

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe nutritional requirements for food and drink in schools. They apply to public schools and grant aided schools as well as hostels which are provided and maintained by education authorities under the Education (Scotland) Act 1980.

These Regulations were notified in draft to the European Commission in accordance with Directive [98/34/EC](#) (O.J. L 24, 21.7.98, p.37) as amended by Directive [98/48/EC](#) (O.J. L 217, 5.8.98, p.18).

Subject to the exemptions specified in regulation 2(2), the two areas regulated by this instrument are school meals and other food and drink provided on school premises. "School meals" refers to school lunches in all schools covered by the Regulations and to evening meals which are provided in hostels maintained by education authorities.

School meals must comply with three layers of nutritional requirements as provided in Schedules 1 to 3 (regulation 3). Schedule 1 prescribes those foods which must be provided on the menu as well as specifying those foods which cannot be provided. In addition it specifies how often certain types of food may or should be provided as part of the school meal.

Schedule 2 sets nutritional requirements for individual types of food and drink which are provided as part of the school meal.

Schedule 3 prescribes the overall nutrient standards which apply to all school meals. These set the required daily energy and nutrient content of the average school meal calculated during the school week. The formula for calculating the "average school meal" is set out in paragraph 2.

Paragraph 3 sets the energy and nutrient standards. There are different nutrient levels for school meals to be provided to primary school pupils and those to be provided to secondary school pupils and these are specified in Table A in paragraph 3. In addition, paragraph 4 makes provision for lower sodium levels to apply after 31st December 2010.

For all other food and drink provided in school premises, which are not part of a school meal, the requirements in Schedule 4 will apply.

Regulation 5 places a duty on education authorities and the managers of grant aided schools to provide free drinking water on school premises at all times.