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Memo code: SP 01-2025

Subject: Fluid Milk Requirements for School Meals

To: Regional Directors, Child Nutrition Programs, All Regions
State Directors, Child Nutrition Programs, All States

On April 25, 2024, the U.S. Department of Agriculture’s (USDA) Food and Nutrition Service (FNS) published the final rule, *Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans* ([89 FR 31962](#)). The rule finalized practical, science-based, long-term school nutrition requirements based on the goals of the *Dietary Guidelines for Americans, 2020-2025*, extensive partner input, and lessons learned from prior rulemakings. These updates represent continued progress toward supporting the nutritional quality of school meals, strengthening the Child Nutrition Programs (CNPs), and advancing USDA’s commitment to nutrition security.

This memorandum updates and clarifies current guidance for fluid milk requirements in school meal programs following publication of the 2024 final rule. This memorandum supersedes SP 29-2011: *Nutrition Requirements for Fluid Milk*, issued April 14, 2011. This memorandum also rescinds the Food and Consumer Service Instruction Number 783-7 REV. 1 titled, *Milk Requirement – Child Nutrition Programs*, released January 24, 1995, because it is obsolete across all CNPs.

Fluid Milk Requirements

The 2024 final rule maintains existing fluid milk requirements, which allow all schools to offer fat-free and low-fat, flavored and unflavored milk to K-12 students, and to sell fat-free and low-fat, flavored and unflavored milk to students on campus as a la carte items (including

Smart Snacks in School). Consistent with existing requirements, unflavored milk must be offered at each school breakfast and lunch meal service. Operators of the Special Milk Program for Children (SMP) and the Child and Adult Care Food Program (CACFP) also may continue to offer fat-free and low-fat, flavored and unflavored milk, with flavored milk allowed only for students ages 6 and older.

Additionally, the following milk options (flavored or unflavored) from [Section 5 of the Food Buying Guide for Child Nutrition Programs](#) continue to meet the meal pattern requirements for fluid milk and may be offered as one of the milk options to all students, all of which must be pasteurized and meet State and local standards for such milk:

1. lactose-free and lactose-reduced milk;
2. cultured milk, such as cultured buttermilk, cultured kefir milk, and cultured acidophilus milk;
3. acidified milk, such as acidified kefir milk and acidified acidophilus milk; and
4. Ultra High Temperature (UHT) Milk.

To be clear, Program operators may provide any of the above listed milks, including lactose-free and reduced-lactose milk, to participants without obtaining a written request from a medical professional, parent, or guardian. USDA encourages Program operators to make lactose-free and reduced-lactose milk options, in particular, readily available to all students.

Fluid milk is a required component for reimbursable meals in the National School Lunch Program (NSLP) and School Breakfast Program (SBP). School food authorities have the option to serve fluid milk as one of the two required components of an afterschool snack. However, the other required meal component must not be a beverage when fluid milk is offered at snack.

Product-Based Added Sugar Limits in School Meals

The 2024 final rule also established product-based limits for added sugars in flavored milk offered in the NSLP and SBP. Beginning July 1, 2025, flavored milk must contain no more than 10 grams of added sugars per 8 fluid ounces. The product-based added sugar limit also applies to milk sold as an a la carte beverage, also known as Smart Snacks in School, beginning July 1, 2025. Flavored milk sold a la carte to elementary school students is limited to 10 grams of added sugars per 8 fluid ounces, while flavored milk sold a la carte to middle and high school students is limited to 15 grams of added sugars per 12 fluid ounces. The added sugars limits for flavored milk only apply to cow's milk; they do not apply to non-dairy fluid milk substitutes.

Nondairy Fluid Milk Substitutes

Substitutions for non-disability reasons

The 2024 final rule did not change the requirements related to nondairy fluid milk substitutes. The process for providing a fluid milk substitute for *non-disability* reasons is required by the National School Lunch Act (42 U.S.C. 1758(a)(2)(B)). To provide a non-dairy fluid milk substitute for a non-disability reason, the statute and supporting regulations require:

- that the substitutions may be made if the school notifies the State agency that the school is implementing a variation allowed under this subparagraph ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(ii\)](#));
- that the substitution is requested in writing by a medical authority or a child's parent or legal guardian ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(ii\)](#));
- that fluid milk substitutions must be nutritionally equivalent to fluid milk and must meet the nutrition standards established by the Secretary ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(i\)](#));
and
- that the school cover any expenses related to providing fluid milk substitutes in excess of program reimbursements ([42 U.S.C. 1758\(a\)\(2\)\(B\)\(iii\)](#)).

As supported by the governing statute, USDA regulations found at [7 CFR 210.10\(d\)\(2\)\(i\)](#) and [7 CFR 210.10\(d\)\(2\)\(ii\)](#) further describe who may write the requests for a fluid milk substitution for non-disability reasons and outline the nutrition requirements for non-dairy milk substitutes. While schools are not required to provide fluid milk substitutes for *non-disability* reasons, USDA encourages schools to do so.

Substitutions for students with a disability

As a reminder, meal modifications must be provided for students with a disability that restricts their diet ([7 CFR 210.10\(m\)](#)). For example, if a student cannot consume cow's milk due to a disability, and a written medical statement as documentation of the student's disability is obtained by the school food authority, the school is required to provide a substitution for cow's milk. When providing a meal modification for a participant's disability, the substitution for cow's milk does **not** need to meet the *non-disability* fluid milk substitute requirements. The nutrition requirements for *non-disability* fluid milk substitutes apply only in *non-disability* situations.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to their State agency. State agencies should direct questions to the appropriate FNS Regional Office.

Original Signed

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