

KEITH W RHEAULT  
*Superintendent of Public Instruction*

STATE OF NEVADA

SOUTHERN NEVADA OFFICE  
9890 S. Maryland Parkway  
Suite 221, 234  
Las Vegas, Nevada 89183  
(702)-486-6458  
Fax: (702)486-6450

GLORIA P. DOPF  
*Deputy Superintendent*  
Instructional, Research and Evaluative  
Services



GREG T. WEYLAND  
*Deputy Superintendent Administrative  
and Fiscal Services*

DEPARTMENT OF EDUCATION  
700 E. Fifth Street  
Carson City, Nevada 89701-5096  
(775) 687 - 9200 · Fax: (775) 687 - 9101


CHILD NUTRITION OFFICE  
9890 S. Maryland Parkway  
Suite 221, Room 224  
Las Vegas, NV 89183  
(702) 486-6472  
Fax (702) 486-6474

July 27, 2011

**Memorandum**

SFSP-2011-14

TO: Summer Food Service Program (SFSP) Sponsors

FROM: Karen L. Vogel, SNS, RD, Nutrition Programs Professional 

RE: **Waiver of Meal Time Restrictions and Unitized Meal Requirements in the Summer Food Service Program**

---

This memorandum establishes a waiver of the Summer Food Service Program (SFSP) regulations for meal time requirements in 7 CFR §225.16 (c) and expands the option to use offer versus serve to non-school sponsors in 7 CFR §225.16(f)(ii).

**Meal Time Restrictions**

Currently, three hours must elapse between the beginning of one meal or snack service and the beginning of the next, except that four hours must elapse between the beginning of lunch and the beginning of supper when no afternoon snack is served. Additionally, the duration of meal service is limited to two hours for lunch and supper and one hour for breakfast and snacks (7 CFR §225.16(c)).

In an effort to simplify Program management, USDA is waiving these restrictions. In accordance with 7 CFR §225.6(c)(2), sponsors must continue to establish meal times for each site and provide this information to the State agency. Therefore, when applying to participate in the Program or providing annual updates to Program information, sponsors must provide the State agency with information regarding the times of the meal service at each site, but are not required to ensure that specific time periods elapse between the meal services. This waiver supersedes previous SFSP guidance giving State agencies the authority to waive meal time restrictions (SFSP: Flexibility of Time Restrictions on Meal Service, January 29, 2002).

Restrictions on the number and type of meals that may be served each day as established by 7 CFR §225.16(b) continue to apply.

**Offer Versus Serve**

Currently, school sponsors have the offer versus serve (OVS) option under 7 CFR §225.16(f)(ii). OVS permits children to decline food or menu items they do not intend to eat. However, the

regulations restrict OVS to school sponsors, meaning that all meal components must be served by other sponsors.

This memorandum expands the option of using OVS to non-school sponsors. The OVS option can be an opportunity to minimize food waste and help sponsors contain costs.

Schools electing to use OVS must use the options relevant to their menu planning approach. Other SFSP sponsors wishing to use OVS must follow the OVS requirements for the food-based menu planning approach. This means a child may decline only one food item offered at breakfast and up to two of the food items offered at lunch or supper. There is no OVS option for snacks.

**All SFSP Sponsors in Nevada Planning to implement OVS must request permission from the State agency. Failure to do so may result in loss of SFSP reimbursement.**

**OVS will be easier to implement in self-prep operations. Sponsors with vended sites will need to submit a written implementation plan to the State agency for approval.**

KV/tk