



BUY AMERICAN

What is Buy American?



Requires school food authorities (SFAs) to purchase, to the maximum extent practicable, **domestic** food and beverages.

Definition of Domestic



Grown AND processed in the U.S.
or
≥ 51% of a food product must consist of agricultural commodities that were grown in the U.S.

What does Buy American apply to?



School Breakfast and Lunch Programs' food and beverages

10% cap



on domestic purchases for 2025 - 2026 and 2026 - 2027 school years

TRACKING & EXEMPTIONS



Must track all **non-domestic** School Breakfast and Lunch food and beverage purchases **AND** what **exemption** was used (1 or 2) using the [NDE Buy American Tracking Tool](#)

1 The product is listed on the [Federal Acquisitions Regulations Non-Available Articles \(FARs\) list](#)

2 Competitive bids show costs of a U.S. product are significantly higher than the non-domestic product.

* All items with exemptions count towards the non-domestic purchases cap *



Complete the [Accommodation Request Form](#) once a school year if you will exceed the cap



TIPS



- ### Common non-domestic products
- Fruit juices
 - Spices
 - Flour-based foods and ingredients
 - Some fruits and vegetables (including mixed fruits or veggies)
 - Non-dairy milk substitutes

- Utilize USDA Foods (always domestic)
- Keep the FARs list handy
- Consider seasonality when menu planning
- Contact your vendor/distributor
- Check
 - Manufacturer websites
 - Product packaging/labels
 - Invoices/bids
- Document substitutions immediately