

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES**

**SUBCHAPTER 3. CHILD NUTRITION PROGRAM
PART 5. NATIONAL SCHOOL LUNCH PROGRAM**

210:10-3-51. National School Lunch Program

(a) **Adult meal charges.** The state agency All school food authorities participating in the National School Lunch Program shall require that adults pay, at a minimum, the student price plus the reimbursement received for student meals. Adults other than food service employees cannot be served free of charge unless the local school district absorbs the cost.

(b) **Health standards.** All school food authorities participating in the National School Lunch Program shall develop and implement a written school food safety program at each facility or part of a facility where food is stored, prepared, or served that ensures preparation, service, and storage of food used in the National School Lunch Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to 42 U.S.C. § 1758(h), 7 C.F.R. §210.13 and OAC 310:257. In addition, all school food authorities shall comply with all of the following provisions:

(1) **Storage of leftover food.** School food authorities shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257-5-71.

(2) **Donation of leftover food.** School food authorities participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of 42 U.S.C. § 1758(l) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

(1) The state agency shall require children, as well as adults not involved in the preparation of food, not to be allowed in the meal preparation area.

(2) The state agency shall require all personnel involved in food preparation or service of meals to wear an effective hair restraint, to not wear excessive jewelry, and to not wear nail polish.

(3) The state agency shall require gum, tobacco products, and personal grooming activities not to be allowed in the kitchen.

(4) The state agency shall require food preparation and service surfaces to be properly sanitized prior to and after use. According to the Oklahoma State Department of Health, a good sanitizing solution is one tablespoon of bleach to one gallon of water.

(5) The state agency shall require dishes and utensils to be properly sanitized. If dish machine or dishwasher is used, the final rinse cycle must maintain a 180° water temperature or use of a proper sanitizing agent in accordance with manufacturer's specifications for time and concentration. If washed by hand, the three (3) tub method of wash, rinse, and sanitize with proper sanitizing agent must be used.

(6) The state agency shall require all equipment, utensils, and dishes to be air dried after sanitizing. State Department of Health regulations do not permit towel drying.

(7) The state agency shall require all refrigerators and freezers to have internal thermometers or exterior temperature indicators. A refrigerator's temperature should be maintained at forty (40) degrees or below and at zero (0) degrees or below for each freezer.

(8) The state agency shall require shelf paper and contact paper not to be used in the kitchen or storage areas.

~~(9) The state agency shall require storage areas to have adequate lighting and ventilation. Food in storage must be kept in sealed containers or must be properly wrapped. Containers of food shall be stored a minimum of six (6) inches above the floor or stored on dollies, skids, racks, or open ended pallets.~~

~~(10) The state agency shall require trash and garbage cans used in food preparation and storage areas to have a tight fitting lid or cover and to be kept covered when not in actual use.~~

~~(11) The state agency shall require adequate precautions to be taken to avoid insect infestation~~

~~(12) The state agency shall require opened containers as well as cardboard boxes not to be utilized as storage containers in the dry food storage area.~~

~~(13) The state agency shall require food to be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Canned food items with visible can defects such as rust, bulges, or severe dents must be properly discarded.~~

~~(14) The state agency shall require that leftovers be properly stored. If refrigerated, leftovers may only be held and used again within twenty four (24) hours. If frozen, leftovers may be held and used again within thirty (30) days. Proper storage includes the item being dated and labeled. Leftovers may not be removed from premises. If leftovers are not properly maintained or used within the prescribed time frame, they must be properly discarded.~~

~~(15) The state agency shall require chemicals and medicines to be stored in separate cabinet areas away from food, food equipment, and utensils. Medicines, if stored in the refrigerator, must be placed in a separate container to prevent possible food contamination.~~

~~(16) The state agency shall require that milk served at a meal service not be re-served. Milk served with meals returned in unopened half pint cartons can be used for cooking purposes only.~~

~~(17) The state agency shall require home grown and home processed foods not to be served in participating schools.~~

PART 7. SCHOOL BREAKFAST PROGRAM

210:10-3-71. School breakfast program

Health standards. All school food authorities participating in the National School Breakfast Program shall implement a written school food safety program at each facility or part of a facility where food is stored, prepared, or served that ensures preparation, service, and storage of food used in the National School Breakfast Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to 42 U.S.C. § 1758(h) and OAC 310:257. In addition, all school districts and school sites shall comply with all of the following provisions:

(1) **Storage of leftover food.** School food authorities shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257-5-71.

(2) **Donation of leftover food.** School food authorities participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of 42 U.S.C. § 1758(l) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

~~(a) The state agency shall require children, as well as adults not involved in the preparation of food, not to be allowed in the meal preparation area.~~

- ~~(b) The state agency shall require all personnel involved in food preparation or service of meals to wear an effective hair restraint, to not wear excessive jewelry, and to not wear nail polish.~~
- ~~(c) The state agency shall require gum, tobacco products, and personal grooming activities not to be allowed in the kitchen.~~
- ~~(d) The state agency shall require food preparation and service surfaces to be properly sanitized prior to and after use. According to the Oklahoma State Department of Health, a good sanitizing solution is one tablespoon of bleach to one gallon of water.~~
- ~~(e) The state agency shall require dishes and utensils to be properly sanitized. If dishwasher is used, the final rinse cycle must maintain a 180°F water temperature or proper use of a sanitizing agent in accordance with manufacturer's specifications for time and concentration. If washed by hand, a three (3) tub method of wash, rinse, and sanitize with proper sanitizing agent must be used.~~
- ~~(f) The state agency shall require all equipment, utensils, and dishes to be air dried after sanitizing. State Department of Health regulations do not permit towel drying.~~
- ~~(g) The state agency shall require all refrigerators and freezers to have internal thermometers or exterior temperature indicators. A refrigerator's temperature should be maintained at forty (40) degrees or below and at zero (0) degrees or below for each freezer.~~
- ~~(h) The state agency shall require shelf paper and contact paper not to be used in the kitchen or storage areas.~~
- ~~(i) The state agency shall require storage areas to have adequate lighting and ventilation. Food kept in storage must be kept in sealed containers or must be properly wrapped. Containers of food shall be stored a minimum of six (6) inches above the floor.~~
- ~~(j) The state agency shall require trash and garbage cans used in food preparation and storage areas to have a tight fitting lid or cover and to be kept covered when not in actual use.~~
- ~~(k) The state agency shall require adequate precautions to be taken to avoid insect infestation. Opened cardboard boxes are not to be utilized as storage containers in the dry food storage area. The state agency shall require food to be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Canned food items with visible can defects such as rust, bulges, or severe dents must be properly discarded.~~
- ~~(l) The state agency shall require that leftovers be properly stored. If refrigerated, leftovers may only be held and used again within twenty four (24) hours. If frozen, leftovers may be held and used again within thirty (30) days. Proper storage includes the item being dated and labeled. Leftovers may not be removed from premises. If leftovers are not properly maintained or used within the prescribed time frame, they must be properly discarded.~~
- ~~(m) The state agency shall require chemicals and medicines to be stored in separate cabinet areas away from food, food equipment, and utensils. Medicines, if stored in the refrigerator, must be placed in a separate container to prevent possible food contamination.~~
- ~~(n) The state agency shall require that milk served at a meal service not be re-served. Milk returned in unopened half pint cartons can be used for cooking purposes only.~~
- ~~(o) The state agency shall require home grown and home processed foods not to be served in participating schools.~~

PART 9. SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

210:10-3-91. Summer food service program for children

(a) **Health standards.** All service institutions participating in the Summer Food Service Program shall ensure that preparation, service, and storage of food used in the Summer Food Service Program complies with all applicable state, federal, county and local statutes and regulations pertaining to food handling and food safety, including but not limited to 42 U.S.C. § 1758(h) and OAC 310:257. In addition, all school districts or other service institutions shall comply with all of the following provisions:

(1) **Storage of leftover food.** All service institutions shall use best efforts to ensure that food waste is kept to a minimum. In order to minimize waste, leftover food may be re-served in subsequent meal services in accordance with the provisions of 310:257-5-44 and 310:257-5-71.

(2) **Donation of leftover food.** All service institutions participating in the program may donate any food under the program not consumed and unable to be reserved pursuant to the provisions of (1) of this subsection to food banks or charitable organizations in accordance with the provisions of 42 U.S.C. § 1758(l) and accompanying federal regulations if the donation is not otherwise prohibited by state, county, and local regulations.

~~(1) The state agency shall require children, as well as adults not involved in the preparation of food, not to be allowed in the meal preparation area.~~

~~(2) The state agency shall require all personnel involved in food preparation or service of meals to wear an effective hair restraint, to not wear excessive jewelry, and to not wear nail polish.~~

~~(3) The state agency shall require gum, tobacco products, and personal grooming activities not to be allowed in the kitchen.~~

~~(4) The state agency shall require food preparation and service surfaces to be properly sanitized prior to and after use. According to the Oklahoma State Department of Health, a good sanitizing solution is one tablespoon of bleach to one gallon of water.~~

~~(5) The state agency shall require dishes and utensils to be properly sanitized. If dish machine or dishwasher is used, the final rinse cycle must maintain a 180° water temperature or use of a proper sanitizing agent in accordance with manufacturer's specifications for time and concentration. If washed by hand, the three (3) tub method of wash, rinse, and sanitize with proper sanitizing agent must be used.~~

~~(6) The state agency shall require all equipment, utensils, and dishes to be air dried after sanitizing. State Department of Health regulations do not permit towel drying.~~

~~(7) The state agency shall require all refrigerators and freezers to have internal thermometers or exterior temperature indicators. A refrigerator's temperature should be maintained at forty (40) degrees or below and at zero (0) degrees or below for each freezer.~~

~~(8) The state agency shall require shelf paper and contact paper not to be used in the kitchen or storage areas.~~

~~(9) The state agency shall require storage areas to have adequate lighting and ventilation. Food in storage must be kept in sealed containers or must be properly wrapped. Containers of food shall be stored a minimum of six (6) inches above the floor or stored on dollies, skids, racks, or open ended pallets.~~

~~(10) The state agency shall require trash and garbage cans used in food preparation and storage areas to have a tight fitting lid or cover and to be kept covered when not in actual use.~~

~~(11) The state agency shall require adequate precautions to be taken to avoid insect infestation.~~

~~(12) The state agency shall require opened containers as well as cardboard boxes not to be utilized as storage containers in the dry food storage area.~~

~~(13) The state agency shall require food to be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Canned food items with visible can defects such as rust, bulges, or severe dents must be properly discarded.~~

~~(14) The state agency shall require that leftovers be properly stored. If refrigerated, leftovers may only be held and used again within twenty four (24) hours. If frozen, leftovers may be held and used again within thirty (30) days. Proper storage includes the item being dated and labeled. Leftovers may not be removed from premises. If leftovers are not properly maintained or used within the prescribed timeframe, they must be properly discarded.~~

~~(15) The state agency shall require chemicals and medicines to be stored in separate cabinet areas away from food, food equipment, and utensils. Medicines, if stored in the refrigerator, must be placed in a separate container to prevent possible food contamination.~~

~~(16) The state agency shall require that milk served at a meal service not be re-served.~~

~~(17) The state agency shall require home-grown and home-processed foods not to be served at participating Summer Food Service Program sites.~~

(b) Recordkeeping. All service institutions participating in the program shall ensure that recordkeeping complies with all of the following provisions:

~~(1) The state agency shall require~~ All service institutions shall report any significant increase or decrease in participation levels ~~to be reported by the sponsor to the state agency~~ State Department of Education as soon as possible.

~~(2) The state agency~~ All service institutions shall maintain ~~require that~~ daily food production records, as well as daily meal counts and menus, be maintained. Food production records enable sponsors to ensure that adequate amounts of food are served to meet the Summer Food Service Program's meal pattern requirements.

~~(3) The state agency shall require sponsors to~~ All service institutions shall maintain all records necessary to support the costs reported on the claim for reimbursement. This includes itemized receipts for food and milk, time and attendance records for labor costs reported, etc.

(c) Cycle menus. ~~The state agency requires sponsors to~~ Service institutions shall develop and follow an eleven (11) day cycle menu for each type of meal served.