



Office for Safety, Health and Nutrition
Jennifer Miller
Director

Superintendent of Public Instruction

MEMORANDUM

To: National School Lunch Program Sponsors

From: Jennifer Miller, Director, Office for Safety, Health and Nutrition

Date: October 13, 2004

Re: **Fluid Milk Provisions -- Reauthorization 2004: Implementation Memo**
FY 04 School and Community Nutrition Programs Policy Memorandum #04-32

This memorandum explains that effective July 1, 2005, there will be new provisions regarding fluid milk regulations.

Section 102 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended section 9(a)(2) of the Richard B. Russell National School Lunch Act (Russell) by removing (effective July 1, 2005) the requirement that schools participating in the National School Lunch Program (NSLP) offer students a variety of fluid milk consistent with prior year preferences. In this amendment, schools must offer fluid milk in a variety of fat contents and may offer flavored or unflavored milk and lactose-free fluid milk. This provision only applies to the NSLP as the School Breakfast Program and the Special Milk Program already have the flexibility to offer any type(s) of milk. The effective date allows school food authorities time to develop new procurement specifications for School Year 2005-06.

If you have any questions, please contact our office at 614-466-2945.

RZ:kb