BUY AMERICAN PROVISION

Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1988 requires school food authorities(SFAs) to purchase to the maximum extent practicable, domestic commodities or products.

The Buy American provision defines “domestic commodity or product” as an agricultural commodity that is produced in the U.S. and a food product that is processed in the U.S. substantially using agricultural commodities produced in the U.S. For foods that are unprocessed, agricultural commodities must be domestic, and for foods that are processed, they must be processed domestically using domestic agricultural food components that are comprised of over 51% domestically grown items, by weight or volume as determined by the SFA. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic products under this provision as these products are from the territories of the U.S.

There are limited exceptions to the Buy American provision which allow for the purchase of foods not meeting the “domestic” standard as described above (i.e., “non-domestic”) in circumstances when use of domestic foods is truly not practicable. These exceptions, as determined by the SFA, are:

• The product is not produced or manufactured in the U.S. in sufficient and reasonably available

quantities of a satisfactory quality; or

• Competitive bids reveal the costs of a U.S. product are significantly higher than the

non-domestic product.

Please refer to 7 CFR 210.2 for full definitions and USDA-FNS memo SP-24-2016 Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program for additional information.

**Buy American Certification for the North Carolina Procurement Alliance**

I certify that the products listed below were processed in the U.S. and contain over 51% of its agricultural food component, by weight or volume, from the U.S. The specific percentage of domestic agricultural food component appears in the chart below:

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| --- | --- | --- |
| **Product Name** | **Manufacturer’s Code** | **Specific Percentage of U.S. Content** |
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I certify that the products listed below are not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality and contain <51% domestic product. The countries of origin for non-domestic product are listed below:

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| --- | --- | --- | --- |
| **Product Name** | **Manufacturer’s Code** | **Imported Product** | **Country(s) of Origin** |
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I certify that the accuracy of the information provided above:

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| --- | --- | --- |
| Manufacturer Name: |  | |
| Manufacturer Representative: |  | |
| Title: |  | |
| Signature: |  | Date: |