

**For Use with Food-Related Requests for Proposals**

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**COMPLIANCE WITH BUY AMERICAN PROVISION**

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The Buy American provision, set out in 7 C.F.R. Part 210.21(d), requires participants in the National School Lunch Program and School Breakfast Program to use the nonprofit food service funds, to the maximum extent practical, to buy domestic commodities or products. 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. "Substantially" means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. When USDA Foods items are manufactured into processed end products, 51% of resulting food products must be of United States origin.

Vendor certifies that, in compliance with the Buy American provision, its products are "domestic commodities or products" as defined by 7 C.F.R. § 210.21(d).

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Vendor further certifies that its product(s): Dole Pineapple Tidbits in Juice 00553, were processed in the U.S. and contain at least 0 % (insert % of weight or volume) of its agricultural food component(s) from the U.S.

Alternatively, Vendor hereby acknowledges its products DO NOT comply with the Buy American provision, set forth in 7 C.F.R. § 210.21(d).

\_\_\_\_\_ Initials of Authorized Representative of Vendor

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**REQUEST FOR EXCEPTION FROM THE BUY AMERICAN PROVISION**

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Exceptions to the Buy American provision should be utilized as a last resort; however, an exception may be approved upon request. If Vendor did not certify compliance with the Buy American provision above, it may request an exception by checking one or both of the following grounds for an exception:

- The product is not produced or manufactured in the U.S. in sufficient and reasonable available quantities of a satisfactory quality.
  
- The costs of a U.S. product are significantly higher than the non-domestic product.

Vendor certifies that it submits this request for an exception from the Buy American provision in good faith and with the reasonable belief that: (a) the product is not produced or manufactured in the U.S. in sufficient and reasonable available quantities of a satisfactory quality; and/or (b) the costs of a U.S. product are significantly higher than the non-domestic product.

**YES** AR Initials of Authorized Representative of Vendor