

**16 NCAC 06H .0104 CHILD NUTRITION PROCEDURES**

(a) National School Lunch Program policies and standards are as follows:

- (1) A la carte sales are limited to foods contributing to the nutritional well-being of the child and aiding in the establishment of good food habits. School food authorities and sponsoring organizations may provide these foods under the following conditions:
  - (A) Sponsors must operate all food and beverage services during or before the established lunch period through the school food service department.
  - (B) The school food service department retains all receipts from the sale of these items.
  - (C) Sponsors must use all food service income for the purpose of the school's non-profit child nutrition programs.
  - (D) A la carte items may not include foods of minimum nutritional value, as follows:
    - (i) soda water (soda pop),
    - (ii) water ices,
    - (iii) chewing gum,
    - (iv) processed foods made predominately from sweeteners or artificial sweeteners with a variety of minor ingredients. These foods include hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy-coated popcorn; and
    - (v) confections and carbonated drinks.
  - (E) Adults may purchase individual food items without purchasing a complete lunch.
- (2) Competitive food sales by a school of extra food items in the lunchroom or its general environs must be on a non-profit basis. "On a non-profit basis" means that the sponsor deposits income from the sale of such food items to the account of the school's non-profit lunch and breakfast programs and uses the income solely for these programs.
  - (A) The school may sell extra food items after the established lunch hour is over, only with the approval of the LEA. The established lunch hour is over when the last pupil has been served for the day.
  - (B) Occupational home economics instructional programs which operate under an approved annual vocational education plan and which involve the preparation and sale of foods to individuals other than students are not in competition with the child nutrition program.
  - (C) The Department may deny the opportunity to participate in the program to any school food authority which operates in violation of state policy.

(b) Sponsors must use receipts from child nutrition programs for the cost of operation as outlined in current federal regulations and state policy.

(c) No full-time public school employee is eligible for part-time employment in food services.

(d) The only adults who may eat in the school food service department are school employees, personnel on official school business and invited local patrons. These persons pay, as a minimum, the adult price for lunch.

*History Note: Authority G.S. 115C-263; 115C-264;  
Eff. July 1, 1986.*