Food and Beverage Choices

Responsible Executive: Vice Chancellor-Student Affairs
Responsible Office: University Health Services
Contact: Kim Guess, kguess@berkeley.edu; (510) 643-3434

Policy Statement

The University of California, Berkeley ("Berkeley") is strongly committed to supporting the health and well-being of all members of the campus community by ensuring that healthy food and beverage choices are available in the foodservice operations identified in this policy. This policy establishes nutrition standards for retail foodservice and markets, vending machines, Athletic concessions, and University-sponsored meetings and events to ensure accessibility of whole and fresh foods, provide healthier alternatives to sugar-sweetened beverages, and engage positive communications promoting healthier choices.

Scope of Policy

This policy applies to everyone at UC Berkeley, including visitors, prospective students, and others, except as specifically noted.

Why We Have This Policy

A nutrition policy on the Berkeley campus is one of the most effective environmental strategies to address obesity, prevent diabetes, and improve the diet and health outcomes of the campus population. Health education alone—in the absence of change to the food environment—does not produce lasting behavioral change. This policy will help to ensure that healthy food and beverage choices are available in retail foodservice operations and markets, vending machines, Athletic concessions, and University-sponsored meetings and events.
The nutrition standards set forth in this document are not intended to restrict choices but are designed to make healthy choices more accessible, appealing, and affordable. They are modeled on:

- The *2015 Dietary Guidelines for Americans*, which recommend a healthy eating pattern with limited added sugar and saturated fat, less salt, and more fruits, vegetables and whole grains.
- The Culinary Institute of America’s *Menus of Change 2015*.
- UC’s Global Food Initiative goal on Food Policy and Public Impact.
- [Let’s Get Healthy California](#) with the goal to make California the healthiest state in the nation.
- The Centers for Disease Control (CDC) *Improving the Food Environment Through Nutrition Standards*.
- The National Alliance for Nutrition & Activity (NANA) call to action for public universities.
- Evidence-based public health recommendations.

Berkeley aspires to create a campus that will have agreements in place with:

1. Foodservice operators serving the University who have the ability to provide high-quality, affordable food and beverages that align with these Bear Minimum Food and Beverage Standards not later than 2020.
2. Foodservice operators serving the University who have the ability to provide a diverse selection of healthy beverage options not later than 2022.

**Procedures**

Foodservice operations required to comply with this policy include:

- University-operated retail foodservice operations on campus, including Cal Dining and Cal Athletic Concessions.
- University-operated retail markets and convenience shops on campus.
- Third-party tenants with new leases or lease renewals on campus.
- Snack and beverage vending machines.

The campus will recommend (but not require) adherence to the standards set forth in this policy by foodservice operated on University-controlled property by off-campus third-party vendors/tenants under lease or contract agreements, including but not limited to coffee shops, restaurants, and Mobile Food Facilities (i.e. “food trucks”). The standards set forth in this policy are recommended (but not required) to be included in the process for RFP’s, lease negotiations, and lease contracts for off campus locations. Some preference in the selection of foodservice vendors/tenants will be given (when permitted by other policy or law) to third-party vendors/tenants that commit to be bound by specific operational standards consistent with this policy.

**Exemptions:**

- Foodservice operations subject to existing contracts and/or exclusive agreements are exempt until such time as those contracts and/or agreements are renewed or terminated.

These nutrition standards may be included in food and beverage contracts, exclusive contracts, and/or agreements established with the University.
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All foodservice operations must be in compliance with current foodservice laws and applicable University of California and Berkeley campus policies including, but not limited to:

- California Retail Food Code
- University of California 2020 Food Sustainability Policy
- University of California Zero Waste Policy
- Campus Policy Governing the Promotion of Alcoholic Beverages and Tobacco Products on the Campus and at Campus Sponsored Events

- State and federal legislation on Menu Labeling and ban on trans fats:
  - FDA Vending Machine Labeling Requirements
  - H.R. 2017 Common Sense Nutrition Disclosure Act of 2015 (requires all restaurant chains with 20 or more locations to post calories on menus)
  - FDA ruling by 2018 intended to ban all trans fats in food

A. NUTRITION STANDARDS FOR FOOD, SNACK VENDING, AND BEVERAGES

Bear Minimum Nutrition Standards for Food

Healthy Approach to Variety and Choice:

- Nutritious, fresh, whole foods that are minimally processed.
- Options and ingredients from various cuisines reflective of Berkeley’s cultural diversity.
- Fresh vegetables and fruit featured across meals and snacks; and available as sides.
- Whole grain options provided; 100% whole grains are recommended as the standard choice.
- Plant-based protein/entrée always available when meat entrée is offered.
- Lean meats that are minimally processed.
- Trans-fat free plant oils.

Quality and Quantity:

- Options of small/moderately-sized portions of baked items, pastries, and desserts.
- Options of healthier breakfast fare.
- Combination meals paired with sides of salad greens/non-fried vegetables or fresh fruit (instead of fries or chips) if combination meals are provided.
- Combination meals with half portion entrée paired with sides of salad greens/non-fried vegetables or fresh fruit if combination meals are provided.
- Cooking techniques prioritize grilling, roasting, stir-fry, baking, and poaching, with minimal deep-frying used as a preparation method.

Bear Minimum Nutrition Standards for Snack Vending Machines

A minimum of 50% of the food offered in snack vending machines must meet the following Bear Minimum Nutrition Standards for snack vending:

Per package:

- Not more than 250 calories with at least one option of 100 calories or less.
- Not more than 35% of total calories from fat (or less than or equal to 10 grams of total fat).
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- Not more than 10% of total calories from saturated fat (or less than or equal to grams of saturated fats).
- No trans fats.
- Not more than 35% total weight from sugar (or less than or equal to 20 grams of sugar).
- Not more than 360 milligrams of sodium.

Healthier snack items must have a fruit, vegetable, low-fat dairy, protein, or whole grain as first ingredient.

Exemptions:

The following are exempt from all requirements except the total calorie requirement: Nuts, nut butters (such as peanut butter), seeds, legumes (beans), eggs, cheese, and fruit/vegetables that have not been deep fried and do not contain added sugars and/or fat.

Bear Minimum Nutrition Standards for Beverages

Healthier Beverages - Retail:
- Retail operations selling bottles, cans, and packaged beverages will stock shelf space with “Healthier Beverages”* at 70% or greater, and “Sugar-Sweetened and Less Healthy Beverages”* at 30% or less.
- Retail operations selling bottles, cans, and/or packaged beverages will offer a variety of sizes from the smallest sizes available (4-8 ounces) to a maximum size of 20 ounces for sugar-sweetened beverages; preferably in aluminum or glass packaging in support of UC’s systemwide sustainability goals.
- Retail foodservice operations selling beverages from soda fountain dispensers recommended to provide a maximum cup size of 21 ounces, and preferably 16 ounces.
- Energy drinks and energy-type beverage products with caffeine as an additive ingredient sold in bottles, cans, and/or other packaging are limited to less than or equal to 71 milligrams of caffeine per 12 fluid ounces.
- For made-to-order coffee/tea drinks sold by foodservice providers under University partnership/agreement, the University will work with the selected coffee/tea providers to address the goal to reduce added sugar.

Healthier Beverages – Vending Machines:
- Vending machines selling bottles, cans, and packaged beverages will stock machines and have visible selection buttons with “Healthier Beverages”* at 50% or greater, and “Sugar-Sweetened and Less Healthy Beverages”* at 50% or less.
- Caloric beverages which do not follow healthier beverage standards must not exceed 20 fluid ounces in size.
- Energy drinks and energy-type beverage products with caffeine as an additive ingredient sold in bottles, cans, and/or other packaging are limited to less than or equal to 71 milligrams of caffeine per 12 fluid ounces.
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Water:
• Drinking water and the provision of a beverage cup will always be available at no charge to customers purchasing food.
• Bottled water will be priced equal to, or preferably lower than, sugar-sweetened and artificially-sweetened beverages on a cost-per-serving basis.

Exemptions:
Cal Athletic Concessions 32-ounce Souvenir Cups sold at football, and men’s/women’s basketball games. This exemption will be reviewed annually with an aim to be responsive to market demands while working towards selling smaller, alternative sizes in compostable cups with or without artwork.

*See Glossary

Consultation: University Health Services nutrition staff will be available to consult with foodservice operations and vending partners on healthy menu development, item placement, healthy item identification strategies, and consumer outreach and education.

B. MARKETING AND ADVERTISING
Marketing of healthy food and beverage options must be consistent with the following Marketing and Advertising Standards. Marketing of corporate brands and logos by vendors under exclusive agreements with the University are allowed and it is recommended to promote the diversity of a company’s portfolio of brands, particularly healthier brands.

Marketing and Advertising Standards

Marketing Healthier Products:
• Marketing, promotional campaigns, displays, and posters of specific food and beverages should prioritize healthier food and beverage products meeting the Bear Minimum Nutrition Standards.

Menu Labeling:
• Healthy food and beverages may be identified with a healthy icon in partnership with campus programs such as Eat Well Berkeley.
• Coffee/tea providers under University partnership/agreements post calories on the menu, and will work with the University to promote point-of-service information on added sugar content for coffee/tea beverages and a healthier beverage menu.

Product placement:
• Healthy food and beverages will be placed at check-out, eye level, and/or at the best-selling position within the foodservice operation, vending machines, refrigerated containers, food carts, and/or other food venues; less nutritious offerings will be placed in less prominent locations.

Pricing:
• Pricing should be set to encourage the sale of healthier food or beverages.
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- Discounts and promotions should be offered for customers using reusable food or beverage containers subject to proper health and sanitation practices.
- Pricing discounts for sugar-sweetened beverages and less healthy beverages, including but not limited to free refills or buy-one-get-one-free promotions, are not allowed.

Consultation: University Health Services nutrition staff will be available to consult with foodservice operations and vending partners on healthy menu development, item placement, healthy item identification strategies, and consumer outreach and education.

C. MEETINGS AND EVENTS

When University funds are used to purchase food or beverages for University meetings and events:
- Members of the University community ordering or purchasing food and beverages should include nutritious and sustainable choices as outlined in the UC Berkeley Healthy Meeting and Event Guide and supported by UHS -- Be Well at Work Wellness Program.
- Water, preferably served in bulk to minimize use of single-use water bottles, must be offered as a choice when beverages are offered.

D. ACCOUNTABILITY AND PERFORMANCE STANDARDS

- Foodservice operators and third-party vendors/tenants will designate at least one member of their staff to serve as liaison to the University representative responsible for this policy.
- Foodservice operators and third-party vendors/tenants will receive on an annual cycle the Berkeley Menu Assessment to complete and return to University Health Services.
- All foodservice operations will be subject to random assessments by the University.

For purposes of ensuring accountability with these nutrition standards, Berkeley will commit to the following:
- Partner nutrition experts with the University’s Beverage Alliance.
- Provide assistance to foodservice operators and vendors as needed on these nutrition and marketing standards.
- Perform random assessments of foodservice operations and vending machines with the opportunity to provide experiential learning projects for students in Public Health and Nutritional Sciences & Toxicology courses.

Responsibilities

Everyone in the Campus Community:
- Collaborates on this policy across multiple disciplines. Members of the campus community, including visitors, are encouraged to provide feedback to foodservice operators about adherence to the policy.

University Business Partnerships and Services:
- Identifies and partners with providers and vendors.
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- Facilitates business partnerships leading to marketing through multiple campus venues.

**Business Contracts and Brand Protection (BCBP):**
- Reviews contract terms and ensures they include applicable references to the standards outlined in this policy.
- Documents agreements with third-party vendors on University-controlled properties.
- Collaborates with campus partners, as well as internal and external tenants and third-party vendors, on implementation of this policy.

**Supply Chain Management:**
- Ensures contracts are awarded to companies providing food, vending, catering, and food/beverage marketing/advertising that comply with the standards outlined in this policy.

**Real Estate Development and Portfolio:**
- Ensures the Request for Proposal (RFP) process for foodservice providers includes the standards outlined in this policy.

**Foodservice Operations Serving the Campus Community:**
- Retail foodservice operations owned and managed by the University or located in University-controlled property operated by a third-party vendor under lease or contract that target as primary customers University students, faculty and/or staff, have primary responsibility to adhere to the standards outlined in this policy.

**ASUC Student Union:**
- Assumes primary responsibility for the management and administration of snack and beverage vending machines located on non-Residential & Student Service Programs (RSSP) campus property.

**RSSP Vending Management:**
- Assumes primary responsibility for the management and administration of snack and beverage vending machines in residence halls.

**University Health Services:**
- Collaborates with campus foodservice operators on implementation of this policy.
- Partners with and provides consultation to campus departments with responsibilities related to this policy, as well as campus event planners and academic programs.
- Engages students in the planning process for educational campaigns and outreach on implementation of this policy.

**Web Address for This Policy**
http://campuspol.berkeley.edu/policies/foodbeverage.pdf

For policy implementation assistance, see uhs.berkeley.edu/foodbeveragepolicy
Glossary

Campus Community: those enrolled at or employed by the University of California, Berkeley, as well as individuals engaged in activities sponsored by the campus or an organization affiliated with the campus. More broadly, the campus community is a group of people who have the campus in common and are socially interdependent, participate together in discussion and decision-making, and share certain practices.

Employee: for purposes of this policy, any faculty, staff, post-doctorate, graduate, or undergraduate student who performs work for the University of California and is paid for it by the University of California.

Foodservice: Retail sale of ready-to-consume food and beverages.

Healthier Beverages defined for bottled/canned/packaged beverages:
- Water: unflavored with no added caloric sweeteners (caloric or non-caloric); includes still, carbonated, or mineral.
- Low-calorie beverages: zero-calorie and low-calorie diet and other beverages at less than or equal to 40 calories per 8 fluid ounces.
- Juice: 100% fruit or vegetable juice or juice blends, with no added sweetener (caloric or non-caloric), carbonated or still; and vegetable juices less than or equal to 230 milligrams of sodium.
- Juice beverage: 100% fruit juice or vegetable juice or juice blends diluted with water, with no added sweetener (caloric or non-caloric), carbonated or still.
- Milk: nonfat or low fat (1%), unflavored, and unsweetened.
- Plant-derived or non-dairy milk: (i.e. soy, rice, almond), unflavored, unsweetened, and Vitamin D and calcium fortified;
- Supplemental protein/nutrition beverages with no added caloric sweeteners (e.g., protein drinks, nutrition shakes).
- Teas/coffees, unsweetened with only naturally occurring caffeine.

Marketing: encompasses the vast array of strategies designed to successfully influence consumer purchasing behavior of food and beverages, including but not limited to product placement, signage, pricing, samples, giveaways, and marketing/advertising through many different media.

Sugar-Sweetened and Less Healthy Beverages defined for bottled/canned/packaged beverages:
- Sodas, including all carbonated beverages, with added sugar.
- Fruit juice drinks or elixirs including all fruit drinks, fruit juices, and fruit nectars with added sugar.
- All other drinks with added sugar and exceeding the calorie limit under Healthier Beverages, including but not limited to sports drinks, energy drinks, sweetened coffee/tea drinks, protein drinks, sugar-sweetened and flavored teas, waters, coconut waters, rice drinks, bean beverages, sugar cane beverages, horchata, and nonalcoholic wine/malt beverages.
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University-controlled property on campus and off campus: for purposes of this policy, the “campus” means central campus property bordered by the north side of Bancroft Way, the east side of Oxford Street, the south side of Hearst Avenue, and the west side of Gayley Road, and “off campus” means any foodservice operation located elsewhere.

Vending Machines: machines that dispense food or beverages when some form of payment is inserted. Berkeley snack and beverage vending machines are managed under exclusive contract, partnership, and/or agreement, and oversight management is provided by the Associated Students of the University of California (ASUC) and Residential & Student Service Programs (RSSP).

Related Documents and Policies

- State of California Retail Food Code
- University of California 2020 Sustainable Foodservices Policy
- Berkeley Campus Zero Waste Guidelines
- Campus Policy Governing the Promotion of Alcoholic Beverages and Tobacco Products on the Campus and at Campus Sponsored Events
- Berkeley Alcoholic Beverages Policy
- Alcoholic Beverages and Tobacco Products, Promotion Of
- UC Entertainment Policy
- Mobile Food Facilities Policy

References

- Menu of Change, Culinary Institute of America
- 2015 Dietary Guidelines for Americans
- H.R. 2017 Menu labeling
- Herrera, 18 scientists urge FDA action on Monster, other caffeinated energy drinks
- Partnership for a Healthier America (PHA) Healthier Campus Initiative
- The Federal Health and Sustainability Guidelines for Federal Concessions and Vending Operations
- The National Alliance for Nutrition and Activity (NANA) Model Beverage and Food Vending Machine Standards
- Recommendations for Healthier Beverages developed by Healthy Eating Research, a program of the Robert Wood Johnson Foundation