Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Child Care Centers and Preschools.

(a) Each applicant with a temporary permit and each licensee shall ensure that any staff member involved with the preparation of meals or snacks meets the following:

(1) Has knowledge of nutritional needs of children;

(2) understands quantity food preparation and service;

(3) practices sanitary methods of food handling and storage; and

(4) is sensitive to individual and cultural food tastes of children.

(b) Centers shall serve meals and snacks as follows:

Length of Time at Center	**Food Served**
2.5 to 4 hours	1 snack
4 to 8 hours	1 snack & 1 meal
8 to 10 hours	2 snacks & 1 meal or 1 snack & 2 meals
10 hours or more	2 meals & 2 or 3 snacks

(c) Meals and snacks.

(1) Breakfasts shall include:

(A) A fruit, vegetable, or full-strength fruit or vegetable juice;

(B) bread, a bread product or cereal; and

(C) milk.

(2) Noon or evening meals shall include one item from each of the following:

(A) Meat, poultry, fish, egg, cheese, peas or beans, or peanut butter;

(B) two vegetables, two fruits, or one vegetable and one fruit;

(C) bread, bread product or cereal; and

(D) milk.

(3) Mid-morning and mid-afternoon snacks shall include at least two of the following:

(A) Milk, milk product or food made with milk;

(B) fruit, vegetable, or full-strength fruit or vegetable juice;

(C) meat or a meat alternate; or

(D) bread, bread product or cereal.

(d) All food shall be in good quality and safe for consumption.

(e) Drinking water shall be available to each child at all times when the child is in care.

(f) If a fruit juice or a vegetable juice is served, the juice shall be pasteurized and full-strength.

(g) Fluid dairy products shall be grade A pasteurized. Solid dairy products shall be pasteurized. Dry milk shall be used only for cooking.

(h) A sufficient quantity of food shall be prepared for each meal to allow the children second portions of vegetables or fruit, bread, and milk.

(i) If infants or toddlers are present, the following food service requirements shall be met:

(1) Each infant shall be held when bottle-fed until the child can hold the child's own bottle.

(2) No child shall be allowed to sleep with a bottle in the child's mouth.

(3) If prepared formula is used, the following requirements shall be met:

(A) Each bottle that contains prepared formula shall be stored in the refrigerator with the nipple covered.

(B) The bottle shall be labeled with the child's name, the contents, and the date and time prepared, and shall be used within 24 hours of the time of preparation on the label.

(C) If a child does not finish a bottle, the contents of the bottle shall be discarded within one hour from when the feeding from that bottle started.

(4) If breast milk is used, the following requirements shall be met:

(A) All breast milk shall be labeled with the child's name and the date and time expressed.

(B) Unfrozen breast milk shall be stored in a sealed container, refrigerated when not in use, and be consumed within 96 hours from the time it was expressed. If breast milk is stored in a bottle, the bottle's nipple shall be covered.

(C) Frozen breast milk must be stored in a freezer and shall be used within six months from the time it was expressed and within 24 hours from the time it was thawed.

(D) If a child does not finish the bottle of breast milk within two hours from when the feeding from that bottle started, the contents shall be discarded.

(E) Accommodations shall be provided that enables the child's parent to breastfeed their child.

(5) No formula or breast milk shall be heated in a microwave oven.

(6) Bottles for formula or breast milk shall be prepared and washed in a sink that is not used for handwashing or the sink shall be cleaned and sanitized after being used for handwashing.

(7) Solid foods shall be offered when the program director and the parent or legal guardian of a child determine that the child is ready for solid foods. Opened containers of solid foods shall be labeled with the child's name, the contents, and the date opened. Containers shall be covered and refrigerated. The food shall be used within three calendar days of the date opened. Food in previously opened containers shall be reheated only once and shall not be served to another child.

(j) Food allergies or special dietary needs of specific children shall be known to all staff members. If any child with a food allergy or a special dietary need is enrolled, the following shall be met:

(1) Utensils, cookware, and food preparation surfaces shall be washed and sanitized between use for foods that risk cross contamination.

(2) Foods that risk cross contamination shall be stored separately from other foods with no potential for leakage onto other foods stored in the vicinity.

(3) Hands shall be washed in between preparing an allergen containing dish and the dish for the child with an allergy. If gloves are used, a fresh pair of gloves will be used before changing from the allergen containing dish to the non-allergen dish.

(4) A list of allergies and special dietary needs will be written and clearly displayed in the food preparation area for each child enrolled at the facility that has a known allergy or a special dietary need.

(k) If any child has a food allergy or special dietary need, staff members and the parent or legal guardian of the child shall make arrangements for the provision of alternative foods or beverages.

(l) Menus shall be shared with parents and legal guardians.

(m) Staff shall sit at the table with the children, and socialization shall be encouraged. Children shall be encouraged to serve themselves.

(n) Children's food shall not be placed on a bare table.

(o) When meals are prepared on the premises, the kitchen shall be separate from the eating, play, and bathroom areas, and shall not be used as a passageway while food is being prepared. The kitchen shall be inaccessible to children.

(p) Food shall be stored as follows:

(1) Poisonous or toxic materials shall not be stored with food. Medications requiring refrigeration shall be labeled and kept in locked storage in the refrigerator.

(2) All perishables and potentially hazardous foods shall be continuously maintained at 40 degrees Fahrenheit or lower in the refrigerator, or 10 degrees Fahrenheit or lower in the freezer, with 0 degrees Fahrenheit recommended. Each refrigerator and each freezer shall contain a clearly visible, accurate thermometer.

(3) All foods stored in the refrigerator shall be covered. Food which is not in its original, unopened container shall be stored in metal, glass, food-grade sealable plastic bags, or food-grade plastic containers with tight-fitting covers and shall be labeled with the date and contents.

(4) Foods not requiring refrigeration shall be stored at least six inches above the floor in clean, dry, well-ventilated storerooms or other areas.

(5) Dry, bulk foods which are not in their original, unopened containers shall be stored in metal, glass, food-grade sealable plastic bags, or food-grade plastic containers with tight-fitting covers, and shall be labeled with the date and contents.

(q) Table service.

(1) Tableware requirements.

(A) Utensils appropriate for the food served shall be provided for each child's use.

(B) Dishes and glassware shall have smooth, hard-glazed surfaces, and shall be entirely free from cracks or chips.

(2) Tableware shall be maintained in sanitary condition using one of the following methods:

(A) All preparation dishes, service dishes, and non-disposable dishes shall be washed and sanitized after use using one of the following:

(i) A three-compartment sink supplied with hot and cold running water and a drainboard for washing, rinsing, sanitizing, and airdrying;

(ii) a two-compartment sink and a basin for sanitizing the tableware and cooking utensils; or

(iii) a mechanical dishwasher with a sanitizing cycle.

(B) The use of disposable plates and cups, and plastic utensils of food-grade, medium-weight which are disposed of after each use.

(r) Tables shall be cleaned before and after each meal, and floors shall be swept after each meal.

(s) If meals are delivered from an off-site location:

(1) Food provided from a central kitchen or vendor and delivered to the center shall be obtained from a source licensed or inspected by the Kansas department of agriculture or equivalent food safety licensing agency in another state.

(2) Food shall be transported in covered and temperature-controlled containers. Hot foods shall be maintained at not less than 140 degrees Fahrenheit, and cold foods shall be maintained at 40 degrees Fahrenheit or less.

(3) Food prepared in one licensed center and transferred to another licensed center owned by the same licensee shall be permitted.

(t) Meat shall be from government-inspected sources.

(u) Home-canned food, food from dented, rusted, bulging, or leaking cans, or food from cans without labels shall not be used.

(v) Garbage shall be placed in covered containers inaccessible to children, and shall be removed from the kitchen daily.

(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended Sept. 4, 2026

***** Authenticated Kansas Administrative Regulation *****