



United States  
Department of  
Agriculture

09-16-04

Food and  
Nutrition  
Service

SUBJECT: Fluid Milk Provisions -- Reauthorization 2004: Implementation Memo  
SP 7

3101 Park  
Center Drive  
Alexandria, VA  
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TO: Special Nutrition Programs  
All Regions

State Agencies  
Child Nutrition Programs  
All States

Section 102 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended section 9(a)(2) of the Richard B. Russell National School Lunch Act (Russell) by removing (effective July 1, 2005) the requirement that schools participating in the National School Lunch Program (NSLP) offer students a variety of fluid milk consistent with prior year preferences. As amended, schools must offer fluid milk in a variety of fat contents and may offer flavored or unflavored milk and lactose-free fluid milk. This provision only applies to the NSLP as the School Breakfast Program and the Special Milk Program already have the flexibility to offer any type(s) of milk. The effective date allows school food authorities time to develop new procurement specifications for School Year 2005-06.

Please contact Rosemary O'Connell at 703-305-2590 if you have questions.

A handwritten signature in dark ink, appearing to read "Stanley C. Garnett". The signature is written in a cursive, flowing style.

STANLEY C. GARNETT  
Director  
Child Nutrition Division