

**Sample Buy American provision language to use in all product specifications, bid solicitations, requests for proposals (RFPs), contracts, purchase orders, and other procurement documents issued:**

- As required by the Buy American provision, all products must be of domestic origin as required by 7 CFR Part 210.21(d). (210.21(d) is the Buy American Provision)
- The District participates in the National School Lunch Program and School Breakfast Program and is required to use the nonprofit food service funds, to the maximum extent practical, to buy domestic commodities or products for Program meals. A “domestic commodity or product” is defined as one that is either produced in the U.S. or is processed in the U.S. substantially using agricultural commodities that are produced in the U.S. as provided in 7 CFR Part 210.21(d).
- Exceptions to the Buy American provision should be used as a last resort; however, an alternative or exception may be approved upon request. To be considered for the alternative or exception, the request must be submitted in writing to a designated official, a minimum of \_\_\_day (s) in advance of delivery. The request must include the:
  - (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