

BUY AMERICAN

7 CFR 210.21 and 7 CFR 220.16

WHAT IS IT?

The Buy American provision requires school food authorities to purchase, to the maximum extent practicable, domestic commodities or products.

The Buy American Provision is required in all procurement procedures, solicitations, and contracts.

1



EXCEPTIONS

Two limited exceptions when non-domestic foods may be purchased by school food authorities.

1. Not available/not produced in sufficient quantities
2. Competitive bids show the cost of the U.S product is significantly higher



NON AVAILABLE ARTICLES

The Non-Available Articles list contains products that are not grown or produced in the U.S.

A justification form is not required for any of these products

2

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JUSTIFICATION FORM

Products not listed on the Non-available Articles list require a Buy American Justification Form.



4

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CAP ON NON-DOMESTIC PURCHASES

Limit on the percent of total commercial food costs from nondomestic foods

- SY 2025-2026, the nondomestic food purchases cap will be 10%
- SY 2028-2029, the nondomestic food purchases cap will be 8%
- SY 2031-2032, the nondomestic food purchases cap will be 5%

All purchases including those on the Non-available Articles list must be included on the percentage.

USDA Sample Tracker

