflavored), nonfat (flavored, unflavored), and
  - Contains Vitamins A and D, and
  - Through June 30, 2025, contains no added sweeteners exceeding 28 grams of total sugars per 8 fluid ounces, and
  - Beginning July 1, 2025, contains no more than 10 grams of added sugars per 8 fluid ounces, and
  - Less than or equal to 8 fluid ounce serving size
- Non-dairy milk:
  - Nutritionally equivalent to milk, must contain per 8 fluid ounces:
    - At least 276 milligrams calcium
    - At least 8 grams protein
    - At least 150 micrograms retinol activity equivalents (RAE) Vitamin A
    - At least 2.5 micrograms Vitamin D
    - At least 24 milligrams magnesium
    - At least 222 milligrams phosphorus
    - At least 349 milligrams potassium
    - At least 0.44 milligrams riboflavin
    - At least 1.1 micrograms Vitamin B12, and
  - Through June 30, 2025, contains no added sweeteners exceeding less than or equal to 28 grams of total sugars per 8 fluid ounces, and
  - Beginning July 1, 2025, contains no more than 23 grams of total sugars per 8 fluid ounces, and
  - Less than or equal to 3 grams fat per 8 fluid ounces, and

    - Less than or equal to 8 fluid ounce serving size
- Water:
    - No added sweeteners
    - No serving size limit
- Beginning January 1, 2027, no beverage shall contain any of the following substances (no exceptions):
    - Brominated vegetable oil
    - Potassium bromate
    - Propylparaben
    - Red dye 3
- Beginning December 31, 2027, no beverage shall contain any of the following substances (no exceptions):
    - Blue 1
    - Blue 2
    - Green 3
    - Red 40
    - Yellow 5
    - Yellow 6

All beverages must be caffeine-free (trace amounts are allowable).

Elementary School – Student Organizations

Reference: 5 *CCR* Section 15500

A student organization is defined as a group of students that are **not** associated with the curricula or academics of the school or district.

Effective from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards **and** all of the following:

- Only one food or beverage item per sale.
- The food or beverage item must be pre-approved by the governing board of the school district.
- The sale must occur after the last lunch period has ended.
- The food or beverage item cannot be prepared on campus.
- Each school is allowed four sales per year.
- The food or beverage item cannot be the same item sold in the food service program at that school during the same school day.

Middle/High School – Food Restrictions

References: *EC* sections 49430, 49431.2, 49431.7; 5 *CCR* sections 15575, 15577, 15575; 7 *CFR* sections 210.11, 220.12; *HSC* Section 109025

- A **middle/junior high school** contains grades 7 or 8, 7 to 9, 7 to 10.
- A **high school** contains any of grades 10 to 12.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** foods sold to students by any entity.
- **Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

"Snack" foods must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or WGR item* (or have one of these be the first ingredient), or
- Be a combination food containing at least one-quarter cup of fruit, vegetable, or a combination of fruit and vegetable.

Must meet the following nutrition standards:

- Less than or equal to 35 percent calories from fat (except nuts, seeds, or dried fruit and nut/seed combination, with no added fat; or reduced-fat cheese or part-skim mozzarella, eggs, fruit, non-fried vegetables, seafood), and
- Less than 10 percent calories from saturated fat (except nuts, seeds, or dried fruit and nut/seed combination, with no added fat; or reduced-fat cheese or part skim mozzarella, eggs), and
- Less than or equal to 35 percent sugar by weight (except fruit**, non-fried vegetables, dried fruit and nut/seed combination), and
- Less than 0.5 grams trans fat per serving (no exceptions), and
- Less than or equal to 200 milligrams sodium per item/container (no exceptions), and
- Less than or equal to 200 calories per item/container (no exceptions).
- Beginning January 1, 2027, no food shall contain any of the following substances (no exceptions):
  - Brominated vegetable oil
  - Potassium bromate
  - Propylparaben
  - Red dye 3
- Beginning December 31, 2027, no food shall contain any of the following substances (no exceptions):
  - Blue 1
  - Blue 2
  - Green 3
  - Red 40
  - Yellow 5
  - Yellow 6

Paired Foods

- If exempt food(s) are combined with nonexempt food(s) or added fat or sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet nutrition standards for trans fat, sodium, and calories.

“Entrée” foods must be intended as the main dish and be a:

- Meat/meat alternate (M/MA) and a WGR food; or
- M/MA and fruit or non-fried vegetable; or
- M/MA alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks as these are considered a “snack” food); or
- A grain only, WGR entrée that is served as the main dish of the School Breakfast Program reimbursable meal

A competitive entrée (including any added accompaniments such as condiments, butter, cream cheese, salad dressing, etc.) sold by District/School Food Service the day of or the day after it appears on the reimbursable meal program menu must be:

- Less than or equal to 400 calories, and
- Less than or equal to 35 percent calories from fat, and
- Less than 0.5 grams trans fat per serving
- Beginning January 1, 2027, no competitive entrée of any kind shall contain any of the following substances:
  - Brominated vegetable oil
  - Potassium bromate
  - Propylparaben
  - Red dye 3
- Beginning December 31, 2027, no competitive entrée food, excluding foods provided by the United States Department of Agriculture (USDA) Foods in Schools program, shall contain any of the following substances:
  - Blue 1
  - Blue 2
  - Green 3
  - Red 40
  - Yellow 5
  - Yellow 6

A competitive entrée (including any added accompaniments such as condiments, butter, cream cheese, salad dressing, etc.) sold by Food Service if not on the menu the day of or day after or any other entity (PTA, student organization, etc.) must contain

- Less than or equal to 35 percent calories from fat, and
- Less than 10 percent calories from saturated fat, and
- Less than or equal to 35 percent sugar by weight, and
- Less than 0.5 grams trans fat per serving, and
- Less than or equal to 480 milligrams sodium, and

- Less than or equal to 350 calories
- Beginning January 1, 2027, no competitive entrée of any kind shall contain any of the following substances:
  - Brominated vegetable oil
  - Potassium bromate
  - Propylparaben
  - Red dye 3
- Beginning December 31, 2027, no competitive entrée food, excluding foods provided by the United States Department of Agriculture (USDA) Foods in Schools program, shall contain any of the following substances:
  - Blue 1
  - Blue 2
  - Green 3
  - Red 40
  - Yellow 5
  - Yellow 6

Check your district's local school wellness policy for stricter rules.

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

Middle/High School – Beverage Restrictions

References: *EC* Section 49431.5; 5 *CCR* Section 15576; 7 *CFR* sections 210.10, 210.11, 220.8, 220.12; *HSC* Section 109025

- A **middle/junior high school** contains grades 7 or 8, 7 to 9, 7 to 10.
- A **high school** contains any of grades 10 to 12.
- **Effective** from midnight to one-half hour after the end of the official school day.
- **Applies to all** beverages sold to students by any entity.
- **Sold** means the exchange of beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, water, electrolyte replacement beverage/sports drink, or flavored water **and** meet all criteria under that specific category.

Compliant Beverages

- Fruit or Vegetable juice:
  - At least 50 percent juice, and
  - No added sweeteners, and
  - Less than or equal to 12 fluid ounce serving size
- Milk:
  - Cow's or goat's milk, and

    - 1 percent (unflavored), nonfat (flavored, unflavored), and
    - Contains Vitamins A and D, and
    - Through June 30, 2025, contains no added sweeteners exceeding 28 grams of total sugars per 8 fluid ounces, and
    - Beginning July 1, 2025, contains no more than 10 grams of added sugars per 8 fluid ounces or no more than 15 grams of added sugars per 12 fluid ounces, and
    - Less than or equal to 12 fluid ounce serving size
- Non-dairy milk:
    - Nutritionally equivalent to milk must contain per 8 fluid ounces:
        - At least 276 milligrams calcium
        - At least 8 grams protein
        - At least 150 micrograms retinol activity equivalents (RAE) Vitamin A
        - At least 2.5 micrograms Vitamin D
        - At least 24 milligrams magnesium
        - At least 222 milligrams phosphorus
        - At least 349 milligrams potassium
        - At least 0.44 milligrams riboflavin
        - At least 1.1 micrograms Vitamin B12, and
    - Through June 30, 2025, contains no added sweeteners exceeding less than or equal to 28 grams of total sugar per 8 fluid ounces, and
    - Beginning July 1, 2025, contains no more than 23 grams of total sugars per 8 fluid ounces or 35 grams of total sugars per 12 fluid ounces, and
    - Less than or equal to 3 grams fat per 8 fluid ounces, and
    - Less than or equal to 12 fluid ounce serving size
- Water:
    - No added sweeteners
    - No serving size limit
- Electrolyte Replacement Beverages (**High Schools Only**):
    - Must be either less than or equal to 5 calories per 8 fluid ounces (no calorie)
    - OR less than or equal to 40 calories per 8 fluid ounces (low calorie), and
    - Water as the first ingredient, and
    - Less than or equal to 16.8 grams added sweetener per 8 fluid ounces, and
    - 10-150 milligrams sodium per 8 fluid ounces, and
    - 10-90 milligrams potassium per 8 fluid ounces, and
    - No added caffeine, and
    - Less than or equal to 20 fluid ounce serving size (no calorie)
    - OR less than or equal to 12 fluid ounces per serving size (low calorie)
- Flavored Water (**High Schools Only**):
    - May have carbonation added
    - Must be either less than or equal to 5 calories per 8 fluid ounces (no calorie)
    - OR less than or equal to 40 calories per 8 fluid ounces (low calorie), and
    - No added sweetener, and

    - No added caffeine, and
    - Less than or equal to 20 fluid ounce serving size (no calorie)
    - OR less than or equal to 12 fluid ounce serving size (low calorie)
- Beginning January 1, 2027, no beverage shall contain any of the following substances (no exceptions):
    - Brominated vegetable oil
    - Potassium bromate
    - Propylparaben
    - Red dye 3
- Beginning December 31, 2027, no food shall contain any of the following substances (no exceptions):
    - Blue 1
    - Blue 2
    - Green 3
    - Red 40
    - Yellow 5
    - Yellow 6

All beverages must be caffeine-free (trace amounts are allowable).

Middle/High Schools – Student Organizations

Reference: 5 *CCR* Section 15501

Student organization is defined as a group of students that are **not** associated with the curricula or academics of the school or district.

Effective from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards **and** all of the following:

- Up to three categories of foods or beverages may be sold each day (e.g., chips, sandwiches, juices, etc.).
- Food or beverage item(s) must be pre-approved by the governing board of the school district.
- Only one student organization is allowed to sell each day.
- Food(s) or beverage(s) cannot be prepared on campus.
- The food or beverage categories sold cannot be the same as the categories sold in the food service program at that school during the same school day.
- In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year. School administration may set these dates.

Questions: Nutrition Services Division | COMPETITIVEFOODS@cde.ca.gov

Last Reviewed: Tuesday, September 08, 2026

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