

The USDA Food and Nutrition Service (FNS) has implemented the first threshold limit for non-domestic food purchases to begin in SY 2025-2026. Non-domestic food purchases by the SFAs cannot exceed the annual threshold, which for SY 2025-2026 is 10 percent of total commercial food expenditures. This is intended to shift more purchases to domestic products ( [7 CFR 210.21\(d\)\(5\)\(ii\)\(A\)](#) and [7 CFR 220.16\(d\)\(5\)\(ii\)\(A\)](#)).

For SFAs who have found that they will exceed the 10% limit this year, accommodation is available upon request. Use the following form for the request.

Reminder:

- This is not an exemption from completing the Buy American Justification worksheet required for non-domestic purchases that are not on the [FAR 25.104 list](#).
- It also does not exempt the SFA from tracking ALL non domestic purchases: [Buy American Tracking Tool](#)

By completing this 3-question form, the SFA requests an accommodation for SY25-26 that allows them to exceed the 10 percent threshold, upon approval from the state agency.

**District Name:** \_\_\_\_\_

**Person/Title Requesting Accommodation:**

\_\_\_\_\_/\_\_\_\_\_  
 Name Title

**Contact Information:** Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**1. Please select all categories of food that require accommodation from the threshold requirement (i.e., exceeding 10 percent):**

- Fruit
- Vegetables
- Fruit/Vegetable Juices
- Cereals
- Other, please specify \_\_\_\_\_

**2. List the non-domestic Items you are using for National School Lunch Program, School Breakfast Program and Afterschool Snack program.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. Please select all that apply for reasons for the accommodation from the threshold requirement (i.e., exceeding 10 percent):**

- Timing of the procurement cycle
- Student preference/anticipated participation impacts
- Items that help meet meal standards
- Items that facilitate meal service models (e.g., Grab n' Go, Breakfast in the Classroom)
- Other, please describe: \_\_\_\_\_

**4. Provide a brief overview of the steps you are taking to meet the 10% threshold, along with an estimated timeline for compliance. This may include:**

- calculating baseline percentage of non-domestic items
- identifying items that can be substituted successfully in menus
- implementation of menu changes
- reviewing documentation to confirm compliance
- planning for continuous compliance
- any other information affecting the implementation guideline

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**5. Please share any further details regarding this request.**

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Please return form to: NDDPI-Child Nutrition and Distribution office  
Mail: 600 E. Boulevard, Dept 201, Bismarck, ND 58505  
Email: [dpicnfd@nd.gov](mailto:dpicnfd@nd.gov) FAX: 701-328-9566

NDDPI-CNFD Approval: \_\_\_\_\_  
Signature, Title Date

NDDPI-CNFD Denial: \_\_\_\_\_  
Signature, Title Date

Reason for Denial:

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