

# Meals and Snacks Purchased and Served

*This document outlines standards for food purchased and meals and snacks served by City agencies and their contractors, with the goal of improving the health of all New Yorkers. The New York City (NYC) Food Standards (Standards) aim to reduce the prevalence of chronic disease, such as obesity, diabetes and cardiovascular disease, by increasing access to healthy foods and improving dietary intake. The Standards help to combat some of the structural inequities that make healthy eating inaccessible for those with limited resources by ensuring that any New Yorker accessing meals or snacks from City agencies and their contractors will be served more nutritious foods. The Standards recognize the importance of promoting an economically and environmentally sustainable food system that supports local and regional economies while minimizing environmental impacts and the alignment of this effort with long-term public health goals. Thus, NYC has committed to adopting a Good Food Purchasing<sup>1,2</sup> framework to align and direct its food buying power in support of healthy and sustainable food practices. Requirements and recommendations related to these priorities are included throughout the Standards and reflect the interrelated nature of promoting individual, community and planetary health.*

Agencies and their contractors are required to follow the standards described in each of the three sections:

## **Section 1. Standards for Purchased Food**

| Addresses food items purchased and provides specific standards by food category.

## **Section 2. Standards for Meals and Snacks Served**

| Addresses the overall nutrient requirements for meals and provides standards for snacks and special occasions.

## **Section 3. Agency- and Population-Specific Standards and Exceptions**

| Addresses standards for specific populations (for example, children) and agencies. The additions and exceptions in this section supersede the first two sections. For example, children ages 12 months to 2 years may be served whole milk instead of 1% or nonfat milk as required in Section 1.

The first two sections overlap: All purchased food items must meet the standards in Section 1 and be incorporated into meals or snacks that meet the nutrient requirements in Section 2. The Standards for Purchased Food have been adopted to provide healthier options for those who only eat a few items of each meal. The Standards for Meals and Snacks Served have been adopted to provide those eating whole meals and snacks with a nutritious, balanced diet.

The Standards were developed based on each City agency's feedback, review and agreement. All food purchased and served by a City agency must meet the **required** standards that appear in bold. Agencies are expected to be in compliance with the revised Standards by July 1, 2023. Agency contractors are also required to comply with these Standards. This includes food service contractors, such as caterers, and programmatic contractors that serve food within the context

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<sup>1</sup> Center for Good Food Purchasing Program. The Good Food Purchasing Values. Available at [goodfoodpurchasing.org](https://goodfoodpurchasing.org).

<sup>2</sup> View the Executive Order at [nyc.gov/assets/home/downloads/pdf/executive-orders/2022/eo-8.pdf](https://nyc.gov/assets/home/downloads/pdf/executive-orders/2022/eo-8.pdf).

of the program. These Standards do not apply to concessions that provide food for sale through leases, licenses or contracts at City programs.

The Standards were first made effective by an Executive Order in 2008. Executive Order 8,<sup>2</sup> signed on February 10, 2022, continues the mandate for the Food Standards and requires that they are reviewed and revised every three years. The Standards were revised in March of 2022. Updates were previously made in 2011, 2014 and 2017. The Executive Order mandates that all City agencies follow the Standards for all foods that are purchased, prepared or served by the agency, agency contractors or both, as well as the NYC Standards for Food Vending Machines and the NYC Standards for Beverage Vending Machines.<sup>3</sup> The Executive Order also commits to the establishment of a Good Food Purchasing framework to provide transparency about how mayoral agencies' food procurements impact core values relating to local economies, environmental sustainability, valued workforce, animal welfare and nutrition.

For more information, contact [nycfoodstandards@health.nyc.gov](mailto:nycfoodstandards@health.nyc.gov).

## Section 1. Standards for Purchased Food

*These standards are defined per serving of food as shown on a product's Nutrition Facts label, unless otherwise specified.<sup>4</sup>*

### A. Nutrient Requirements

*The following applies to all purchased food.*

#### Trans fat

- Require all items are free of partially hydrogenated oils (for example, industrially produced trans fats).<sup>5</sup>

#### Sodium

- Require all individual items contain less than or equal to ( $\leq$ ) 480 milligrams (mg) of sodium per serving, unless a lower standard is specified in the Food Category Requirements below.
- Recommend "low-sodium" items ( $\leq$  140 mg of sodium per serving).

### B. Food Category Requirements

*The following applies to specific categories of purchased foods. These requirements apply to items that City agencies choose to purchase. City agencies are not required to purchase food or beverages from the categories outlined below.*

- Recommend products that are grown by producers using low amounts of or no pesticides, or an integrated pest management system.

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<sup>3</sup> View the NYC Standards for Food Vending Machines at [nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-standards.pdf](https://www.nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-standards.pdf) and the NYC Standards for Beverage Vending Machines at [nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-bev-standards.pdf](https://www.nyc.gov/assets/doh/downloads/pdf/cardio/cardio-vending-machines-bev-standards.pdf).

<sup>4</sup> Serving size is based on the Food and Drug Administration's established lists of "Reference Amounts Customarily Consumed Per Eating Occasion."

<sup>5</sup> Restriction is consistent with federal law. For more information, visit [federalregister.gov/documents/2015/06/17/2015-14883/final-determination-regarding-partially-hydrogenated-oils](https://www.federalregister.gov/documents/2015/06/17/2015-14883/final-determination-regarding-partially-hydrogenated-oils).

- | Recommend foods produced using regenerative agricultural practices.
- | Recommend animal products are produced without the use of antimicrobial drugs for disease prevention purposes.

## Beverages

- | **Require** all beverages contain  $\leq 24$  calories per 8 ounces (oz), except milk and 100% fruit juice.
- | **Require** fruit juice be 100% with no added sweeteners.
- | **Require** milk be 1% or nonfat with no added sweeteners.
- | **Require** fluid milk substitutes (or nondairy beverages) are nutritionally equivalent to fluid milk (for example, soy milk) and contain  $\leq 9$  grams (g) of sugar per 8 oz.

## Dairy

- | **Require** low-fat or nonfat yogurt be plain (unflavored) or contain  $\leq 25$  g of sugar per 8 oz or equivalent (for example,  $\leq 12$  g of sugar per 4 oz, or  $\leq 19$  g of sugar per 6 oz) or 14 g of added sugar per 8 oz or equivalent.
- | **Require** cheese contain  $\leq 350$  mg of sodium per serving.<sup>6</sup>
- | Recommend serving only plain (unflavored) yogurt and phasing out sweetened yogurt.

## Bread and other grains

- | **Require** all breads and grains (for example, dinner rolls, bagels, tortillas, breakfast breads, muffins, pastries, cakes and cookies) served as part of meal service (breakfast, lunch or dinner):
  - | Contain  $\leq 18$  g of sugar per serving.
  - | Contain  $\leq 290$  mg of sodium per serving.
 See separate standards for sliced sandwich bread, cereal and snacks below.
- | **Require** sliced sandwich bread:
  - | Contain  $\leq 180$  mg of sodium per serving.
  - | Be whole wheat or whole grain.<sup>7</sup>
  - | Contain greater than or equal to ( $\geq$ ) 2 g of fiber per serving.
- | Recommend all grains be whole grain<sup>7</sup> (for example, brown rice and whole-wheat pasta, dinner rolls, muffins, bagels and tortillas).

## Cereal

- | **Require** cereal:
  - | Contain  $\leq 215$  mg of sodium per serving.
  - | Contain  $\leq 6$  g of sugar per serving.

<sup>6</sup> Cottage cheese is exempt due to the limited availability of this product type that meets this standard.

<sup>7</sup> Contains all the essential parts and naturally occurring nutrients of the entire grain seed in their original proportions — 100% of the original kernel and all the bran, germ and endosperm. View at [wholegrainscouncil.org](http://wholegrainscouncil.org).

- | Contain  $\geq 2$  g of fiber per serving.

- | Be whole grain.<sup>7</sup>

- | **Require** cereals that contain dried fruit (for example, dried cranberries, dates and raisins) contain  $\leq 17$  g of sugar per serving. All cereals must still meet the above fiber and sodium standards.

### **Fruits and vegetables**

- | **Require** canned and frozen vegetables contain  $\leq 220$  mg of sodium per serving.

- | **Require** canned and frozen beans contain  $\leq 290$  mg of sodium per serving.

- | **Require** canned fruit is in 100% fruit juice or water with no added sugar. Do not purchase fruit canned in syrup.

### **Tuna, salmon and other seafood**

- | **Require** canned and frozen seafood contain  $\leq 290$  mg of sodium per serving.

- | Recommend seafood purchased be from sustainable fisheries and stocks.

### **Poultry**

- | **Require** canned and frozen poultry contain  $\leq 290$  mg of sodium per serving.

### **Beef and pork**

- | **Require** canned beef or pork contain  $\leq 480$  mg of sodium per serving.

- | Recommend ground beef and pork be extra lean (total fat  $\leq 5\%$ ) and  $\geq 90\%$  lean.

### **Processed meat**

- | **Require** processed meat<sup>8</sup> (for example, deli meat or ham) contain  $\leq 480$  mg of sodium per serving.

- | **Require** phasing out processed meats<sup>8</sup> by 2025.

- | Recommend processed breakfast meat (for example, bacon, turkey bacon and sausage) contain  $\leq 290$  mg of sodium per serving.

### **Condiments and sauces**

- | **Require** salad dressings contain  $\leq 290$  mg of sodium per serving.

- | **Require** sauces contain  $\leq 480$  mg of sodium per serving.

- | **Require** soy sauce with “less” or “reduced” sodium.<sup>9</sup>

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<sup>8</sup> Meat that has been transformed through salting, curing, fermentation, smoking or other processes to enhance flavor or improve preservation. Available at [who.int/news-room/q-a-detail/cancer-carcinogenicity-of-the-consumption-of-red-meat-and-processed-meat](https://www.who.int/news-room/q-a-detail/cancer-carcinogenicity-of-the-consumption-of-red-meat-and-processed-meat).

<sup>9</sup> Soy sauce is exempt from the sodium standard due to lack of market availability for products that meet this standard.

## Portion-controlled items and other convenience foods

**Require** portion-controlled items and other convenience foods (for example, breaded chicken, veal patties, and frozen French toast and waffles) contain  $\leq 480$  mg of sodium per serving.

## Frozen whole meals

**Require** frozen whole meals contain  $\leq 35\%$  of the Chronic Disease Risk Reduction<sup>10</sup> threshold for sodium (children 2 to 3 years:  $\leq 420$  mg of sodium; children 4 to 8 years:  $\leq 525$  mg of sodium; children 9 to 13 years:  $\leq 630$  mg of sodium; children 14 to 18 years, adults and seniors:  $\leq 805$  mg of sodium).

## Fats and oils

Recommend increasing unsaturated plant oils (for example, olive oil, canola oil, corn oil and sunflower oil) and minimizing saturated animal fats and plant oils (for example, butter and coconut and palm oils).

# Section 2. Standards for Meals and Snacks Served

*This section applies to all meals and snacks that are served.<sup>11</sup> All City agencies must have a plan for regular menu review to make sure that they meet the standards in Parts B and C.*

## A. Food Preparation and Service

**Require** no deep frying.

**Require** all new or renovated kitchens be built without deep fryers.

**Require** that sites solicit client feedback annually regarding meals and snacks and consider results as part of their menu planning process. Sites must solicit client feedback regarding cultural preferences, taste and food quality.

Recommend establishing size standards for food containers (for example, smaller food plates or beverage cups) to help ensure reasonable portion sizes.

Recommend whole foods (unprocessed) or foods that are minimally processed when possible.<sup>12</sup>

Recommend focus on seasonal and locally sourced foods when developing menus.

Recommend cooking from scratch whenever possible.

Recommend increasing unsaturated plant oils (for example, olive oil, canola oil, corn oil and sunflower oil) and minimizing saturated animal fats and plant oils (for example, butter and coconut and palm oils).

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<sup>10</sup> Chronic Disease Risk Reduction Levels are based on the United States Department of Agriculture (USDA) 2020-2025 Dietary Guidelines for Americans at [dietaryguidelines.gov/sites/default/files/2020-12/Dietary\\_Guidelines\\_for\\_Americans\\_2020-2025.pdf](https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf)

<sup>11</sup> See Page 11 for children's standards and other population-specific exceptions.

<sup>12</sup> Whole foods are unprocessed foods that are edible parts of plants or animals after separation from nature. Minimally processed foods are "unprocessed, or whole foods, altered by industrial processes such as the removal of inedible parts to extend shelf life but that do not add or introduce any new substance (such as fats, sugars, or salt)." Examples include milk, frozen fruits and vegetables, nuts and whole grains (adapted from NOVA, a food classification system).

## B. Meals Served

### 1. Nutrient Requirements

#### For sites serving three meals per day:

- | **Require** three meals combined meet the following daily standards:<sup>13,14</sup>

Calories*	2,000 calories
Sodium	< 2,300 mg
Saturated Fat	< 10% of total calories
Fiber	≥ 28 g
Added Sugar	< 10% of total calories

\***Require** daily calories are no more than 10% above or below the standard.

#### For sites serving only one or two meals per day:

- | **Require** each meal served meets appropriate range of calories, sodium and fiber:
  - | 25% to 30% for breakfast
  - | 30% to 35% for lunch
  - | 30% to 35% for dinner
- | **Require** each meal served meets the percentage for saturated fat stated on the chart above.
- | **Require** total meals served daily meet the percentage for added sugar stated on the chart above.
- | Recommend each meal served meets the percentage for added sugar stated on the chart above.

**Note regarding added sugar meal standard:** If an agency or their contractors cannot assess their compliance with the added sugar standard due to limitations of vendors, contracts, data and/or software, agencies must submit an action plan that includes: 1) a strategy for data collection and assessment and expected timeline for assessment and 2) any available nutrition data on added sugar. This plan must be submitted to the Mayor’s Office of Food Policy and the New York City Department of Health and Mental Hygiene (NYC Health Department) on or before December 31, 2022. The NYC Health Department will work with agencies to develop reporting plans following the submission of the action plan.

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<sup>13</sup> Standards are based on the United States Department of Agriculture (USDA) 2020-2025 Dietary Guidelines for Americans. Visit [dietaryguidelines.gov/sites/default/files/2021-03/Dietary\\_Guidelines\\_for\\_Americans-2020-2025.pdf](https://dietaryguidelines.gov/sites/default/files/2021-03/Dietary_Guidelines_for_Americans-2020-2025.pdf).

<sup>14</sup> Recommend the following daily nutrient standards: Protein: 10 to 35% of total calories; Carbohydrate: 45 to 65% of total calories; Potassium: 4,700 mg; Calcium: 1,000 mg; Iron: > 8 mg for males and 18 mg for females.

## Exemption

A contracted agency program may apply for an exemption from the above Nutrient Requirements if it meets **all** the following requirements:

- | Meals are prepared on-site or by another similar program (for example, a day care center that prepares food for another facility).
- | Program does not have access to a nutritionist (City agency-employed, consultant or contractor) for regular menu review.
- | Program regularly serves fewer than 200 people per meal.
- | Program is not part of a larger contract for food purchasing coordinated by a City agency.

Exempt programs should strive to meet these Nutrient Requirements through thoughtful menu planning. Should exemption be granted, programs must still comply with all other requirements of the NYC Food Standards.

## 2. Meal Requirements

*The following applies to specific categories of foods for agencies serving meals to adults and children.*

### Fruits and vegetables

- | **Require** at least 1 serving<sup>15</sup> of fruit per day. 100% fruit juice does not count toward this requirement.
- | **Require** starchy vegetables<sup>16</sup> be limited to no more than 1 serving<sup>15</sup> per day.
- | **Require** for sites serving three meals per day:
  - | 5 or more servings<sup>15</sup> of fruits and vegetables per day.
  - | At least 2 servings<sup>15</sup> of nonstarchy vegetables<sup>16</sup> per day.
- | **Require** for sites serving one to two meals per day:
  - | 2 or more servings<sup>15</sup> of fruits and vegetables at lunch and at dinner.
  - | At least 1 serving<sup>15</sup> of nonstarchy vegetables<sup>16</sup> per day.
- | **Recommend**:
  - | 2 or more servings<sup>15</sup> of fruits and vegetables at breakfast.
  - | Fresh or frozen fruits and vegetables are served instead of canned.
  - | 2 servings<sup>15</sup> per week of dark green vegetables.<sup>17</sup>
  - | 6 servings<sup>15</sup> per week of red and orange vegetables.<sup>18</sup>

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<sup>15</sup> One serving of fruit or vegetable for adults is equal to a cup or oz equivalent as defined by the USDA. For detailed descriptions of fruit and vegetable cup equivalents, visit [myplate.gov/eathealthy/vegetables](https://myplate.gov/eathealthy/vegetables) (see “cup of vegetable table”) and [myplate.gov/eathealthy/fruits](https://myplate.gov/eathealthy/fruits) (see “cup of fruit table”).

If serving children age 13 years and younger, a serving of fruits and/or vegetables is equal to:

- Age 2 to 3 years (child care): 1/2 cup equivalent
- Age 4 to 13 years (pre-K, elementary and middle school): 3/4 cup equivalent

<sup>16</sup> Starchy vegetables include potatoes, corn, green peas, lima beans, plantains and cassava. Nonstarchy vegetables include lettuce, asparagus, broccoli, cucumber, spinach, mushrooms, peppers, carrots and tomatoes.

<sup>17</sup> Dark green vegetables include broccoli, spinach, leafy salad greens, collards and kale.

<sup>18</sup> Red and orange vegetables include tomatoes, carrots, sweet potatoes, peppers, winter squash and pumpkin.

## Grains

- | **Require** at least half of all grains served<sup>19</sup> are whole grains<sup>7</sup> (for example, brown rice and whole-wheat pasta, dinner rolls, bagels and tortillas).
- | **Require** all cereal and sliced sandwich bread served are whole grain.<sup>7</sup>
- | Recommend all grains served are whole grain.<sup>7</sup>

## Protein foods

### Beef

- | **Require**, for sites serving three meals per day, no more than 2 servings<sup>19</sup> of beef per week only.
- | **Require**, for sites serving one to two meals per day, no more than 1 serving<sup>19</sup> of beef per week per meal type.<sup>20</sup>

### Processed Meat

- | **Require**, for sites serving three meals per day, no more than 1 serving<sup>19</sup> of processed meat<sup>8</sup> per week per meal type.<sup>20</sup>
- | **Require**, for sites serving one to two meals per day, no more than 2 servings<sup>19</sup> of processed meat<sup>8</sup> per month (or no more than one serving every other week) per meal type.<sup>20</sup>
- | **Require** phasing out processed meats<sup>8</sup> by 2025.

### Plant-Based Protein

- | **Require** at least 1 serving<sup>19</sup> of plant-based entrees<sup>21</sup> featuring a whole or minimally processed plant-based protein (for example, beans, lentils, peas, nuts, edamame or tofu) per week per meal type (except breakfast).
- | Recommend 2 servings<sup>19</sup> of plant-based entrees<sup>21</sup> featuring whole or minimally processed plant-based protein (for example, beans, lentils, peas, nuts, edamame or tofu) per week per meal type.

### Seafood

- | Recommend 1 to 2 servings<sup>19</sup> of seafood per week with at least one of those servings being fish (for example, tuna or salmon) that contain heart-healthy oils.
- | Recommend seafood purchased be from sustainable fisheries and stocks.

## Dairy

- | Recommend serving cheese as the primary protein no more than once per week per meal type.<sup>20</sup>

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<sup>19</sup> Serving is defined by an item appearing on the menu. Recommend 1 serving of plant-based protein be a minimum of 2 oz-equivalents. For more detailed information, see the “Ounce-Equivalent of Protein Foods Table” at [myplate.gov/eathealthy/protein-foods](https://www.myplate.gov/eathealthy/protein-foods).

<sup>20</sup> Meal type refers to the type of meal being served (for example, breakfast, lunch or dinner).

<sup>21</sup> An entree that includes a whole or minimally processed plant-based protein item such as beans, chickpeas, lentils, edamame, tofu, nuts and seeds as the primary protein component.



## Beverages

- | **Require**, for sites serving adults, beverages contain  $\leq 24$  calories per 8 oz, with the exceptions of milk and 100% fruit juice.
- | **Require** water at all meals (this can be in addition to or in place of other beverages regularly served). Recommend tap water whenever possible.
- | **Require** milk be 1% or nonfat with no added sweeteners.
- | **Require** fluid milk substitutes (or nondairy beverages) are nutritionally equivalent to fluid milk (for example, soy milk) and contain  $\leq 9$  g of sugar per 8 oz.
- | **Require** juice be:
  - | 100% fruit juice with no added sweeteners.
  - | Limited to portion sizes of  $\leq 6$  oz, if served.
  - | Served no more than once per day if providing meals.
- | Recommend serving juice less frequently or phasing out completely.

## C. Snack Standards

Snacks should add important nutrients to the overall diet and help curb hunger.

The following standards apply to sites serving snacks to adults and children.

### 1. Overall Requirements

- | **Require** items free of partially hydrogenated oils (for example, industrially produced trans fats).<sup>5</sup>

## Beverages

- | **Require**, for sites serving adults, beverages contain  $\leq 24$  calories per 8 oz, except milk and 100% fruit juice.
- | **Require** milk be 1% or nonfat with no added sweeteners.
- | **Require** fluid milk substitutes (or nondairy beverages) are nutritionally equivalent to fluid milk (for example, soy milk) and contain  $\leq 9$  g of sugar per 8 oz.
- | **Require** juice be:
  - | 100% fruit juice with no added sweeteners.
  - | Limited to portion sizes of  $\leq 6$  oz, if served.
  - | Served no more than twice per week, for sites serving snacks only.
- | **Require** water at all snack times. Recommend tap water whenever possible. Refer to Executive Order 54 of 2020, ending the purchase of single-use plastic bottles and restricting their sale on City property.<sup>22</sup>
- | Recommend serving juice less frequently or phasing out completely.

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<sup>22</sup> To read the Executive Order 54 of 2020, visit [nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eo-54.pdf](https://www.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eo-54.pdf).

## 2. Food Category Requirements

Recommend choosing more whole foods such as fruits, vegetables, nuts and seeds.

### Fruits and vegetables

Examples of fruits and vegetables: carrot sticks, celery sticks, pepper slices, salads, apples, bananas, pears, oranges, dried fruit, unsweetened applesauce, and canned fruit in unsweetened juice or water.

### Breads and other grains

**Require** sliced sandwich bread be whole grain<sup>7</sup> and contain  $\leq 180$  mg of sodium per serving.

**Require** cereal:

- | Be whole grain.<sup>7</sup>
- | Contain  $\leq 215$  mg of sodium per serving.
- | Contain  $\leq 6$  g of sugar per serving.
- | Contain  $\geq 2$  g of fiber per serving.

**Require** all breads and grains (for example, crackers, pita bread, granola bars, muffins and cookies):

- | Contain  $\leq 200$  mg of sodium per serving.
- | Contain  $\leq 10$  g of sugar per serving.
- | Contain  $\geq 2$  g of fiber per serving.

**Require** at least half of all grains served are whole grains.<sup>7</sup>

Recommend all grains served are whole grain.<sup>7</sup>

Examples of whole-grain products: whole-wheat pita triangles, whole-grain cereal, whole-grain crackers, whole-wheat bread, popcorn.

Pastries, croissants and cake are not recommended.

### Protein<sup>23</sup>

Recommend lean, low-sodium protein choices.

Examples of protein choices: hummus, bean dip, cottage cheese, low-fat cheese, hard-boiled eggs, low-fat or nonfat plain (unflavored) yogurt, low-sodium tuna, grilled chicken, nuts, nut butters and sunflower seeds.

### Example snack choices, all served with water:

- | Peanut butter, whole-grain crackers and apple slices
- | A peach and whole-grain crackers
- | Half of one tuna or grilled chicken sandwich on whole-wheat bread with lettuce and tomato
- | Edamame served with whole-wheat pita triangles and carrot sticks
- | Low-fat milk and whole-grain cereal with fresh berries
- | Low-fat (unflavored) yogurt topped with blueberries and granola
- | Hummus with whole-grain pita and sliced red peppers

<sup>23</sup>Per the Child and Adult Care Food Program (CACFP), this category is referred to as “meat or meat alternative.”

## D. Special Occasion Standards for Meals and Snacks

Special occasion standards apply to trips, parties for major holidays and special events. This also includes food purchased from vendors not routinely used by the agency for normal food service.

- | **Require** serving healthy options, such as fresh fruit, leafy green salad or vegetable slices.
- | **Require** serving water at all special occasions.
- | Recommend adopting a policy for special occasion meals and snacks.
- | Recommend limiting special occasion meals and snacks (for example, once per month).
- | Recommend, if serving sweets or desserts, offering them in moderation and in small portions (for example, one small cookie per person).
- | Recommend adhering to beverage standards described in Section 1.B on Page 2.
- | Recommend eliminating all foods that meet the USDA definition of Foods of Minimal Nutritional Value (FMNV).<sup>24</sup> Examples of FMNV include chewing gum, candy and ice pops.

## Section 3. Agency- and Population-Specific Standards and Exceptions

### A. Children

Children have different nutritional needs than adults. This section provides specific nutrition standards and exceptions that apply to agencies that serve those age 18 years and younger.

#### 1. Requirements for Purchased Foods

Agencies purchasing food for children (age 18 and younger) are required to follow the standards listed in Section 1 unless stated otherwise below:

##### All food and beverages

- | **Require**, for sites serving a majority of children age 18 and younger, food and beverages do not contain low-calorie or no-calorie sweeteners.

##### Beverages

- | **Require**, for child care facilities regulated by Article 47 of the NYC Health Code, not serving 100% fruit juice to children age 2 and younger.
- | **Require**, for child care facilities regulated by Article 47 of the NYC Health Code, 100% fruit juice with no added sweeteners limited to ≤ 4 oz per serving.

##### Milk and milk substitutes

- | **Require**, for child care facilities regulated by Article 47 of the NYC Health Code, only unsweetened milk.
- | **Require**, for children age 12 months to 2 years, only unsweetened whole milk.

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<sup>24</sup> The definition is available at [govinfo.gov/content/pkg/CFR-2011-title7-vol4/pdf/CFR-2011-title7-vol4-part210-appB.pdf](https://www.govinfo.gov/content/pkg/CFR-2011-title7-vol4/pdf/CFR-2011-title7-vol4-part210-appB.pdf).

**Require**, for children age 2 years and older, only unsweetened 1% or nonfat milk (unless milk with a higher fat content is medically required, as documented by a child's medical provider).

**Require**, for children age 4 to 18 years, flavored milk or flavored fluid milk substitutes be  $\leq 130$  calories per serving.

Recommend that agencies set a time line for phasing out flavored milk and flavored fluid milk substitutes.

## 2. Nutrient Requirements for Meals and Snacks Served<sup>25</sup>

### Overall requirements

Recommend, for agencies serving a majority of participants age 18 years and younger, following the National Academies of Sciences, Engineering, and Medicine's Dietary Reference Intakes for appropriate age groups.<sup>26</sup>

### Sodium

**Require**, for sites serving a majority of children age 2 to 3 years, limiting sodium to  $\leq 1,200$  mg per day (breakfast:  $\leq 360$  mg; lunch:  $\leq 420$  mg; and dinner:  $\leq 420$  mg).

**Require**, for sites serving a majority of children age 4 to 8 years, limiting sodium to  $\leq 1,500$  mg per day (breakfast:  $\leq 450$  mg; lunch:  $\leq 525$  mg; and dinner:  $\leq 525$  mg).

**Require**, for sites serving a majority of children age 9 to 13 years, limiting sodium to  $\leq 1,800$  mg per day (breakfast:  $\leq 540$  mg; lunch:  $\leq 630$  mg; and dinner:  $\leq 630$  mg).

### Fiber

**Require**, for sites serving a majority of children age 2 to 3 years old,  $\geq 14$  g of fiber per day.

**Require**, for sites serving a majority of children age 4 to 8 years old,  $\geq 19$  g of fiber per day.

**Require**, for sites serving a majority of children age 9 to 13 years old,  $\geq 24$  g of fiber per day.

### Calories

Participants of the School Breakfast Program and National School Lunch Program may adhere to the calorie requirements provided by this program.

## B. Correctional Population

Agencies serving the adult correctional population have a majority of young, moderately active people who may require a higher than average caloric intake. **Require**  $\leq 2,200$  calories per day for females and  $\leq 2,800$  calories per day for males.<sup>27</sup>

<sup>25</sup> See Page 7 for programs that are exempt from this standard.

<sup>26</sup> The National Academies of Sciences, Engineering, and Medicine. Health and Medicine Division. To view the Dietary Reference Intakes tables and application, visit [nationalacademies.org/hmd/Activities/Nutrition/SummaryDRIs/DRI-Tables.aspx](https://www.nationalacademies.org/hmd/Activities/Nutrition/SummaryDRIs/DRI-Tables.aspx).

<sup>27</sup> Calorie requirements are based on 2020-2025 Dietary Guidelines for Americans, which only offer information by sex assigned at birth.

### C. Youth Detention Facilities

Agencies serving the youth detention population have a majority of young, moderately active people who may require a higher than average caloric intake. **Require** ≤ 2,500 calories per day for males.<sup>27,28</sup>

### D. Adult Male Residents of the Shelter System

**Require** ≤ 2,600 calories per day for males residing in the shelter system (for example, single-adult male shelters, safe havens, drop-in centers, adult family shelters, and those for families with children).<sup>27,28</sup>

### E. Child Care Services Providers

Home-based child care providers are not required to comply with these Standards.

### F. Patients Under Therapeutic Care

Nutrition requirements consistent with established medical guidelines and diets for patients under therapeutic care supersede general nutrition criteria described here. The Patient Bill of Rights allows patients under therapeutic care to request specific food items. These items are considered part of the therapeutic diet and do not need to meet the nutrition criteria.

**Require** plant-based meal and snack options be available to patients upon request, in compliance with New York State law.<sup>29</sup>

### G. Populations With Religious or Special Dietary Food Needs

If an agency cannot meet the required purchased food standards in Section 1 due to a lack of availability of food items that meet specific needs of the population it serves (for example, packaged kosher foods), the agency is expected to seek suitable replacements in the marketplace as quickly as possible. The agency must identify and report these products to the Mayor's Office of Food Policy and the NYC Health Department.

### H. Emergency Food

Agencies that purchase food to be distributed by a third party to emergency food providers, such as soup kitchens and food pantries, are **required** to follow the standards outlined in Section 1. This does not include food purchased for the intention of a disaster response outlined in this section (see Section 3.K: Foods for Disaster Response).

### I. Federal Commodity Food Program

Food provided by the federal government to agencies or agency programs is not required to meet the standards outlined in Section 1. However, agencies and programs accepting these foods are **required** to meet the standards outlined in Section 2. Agencies and programs are expected to provide documentation upon request to verify which products were obtained through the commodity food program.

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<sup>28</sup> Based on agency-specific population data.

<sup>29</sup> New York State regulations can be found at [legislation.nysenate.gov/pdf/bills/2019/S1471A](https://legislation.nysenate.gov/pdf/bills/2019/S1471A).

## J. Donated Foods

Foods that are donated or provided at no cost to a program may be permitted to be served as a supplement to regularly scheduled food service.

Donated individual food items that contain Nutrition Facts labels, such as those listed in Section 1 (for example, canned and frozen vegetables, sliced sandwich bread) must adhere to the standards outlined in Section 1. These items are not required to meet standards in Section 2.

Donated ready-to-eat or prepared foods (for example, ready-to-eat sandwiches or meals) are not required to meet standards outlined in Sections 1 and 2. If supplementing food service with donations of prepared foods, programs should make an effort to serve these foods in small portions (for example, half-sized sandwiches).

Programs may not accept any donations of candy, desserts (for example, cakes, cookies and pastries), fried foods (for example, fried chicken, potato chips, French fries and doughnuts) or sugary drinks (for example, soda, fruit drinks and iced tea) for use in regular meal or snack service. If desserts are donated for a special occasion meal, it may be offered if a “healthy option” (for example, fresh fruit, leafy green salad and vegetable slices) is offered with it. These items may only be served in preplanned, special-occasion meals.

Programs should prioritize donations that are healthy, including minimally processed, whole and plant-based foods, such as fruit, vegetables, whole grains and low-sodium foods, when possible.

## K. Foods for Disaster Response

Food purchased by agencies to serve solely for a disaster or crisis response are not restricted by these Standards, recognizing that foods stocked for such purposes intentionally include nutrient-dense products.

Recommend agencies develop a plan to address nutrition requirements for meals and snacks served during prolonged disaster (more than one month) and submit a plan to the NYC Health Department.

For more information, visit [nyc.gov/health](https://nyc.gov/health) and search for **NYC Food Standards**, or call **311**.