

A Guide for Food & Nutrition Services: Cow's Milk Substitutes



School food operators may receive two types of requests for a cow's milk substitute: 1) Disability-based requests which operators **must** accommodate; and 2) Requests based on "special dietary needs," which operators **may**, but are not required to, accommodate though USDA encourages operators to provide cow's milk substitutes in these cases. And finally, school food operators can **choose to offer soy milk to all students** on the lunch line—no written request and no notice to state agencies required!

Mandatory Disability-Based Requests

A school **must** provide a cow's milk substitute in response to a parent or medical note describing a disability.

Key points:

- "Disability" includes common conditions such as **lactose intolerance**. USDA has repeatedly stated that "*a child whose digestion is impaired due to lactose intolerance may be considered a person with a disability who requires a substitution for cow's milk.*"¹

- The written statement may come from a **parent or guardian, a State-licensed healthcare professional, or a registered dietitian**.
- The statement must identify:
 - The disability
 - The major life activity impaired; and
 - The foods to be omitted and substituted.²
- **Disability-based substitutes do not need to be nutritionally equivalent to cow's milk** and do not need to meet meal pattern requirements. Any beverage specified in the statement (including non-dairy milk, juice, or water) may be provided.³

School food authorities must ensure families are informed of procedures for requesting disability-related meal modifications. Best practice includes making request forms available online and as part of school registration materials.

Discretionary Requests Based on "Medical or Special Dietary Needs"

Schools **may**, but are not required to, provide cow's milk substitutes based on a "medical or other special dietary need." USDA guidance encourages

1 89 Fed. Reg. 31,962, 31,985 (Apr. 25, 2024).

2 42 U.S.C. § 1758(a)(2)(A)(iii); see also 7 C.F.R. § 210.10(m)(1).

3 See Food & Nutrition Serv., USDA, Accommodating Children with Disabilities in the School Meal Programs Guidance for School Food Services Professionals 30 (2017), <https://www.fns.usda.gov/school-meals/2017-edition-accommodating-children-disabilities-school-meal-programs>.

accommodation when feasible.⁴ A special dietary need request may be based on a student's vegan diet, religious, cultural, or ethical beliefs, taste preference, or a health need that falls short of a disability.

- You must obtain from the student's parent/guardian, a State licensed healthcare professional, or a registered dietitian a written request that identifies the reason for the substitute.⁵
- If you choose to accommodate the request, the substitute must be nutritionally equivalent to cow's milk.⁶ The most common nutritionally equivalent substitution is fortified soy milk, but Ripple® Pea Milk and certain pea-oat milk blends also meet USDA's standards for substitution.⁷
- A school food authority must inform the State agency if any schools choose to offer fluid milk substitutes for non-disability reasons.⁸
- Expenses for discretionary substitutes that exceed program reimbursements must be paid by the school food authority; costs may be paid from the nonprofit school food service account.⁹

Offering Soy Milk for All Students (No Request Required)

As of January 2026, a school food operator may choose to offer nutritionally equivalent nondairy beverages to all students on the lunch line.¹⁰

- No medical or parent note required
- No need to notify the State agency that the school is serving nondairy beverages
- Expenses for discretionary substitutes that exceed program reimbursements must be paid by the school food authority; costs may be paid from the nonprofit school food service account.
- The most common nutritionally equivalent substitution is fortified soy milk, but Ripple® Pea Milk and certain pea-oat milk blends also meet USDA's standards for substitution.¹¹

Best Practices

- Offer soy milk or other nutritionally equivalent nondairy beverages alongside other fluid milk on the service line to reduce administrative burden.
- If flavored fluid milk is offered, offer flavored soy milk as well.
- Ensure parents, guardians, and students are aware of their right to request substitutes to cow's milk by providing information about disability and discretionary substitutions on your department's website, in the cafeteria line, and in any paper documentation provided to families.
- Create a streamlined process for parents and guardians to request cow's milk substitutes, such as an easy-to-access online form on your department's website and a paper form sent to families along with forms related to accessing free- and reduced-price meals.
- Provide information in all languages spoken by the school community.

Vendors for Nutritionally Equivalent Nondairy Beverages

- [Danone](#) (soy milk)
- [Kikkoman](#) (soy milk)
- [Ripple Foods](#) (pea milk)

Model Forms from School Food Operators

- [Disability-Based Dietary Accommodations Form](#)
- [Discretionary Fluid Milk Substitute Request Form](#)

(The discretionary form is unnecessary if soy milk and lactose-free milk are offered proactively on the line.)

For questions or technical assistance, contact climatefriendlyfood@foe.org

4 USDA Memo SP 01-2025 at 4

5 7 C.F.R. § 210.10(d)(2)(i).

6 7 C.F.R. § 210.10(d)(2)(ii).

7 <https://schoolnutrition.org/resource/ripple-foods/>.

8 7 C.F.R. § 210.10(d)(2)(i).

9 7 C.F.R. § 210.10(d)(2)(iii).

10 Whole Milk for Healthy Kids Act of 2025 – Implementation Requirements for the National School Lunch Program, SP 01-2026, January 14, 2026.

11 <https://schoolnutrition.org/resource/ripple-foods/>.