



# The Whole Milk for Healthy Kids Act of 2025 (P.L. 119-69)

Updated January 21, 2026

The Whole Milk for Healthy Kids Act of 2025 (P.L. 119-69) was enacted on January 14, 2026. The law allows whole and reduced-fat (2%) milk in federally funded school lunches and exempts milk from federal saturated fat limits. Such milks have been prohibited from the National School Lunch Program (NSLP) since school year (SY) 2011-2012, following a change made by the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) to align milk served in NSLP with the [Dietary Guidelines for Americans \(DGAs\)](#). P.L. 119-69 also expands nondairy milks in the program.

The final law is identical to a Senate-passed bill (S. 222). Related bills were reported out of committee in the House in the 119<sup>th</sup> Congress (H.R. 649) and passed by the House in the 118<sup>th</sup> Congress (H.R. 1147).

## Brief History of Milk in School Meals

Milk has been a required component of federally funded school lunches since [NSLP's authorization in 1946](#). For three decades, whole milk was the only permissible type of milk in the program, until the 1970s, when concerns over fat in school meals and the desire to increase flexibilities for schools prompted USDA to [expand options](#) to include fat-free (*skim*), low-fat, and buttermilk varieties. In 1979, USDA went further, requiring schools to provide one of the lower-fat options to students and making whole milk optional. In response to concerns about declining milk consumption and the effect on milk producers, P.L. 99-500 (1986) reversed that policy, instead requiring whole milk and making other varieties optional. However, public health concerns over fat consumption persisted, as did schools' advocacy for flexibilities, and in 1989 the law was changed again to require NSLP-participating schools to offer both whole and low-fat milk (P.L. 101-147).

Amid [efforts to align school meals with the DGAs](#) and reduce children's fat intake, the [1994 child nutrition reauthorization](#) allowed schools to remove milk varieties that were consumed by less than 1% of students in the prior year (largely affecting whole milk). The [2004 child nutrition reauthorization](#) further expanded flexibilities—enabling schools to “offer students fluid milk in a variety of fat contents.” In 2010, P.L. 111-296 formalized the connection between milk served in NSLP and the DGAs. Starting in SY2011-2012 (based on the [2010 DGAs](#)), [USDA limited milk](#) in school lunches to low-fat (1%) and skim milk varieties (flavored and unflavored). In SY2012-2013, [USDA removed](#) flavored 1% milk from the

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programs. Following the changes, [some schools reported issues](#) with student acceptance and increased waste. Subsequent appropriations acts and USDA rulemaking [restored flavored 1% milk](#) to the programs.

While milk is a required component of school lunches in NSLP, [students may decline](#) parts of their meals, including milk.

## Changes in the Whole Milk for Healthy Kids Act

### Types of Fluid Milk

P.L. 119-69 removes the tie between milk in NSLP lunches and the DGAs and specifies that whole, reduced-fat (2%), low-fat (1%), fat-free, and lactose-free milk can be provided. The law also specifies that milks can be flavored or unflavored and organic or nonorganic, and retains a requirement that schools offer students a variety of fluid milk. In addition, it exempts fluid milk from counting toward a requirement that NSLP lunches must, [on average over the school week](#), provide less than 10% of total calories from saturated fat (however, milk still counts toward calorie, sodium, and added sugar limits).

### Non-Dairy Beverages and Milk Substitutes

P.L. 119-69 also allows schools to offer, to all students, nondairy beverages that are “nutritionally equivalent” to fluid milk and meet nutrition standards set by the Secretary of Agriculture (see USDA’s P.L. 119-69 implementation guidance).

If a school does not offer nondairy beverages, or if a student has a disability that requires a specific type of milk, students may still obtain a milk substitute in one of two ways (outlined in statute and regulations):

- *Disability-related milk substitutes:* Schools are required to provide milk substitutes for students with a disability that restricts their diet (e.g., a milk allergy or, in some cases, [lactose intolerance](#)). These do not have to align with federal nutrition standards. P.L. 119-69 makes a change to the request process, requiring schools to fulfill disability-related requests from parents and guardians (in addition to medical authorities, as previously allowed).
- *Milk substitutes for non-disability reasons:* Schools have the option, but are not required, to provide milk substitutes for other students upon request. Substitutes for non-disability reasons must be “nutritionally equivalent” to fluid milk (usually resulting in lactose-free or soy milk).

### Other Policies and Estimated Costs

P.L. 119-69 requires annual food allergy training for school food service personnel. Under existing law and policy, school food service staff complete annual training in a number of required topics, including health and food safety ([7 C.F.R. §210.30\(e\)](#)).

The Congressional Budget Office (CBO) [estimated](#) no changes in benefit costs and “insignificant” implementation costs under S. 222 as reported by committee (identical to the enacted law).

### Policy Considerations

Debates about milk in school lunches often center on what is best for children’s health, which has not been fully answered by the research literature. Some [recent studies](#) have shown no difference in health outcomes for children who consume higher- versus lower-fat dairy, but none have examined a nationally

representative population. Proponents of higher-fat milks (including some dairy industry representatives) argue that these are nutrient-dense beverages that can help reverse a trend of [declining milk consumption](#) among children. Some [public health advocates argue](#) that higher-fat milks contribute to overconsumption of saturated fat—increasing the risk of obesity and heart disease—and that specific products should not be exempt from alignment with the DGAs. (For further debate, see H.Rept. 118-131.)

P.L. 119-69 allows—but does not require—schools to offer new varieties of milk and nondairy beverages to students. It remains to be seen how many schools will utilize the new options and what students' reactions will be. Schools are currently implementing [new limits on added sugars](#) for flavored milks, which could affect children's milk consumption in the coming years as well. In addition, USDA has indicated plans to update nutrition standards for child nutrition programs to reflect the [2025-2030 DGAs](#), which could affect milk options in school breakfasts and other settings.

## Acknowledgments

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