

**Effective October 1, 2011**

**New Fluid Milk Requirements**

**Ages 2 Years and Older**

**Fluid milk served in the CACFP to participants, ages 2 years and older must be:**

- fat-free or low-fat (1%) milk
- fat-free or low-fat (1%) lactose reduced milk
- fat-free or low-fat (1%) lactose free milk
- fat-free or low-fat (1%) buttermilk, or
- fat-free or low-fat (1%) acidified milk

**This requirement begins on the day the child turns 2 years old.**

**Ages 12 Months to 23 Months**

The requirements relating to children in this age group are unchanged at this time.

- Fat-free, 1%, 2% or whole milk may be served to children ages 12 months to 23 months.

**Recommendations for Children Ages 12-23 Months**

ODE CNP recommends that whole milk be served to children who are ages 12-23 months. The American Academy of Pediatrics makes this recommendation: "Whole milk is acceptable at 1 year of age. Reduced-fat, low-fat, and fat-free milk are not recommended during the first 2 years of life." A child younger than 2 years of age should not be placed on a diet or given low-fat or skim milk. The early months and years of a child's life are critical for the normal development of the brain and body. Specifically, children need calories from dietary fat for the brain to grow and mature normally.

**Parent/Guardian Written Requests  
(Substantially Changed from Past Policy)**

Parents or guardians may now request in writing non-dairy milk substitutions that are nutritionally equivalent to milk without providing a medical statement.

- The written request must identify the medical or other special dietary need (except a disability) that restricts the diet of the child.
- Non-dairy beverages that are not nutritionally equivalent to milk and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow's milk **will not** be allowed. Juice and water **are not** nutritionally equivalent to milk, so they would not be a reimbursable substitution. Example: If a parent has a child who follows a vegan diet, the parent can submit a written request to the child's caretaker asking that soy milk be served in lieu of cow's milk. The written request must identify that Vegan Diet is the special dietary need that restricts the diet of the child. The non-dairy milk substitution must be nutritionally equivalent to milk and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow's milk, as outlined in the National School Lunch Program (NSLP) regulations at 7CFR 210.10(m)(3). Such substitutions are at the option and the expense of the facility.



## **Medical Statement for Food Substitution in the Case of a Disability**



The requirements related to milk or food substitutions for a participant who has a medical disability and who submits a Medical Statement for Food Substitutions signed by a licensed physician remain unchanged. The food substitution for the disability may or may not meet CACFP requirements. Meals containing non-dairy beverages that are not nutritionally equivalent to milk or meet fortification standards may be reimbursable only for disabled children, who have a medical statement for food substitutions on file. The medical statement for the disabled child must be signed by a licensed physician and clearly states the disability.



Example: A Medical Statement for Food Substitution requesting to substitute juice or water for milk would be acceptable only if the medical statement is signed by a licensed physician and documents the child's disability. If a parent or guardian submits a medical statement for food substitutions to substitute a non-dairy beverage that is not nutritionally equivalent to milk, the meal would not be reimbursable unless the child has a documented disability signed by a licensed physician.



## **Summary**



Effective October 1, 2011, Providers cannot claim meals with 2% or whole milk served to children ages 2 and older, since these meals would not meet meal pattern requirements.



Providers who continue to serve 2% or whole milk to children ages 2 and older for meals and as a component for snacks after October 1, 2011, will not be serving all required components of the meal pattern. If during a review ODE CNP finds that meals served after October 1, 2011, to children ages 2 and older included 2% or whole milk, these meals will be disallowed.



**Effective October 1, 2011**

**New Fluid Milk Requirements**

