



**Feeding Bodies. Fueling Minds.™**

November 2, 2021

Ms. Jessica Saracino  
School Meals Monitoring Branch  
Program Monitoring and Operational Support Division  
Child Nutrition Programs  
U.S. Department of Agriculture  
Food and Nutrition Service  
Braddock Metro Center II  
1320 Braddock Place  
Alexandria, VA 22314

Dear Ms. Saracino:

On behalf of the 50,000 members of the School Nutrition Association (SNA), we appreciate this opportunity to comment on *USDA's Food and Nutrition Service's (FNS) Request for Information: Buy American in the National School Lunch Program and School Breakfast Program*, published in the Federal Register on August 4, 2021.

SNA strongly supports America's farmers and our agricultural economy. Our members' first priority is to expose students to nutritious, American grown - and locally grown - foods. However, practical implementation of the Buy American Provision has presented some challenges for school meal programs. To gain feedback on the application of the Buy American Provision, SNA convened a group of stakeholders including school nutrition professionals at the state and local level and industry members. Each segment shared challenges to implementation as it pertains to the procurement of foods for school nutrition programs.

Since passage of the Healthy, Hunger-Free Kids Act of 2010, school meal programs have substantially increased purchases of vegetables and fruits for students. Across the country, growing seasons and climates vary and do not provide a consistent variety of year-round, readily available domestic produce in sufficient quantities for all schools to meet meal pattern requirements.

Exercising the procurement of local foods in sufficient quantities and engaging with local purveyors has been difficult in some areas. Large urban schools require large quantities of products to meet district needs. While some seasons vendors can meet these demands, sometimes deliveries and orders are not filled. This has been especially true during the pandemic, as supplies and readily available domestic products have been disrupted and orders gone unfulfilled.

In addition, foods such as bananas, pineapples, mandarin oranges, and avocados are either not grown domestically, or not in sufficient supply. Ethnic cuisine, popular and culturally relevant for students in many schools, utilize nutritious foods that are not domestically grown or processed. While exemptions may be granted for some of these purchases, they must be requested by the School Food Authority (SFA) for each purchase. To ease administrative burdens on SFAs, USDA should provide a list of exempt foods for all programs. We

recommend that FNS convene a working group to establish a global list of foods to exempt for NSLP and SBP. This list could be periodically reviewed or renewed as needed.

When the cost of a foreign product compared to U.S. grown product is reviewed, the terminology “significantly higher” should be the determination of the SFA. With guidance and protocols provided, the SFA’s nutrition director can assess and complete the comparison. A streamlined process, checklist or attestation statement with the basic parameters including documentation, would assist LEAs so that they are not delayed in making an appropriate procurement because of bureaucratic procedures. Purchases should have blanket coverage if they are the same products, and the higher prices remain.

In addition, the Buy American Provision is inconsistently interpreted and applied by Federal, State and local oversight entities. Comprehensive, clear and standardized technical assistance should be provided to all stakeholders and oversight agencies. Language in RFPs should address the many steps of complying with Buy American. The programs would benefit from a template with clear language applicable to the buyer and vendor so that contract management can be addressed.

SNA appreciates the opportunity to comment on this notice. We would be delighted to assist in identifying potential school nutrition professionals to serve on a working group to address these issues.

Sincerely,



Beth Wallace, SNS  
President



Patricia Montague, CAE  
Chief Executive Officer