

Serve Kids Better

Inspection Compliance Guide

This guide is intended to assist health officers and inspectors determine restaurant compliance and ensure enforcement of the Serve Kids Better law.



The Serve Kids Better law ([PA 102-0529, amended](#)) specifies that any beverage provided as the default (automatic) beverage with a children's meal must be one of the below.

- Water, sparkling water, or flavored water. All without added natural or artificial sweeteners.
- 100% fruit or vegetable juice or juice combined with water or carbonated water, with no added sweeteners, in a serving of 8 ounces or less.
- Nonfat or 1% dairy milk containing no more than 130 calories per container or serving as offered for sale.
- Nondairy milk alternatives with no added natural or artificial sweeteners, containing no more than 130 calories per container or serving as offered for sale, and meeting the standards for the National School Lunch Program as set forth in 7 CFR 210.10.

COMPLIANCE OFFICERS CAN LOOK FOR THREE THINGS:



The menu and menu boards must only include these healthier default beverages.



In-store advertising of children's meals must only include these healthier beverages.



The default beverages must meet the definitions above (use guidance below, if needed).



WATER, SPARKLING WATER, OR FLAVORED WATER

- These beverages may not include natural or artificial sweeteners. It is necessary to [check the entire ingredients list](#) to determine compliance. It is possible for beverages to have zero calories and still include artificial sweeteners.
- Please see the list of common sweeteners to check for at the end of this document.*



FRUIT OR VEGETABLE JUICE

- These beverages may be 100% fruit or vegetable juice. This designation can be found on the label as "100% juice."
- These beverages may be diluted with water or carbonated water but may not have added sweeteners. It is necessary to [check the entire ingredients list](#) to determine compliance. Please see the list of common sweeteners.*
- These beverages must be provided in containers or servings of 8 ounces or less.



NONFAT OR 1% DAIRY MILK

- These beverages must be nonfat (which is also known as fat-free or skim) or contain 1% milkfat. This information can be found on the container label.
- These beverages must also contain no more than 130 calories per container or serving as offered for sale.
 - If the beverage is served in a container, the calorie information is available at the top of [the nutrition facts label](#). If there is more than one serving per container, it is necessary to multiply the calories by the number of servings to determine the calories per container.
 - If the beverage is poured from a larger container, the nutrition facts label on the larger container can be used to determine the number of calories per serving provided by the restaurant. Below are a few approximate scenarios for dairy milk.¹

DAIRY MILK TYPE	MAXIMUM SIZE TO CONTAIN ≤ 130 CALORIES		
	<i>cups</i>	<i>ounces</i>	<i>grams</i>
Nonfat, plain	1.6 (~1 ½ cups)	12.8	392
1%, plain	1.3 (~1 ¼ cups)	10.4	305
Nonfat, chocolate	0.9 (~1 cup)	7.2	228
1%, chocolate	0.6 (~½ cup)	4.8	150



NONDAIRY MILK ALTERNATIVES

- These beverages may not include natural or artificial sweetener. It is necessary to [check the entire ingredients list](#) to determine compliance. Please see the list of common sweeteners.*
- These beverages must also contain no more than 130 calories per container or serving as offered for sale. If the beverage is served in a container, the calorie information is available at the top of [the nutrition facts label](#). If there is more than one serving per container, it is necessary to multiply the calories by the number of servings to determine the calories per container.
- These beverages must meet the standards for the National School Lunch Program as set forth in 7 CFR 210.10. Those standards are accessible [here](#), section d (fluid milk requirement), part 3 (fluid milk substitutes). Essentially, the nondairy milk should include the following nutrients: Calcium, Vitamin A, Vitamin D, Vitamin B-12, Potassium, Magnesium, Phosphorus, Protein and Riboflavin, in the required quantities.

Soda, lemonade and other non-dairy sugary drinks are no longer allowed as the default beverages in children's meals.

*List of Common Sweeteners^{2,3,4} (not exhaustive, sweeteners often end with “-ose.”)

- | | | | | | |
|------------------------------|-------------------------------|--|---------------|-------------------------|-----------|
| → acesulfame K/
potassium | → dextrose | → honey | → mannitol | → raw sugar | → sucrose |
| → advantame | → erythritol | → invert sugar | → molasses | → saccharin | → syrup |
| → agave | → fructose | → lactose | → maple syrup | → sorbitol | → xylitol |
| → aspartame | → fruit-juice
concentrate | → luo han
guo (monk)
fruit extract | → nectar | → stevia | |
| → cane sugar | → glucose | → maltose | → nectresse | → steviol
glycosides | |
| → corn syrup | → high fructose
corn syrup | | → neotame | → sucralose | |

1. <https://www.nutritionix.com/>

2. <https://my.clevelandclinic.org/health/articles/15166-sugar-substitutes--non-nutritive-sweeteners>

3. <https://www.ncbi.nlm.nih.gov/books/NBK278991/table/diet-treatment-obes.table20nut/?report=objectonly>

4. https://www.canr.msu.edu/news/artificial_sweeteners_in_beverages_part_2