

BUY AMERICAN

This form is required for each foreign food product that is being purchased and served in a Sponsor's child nutrition program. The purpose of this form is to assist the Sponsor in compliance with federal regulations (7 CFR Part 210.21(d)) necessary to purchase foreign food products with nonprofit food service funds. This applies whether food products are purchased by Sponsors or entities that purchase on their behalf.

Entities purchasing on behalf of a Sponsor include:

- Food Service Management Companies
- Group Purchasing Organizations
- Cooperatives of Schools
- 3rd Party Agents
- Intergovernmental or Inter-entity Agreements

Exceptions to the Buy American provision should be used as a last resort; however, an alternative or exception may be approved. The request must include:

- (a) Alternative substitute (s) that are domestic and meet the required specifications
 - (i). Price of the domestic food alternative substitute(s); and
 - (ii). Availability of the domestic alternative substitute(s) in relation to the quantity ordered.
- (b) Reason for exception: limited/lack of availability or price (include price):
 - (i). Price of the domestic food product; and
 - (ii). Price of the non-domestic product that meets the required specification of the domestic product.

Domestic commodity/product is an agricultural commodity produced in; food product processed in, and processed using substantial agricultural commodities produced in the U.S. (7 CFR 210.21(d))

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

In February 2016, the USDA Food and Nutrition Services issued a new policy that adds food products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Marian Islands as allowed purchases under the Buy American provision as these countries are territories of the United States.

Buy American Justification Form

Product Name		
Purchase Unit (Example: case)		
Estimated Usage (How many purchase units?)	Full Year	Partial Year
Bid cost per purchase unit for Domestic Food Product		
Bid Cost per purchase unit for foreign food product		
Country of origin of foreign food product		
Estimated cost domestic food product (Usage X bid cost per purchase unit)	Full Year	Partial Year
Estimated cost foreign food product (Usage X bid cost per purchase unit)	Full Year	Partial Year
Is domestic higher than foreign?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, is cost difference significant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, what other alternatives to using foreign food products were considered		
After considering alternatives to foreign food product, were foreign food products used?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, explain why a foreign food product was used and an alternate product was not used.		

Child Nutrition Director Signature

Date

Save this completed form