6Gx53-8.001 COMPETITIVE FOOD AND BEVERAGE SALES:

I. The School Board is responsible for controlling the sale of food and beverage items in competition with the district approved foodservice program, including those classified as "foods of minimal nutritional value," listed in Code of Regulations 210, Appendix B.

II. In accordance with the Polk County Local Wellness Policy 8.012, only the School Foodservice Program shall sell food and beverage items to students during the school day.

III. Profits from Food and Beverage Sales by School Foodservice Program: According to USDA, Southeast Regional Office, any funds derived from the sale of food and beverage items by school foodservice must remain in the foodservice account and cannot be shared with either the school or other school organizations.

IV. Waiver: The State Board of Education rule allows the Commissioner of Education to grant a six month waiver to middle/high schools which meet certain minimum criteria. An extended waiver may be granted based on evidence that it will contribute to the maintenance of District and school goals. The extended waiver shall be for no more than an additional twelve months during which time the District must make periodic reports to the Department as to the impact of the waiver upon the District's foodservice program. Based upon positive results, the Commissioner may grant further waivers as deemed appropriate. In order for extended contracts to be granted, the School District must demonstrate that revenue generated by the sale of food and beverages in competition with the school foodservice program have contributed to the maintenance of School District goals. To accomplish this, the District must state the District or school goal (s) to be maintained and the method to be used to measure performance.

V. Adult Facilities: This policy shall not apply to the technical centers or teacher lounges, which are not subject to restrictions regarding food and beverage sales.

Statutory Authority: Florida Statutes: 1001.32, 1001.41, 1001.42, and 1001.43

Laws Implemented: Florida Administrative Code 6A-7.042

Adopted: July 26, 1972

Amended:

March 12, 1996;

May 26, 1998;

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