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MEMORANDUM

TO: Child and Adult Care Food Program Institutions
CACFP Centers Memo #31-11
CACFP Family Child Care Homes Memo #34-11

FROM: Robin Ziegler, Chief *RZ*
School and Community Nutrition Programs Branch

DATE: September 30, 2011

SUBJECT: Child Nutrition Reauthorization 2010: Nutrition Requirements for
Fluid Milk and Fluid Milk Substitutions in the Child and Adult Care Food
Program - Questions and Answers

The purpose of this memorandum is to provide additional guidance in the form of questions and answers regarding the nutrition requirements for fluid milk and fluid milk substitutions in the Child and Adult Care Food Program (CACFP).

The attached Q&A's have been provided by the U.S. Department of Agriculture to address questions received since release of the original policy. Centers should refer to CACFP memoranda #21-11 and CACFP Family Child Care Homes #25-11.

If you have questions or need assistance with the information discussed in this memorandum, please contact a Program Specialist at 410-767-0214.

RZ:kd
Attachment
c: Program Specialists

A. NON-DAIRY MILK SUBSTITUTIONS

Q1. Is a caregiver required to provide a nondairy milk substitute if it is not related to a medical disability?

A. No. It is at the caregiver's discretion to provide a nondairy milk substitute if it is not related to a medical disability.

Q2. Will caregivers receive additional meal reimbursements if they provide a nondairy milk substitution?

A. No. All non-dairy milk substitutions are at the expense of the caregiver and/or the child's parent or guardian.

Q3. If a parent provides a creditable non-dairy milk substitute, can the caregiver serve it and still receive reimbursement?

A. Yes. If a parent provides a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by MSDE, the caregiver may serve the non-dairy milk substitute and still claim reimbursement for the meal.

Q4. If a parent or adult participant can request a nondairy milk substitute that is equivalent to cow's milk, can the parent or adult participant also request that their child or themselves be served whole or reduced-fat (2%) milk?

A. No. The Act requires that milk served to children and adults in the CACFP be aligned with the most recent version of the Dietary Guidelines for Americans. The 2010 Dietary Guidelines for Americans recommends that persons over the age of two consume low-fat (1%) or fat-free (skim) milk. Therefore, any request for higher fat milk must be made through a medical statement, related to a medical disability, and prescribed by a licensed physician.

B. COMPLIANCE

Q5. What if the parent agrees to provide the non-dairy substitute, but brings in one that does not meet the USDA's nutritional standards; can the caregiver serve it and still receive reimbursement?

A. Caregivers should inform parents about the types of creditable non-dairy milk substitutes. If a nondairy milk substitute is served that does not meet the nutritional standards outlined in 7 CFR 210.10(m)(3), then the meal is not reimbursable.

Q6. When submitting menus for review, do caregivers need to document the type of milk that they serve?

A. No. Caregivers are not required to document the type of milk served on their menus. However, it is the responsibility of this office and the Child Care Agency to ensure that the correct type of milk is being served when conducting reviews.

Q7. What type of milk may one-year-old children be served?

A. The milk requirements for children one year of age remain unchanged at this time. It is recommended, but not required, that children 12 through 23 months of age be served whole milk only.

Q8. If one-year-old and two-year-old children sit together for the same meal, must they be served different types of milk?

A. Children older than two must be served low-fat (1%) or fat-free (skim) milk, and it is recommended that children one year of age be served whole milk. Providers must ensure that children of various ages seated at the same meal receive the appropriate type of milk.

Q9. What happens if a caregiver serves reduced-fat (2%) or whole milk on or after October 1, 2011?

A. Effective October 1, 2011, meals served to participants two years of age and older that include reduced-fat (2%) or whole milk are not reimbursable and must be disallowed. In addition, the provider should submit a corrective action plan, and this office and the Child Care Agency will follow-up to ensure that it has been successfully implemented.

C. ADULT PARTICIPANTS

Q10. Must adults participating in the CACFP be served 1% or fat-free milk only?

A. Yes. The provision in the law [42 USC §1766(g)] requires all CACFP institutions to serve low-fat or fat-free milk, which includes adult day care facilities.

Q11. Can adults submit a written request for a non-dairy milk substitution?

A. Yes. Adult participants, or their caregivers, may request in writing a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by the State agency.