



**United States  
Department of  
Agriculture**

Food and  
Nutrition  
Service

3101 Park  
Center Drive

Alexandria, VA  
22302-1500

Date: September 15, 2008

Memo Code: TA 06-2008

Subject: Aerated Beverages Categorized as "Soda Water" from the Competitive Food Services Regulation

To: Regional and State Directors  
Special Nutrition Programs  
All Regions

Please be informed that the Food and Nutrition Service (FNS) has recently determined that all beverages labeled as, "aerated" or that bubble and fizz for several minutes after opening are to be categorized as, "Soda Water" defined by the Competitive Food Services regulation 7 CFR Part 210.11 and Appendix B of this part.

Despite the fact that the definition for soda water found in Appendix B (a) (1) only uses carbon dioxide as the measure, FNS does not differentiate between aerated water and soda water. These two types of products are viewed and served the same way, and FNS does not believe that children can separate the two products. Perception is very important when making foods available to school-age children. The child only sees a "soda" and will not understand the difference between an aerated or carbonated one. FNS considers aerated beverages to be foods of minimal nutritional value, and as such, they may not be served in the food service area during the meal periods of both the National School Lunch and School Breakfast Programs.

If you have any questions related to this determination, please contact your Regional office.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Long". The signature is written in a cursive, flowing style.

CYNTHIA LONG  
Director  
Child Nutrition Division