EFE - Competitive Food Sales/Sales of Foods in Competition with the School Nutrition Program

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The Board recognizes that proceeds from the sale of foods and beverages outside of the School Nutrition Program ("competitive foods") are a significant source of funds for student activities that MSAD #35 might not otherwise be able to provide.

"Competitive food" means all food and beverages other than those reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act that are available for sale to students on the school campus during the school day.

At a minimum, all competitive food sold to students on the school campus during the school day must meet the nutrition standards specified in 7 CFR § 210.11.

A special exemption may be allowed for the sale of food and/or beverages that do not meet these standards for the purpose of conducting an infrequent school-sponsored fundraiser. No specially exempted fundraiser foods or beverages may be sold in competition with school meals during the meal service.

When foods and beverages are sold to attendees at community events sponsored by the school or held on school property, students, staff, parents, or school-sponsored organizations involved in such sales are encouraged to include at least some healthy food choices.

Funds from Sales of Competitive Foods

Funds from all food and beverage sales made at any time on school property shall accrue to the benefit of the school's nonprofit school nutrition program, except that funds raised through authorized sales outside the total food service program shall accrue to the sponsoring school or approved student organization in accordance with applicable policies, cash-management procedures, and administrative directives, or to the sponsor of a community event that is held on

school property in accordance with the Board’s facilities use policy.

Legal Reference:

20-A MRSA §§, 7 CFR § 210.11

Cross References:

JJE - Student Fundraising Activities

JL - Student Wellness

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