



Public Health Law Program

OFFICE FOR STATE, TRIBAL, LOCAL AND TERRITORIAL SUPPORT

Sodium Reduction in School Foods: Summary of Related Laws and Policies¹

Foods served, sold, and made available in schools can be a significant source of dietary sodium, which may increase children's risk of high blood pressure, heart disease, and stroke throughout life. School meals may contain more than double the recommended amount for sodium, and snacks and competitive foods can be calorie dense and nutrient poor. School environments can be settings where children learn about health and eating habits, gain access to and knowledge about healthful foods, and practice healthy eating habits. A patchwork of federal and state laws governs the serving and sale of foods in schools, thereby impacting the amount of sodium children consume every day.

The Healthy Meals for Healthy Americans Act of 1994 required schools participating in the National School Lunch and Breakfast Programs (NSLP and NSBP) to serve meals consistent with the *Dietary Guidelines for Americans* (DGA). The DGA, produced every five years by the US Department of Agriculture (USDA) and Department of Health and Human Services, have recommended reducing dietary sodium since 1995. In response to the Healthy, Hunger-Free Kids Act of 2010, the USDA, which administers NSLP and NSBP, issued a final rule, *Nutrition Standards in the National School Lunch and Breakfast Programs* in January 2012. The final rule set sodium reduction benchmarks,

¹ This document was developed by Tara Ramanathan, J.D., M.P.H., Public Health Analyst with the Public Health Law Program (PHLP) within CDC's Office for State, Tribal, Local and Territorial Support. PHLP provides technical assistance and public health law resources to advance the use of law as a public health tool. PHLP cannot provide legal advice on any issue and cannot represent any individual or entity in any matter. PHLP recommends seeking the advice of an attorney or other qualified professional with questions regarding the application of law to a specific circumstance. For more information, please contact PHLP at phlawprogram@cdc.gov or (404) 498-0470.

PHLP would like to acknowledge Janelle Peralez Gunn, R.D., M.P.H. and Jessica Levings, M.S., R.D. with the Division for Heart Disease and Stroke Prevention in CDC's National Center for Chronic Disease Prevention and Health Promotion for lending their scientific expertise to this collaboration. PHLP would also like to thank Gia Simon, Health Communication Specialist with McKing Consulting and James Beck, Sr Static Web Designer, Emergint Technologies, Inc. a subsidiary of CACI, INC.-FEDERAL within CDC's Office for State, Tribal, Local, and Territorial Support for their invaluable assistance in editing and producing these materials.

Last modified Oct. 1, 2012



among those for meeting other nutrient standards, that schools participating in the programs must meet by 2020.

As listed in the following Appendix, Table of Laws and Policies Related to Sodium in School Foods, state law may allow for additional sodium reduction work to complement USDA's sodium reduction benchmarks. Accordingly, Colorado, the District of Columbia, Idaho, and Rhode Island sought to limit sodium in school lunches.

- Idaho allowed schools to voluntarily adopt an overall sodium limit of 2 mg per calorie served.
- Colorado created a Child Nutrition School Lunch Protection Program with objectives that included reducing sodium consumption.
- Rhode Island set sodium limits in a phased-in approach according to food-type to ensure products were commercially available to school districts, and allowed serving fruits and vegetables without added salt.
- The District of Columbia differentiated limits for elementary, middle, and high school meals.

These examples did not set standards for other foods served or sold in schools, such as á la carte and vending foods.

Most schools offer á la carte items from snack bars, student stores, vending machines, or during school activities, sold by students or provided through commercial food establishments. These foods are called “competitive foods” because they compete with school meal programs. A 2007 Institute of Medicine report, *Nutrition Standards for Foods in Schools: Leading the Way Toward Healthier Youth*, recommended nutrient standards for competitive foods, including that snack items meet a sodium content limit of 200 mg or less per portion as packaged or 480 mg or less per entrée portion as served. Further, the Healthy, Hunger-Free Kids Act of 2010 required the establishment of science-based nutrition standards for these foods. Until standards are set, state laws govern the nutritional requirements for competitive foods. Eight states and the US Virgin Islands currently have laws governing competitive foods.

Among the states that transferred some authority to agencies or school districts for regulating competitive foods,

- Utah requires school districts and charter schools to adopt policies prohibiting foods with more than 200 mg sodium per portion.
- Virginia granted authority to the Board of Health to promulgate regulations to set guidelines that include sodium for competitive foods.
- The US Virgin Islands limit sodium to 360 mg in snacks and 450 mg in entrées, but grant authority to the Department of Education to set more restrictive standards and determine school districts' compliance.

Last modified Oct. 1, 2012



- Vermont requires a report from the Departments of Health and Education to the legislature on the law that suggests sodium limits of 230 mg or 480 mg for soups and sauces.

Other states simply specify limits for competitive foods in their laws:

- Alabama limits competitive foods to 360 mg sodium, but also requires that cooking techniques limit sodium and that snacks without added sodium are provided.
- Tennessee and Kentucky set varied limits for snacks, entrées, pizzas, and soups.
- Massachusetts limits snacks to 200 mg and entrées to 480 mg.
- Iowa sets 200 mg per snack and 480 mg per entrée limits as targets for schools to achieve by 2014, as recommended by the Institute of Medicine.

Hawaii, Arizona, West Virginia, and Nevada include sodium standards in both school meals and competitive foods.

- Hawaii limits sodium to 200 mg for snacks and reinforces USDA standards for school meals.
- Arizona limits sodium for NSLP and non-NSLP entrées to 800 mg and other snack items to 600 mg.
- West Virginia limits lunch contents to 1100 mg and other foods and beverages to 200 mg per serving or package, recommending sodium use in moderation and daily provision of low-salt meat or meat alternatives. West Virginia's regulations also require family child care facility operators to limit the use of high-salt snack foods.
- Nevada limits all foods given, earned, or sold by and to students to 600 mg per serving.
- The District of Columbia promulgated regulations requiring child care facilities to conform daily menus to the USDA Dietary Guidelines for Americans' sodium recommendations.

The current standards vary greatly in specificity, scope, and target population. Therefore, few generalizable standards or authorities exist for states to use until 2013 or later, when full implementation of the Healthy, Hunger-Free Kids Act of 2010 will result in federal requirements that change targets for nutritional content in school foods across the country.

Last modified Oct. 1, 2012



Appendix: Table of Laws and Policies Related to Sodium in School Foods

State	Policy Type	Citation	Authority	Brief Description	Effective Date
AL	Policy <i>sodium limits</i>	ALA. STATE DEP'T OF EDUC., HEALTHY SNACK STANDARDS FOR FOODS AND BEVERAGES AT SCHOOL (adopted July 12, 2005)	ALA. CODE § 16-3-12 (1975)	<ul style="list-style-type: none"> • Sets portion limits to 360 mg for snacks, • Recommends cooking techniques reduce sodium • Requires availability of snacks without added sodium 	July 12, 2005
AZ	Policy <i>sodium limits</i>	ARIZ. DEP'T OF EDUC., ARIZONA NUTRITION STANDARDS (July 1, 2006)	ARIZ. REV. STAT. § 15-242 (LexisNexis 2005)	<ul style="list-style-type: none"> • Sets portion limits for NSLP and non-NSLP entrées sold á la carte to 800 mg • Sets limits for other snacks to 600 mg 	July 1, 2006
CO	Statutes <i>procurement* advisory</i>	COLO. REV. STAT. ANN. § 22-82.9-104 (West 2009)	N/A	Creates child nutrition school lunch protection program to reduce sodium consumption	Aug. 5, 2009
DC	Statute <i>sodium limits</i>	D.C. CODE §§ 38-821.02, 38-822.02 (2010)	N/A	<ul style="list-style-type: none"> • Establishes school meal nutritional standards, healthy vending, and school wellness requirements in public schools; • Requires that public schools participate in federal meal programs • Requires that elementary school meals not exceed 430 mg for breakfast and 640 mg for lunch • Requires that middle school meals not exceed 470 mg for breakfast and 710 mg for lunch • Requires that high school meals not exceed 500 mg for breakfast and 740 mg for lunch 	Aug. 1, 2020 (provided that schools gradually reduce the amount of sodium served)
	Regulation <i>sodium limits</i>	D.C. MUN. REGS. tit. 29, § 373 (2011)	D.C. CODE §§ 7-2031 et seq. (2011)	Ensures that child development facilities' daily menus shall conform to USDA dietary	Apr. 27, 2007

State	Policy Type	Citation	Authority	Brief Description	Effective Date
				recommendations for salt.	
HI	Policy <i>sodium limits</i>	HAW. BD. OF EDUC., WELLNESS GUIDELINES (2008)	<ul style="list-style-type: none"> • HAW. BD. OF EDUC., POLICY 1110-6 (2006) • HAW. REV. STAT. § 302A-1112 (1996) • HAW. CODE. R. § 8-37-2 (Weil 1995) 	Sets limits for all snacks served on school property to 200 mg	2008
ID	Policy <i>sodium limits advisory</i>	IDAHO STATE DEP'T OF EDUC. CHILD NUTRITION PROGRAMS OFFICE, NEW NUTRITION STANDARDS FOR IDAHO SCHOOL MEALS PROGRAMS (2009)	IDAHO CODE ANN. § 33-107 (2006)	Sets limits on sodium to 2 mg/calorie (voluntary adoption, but reviews conducted after August 2009 will determine compliance with the Nutrition Standards for Idaho School Meals)	Aug. 2009
IA	Regulation <i>sodium limits</i>	IOWA ADMIN. CODE r. 281-58.11(256) (2009)	IOWA CODE ANN. §§ 256.7, 256.9 (2009)	<p>Sets limits on sodium in á la carte, vending, and regulated fundraising items as</p> <ul style="list-style-type: none"> • Entrées—600 mg (reduced to 480 mg by 2014) • Sides—400 mg (reduced to 200 mg by 2014) 	July 1, 2010
KY	Regulation <i>sodium limits</i>	702 KY. ADMIN. REGS. 6:090 (2006)	<ul style="list-style-type: none"> • KY. REV. STAT. ANN. § 156.160 (West 2005) • KY. REV. STAT. ANN. § 158.854 (West 2005) 	<p>Sets limits on sodium in foods sold, such that from 30 minutes after the last lunch period until the end of the day, sodium in food for sale in vending machines, school stores, canteens, or fundraisers shall not exceed</p> <ul style="list-style-type: none"> • Snack items—300 mg/serving (portion/pack size limited to 2 oz for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, or jerky) • Pastas, meats, and soups—450 mg • Pizza, sandwiches, other main dishes—600mg <p>For schools without school breakfast programs, any breakfast</p>	Feb. 3, 2006

State	Policy Type	Citation	Authority	Brief Description	Effective Date
				food and beverage activity must abide by the foregoing nutritional standards	
MA	Regulation <i>sodium limits</i>	105 MASS. CODE REGS. 225.200 (2011)	MASS. GEN. LAWS. ch. 111, § 223 (2010)	<ul style="list-style-type: none"> • Sets limits on competitive foods to 200 mg sodium/item • Sets limits on á la carte entrées to 480 mg sodium/item 	Aug. 5, 2011
NV	Policy <i>sodium limits</i>	NEV. DEP'T OF EDUC. STATEWIDE SCHOOL WELLNESS POLICY (2005)	NEV. REV. STAT. § 439.521 (2005)	Sets limits on sodium for all foods given, earned, or sold by and to students to 600 mg sodium/serving	July 1, 2005
RI	Regulations <i>sodium limits</i>	21-2-51 R.I. CODE R. § 1 (Weil 2009)	R.I. GEN. LAWS §§ 16-8-10, 16-8-10.1, 16-8-28, 16-21-28 (2009)	<ul style="list-style-type: none"> • Sets limits on sodium in school foods “to help students not exceed the 2,300 mg daily tolerable upper intake level for sodium recommended” in the DGA in a phased in approach <ul style="list-style-type: none"> ○ For 2009–2010: 575 mg (breakfast), 1,070 mg (lunch, with 300 mg for milk and breads), 1,000 mg (soup), 350 mg (afterschool snack), calculated based on weekly average of total sodium content of required meal components • Sets state strategy to phase-in sodium restrictions to ensure that acceptable food products are commercially available to school districts and allows fruits and vegetables to be served without added salt 	Last amended effective Mar. 4, 2009
TN	Regulation <i>sodium limits</i>	TENN. COMP. R. & REGS. 0520-1-6.04 (2007)	TENN. CODE ANN. § 49-6-2307 (2004)	<p>Requires that local school districts comply with minimum nutritional standards for individual food items, including sodium limits</p> <ul style="list-style-type: none"> • Chips, cereals, crackers, French 	Last amended effective Mar. 28, 2008

State	Policy Type	Citation	Authority	Brief Description	Effective Date
				<ul style="list-style-type: none"> fries, baked goods, and other snacks—230 mg/serving • Pastas, meats, and soups— 480 mg/serving • Pizza, sandwiches, and main dishes— 600 mg/serving 	
UT	Regulation <i>sodium limits</i>	UTAH ADMIN. CODE r. 277-719-4 (2008)	<ul style="list-style-type: none"> • UTAH CONST., art. X, § 3 • UTAH CODE ANN. §§ 53A-1-401(3), 53A-19-201(1), 53A-1-402(1)(e) (West 2008) 	Requires school districts and charter schools to adopt written policy for sale of all foods not part of reimbursable lunch, breakfast, or after-school snack programs that may prohibit foods with sodium content greater than 200 mg/portion (excluding 100% fruits or vegetable juice, fruits, vegetables, nonfat or low-fat milk, yogurt, or cheese)	July 2, 2008 or when existing contracts expire
VT	Policy <i>sodium limits</i>	VT. DEP'T OF HEALTH AND DEP'T OF EDUC., NUTRITIONAL GUIDELINES FOR COMPETITIVE FOOD AND BEVERAGE SALES IN SCHOOLS (Jan. 15, 2009)	Vt. Act 203, Section 16 (June 10, 2008)	Requires report to the legislature on Act 203, § 16 that suggests limiting sodium to 230 mg in foods, except low fat and fat free dairy and vegetables with sauce or soups (less than 480 mg)	July 1, 2011
VI	Statute <i>sodium limits</i>	2010 V.I. SESS. LAWS 7179 (2010)	N/A	<ul style="list-style-type: none"> • Limits K-12 foods sold under the control of the school district board to <ul style="list-style-type: none"> ○ Snacks—360 mg ○ Pre-packaged entrées— 450 mg ○ Or more restrictive standards as established by the Department of Education Special Nutrition Program • Requires the Program to determine whether districts are in compliance every year and report results to the Department 	Oct. 1, 2010

State	Policy Type	Citation	Authority	Brief Description	Effective Date
				of Education	
VA	Statute <i>advisory</i>	VA. CODE ANN. § 22.1-207.4 (West 2010)	N/A	Requires the Board of Health to promulgate regulations setting nutritional guidelines for competitive foods sold in school, including sodium	2010
WV	Regulations <i>sodium limits</i>	1. W. VA. CODE R. §§ 126-86-4, 126-86-5 (2009) 2. W. VA. CODE R. §§ 126-85-8, 126-85-104 (2009); W. VA. CODE R. § 126-85-22 (2011).	<ul style="list-style-type: none"> • W. VA. CONST. art. XII, § 2 • W. VA. CODE §§ 18-2-5, 18-2-6a (2009) 	<ul style="list-style-type: none"> • Limits school lunch sodium to 1,100 mg • Requires that other foods and beverages not add unnecessary sodium • Limits sodium to 200 mg/serving/package • Recommends using sodium and salt in moderation per USDA School Meals Initiative and low-salt meat/meat-alternative daily per Standards for School Nutrition 	1. July 1, 2008 2. Sept. 11, 2002
	Regulation <i>sodium limits</i>	W. VA. CODE R. § 78-18-21 (2010)	W. VA. CODE §§ 49-2B-4, et seq. (2010)	Requires that family child care facilities operators limit use of high-salt snack foods	July 1, 2007