



## **Buy American Provision**

Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Public Law 105-336) added a provision, Section 12(n) to the National School Lunch Act (NSLA) (42 USC 1760(n)), requiring school food authorities (SFAs) to purchase, to the maximum extent practicable, domestic commodities or products. This Buy American provision supports the mission of the Child Nutrition Programs, which is to serve children nutritious meals and support American agriculture. The Buy American provision applies to SFAs located in the 48 contiguous United States and is one of the procurement standards these SFAs must comply with when purchasing commercial food products served in the school meals programs.

Section 12(n) of the NSLA defines “domestic commodity or product” as an agricultural commodity that is produced in the U.S. and a food product that is processed in the U.S. substantially using agricultural commodities produced in the U.S. Report language accompanying the legislation noted that “substantially means over 65% from American products.” Therefore, over 65% of the final processed product (by weight or volume) must consist of agricultural commodities that were grown domestically. Thus, for foods that are unprocessed, agricultural commodities must be domestic, and for foods that are processed, they must be processed domestically using domestic agricultural food components that are comprised of over 65% domestically grown items, by weight or volume as determined by the SFA.

For products procured by SFAs for use in the Child Nutrition Programs using nonprofit food service account funds, the product’s food component is considered the agricultural commodity. FNS defines food component as one of the food groups which comprises reimbursable meals. The food components are: meats/meat alternates, grains, vegetables, fruits, and fluid milk. Please refer to 7 CFR 210.2 for full definitions. Any product processed by a winning vendor must contain over 65% of the product’s food component, by weight or volume, from U.S. origin. This definition of domestic product serves both the needs of schools and American agriculture. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic products under this provision as these products are from the territories of the U.S.

International Food Solutions warrants that its products are produced in the United States and meets the standards under the Federal Buy American Provision and USDA Commodity Processing Guidelines. The following is a list of our items that meet this rule.



### ASIAN FOOD SOLUTIONS / GREEN DRAGON BRAND

| Product Code | Product Description                | Product Code | Product Description                     |
|--------------|------------------------------------|--------------|-----------------------------------------|
| 72001        | Tangerine Chicken WG               | 74003        | Teriyaki Beef                           |
| 72003        | General Tso's Chicken WG           | 22001WG      | Yakisoba Noodles Cooked WG              |
| 72005        | Japanese Cherry Blossom Chicken WG | 22003WG      | Nested Yakisoba WG                      |
| 72013        | Sriracha Honey Chicken WG          | 78001        | Vegetable Fried Rice WG                 |
| 73001        | Teriyaki Chicken - Gluten Free     | 79011        | Veggie Egg Rolls WG                     |
| 73002        | New Orleans Chicken                | 79075        | Chicken Dumplings                       |
| 73015        | Asian Inspired Chicken Crumbles    | 79201        | Chow Mein Crispy Noodles (Fine) WG - IW |
| 74002        | Sliced Beef (No Sauce)             | 79203        | Fortune Cookies WG                      |

### ASIAN FOOD SOLUTIONS / RED DRAGON BRAND

| Product Code | Product Description  | Product Code | Product Description          |
|--------------|----------------------|--------------|------------------------------|
| 92001        | Tangerine Sauce      | 99013        | Sriracha Honey Glaze Sauce   |
| 92003        | General Tso's Sauce  | 97001        | Teriyaki Sauce - Gluten Free |
| 92005        | Cherry Blossom Sauce | 97002        | New Orleans Sauce            |

### COMIDA VIDA BRAND

| Product Code | Product Description          | Product Code | Product Description                         |
|--------------|------------------------------|--------------|---------------------------------------------|
| 470490       | Chicken Shreds – Gluten Free | 471080       | Beef Barbacoa Shreds – Gluten Free          |
| 471045       | Chicken Tinga – Gluten Free  | 470510       | Pork Shreds – Gluten Free                   |
| 490040       | Chicken Mole – Gluten Free   | 490025       | Cilantro Lime Brown Rice                    |
| 471005       | Chicken & Cheese Tamale      | 490030       | Garlic Brazilian Cheese Bread – Gluten Free |
| 490035       | Chicken Empanada             | 490045       | Chicken Tinga Rollito                       |
| 470495       | Beef Shreds – Gluten Free    |              |                                             |

### AAHAR FOODS BRAND

| Product Code | Product Description                    | Product Code | Product Description              |
|--------------|----------------------------------------|--------------|----------------------------------|
| 8120010      | Chicken Tikka Masala – Gluten Free     | 8120105      | Tikka Masala Sauce – Gluten Free |
| 8120050      | Chana (Chickpeas) Masala – Gluten Free | 8120160      | Naan Bread - 1 oz.               |
| 8120060      | Vegetable Samosa                       |              |                                  |

The following is a list of items that do not meet this rule, but still qualify for Buy American because these agricultural goods fall under the exceptions of goods not commercially grown or commonly available in the US.

| Product Code | Product Description  | Country of Origin   |
|--------------|----------------------|---------------------|
| 470615       | Ripe Plantain Slices | Honduras/Costa Rica |
| 470620       | Yuca Steak Cut Fries | Honduras/Costa Rica |

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