



DEPARTMENT OF EDUCATION

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May 21, 2025

MEMORANDUM

TO: Directors of Residential Child Care Institutions
Other Appropriate Personnel

FROM: Aimee F. Beam, MS, RD *AFB*
Director, Nutrition Programs

RE: **SY 2024 - 2025 Operational Memo #23**
Full-Year Continuing Appropriations and Extensions Act, 2025: Effect on
Child Nutrition Programs

On May 14, 2025, the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) released the following document: SP 13-2025, CACFP 10-2025, SFSP 06-2025, Full-Year Continuing Appropriations and Extensions Act, 2025: Effect on Child Nutrition Programs.

The purpose of this memorandum is to provide notice to Child Nutrition Program (CNP) operators regarding the Full-Year Continuing Appropriations and Extensions Act, 2025 (Public Law 119-4) (the 2025 Appropriations Act), March 15, 2025. This applies to State Agencies (SAs) administering, and local organizations operating, the USDA, FNS, CNPs.

The document is attached for your review. If you have any questions or need assistance, please contact us at 302-857-3356.

Attachment: SP 13-2025, CACFP 10-2025, SFSP 06-2025

cc: Nutrition Team



Food and Nutrition Service
U.S. DEPARTMENT OF AGRICULTURE

Date: May 14, 2025

Memo code: SP 13-2025, CACFP 10-2025, SFSP 06-2025

Subject: Full-Year Continuing Appropriations and Extensions Act, 2025:
Effect on Child Nutrition Programs

To: Regional Directors, Child Nutrition Programs, All Regions

State Directors, Child Nutrition Programs, All States

This memorandum provides notice to child nutrition Program operators regarding the [Full-Year Continuing Appropriations and Extensions Act, 2025](#) (Public Law 119-4) (the 2025 Appropriations Act), March 15, 2025. This applies to State agencies administering, and local organizations operating, the U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), child nutrition programs.

Crediting of Vegetables at Breakfast

The 2025 Appropriations Act extends the 2024 provision that allows school food authorities (SFAs) participating in the School Breakfast Program (SBP) to credit any vegetable offered in place of fruit without including vegetables from other subgroups in the weekly menus. This general provision is effective for the remainder of school year (SY) 2024-2025 and restricts USDA from enforcing vegetable variety requirements at breakfast when this flexibility is used. SFAs are not required to make any breakfast menu changes.

Starting in SY 2025-2026, consistent with current SBP requirements [[7 CFR 220.8\(c\)\(2\)\(ii\)](#)], schools must offer at least two vegetable subgroups at breakfast per week, if offering vegetables in place of fruit at breakfast more than once per week.

USDA continues to encourage Program operators to include a variety of vegetables at breakfast when using this optional menu planning flexibility to expose children to the nutrients that come from a variety of vegetables.

Prohibition on the Use of Chicken and Seafood from China

The 2025 Appropriations Act extends the 2024 provision that Program funds may not be used to procure raw or processed poultry or seafood products from the People's Republic of China. This prohibition applies to all child nutrition programs and remains effective through September 30, 2025.

Compliance with Paid Lunch Equity (PLE) Requirements

Under the 2025 Appropriations Act, for SY 2025-2026, only SFAs that had a negative balance in the nonprofit school food service account as of June 30, 2024, shall be required to establish a price for paid lunches according to the PLE provisions in Section 12(p) of the Richard B. Russell National School Lunch Act (NSLA) [[42 U.S.C. 1760\(p\)](#)] and implemented in the National School Lunch Program (NSLP) regulations at [7 CFR 210.14\(e\)](#). Consistent with the terms of the 2025 Appropriations Act, *SP 12-2025, Paid Lunch Equity: Guidance for School Year 2025-2026*, provides notice that any SFA with a positive or zero balance in its nonprofit school food service account as of June 30, 2024, is exempt from PLE pricing requirements found at [7 CFR 210.14\(e\)](#) for SY 2025-2026.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agencies should direct questions to the appropriate FNS Regional Office.

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Tina Namian
Deputy Associate Administrator
Child Nutrition Programs