New York City Food Standards | **Commissaries**

This document outlines standards for food and beverages offered at NYC Department of Correction commissaries to people who are incarcerated on City property (per Executive Order 8).[1] These standards aim to provide people who are incarcerated with increased access to healthier food options.

The NYC Department of Correction and their contractors should take all reasonable steps to follow these standards. If a contractor is unable to meet certain standards after six months (for example, due to low sales or being unable to revise packaging or products), the NYC Department of Correction should identify the unmet standards and submit documentation to the Mayor's Office of Food Policy and the NYC Health Department. Documentation may include a vendor's inventory catalog, communication requesting product availability, or a record of low sales. This information will be used to inform potential adjustments to the standards.

For more information, contact **nycfoodstandards@health.nyc.gov**.

Section 1. Nutrient, Food, and Beverage Standards

The following standards are defined per serving of food as shown on a product's Nutrition Facts label or based on an ingredient appearing on a product's ingredient list.

A. Overall Nutrient Standards

The following standards apply to all food and beverages offered.

Trans fat

Require all items contain no partially hydrogenated oils (for example, industrially produced trans fats).[2]

Sodium

Recommend all items contain less than or equal to (≤) 480 milligrams (mg) of sodium per serving, unless a lower standard is specified below in Section B.

B. Food and Beverage Standards

The following standards apply to specific categories of food and beverages. Refrigeration is not typical in commissaries, but offering whole, fresh food items, which are generally refrigerated, is encouraged.

Beverages

Require at least four water, seltzer, or flavored seltzer options with no added sweeteners[3] be available.

Require fruit juice be 100% with no added sweeteners.[3]

Require 1% or nonfat milk with no added sweeteners be available.[3]

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[1] View the Executive Order at **nyc.gov/assets/home/downloads/pdf/executive-orders/2022/eo-8.pdf**.
[2] Restriction is consistent with federal law. For more information, visit **federalregister.gov/articles/2015/06/17/2015-14883/final-determination-regarding-partially-hydrogenated-oils**.
[3] Sweeteners include added sugars and low- and no-calorie sweeteners.

- Recommend lactose-free milk or soy milk with ≤ 5 grams (g) of added sugars per 8 ounces (oz) be available.
- Recommend limiting beverages with added sugars.

Bread and grains

Breads and grains include rice, noodles, rolls, bagels, tortillas, and sliced sandwich bread.

- **Require** at least two whole-grain options that contain ≤ 290 mg of sodium per serving be available.

Cereal

Cereal includes hot and cold cereal.

- **Require** at least two cereal options be available that:
  - Contain ≤ 200 mg of sodium per serving.
  - Contain ≤ 6 g of added sugars per serving.
  - Are whole grain.[4]

Baked goods

Baked goods include Danish pastries, doughnuts, cinnamon buns, muffins, cake, and cookies.

- **Require** at least two baked good options be available that:
  - Contain ≤ 290 mg of sodium per serving.
  - Contain < 10 g of added sugars per serving.

Snacks

Snacks include crackers, pretzels, chips, granola bars, and trail mix.

- **Require** at least three snacks be available that:
  - Contain ≤ 200 mg of sodium per serving.
  - Contain < 5 g of added sugars per serving.

Fruits and vegetables

Fruits and vegetables include fresh, dried, baked, dehydrated, and ready-to-eat canned and pouch varieties.

- **Require** at least one fruit option with no added sweeteners be available.
- **Require** at least two vegetable options that contain ≤ 220 mg of sodium per serving be available.

Protein

Protein includes beans, lentils, peas, nuts, seeds, beef, pork, poultry, and seafood.

- **Require** the following protein options be available and contain ≤ 290 mg sodium per serving:
  - At least two bean, lentil, or pea options
  - At least two nut or seed options that contain only nuts, seeds, or nut or seed butters (may also contain salt, seasoning, or flavoring)

[4] A product must have a whole grain (such as whole-wheat flour, brown rice flour, whole corn, corn masa flour, or oats) first on its ingredient list to be considered whole grain. For more information, visit **wholegrainscouncil.org**.

- At least two seafood options

- **Require** at least one nut or seed option that contains no added salt or added sugars.
- Recommend all packaged protein foods contain ≤ 290 mg of sodium per serving.
- Recommend limiting processed meat options.

Dairy

Dairy includes yogurt, cheese, and fortified soy alternatives.

- Recommend only plain (unflavored) low-fat or nonfat yogurt be available.
  - If offering sweetened yogurt, recommend it contain ≤ 7 g of added sugars per 4 oz or equivalent.
- Recommend cheese contain ≤ 290 mg of sodium per serving.

Section 2. Pricing, Education, and Feedback

- **Require** all foods and beverages that meet the standards in Section 1B be labeled "best choice" on the commissary menu.
  - Recommend foods and beverages labeled "best choice" be priced less than or equal to other options in the same category.
- **Require** nutrition and ingredient information for each food and beverage be available prior to purchase.
- **Require** feedback regarding cultural preferences, taste, and quality of food and beverage offerings be solicited annually from people who are incarcerated. Results must be considered when planning commissary offerings.
- **Require** providing education to people who are incarcerated on healthier food and beverage choices.

Section 3. Sustainability

- Recommend offering locally or regionally sourced items whenever possible.
- Recommend seafood be from sustainable fisheries and stocks.

NYC Health

For more information,
visit **nyc.gov/healthyworkplaces**.