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Buy American Provision



The Buy

American Provision

The Buy American provision was added to the National School Lunch Act (NSLA) by Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336). Section 12(n) to the NSLA (42 USC 1760(n)), requiring school food authorities (SFAs) to purchase, to the maximum extent practicable, domestic commodity or product.

“Domestic Commodity or Product” are defined as an agricultural commodity that is produced in the United States and a food product that is processed in the United States using substantial agricultural commodities that are produced in the United States.

“Substantial” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically.

Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowed under this provision as territories of the United States.

The Buy American provision (7 CFR Part 210.21(d)) is one of the procurement standards SFAs must comply with when purchasing commercial food products served in the school meals programs.

Buy American Resources

- [Two exceptions to the Buy American provision \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/exceptions\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/exceptions)
- [Implementing the Buy American provision \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/implement\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/implement)
- [How SFAs can comply with the Buy American provision \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/compliance\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/compliance)
- [Example of solicitation and contract language \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/solicitation-and-contract-language\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/solicitation-and-contract-language)
- [Monitoring the Buy American provision by SFAs \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/monitoring\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/monitoring)

- [Buy American provision memos \(http://dpi.wi.gov/school-nutrition/procurement/buy-american/provision-memos\)](http://dpi.wi.gov/school-nutrition/procurement/buy-american/provision-memos)

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State Superintendent of Public Instruction Tony Evers, Department of Public Instruction
Physical Address - 125 S. Webster Street, Madison, WI 53703
Mailing Address - P.O. Box 7841, Madison, WI 53707-7841
(608) 266-3390 • (800) 441-4563

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