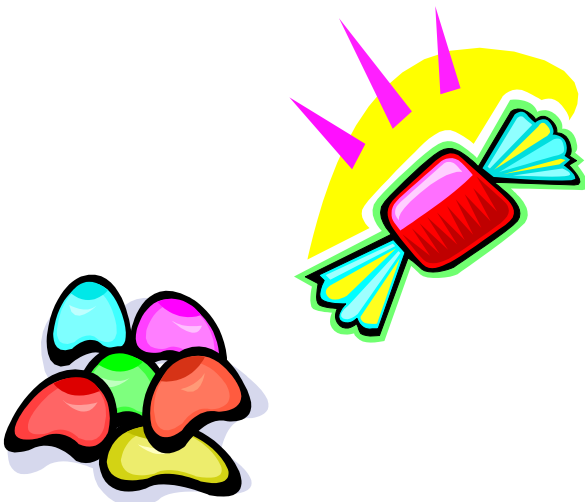


TEXAS PUBLIC SCHOOL NUTRITION POLICY FOR FOODS OF MINIMAL NUTRITIONAL VALUE (FMNV)

All Texas public schools participating in the federal child nutrition programs must comply with the new nutrition policies effective August 1, 2004.

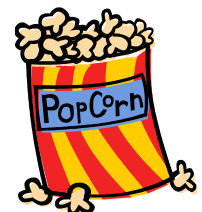


The new policy limits the distribution of food of minimal nutritional value (FMNV) in Texas public schools.



FMNV: 4 categories of restricted foods and beverages, including:

1. **Soda water** – any carbonated beverages.
2. **Water Ices** – “...sicles” except those containing fruit or fruit juice.
3. **Chewing Gum**
4. **Certain Candies** –
 - a. Hard candy (e.g. lollipops, breath mints, cough drops, starlight mints)
 - b. Jellies and gums (e.g. jelly beans, gum drops)
 - c. Marshmallow candies
 - d. Fondant (e.g. candy corn, soft mints)
 - e. Licorice
 - f. Spun candy (e.g. cotton candy)
 - g. Candy coated popcorn



* ELEMENTARY SCHOOLS:

- No FMNV or other forms of candy can be sold or given away at any time on school premises during the school day.
- School administrators and staff cannot sell or give away FMNV to children on school premises.

*MIDDLE/JUNIOR HIGH SCHOOLS:

- No FMNV or other forms of candy may be served anywhere on school premises until after the end of the last lunch period.

*HIGH SCHOOLS:

- No FMNV may be served during meal periods in areas where reimbursable meals are served or consumed.
- Carbonated beverages should be in containers no larger than 12 ounces.
- Goal: By the 2005-06 school year, <30% of vending machine beverages should be sugared, carbonated soft drinks.



***Note:** This policy does not restrict what parents may provide for their children. However, parents may not provide FMNV to other students.

*POLICY EXEMPTIONS FOR FMNV:

- School nurses providing individual health care to students.
- Students with special needs: use of FMNV or candy for modification of behavior or other needs.
- School events: up to three different events per year determined by campus. However, FMNV cannot be given during meal times in foodservice areas.
- TAKS test days: Snacks provided during the TAKS test cannot be FMNV, candy, chips, or other desserts.
- Foods in classrooms for instructional use: FMNV are permitted for instructional or enrichment purposes, but cannot be served during meal periods in foodservice areas.
- Field trips: School-approved field trips are exempt from the policy.
- Off-campus competitions: The policy does not apply to athletes, band members, etc. who leave campus for school activities.

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