

New USDA Final Rule Raises Nutrition Quality Standards for Meals Served at School

February 1, 2012

On January 25, 2012, the Food Nutrition Service of the U.S. Department of Agriculture ("USDA") issued a final rule that substantially modifies the menu planning and nutrition requirements for the National School Lunch Program and the School Breakfast Program. The rule, which is intended to improve the dietary habits of school children in grades K-12 and address health concerns related to child obesity, closely aligns the lunch and breakfast meal programs with the most recent "Dietary Guidelines for Americans," published jointly by the USDA and Department of Health and Human Services and updated every five years. The final rule applies only to foods included in lunch and breakfast meals that are served in the school cafeteria and does not impact foods contained in vending machines or other sources of food at school.

The final rule represents a substantial shift in the nutritional composition and quantity of a number of food items that make up school breakfast and lunch meals and will have far-reaching implications for companies that make or market food products for use in school breakfast or lunch programs. Companies should evaluate the legal and business implications of the rule soon, as many of the changes to the nutrition quality standards are effective at the start of the 2012-2013 school year.

See the Kelley Drye client advisory for [more information](#), and please contact us if you have questions concerning the USDA proposal or other matters.