

The Smart Snacks Loophole

How Junk Food Companies Target America's Students in School



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Junk Food in the Cafeteria: The “Smart Snacks” Loophole

School cafeterias across the country are feeding children junk food—ice cream bars, brownies, Cheetos, Pop-Tarts, Funyuns, and ICEEs are available daily to even the youngest students. But, how?

School food is tightly regulated by federal nutrition standards. So how can junk food companies peddle ultraprocessed snacks in elementary school cafeterias?

In 2010 Republicans and Democrats in Congress worked together to pass the Healthy, Hunger-Free Kids Act. The intent of the legislation was to improve school meals and combat childhood obesity.¹ As part of this reform, the USDA established the so-called “Smart Snacks Standard”: a set of “practical and flexible”² rules meant to ensure that all foods served in cafeteria “a la carte” lines and vending machines are nutritious. The intent was to create a school environment where “the healthy choice is the easy choice for kids.”³

The USDA even offers examples of healthy snacks for students: foods with no added sugar, fat, or harmful additives. Snacks are required to be either (1) a whole grain product or (2) have a first ingredient which is a fruit, vegetable, dairy product, or protein.



String cheese



Applesauce



Trail mix



Popcorn



Celery sticks & peanut butter



Apple slices & cheese

Sounds pretty healthy, right?

Wrong! Because junk food companies have found loopholes in the rules big enough to drive an ice cream truck through.

Instead of healthy snacks, school cafeterias are selling so-called “Smart Snacks” loaded with added sugars, seed oils, synthetic dyes, and artificial flavors—ultraprocessed junk that sets children up for a lifetime of obesity and chronic disease.

“Smart Snacks” Are Not So Smart

Approved “Whole Grain” Smart Snacks



Rich's Triple Chocolate Filled Cookie

First Ingredient: Whole wheat flour
But Also: 200 calories, 14 grams added sugars, seed oils



Frosted Fudge Pop-Tarts

First Ingredient: Whole wheat flour
But Also: 170 calories, 12 grams added sugars, seed oils



Otis Spunkmeyer Carnival Cookie

First Ingredient: Whole wheat flour
But Also: 170 calories, 15 grams added sugars, seed oils, synthetic dyes



Doritos

First Ingredient: Corn
But Also: 130 calories, seed oils



Funyuns

First Ingredient: Whole corn meal
But Also: 100 calories, seed oils, MSG



Flamin' Hot Cheetos

First Ingredient: Whole corn meal
But Also: 110 calories, seed oils



Kellogg's Chocolate Chip Rice Krispies Treat

First Ingredient: Whole grain brown rice
But Also: 190 calories, 14 grams added sugars, seed oils

Do These Look Like Fruit to You?

Approved "Fruit" Smart Snacks



Wells FrozFruit Chunky Strawberry Bar

First Ingredient: Water, strawberries
But Also: 110 calories, 20 grams added sugar, High Fructose Corn Syrup



Mott's Fruit Flavored Snacks

First Ingredient: Apple puree
But Also: 130 calories, 14 grams added sugar, seed oils



Hershey's Tropi-Kool Mango Fruit Bar

First Ingredient: Mango
But Also: 110 calories, 16 grams added sugar



Welch's Fruit Snacks

First Ingredient: Fruit puree
But Also: 130 calories, 15 grams added sugar, synthetic dyes, artificial flavors



Rich's Cotton Candy Twirl Bar

First Ingredient: Apple juice
But Also: 70 calories, 7 grams added sugar, artificial flavors



Frazil Slushies

First Ingredient: Fruit juice
But Also: 120 Calories, synthetic dyes, artificial flavors

The Biggest Money Maker? Ice Cream!

Approved “Dairy” Smart Snacks



Rich's Birthday Cake Cone

First Ingredient: Skim milk
But Also: 150 calories, 14 grams added sugar, seed oils, artificial flavors



Hershey's Cookies & Cream Cone

First Ingredient: Skim milk
But Also: 140 calories, 10 grams added sugar, seed oils, artificial flavors



Blue Bunny Chocolate Éclair Bar

First Ingredient: Skim milk
But Also: 180 calories, 13 grams added sugar, seed oils, artificial flavors



Hershey's Strawberry Scooter Bar

First Ingredient: Fruit puree
But Also: 160 calories, 12 grams added sugar, high fructose corn syrup, seed oils, synthetic dyes, artificial flavors



Hershey's Party Panda Ice Cream Sandwich

First Ingredient: Skim milk
But Also: 190 calories, 13 grams added sugar, high fructose corn syrup



Hershey's Vanilla Ice Cream Sandwich

First Ingredient: Skim milk
But Also: 140 calories, 11 grams added sugar, high fructose corn syrup, artificial flavors

Schools Should Protect Kids From Junk Food Companies

Multibillion-dollar junk food companies have infiltrated America's public schools via the Smart Snacks Loophole. Instead of teaching good nutrition, school cafeterias are a place where students throw out healthy, taxpayer-subsidized meals and, instead, eat chips and ice cream for lunch.



These companies LOVE the Smart Snacks Loophole. Not only do they make money selling children unhealthy products, but they also get free marketing! Every student who goes through the cafeteria line sees all the products every single school day. Featuring these products in the cafeteria increases brand recognition and implies the school's endorsement.⁴

Schools must STOP selling junk food in the cafeteria!

- > It is wrong for schools to sell children unhealthy snacks that put them at risk for obesity and chronic disease.**
- > It is wrong for public schools to allow junk food companies to market to children on campus.**
- > Selling junk food undermines public schools' mandate to teach nutrition and create a healthy eating environment.**

WHAT CAN PARENTS DO?

WHAT CAN PARENTS DO TO PROTECT ELEMENTARY STUDENTS' HEALTH?

Parents are not in the cafeteria to guide their young children's food choices and must rely on schools to offer healthy options. Some schools have failed in this duty and need to correct course. Parents should advocate with their school's nutrition department and school board for healthier policies. Let them know you don't think junk food belongs in the cafeteria! Connect with other like-minded parents in our Facebook Group: **"Make School Cafeterias Healthy Again"**.

 <https://www.facebook.com/groups/834825552674905>

**For media inquiries or other questions,
please contact the report author.**

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Endnotes

1. USDA Food and Nutrition Service (2014) "Healthy Hunger-Free Kids Act." Available at: <https://web.archive.org/web/20140505145631/http://www.fns.usda.gov/school-meals/healthy-hunger-free-kids-act>
2. USDA Food and Nutrition Service (May 2022) "A Guide to Smart Snacks in School." Available at: <https://fns-prod.azureedge.us/sites/default/files/resource-files/smartsnacks.pdf>
3. Ibid.
4. Harris and Fox (2014) "Food and Beverage Marketing in Schools: Putting Student Health at the Head of the Class." *JAMA Pediatrics* 168(3):206-8.