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**New Jersey Administrative Code TITLE 2. AGRICULTURE CHAPTER 36. CHILD
NUTRITION PROGRAMS SUBCHAPTER 1. GENERAL PROVISIONS**

§ 2:36-1.11 Competitive food policy

(a) All competitive food sold to students on the school campus during the school day must meet the nutrition standards specified in 7 CFR 210.11 and 220.12.

(b) All income derived from the sale of food and beverage items within a school during the hours when the school lunch and school breakfast programs are in operation must accrue to the accounts of said programs.

(c) All snack and beverage items, sold anywhere on the school campus during the school day, including items sold in a la carte lines, vending machines, snack bars, school stores, and fundraisers or served in the reimbursable After School Snack Program, shall meet the standards delineated in this competitive food policy and the standards established by USDA for competitive foods, found at 7 CFR 210.11 and 220.12, incorporated herein by reference. The USDA standards provide general nutrition standards for competitive foods, the exemptions to these standards, and specific standards for grains, fat, sugar, calorie, sodium, and accompaniments. All schools must comply with these Federal regulatory standards.

(d) There shall be no exemptions for food and/or beverages sold as a part of a fundraising activity.

(e) Medical exemption: This policy does not apply to:

- 1.** Medically authorized special needs diets pursuant to 7 CFR Part 210;
- 2.** School nurses, during the course of providing health care to individual students; or
- 3.** Special needs students whose Individualized Education Plan (IEP) indicates the use of a special diet for behavior modification.