

## Administrative Regulation

Food Sales, Regulations for

The following rules and regulations shall govern the sale of food by student organizations in kindergarten and grades 1 through 12 to ensure optimum participation in the district nonprofit food service programs and in consideration of all programs approved by the Board.

## A. Food Sales in Elementary Schools

1. Includes all K-6 schools
2. A student organization composed entirely of students may sell not more than one food item per sale when all of the following conditions are met:
  - a. The nutritious food item must be approved by the Governing Board and should be from one of the following food categories in individually packaged portions:
    - (1) Nuts, nut butters, seeds, eggs, cheese
    - (2) Fruits or vegetables that have not been deep fried
    - (3) Legumes
    - (4) Dairy or whole grain items that meet all of the following standards, and contain no more than:
      - 35% of total calories from fat
      - 10% of total calories from saturated fat
      - 35% of total weight from sugar (naturally occurring and added sugar)
      - 175 calories per individual food item
    - (5) Beverages - regardless of the time of day, only the following beverages may be sold to pupils:
      - Fruit based or vegetable based drinks with no less than 50% fruit or vegetable juice and no added sweeteners.
      - Drinking water with no added sweeteners
      - Milk - 2% fat, 1% fat, nonfat, soy milk, rice milk, or other similar nondairy milk products
  - b. The food sales do not begin until after the close of the regularly scheduled lunch period.

- c. The sales during the regular school day are not of food items prepared on the premises.
- d. No more than four such sales per year per school are authorized. The school principal shall be responsible for designating the four days that food sales are authorized and shall provide the Office of Business Services with the following information:
  - (1) Dates authorized
  - (2) Food item approved for sale and
  - (3) Student organization authorized to sell.
- e. The food item sold is a dessert type food, such as pastry, ice cream, or fruit.
- f. The food item sold must meet the requirements for food safety and sanitation for such sales as set forth in the California Retail Food Code. The food item purchased for resale must be purchased from a reputable business permitted by the local county health agency, maintains product liability insurance, and provides a listing of ingredients and contact information. Food items must be handled and stored according to local county environmental health department regulations.
- g. Noncompliant food or beverages may be sold for fundraising events if the items are sold by pupils and the sale takes place off of and away from school premises, or the sale takes place at least one-half hour after the end of the school day.

B. Food Sales in Intermediate Schools

- 1. Includes all 7-8 schools
- 2. Student organizations composed entirely of students of the school may sell food items at any time during the regular school day, including the regularly scheduled food service periods, when all the following conditions are met:
  - a. The food or beverage items must be approved by the Governing Board. All food or beverage items offered for sale during the entire day must be nutritious and be from the following food categories in individually packaged portions:
    - (1) Snacks - an individual serving must meet the following standards and contain no more than:

- 35% of total calories from fat (excluding nuts, nut butters, seeds, eggs, cheese, fruit and vegetables that have not been deep fried, and legumes)
  - 10% of total calories from saturated fat (excluding eggs or cheese)
  - 35% of total weight from sugar (naturally occurring and added sugar)
  - 250 calories per individual food item
- (2) Beverages - from one-half hour before to one-half hour after the end of the school day, only the following beverages may be sold to pupils:
- Fruit based or vegetable based drinks with no less than 50% fruit or vegetable juice and no added sweeteners
  - Drinking water with no added sweeteners
  - Milk - 2% fat, 1% fat, nonfat, soy milk, rice milk, or other similar nondairy milk products
  - Electrolyte replacement beverages containing no more than 42 grams of sugar per 20-ounce serving
- b. Only one student organization may sell each school day no more than three types of food or beverage items approved by the Governing Board; and also,
- c. One or more other student organizations may conduct no more than four food sales of any food items during a school year in each school, and such sales shall be held on the same four days for any or all organizations. Sales from a student store are considered one food sales event.
- d. The school principal shall be responsible for approving the one student organization authorized to sell each school day and for notifying the Office of Business Services of the authorized student organization.
- e. The sales during the regular school day are not of food items prepared on the premises.

- f. The food items sold during the regular school day are not those sold by the district in the food service program at that school during that school day. It shall be the responsibility of the school principal to see that any and all approved sale items are not in conflict with this provision.
- g. The food items sold must meet the requirements for food safety and sanitation for such sales as set forth in the California Retail Food Code. The food item purchased for resale must be purchased from a reputable business permitted by the local county health agency, maintains product liability insurance, and provides a listing of ingredients and contact information. Food items must be handled and stored according to local county environmental health department regulations.
- h. Noncompliant food or beverages may be sold for fundraising events if the sales take place off of and away from school premises, or on school premises if the sales take place at least one-half hour before school and following one-half hour after the end of the school day.

C. Food Sales in High Schools

1. Includes all 9-12 schools
2. Student organizations composed entirely of students of the school may sell food items at any time during the regular school day, including the regularly scheduled food service periods, when all the following conditions are met:
  - a. The food or beverage items must be approved by the Governing Board. All food or beverage items offered for sale during the entire day must be nutritious and be from the following food categories in individually packaged portions:
    - (1) Snacks - an individual serving must meet the following standards and contain no more than:
      - 35% of total calories from fat (excluding nuts, nut butters, seeds, eggs, cheese, fruit and vegetables that have not been deep fried, and legumes)
      - 10% of total calories from saturated fat (excluding eggs or cheese)
      - 35% of total weight from sugar (naturally occurring and added sugar)
      - 250 calories per individual food item

- (2) Beverages - from one-half hour before to one-half hour after the end of the school day, 50% of beverages sold or served must be from the following list below. By July 2009, 100% of beverages sold or served must be from the list below.
- Fruit based or vegetable based drinks with no less than 50% fruit or vegetable juice and no added sweeteners.
  - Drinking water with no added sweeteners
  - Milk - 2% fat, 1% fat, nonfat, soy milk, rice milk, or other similar nondairy milk products
  - Electrolyte replacement beverages containing no more than 42 grams of sugar per 20-ounce serving
- b. Only one student organization may sell each school day no more than three types of food or beverage items approved by the Governing Board; and also,
- c. One or more other student organizations may conduct no more than four food sales of any food items during a school year in each school, and such sales shall be held on the same four days for any or all organizations. Sales from a student store are considered one food sales event.
- d. The school principal shall be responsible for approving the one student organization authorized to sell each school day and for notifying the Office of Business Services of the authorized student organization.
- e. The sales during the regular school day are not of food items prepared on the premises.
- f. The food items sold during the regular school day are not those sold by the district in the food service program at that school during that school day. It shall be the responsibility of the school principal to see that any and all approved sale items are not in conflict with this provision.

- h. Noncompliant food or beverages may be sold for fundraising events if the sales take place off of and away from school premises, or on school premises if the sales take place at least one-half hour before school and following one-half hour after the end of the school day.

D. Food Sales by Other Than Student Organizations

This regulation applies only to organizations composed entirely of students attending the school(s) where the sales are held. It does not cover any parent-teacher associations or organizations, booster clubs, or other organizations made up of other than students.

In order to ensure optimum participation in the school district's nonprofit food service programs and to ensure student organization food sale success as set forth in this administrative regulation, it shall be the policy of the Garden Grove Unified School District to limit the sales by parent organizations, booster clubs, etc. to after the regularly scheduled school day for elementary schools, and not before the conclusion of the sixth period for intermediate and high schools.

E. Sale of Food of Minimal Nutritional Value

Categories of foods of minimal nutritional value as defined in USDA Regulations 7CFR 210 and 220 cannot be sold from the beginning of the school day, defined as 12:01 a.m., until after the last lunch period.

The restricted list of foods of minimal nutritional value items includes:

1. Soda water
2. Water ices
3. Chewing gum
4. Certain candies
  - a. Hard candy
  - b. Jellies
  - c. Gums
  - d. Marshmallow candies
  - e. Fondant
  - f. Licorice
  - g. Spun candy
  - h. Candy coated popcorn

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Ref: EC Sections 38085, 48931, 49431, 49431.2 (SB 12), 49431.5 (SB965);  
CCR, Title 5: Chapter 15, Sections 15500-15501;  
Health and Safety Code 113700-113733;  
USDA-7CFR parts 210 and 220

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