



30% NYS Initiative Handbook

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Overview

When Schools use food products from local sources, it supports local farmers and provides healthy choices for children in the school meal programs while supporting the local economy. Chapter 56 of the Laws of 2018 provides School Food Authorities (SFAs) with increased State reimbursement for the purchase of New York State food products for school lunch programs. Specifically, SFAs that spend at least thirty percent of total food cost for the school lunch program on **NYS food products** in the preceding school year are eligible for additional State reimbursement, that combined with any existing State reimbursement, will not exceed twenty-five cents for any school lunch meal. This initiative is referred to as the “30% NYS Initiative”.

A **NYS Food Product** is defined as a food item that is grown, harvested, or produced in NYS OR is processed in or outside NYS comprising over fifty-one percent agricultural raw materials

SFAs that purchase food items and prepare their own school lunches or SFAs that contract with a Food Service Management Company to purchase food items and prepare school lunches are eligible to participate in this initiative. SFAs that procure school lunches from a **vendor** are not eligible to participate. SFAs must apply annually to receive this additional reimbursement. Any NYS food product purchased and used in the reimbursable meals for the school lunch program may contribute towards the 30% NYS Initiative.

A **Vendor** is defined as a company (commercial enterprise, nonprofit organization, or public entity) that prepares, cooks, and packages unitized/bulk form meals, off-site at their own facilities and delivers them. **Vendors** provide meals only and do not manage any aspect of the school food service.

This initiative is intended to provide healthy NYS food products, such as **farm fresh products**, to children as part of their lunch meal in school. SFAs applying to the initiative should, to the best extent possible, reach the required threshold with healthy, farm fresh items served with the reimbursable lunch meal and should limit the inclusion of a la carte snack foods. NYS food products that are sold a la carte at lunch may only be included if at some point during the applicable school year the NYS food product was offered free of charge as part of the reimbursable lunch meal. These items must fit into the weekly Dietary Specification limits for the NSLP meal pattern

A **farm product** is defined as any agricultural, dairy, or horticultural product, or any product designed for food manufactured or prepared principally from an agricultural, dairy, or horticultural product and the commercial raising, shearing, feeding and management of animals on a ranch.

To incentivize school districts to use more New York State farm products, the initiative increases the reimbursement schools receive for lunches from 5.9 cents per meal to 25 cents per meal for any district that purchases at least 30 percent ingredients for their school lunch program from New York farms. School districts that have reached the thirty percent threshold can apply for reimbursement under the new initiative.

Procurement of NYS Food Products

School Food Authorities (SFAs) are required to follow all applicable federal, State, and local procurement rules in purchasing products for this initiative. SFAs may apply a geographic preference in the procurement of unprocessed, locally grown, or raised products as prescribed by the United States Department of Agriculture (USDA).

Determining the Amount of NYS Products to Purchase

To participate in this initiative, SFAs are required to purchase at least thirty percent of their total food costs for lunches in the preceding school year on NYS food products. The cost of reimbursable lunches will be used as the base to determine the minimum amount of NYS product purchases each SFA is required to incur to receive the additional reimbursement. To determine the minimum amount of NYS food product to purchase for school lunch required to qualify for this initiative, the [30% Calculation Tool](#) can be used.

SFAs will **not** include the value of USDA (commodity) foods as a revenue, expense or in the amount purchased on NYS food products for this initiative. The value of USDA foods is excluded as these food items are made available through entitlement funding and not at a cost to the SFA.

[Instructions on how to use the 30% Calculation Tool](#)

Application

SFAs will apply for this initiative annually. This application will be found on our webpage at <https://agriculture.ny.gov/30-percent-initiative> and will be submitted via email to 30percent@agriculture.ny.gov. All Child Nutrition reimbursement claims from the previous school year must be submitted prior to completing the application. Through the application, SFAs will report the following information from the previous school year, excluding the value of any USDA (commodity) foods

- Total cost of all food purchased
 - Breakfast, lunch, snack, a la carte, etc.
- Total amount of revenue from federal and State reimbursement for all child nutrition programs
- Total amount of revenue from reduced price and paid lunch meal sales
- Total cost of NYS food products purchased for the school lunch program

The application will require an attestation from the SFA Superintendent, Executive Director, Chief School Office, or their duly authorized designee that the SFA made the disclosed amount in purchases and maintains documentation to support the SFA's eligibility for this initiative.

For more information on the application process, please see: [The 30% Application Process](#)

Required Documents

SFAs that receive additional State reimbursement through this initiative are required to maintain documentation on file to demonstrate that the procurement and use of NYS food products for lunch meals was at least thirty percent of the SFAs school lunch food cost in the preceding school year. Typical documents used to support this initiative and justify the additional reimbursement may include, but is not limited to:

- Solicitations
- Purchase orders
- Labels
- Receipts
- NYS product list
- Contracts
- Price lists
- Invoices
- Production records

For **processed** products, SFAs must require that product manufacturers complete the [Product Formulation Statement for Documenting processed New York State Food Products](#) to certify qualifying products. Processed products for which a Product Formulation Statement (PFS) has **not been certified** by the manufacturer and maintained by the SFA **cannot** be counted toward this initiative. SFAs must maintain these signed statements for documentation.

For instructions on how to fill out the PFS, please see: [Product Formulation Statement Instructions](#)

Processing is defined as any alteration of a food product from its raw or original state to enhance its value or render it suitable for consumption. Examples include, but are not limited to, butchering of meat or poultry, and cooking, pasteurizing, and/or packaging food products.

Upon request, SFAs are required to make all accounts and records pertaining to its school food service immediately available to USDA, AGM, or any other authorized entity, for audit or review. These records must be maintained for a period of three years after the date of the final claim for reimbursement for the fiscal year to which they pertain, except that if audit findings have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Therefore, notwithstanding records pertaining to an unresolved audit, records supporting this initiative are to be kept for a three-year period commencing after the date of the final claim for reimbursement in the following school year.

Payments

SFAs will apply and be approved annually to receive the additional reimbursement. Approved SFAs will receive the reimbursement based on monthly lunch meals claimed in the Child Nutrition Management System in the following school year. Payments will be made in the same manner as current State reimbursement are made for school meals.

Instructions for How to Participate

- STEP 1.** Determine your 30% Threshold using the [30% Calculator Tool](#)
- For help using the 30% Calculator Tool, please see [Instructions on how to use the 30% Calculator Tool](#)
- STEP 2.** Determine what NY items to serve at lunch – [CCE's 30% NY Initiative Eligible Product Database](#)
- STEP 3.** Develop a plan to track and document NYS foods served at lunch
- How will your SFA track purchases and record the use of NYS food products served at lunch
 - Develop a system to track multi-use items to ensure that only NYS food products are served at lunch
 - Example: production records, excel, recipes, POS system, invoices, etc.
- STEP 4.** Work with vendors and local farmers to determine what are NY items, and obtain supporting documentation
- Obtain supporting documentation to demonstrate food product eligibility
 - Eligible food products:
 - NYS Food Product:** a food item that is grown, harvested, or produced in NYS; or processed inside or outside NYS comprising over 51% agricultural raw materials grown, harvested, or produced in NYS, by weight or volume.
 - Producing:** the making or manufacturing of food grown upon and/or harvested from the farm or waters through agricultural, horticultural, aquacultural, or dairying processes.
 - Processing:** any alteration of a food product from its raw or original state to enhance its value or render it suitable for consumption. Examples include, but are not limited to, butchering of meat or poultry, cooking, juicing, pasteurizing, peeling/cutting, and/or packaging food products.
 - Farm Product:** any agricultural, dairy or horticultural product, or any product designed for food manufactured or prepared principally from an agricultural, dairy, or horticultural product and the commercial raising, shearing, feeding and management of animals on a ranch.
 - Dairy Product:** milk and products derived therefrom, and products of which milk or a portion thereof is a significant part.
 - Use the CCE NY 30% [Initiative Documentation Requirement Guide](#) for unofficial guidance on the tracking and documentation needed for the NYS 30% Initiative.
 - For help determining what documentation is needed for a specific product, use the [30% NYS Eligibility Worksheet](#)
- STEP 5.** Procure NYS food products
- Ensure that all NYS food items have supporting documentation to demonstrate NYS eligibility prior to purchasing
 - SFAs must properly procure in accordance with all federal, State and local procurement requirements and regulations.
- STEP 6.** Menu and serve NYS food products at lunch
- STEP 7.** Track and document NY items served during lunch throughout the school year
- STEP 8.** Apply to the 30% NYS Initiative each year through The NYS Department of Agriculture and Markets at <https://agriculture.ny.gov/30-percent-initiative>

STEP 9.

- a. All reimbursement claims from the previous school year (SY) must be submitted prior to completing the application. Through the application, SFAs will report the following information from the previous SY, excluding the value of any USDA (commodity) foods:
 - i. Total cost of all food purchased (breakfast, lunch, snack, a la carte, etc.)
 - ii. Total amount of revenue from federal and state reimbursement for all child nutrition programs
 - iii. Total amount of revenue from the sale of all food
 - iv. Total amount of revenue from reduced price and paid lunch meal sales
 - v. Total cost of NYS food products purchased for the school lunch program

STEP 10. Receive additional State reimbursement in the following School Year (SY)

For more information on the 30% NY Initiative, please see:

- [Cornell Cooperative Extension's 30% NY Initiative Webpage](#)
- [The NYS Department of Agriculture and Markets' New York State 30% Initiative Webpage](#)

Definitions

<u>Dairy Products:</u>	Milk and products derived therefrom, and products of which milk or a portion thereof is a significant part.
<u>Farm Product:</u>	Any agricultural, dairy, or horticultural product, or any product designed for food manufactured or prepared principally from an agricultural, dairy, or horticultural product and the commercial raising, shearing, feeding and management of animals on a ranch
<u>New York State Food Product:</u>	A food item that is grown, harvested, or produced in NYS; or A food item processed in or outside NYS comprising over fifty-one percent agricultural raw materials grown, harvested, or produced in NYS, by weight or volume.
<u>Producing:</u>	The producing of food grown upon and/or harvested from the farm or waters through agricultural, horticultural, aquacultural, or dairying processes.
<u>Processing:</u>	Any alteration of a food product from its raw or original state to enhance its value or render it suitable for consumption. Examples include, but are not limited to, butchering of meat or poultry, and cooking, pasteurizing, and/or packaging food products.