



Georgia Department of Early Care and Learning

**Nathan Deal**  
Governor

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Commissioner

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**MEMORANDUM**

To: All Child and Adult Food Care Program Participating Institutions

From: Louis Brienza, Division Director  
Nutrition Services

A handwritten signature in blue ink, appearing to be "LB", is written over the name "Louis Brienza" in the "From:" field.

Date: May 24, 2011

Subject: Bright from the Start's Policy "Child Nutrition Reauthorization –Nutrition Requirements for Fluid Milk and Fluid Milk Substitutions in the Child and Adult Care Food Program"

Reference: United States Department of Agriculture (USDA) Memo CACFP 21-2011, The Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296

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The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, modified requirements for fluid milk and fluid milk substitutions in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of these provisions.

Section 221 of the Act amends section 17(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(g)) by requiring that fluid milk served in the CACFP be consistent with the most recent version of the Dietary Guidelines for Americans and allowing the substitution of non-dairy beverages that are nutritionally equivalent to fluid milk in cases of special dietary needs.

**Fat-Free and Low-Fat Milk**

Milk served in the CACFP must be consistent with the most recent version of the Dietary Guidelines for Americans. The 2010 Dietary Guidelines recommend that persons over two years of age consume fat-free (skim) or low-fat (1%) fluid milk. Therefore, fluid milk served in CACFP to participants two years of age and older must be: fat-free or low-fat milk (including lactose reduced, lactose free, buttermilk, or acidified milk. Milk served must be pasteurized fluid milk that meets State and local standards, and may be flavored or unflavored. Whole milk and reduced-fat (2%) milk may not be served to participants over two years of age.

The Dietary Guidelines for Americans do not address milk served to children under the age of two; therefore, the requirements relating to children in this age group remain unchanged at this time.

### **Non-dairy Beverages**

In the case of children who cannot consume fluid milk due to medical or other special dietary needs, other than a disability, non-dairy beverages may be served in lieu of fluid milk. Non-dairy beverages 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. CACFP State agencies have the discretion to identify appropriate substitutions that meet these requirements.

Parents or guardians may now request in writing non-dairy milk substitutions, as described above, without providing a medical statement. As an 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 the medical or other special dietary need that restricts the diet of the child. Such substitutions are at the option and the expense of the facility. The requirements related to milk or food substitutions for a participant who has a medical disability and who submits a medical statement signed by a licensed physician remain unchanged.

This provision is effective immediately; therefore sponsors should notify facilities of these required changes immediately. However, to provide adequate time for training and technical assistance, full compliance is required no later than October 1, 2011.

For questions concerning information in this memorandum, please contact the Policy Administrator at 404.651.7181.