

**TESTIMONY ON HB 1132  
HOUSE AGRICULTURE COMMITTEE**

**January 16, 2025**

**By: Lynelle Johnson, Director of Child Nutrition and Food Distribution  
Programs**

**701-328-4565**

**North Dakota Department of Public Instruction**

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**Chairman Beltz and Members of the Committee:**

My name is Lynelle Johnson, and I am the Director of Child Nutrition and Food Distribution Programs with the North Dakota Department of Public Instruction (NDDPI). I am here to provide information regarding HB 1132.

The National School Lunch and Breakfast Programs are federally administered by the United States Department of Agriculture (USDA) based on federal legislation at 7 CFR 210 for lunch and 7 CFR 220 for breakfast. The program is implemented at the state level by the North Dakota Department of Public Instruction. These programs aim to ensure that students receive nutritious meals that support their health and academic success.

As part of our role in administering USDA Child Nutrition and Food Distribution Programs, our office is responsible for ensuring that schools meet these guidelines through administrative reviews, training, and technical assistance. Schools that fail to comply with USDA requirements risk losing federal reimbursement funding. One key requirement is adherence to the USDA meal pattern. The five components of the meal pattern are protein, grain, fruit, vegetable, and milk. These

five components make up a “reimbursable meal.” In addition to providing these components, schools must also meet specific calorie, fat, and sodium requirements to ensure nutritious and balanced meals.

USDA regulations require schools to offer two varieties of milk at breakfast and lunch: flavored or unflavored skim (fat-free) or 1% (low-fat) milk. Schools must offer an 8-ounce serving size for both breakfast and lunch. The method of serving milk is flexible; it can be provided in individual cartons, jugs, or bulk dispensers. However, when using a bulk method, schools must ensure students take the required 8-ounce serving. (7 CFR 210 (d)(1)).

Under USDA guidelines, 2% and whole milk cannot be included as part of a reimbursable meal. These products may only be offered as an additional item at no cost to the student. Additionally, any item sold to students outside of the reimbursable meal program during the school day must meet USDA Smart Snack Guidelines. Since 2% and whole milk do not meet these guidelines, they cannot be sold to students during school hours. (7 CFR 210.11)

**Chairman Beltz and Members of the Committee**, this concludes my prepared testimony. I’m happy to answer any questions you may have.