



September 29, 2017

Mister Seth Scott, Executive Director
District 6 Juvenile Detention Center
137 South 5th
Pocatello, Idaho 83201

Dear Mister Scott,

On September 6, 2017, State Department of Education Coordinator Tamara Donovan conducted an administrative review of District 6 Juvenile Detention Center for the following United States Department of Agriculture (U.S.D.A.) programs:

- National School Lunch Program.
- School Breakfast Program.
- Afterschool Snack Program desk review.
- U.S.D.A. Foods.

The site reviewed was District 6 Juvenile Detention Center.

The State agency would like to commend Lori Spencer and the entire staff of District 6 Juvenile Detention Center for their hard work operating the school nutrition programs.

Overview

The Richard B. Russell National School Lunch Act, amended by the addition of Section 201 to the Healthy Hunger Free Kids Act of 2010, requires a unified accountability system designed to ensure that participating school food authorities comply with United States Department of Agriculture requirements. The objectives of the administrative review are to:

- Determine whether the school food authority meets program requirements.
- Provide technical assistance.
- Secure any needed corrective action.
- Assess fiscal action and, when applicable, recover improperly paid funds.

Review Frequency and Scope of Review

The Healthy Hunger-Free Kids Act mandates State agencies conduct an administrative review a minimum of one time during a three-year cycle to evaluate Critical and General Areas of Review, including:

- Performance Standard 1: Meal Access and Reimbursement.
- Performance Standard 2: Meal Pattern and Nutritional Quality.
- General Areas of Review: Resource Management, Food Safety, Local School Wellness Policy, Smart Snacks, Civil Rights, Buy American, Professional Standards, and other areas of general program compliance.



These were the State agency determined findings and the school food authority response to the findings:

Findings and Corrective Action Plan

Finding 1 - Dietary Specifications and Nutrient Analysis

- The margarine blend served to students contained non-naturally occurring trans fats per information provided by the school food authority. Labels or product formulation statements for food products and ingredients used to prepare school meals must indicate zero grams of non-naturally occurring trans fat per serving (less than 0.5 grams) (CFR210.10(a)(ii)(3)).

Please review all food products' nutrition facts labels and do not serve products that contain non-naturally occurring trans fats for U.S.D.A. breakfast, lunch, or snack. Train food service staff to review food products' nutrition facts labels at the time of delivery and separate or mark these products as not for use in the school meal programs. Include no trans fat specification in solicitation documents for the purchase of commercial foods used in the U.S.D.A. school meal programs.

Timeframe for completion: September 22, 2017

Sponsor Response: Non-trans fat containing margarine blend was served to students the day of the State agency on-site review. The product statement was uploaded into Review Attachments.

Finding 2 - Buy American Provision

- Food items available in the United States must be purchased and used whenever possible when participating in U.S.D.A. school meal programs per the Buy American Provision; each school food authority is required to purchase domestic agricultural commodities or products that are produced and processed substantially in the United States or territories, as applicable (7 CFR 210.21 (d)). The products served to students were canned pears, canned diced apples, and canned pumpkin from China, bran flakes from Mexico, and juice from U.S.A./Brazil, Mexico, and Costa Rica.

If a product from another country is sourced, then the food service must have proof that the domestic product is significantly higher in price or not available in sufficient quantities. Include the Buy American Provision in school food authority solicitation documents for the purchase of commercial foods used in the U.S.D.A. school meal programs. Products for use in the school meal programs must be checked upon receipt and not accepted if the products do not comply with the Buy American Provision, unless there is documentation to justify the exception (exorbitant pricing or product shortages). For each item (canned pears, canned apples, canned pumpkin, bran flakes cereal, and juice), please do one of the following: upload product labels to show compliance with the Buy American provision; inform the State agency that the non-U.S.A products are no longer served to the students or are served to students outside the school meal programs; or provide documentation showing a significant higher price for a domestic product.

Timeframe for completion: September 22, 2017



Sponsor Response: The school food authority was able to find canned pears, canned apples and bran cereal (raisin bran) that were labeled as products of the U.S.A. Canned pumpkin will only be served to the students outside of the school meal programs. Juice served to the students for the school meal programs may not be a product of the U.S.A.; however, the Food Service Director provided a cost comparison sheet to validate the purchase of the non-U.S.A. juices. Documents were uploaded in Review Attachments.

Finding 3 - Afterschool Snack Program

- Schools may claim reimbursement for one full snack, per student, per day. Only a full snack (one serving from two different components) meeting the required portion sizes qualifies as reimbursable (1/2 cup fruit provided, must be 3/4 cup fruit; .5 ounce equivalent granola bar, must be 1 ounce equivalent). As this is a repeat issue from the past most recent administrative review, 78 snacks served in the review month of July will be disallowed.

Provide a written plan to the State agency outlining how the snack procedure will change to come into compliance with snack component portion requirements and train applicable staff. Document staff training with an agenda / sign in sheet and upload. Provide two weeks' worth (September 6 through September 20, 2017) of production records demonstrating sufficient quantities were provided to the students. Upload all documents into Review Attachments.

Timeframe for completion: September 22, 2017

Sponsor Response: On the day of State agency on-site review, Lori uploaded a snack procedure and posted requirements on the cabinet. The snack served on September 6, 2017, was compliant with portion sizes required. Lori provided a sign in sheet documenting staff training. Production records provided on September 21, 2017, documented compliance; the State agency provided additional technical assistance, under snack technical assistance. Documents were uploaded in Review Attachments.

Finding 4 - Meal Components and Quantities

- Lunch on Tuesday, July 11, 2017, the day of the State agency independent contractor visit, served 1.5 ounces of deli turkey, which credits as 1 ounce equivalent meat/meat alternate, using the product formulation statement provided, and 1 slice of cheese, which credits as .5 meat/meat alternate, for a total of 1.5 ounce equivalent meat/meat alternate. The U.S.D.A. grade 9-12 lunch meal pattern requires 2 ounce equivalent meat/meat alternate, so insufficient meat/meat alternate was served. As this is a repeat issue from the past most recent administrative review, the ten meals served on this day will be disallowed.

This was corrected by the day of the State agency reviewer on-site visit; two slices of cheese were served along with the deli turkey, which provided a total of 2 ounce equivalent meat/meat alternate. This information was reflected on the September 6, 2017, production record.

- Lunch on Wednesday, July 12, 2017, served 2 ounces of turkey bologna, which credits as 1.25 ounce equivalent meat/meat alternate, using the product formulation statement



provided. The U.S.D.A. grade 9-12 lunch meal pattern requires 2 ounce equivalent meat/meat alternate, so insufficient meat/meat alternate was served. As this is a repeat issue from the past most recent administrative review, the 13 meals served on this day will be disallowed.

In order to meet the 2 ounce equivalent requirement using the product, at least 2.86 ounces of turkey bologna must be served. Notify the State agency via email how the required 2 ounce equivalent meat/meat alternate will be met on this cycle menu day; options include serving a larger portion of this product or serving a different product (upload the product formulation statement) to provide 2 ounce equivalent meat/meat alternate. Provide an updated production record for documentation.

- Lunch on Thursday, July 13, 2017, served 2 ounces of deli turkey, which credits as .75 ounce equivalent meat/meat alternate (m/ma), using the product formulation statement provided (actual calculation was .89, but U.S.D.A. requires rounding down to .75 ounce equivalent). The U.S.D.A. grade 9-12 lunch meal pattern requires 2 ounce equivalent meat/meat alternate, so insufficient meat/meat alternate was served. As this is a repeat issue from the past most recent administrative review, the 10 meals served on this day will be disallowed.

Notify the State agency via email how the required 2 ounce equivalent meat/meat alternate will be met on this cycle menu day; options include serving a larger portion of this product or serving a different product (upload the product formulation statement) to provide 2 ounce equivalent meat/meat alternate. Provide an updated production record for documentation.

Timeframe for completion: September 22, 2017

Sponsor Response: On September 8, the State agency gave technical assistance to Lori regarding crediting foods toward the meal pattern, the use of valid product formulation statements to check portion sizes and confirm ounce equivalents, and provided a document *U.S.D.A. Tips for Evaluating Product Formulation Statement*. On September 20, 2017, production records for the three days were provided to document the service of 2 ounce equivalent meat/meat alternate at each of the lunch meals noted in the finding. The State agency reminded the school food authority to ensure that all remaining days and weeks of the cycle menus are compliant with the U.S.D.A. meal patterns and dietary specifications.

Fiscal Action

Findings for the disallowed 78 snacks and 33 lunches resulted in \$177.87 in fiscal action. The threshold for disregard is \$600 so the amount was disregarded.

Commendations

- The Food Service Director was receptive to input from the State agency reviewer, completing many tasks while the State agency was on site.
- The Food Service Director was prepared for the State agency on-site review. Necessary documentation was organized and ready for review and she was available to answer questions and provide clarification.
- Meal count documentation was organized, clear, and accurate.



Technical Assistance

Meal Components and Quantities

- Independent contractor Shawna Durbin contributed to the following technical assistance:
 - Adjust recipes to add clarity and standardize.
 - Ensure production records and back up documentation are accurate and are in alignment with daily & weekly menu contribution reports.
 - Update daily / weekly menu contribution reports (crediting for grain and meat/meat alternate ounce equivalent and whole grain ounce equivalent) when a new product is served to ensure compliance with U.S.D.A. grade 9-12 meal patterns for breakfast, lunch, and snack.

Civil Rights

- Please update your non-discrimination statement to the correct U.S.D.A. long non-discrimination statement available at the State Agency website: [Civil Rights Statement](#). This was updated prior to the State agency on-site visit. The civil rights binder is now up-to-date with required information; copies of the civil rights complaint form were added to the binder and the SA reviewed the process.

Professional Standards

- The United States Department of Agriculture has established minimum Professional Standards for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs, effective July 1, 2015. The standards provide annual training requirements for all school nutrition professionals. It is required that some form of documentation be kept on file to show Professional Standards compliance; options include the FNS online tracking tool at [Professional Standards](#) and two Professional Standards tracking resources available under Download Forms in the Professional Standards section.

Food Safety

- The most recent food safety inspection report must be posted in a location visible to the public (7 CFR 210.13(b)).

Reporting and Record Keeping

- Standard reminder that food service records must be maintained for three years plus the current year to document compliance with program regulations and the service of reimbursable meals.

Afterschool Snack Program

- Ensure the fruit component (oranges, apples, etc.) served in the snack program is $\frac{3}{4}$ cup. If the fruit is not at least $\frac{3}{4}$ cup, then additional fruit, such as juice, or another full component needs to be served.



- If raisins are served, the full component amount would be 6 Tablespoons, since raisins are dried fruit and dried fruit counts double.
- Be consistent with snack production records. It may be confusing to see portion sizes (for example, the number of fruit cups and granola bars to serve) in different columns. The State agency suggested noting the amount to serve in the "Snack Menu" column.

Your review is now closed.

Fiscal action of \$177.87 was disregarded. Should you wish to appeal any of these findings, please follow the appeal procedures on the [State Agency Appeal Procedures](#) document. If you want to discuss any of these findings, please contact me at (208) 332-6820.

Thank you for your continued support of the Child Nutrition Programs.

Sincerely,

A handwritten signature in blue ink that reads "Tamara".

Tamara Donovan, RD, LD, SNS
NSLP Coordinator

cc: Colleen Fillmore, PhD, RD, LD, SNS, Director, Child Nutrition Programs
Lori Spencer, Food Service Director, District 6 JDC

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