



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

May 02, 2016

Dear Industry Stakeholder:

The requirement to Buy American is a very important part of the Richard B. Russell National School Lunch Act (NSLA) that has been around for a long time. We ask your help in educating sales and bid staff about it and promoting support of this important requirement.

Under the NSLA, schools participating in the Federal school meal programs must purchase domestic commodities or products with nonprofit school food service account funds. Products must be domestically produced, not just packaged. The definition of “substantially” means that over 51% of the final processed product consists of agricultural commodities that were grown domestically.

We ask your support of U.S. Department of Agriculture’s efforts by ensuring that the Buy American requirement is well understood by all those engaged in the school meals market and ensuring that contractual requirements related to this requirement are appropriately executed. Your support of Buy American will help promote American agriculture and the entire food supply chain. This strengthens the ties between schools, students and American producers. In light of its overwhelming importance, there are very limited exceptions to the purchase of domestic foods; these are only permitted after first considering domestic alternatives and when domestic products are unavailable or prohibitively costly.

School food authorities (SFAs) must comply by purchasing domestic products and including the Buy American provision in solicitations, contracts, and product specifications for all food items procured. In addition, our State partners must provide oversight to ensure that SFAs comply with the Buy American provision through onsite reviews. State agencies must also ensure that contracts include and are executed with awareness of the Buy American provision.

As the USDA’s Food and Nutrition Service continues to promote healthier meals for children, strengthen our economy, and help foster stronger relations between our agriculture industry, we hope to do so with and through your support of the Buy American provision.

Sincerely,

A handwritten signature in black ink that reads "Kevin W. Concannon". The signature is written in a cursive, flowing style.

Kevin W. Concannon
Under Secretary
Food, Nutrition and Consumer Services