

January 1, 2024

### USDA Buy American Provision - Naked® Juice Products

The Richard B. Russell National School Lunch Act ("NSLA") contains a "Buy American" provision (Section 12(n)) essentially requiring that school food authorities ("SFAs") purchase domestically grown and processed food products. As clarified in a February 2012 USDA memorandum, the NSLA defines a "domestic" commodity or product as one that is produced and processed in the United States *and* substantially uses agricultural commodities that are also produced in the United States. USDA further relies on one of the reports accompanying the legislation to interpret the term "substantially," as used above, to require that over 51% of the final processed product consists of agricultural commodities that were grown domestically.

There are two exceptions to the Buy American provision that allow for the purchase of products that do not meet the provision's definition of a domestic product: 1) the product is not produced or manufactured in the U.S. in a sufficient and reasonable available quantities of a satisfactory quality; or 2) competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product.

As the date set forth above, the following products are being produced in the United States; however, **we cannot certify that they are comprised of over 51% U.S. content.** The juices and concentrates used the Naked® Juices shown below may be sourced outside of the U.S. The demand for fruit juices is high and we, along with other juice manufacturers are not able to source all of our juices and concentrates locally at a reasonable cost.

Naked® Juice Green Machine	10 fl. oz.	(63076)
Naked® Juice Berry Blast	10 fl. oz.	(63117)
Naked® Juice Blue Machine	10 fl. oz.	(01037)
Naked® Juice Mighty Mango	10 fl. oz.	(63072)

As of the date set forth above, the products listed below are produced in the U.S.; however, **we cannot certify that they are comprised of over 51% U.S. content.** Some fruit purees in the Naked® Strawberry Banana Juice Smoothie are sourced outside the U.S because there is a limited supply of bananas grown in the U.S. and strawberry puree is occasionally sourced outside the U.S. to ensure continuity of supply.

Naked® Juice Strawberry Banana	10 fl. oz.	(63071)
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I verify the above information is accurate.

*Valerie Maldonado*

Valerie Maldonado  
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