

January 01, 2025

USDA Buy American Provision – Frito-Lay® U.S. 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. The NSLA defines a “domestic” commodity or product as one that is produced in the United States 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.

The purpose of this letter is to provide a certification, made in good faith, that as of the date set forth above the Frito-Lay® U.S. products listed directly below were produced domestically and have at least 51% U.S. content, and therefore qualify under the Richard B. Russell National School Lunch Act’s Buy American provision for purchasing food and food products used in the Child Nutrition Program.

- BAKED CHEETOS® WHOLE GRAIN RICH CHEESE SNACKS CRUNCHY
- BAKED CHEETOS® WHOLE GRAIN RICH CHEESE SNACKS CRUNCHY FLAMIN' HOT
- BAKED CHEETOS® WHOLE GRAIN RICH CHEESE SNACKS CRUNCHY FLAMIN' HOT LIMON
- BAKED LAY'S® POTATO CRISPS BBQ – 0.875 oz single serve package
- BAKED LAY'S® POTATO CRISPS REGULAR/ORIGINAL – 0.875 oz single serve package
- BAKED LAY'S® POTATO CRISPS SALT & VINEGAR – 0.875 oz single serve package
- BAKED RUFFLES® CHEDDAR SOUR CREAM – 0.8 oz single serve package
- BAKED TOSTITOS® SCOOPS TORTILLA CHIPS – all sizes
- CHEETOS® FANTASTIX CHILI CHEESE
- CHEETOS® FANTASTIX FLAMIN' HOT
- CHEETOS® FANTASTIX RANCH
- CHEETOS® REDUCED FAT PUFFS
- DORITOS® REDUCED FAT TORTILLA CHIPS COOL RANCH
- DORITOS® REDUCED FAT TORTILLA CHIPS FLAMAS
- DORITOS® REDUCED FAT TORTILLA CHIPS NACHO CHEESE
- DORITOS® REDUCED FAT TORTILLA CHIPS SPICY SWEET CHILI
- DORITOS® REDUCED FAT TORTILLA CHIPS WILD WHITE NACHO
- DORITOS® REDUCED FAT TORTILLA CHIPS TANGY GOLDEN SRIRACHA
- FRITOS® BEAN DIP – all sizes
- FRITOS® ORIGINAL CORN CHIPS – all sizes
- FRITOS® CORN CHIPS CHILI CHEESE – all sizes
- FRITOS® CORN CHIPS FLAVOR TWISTS HONEY BBQ – all sizes
- FRITOS®/SABRITAS® CORN CHIPS TURBO FLAMAS – all sizes
- FUNYUNS® BAKED NOT FRIED ONION FLAVORED RINGS
- GRANDMA'S® MINI BITES BLUEBERRY VANILLA CRISPS
- GRANDMA'S® WGR MINI CHOCOLATE CHIP COOKIES

LAY'S® BBQ POTATO CHIPS – all sizes
 LAY'S® CLASSIC POTATO CHIPS – all sizes
 LAY'S® SOUR CREAM & ONION POTATO CHIPS – all sizes
 LAY'S® WAVY SALTED POTATO CHIPS – all sizes
 LAY'S® KETTLE 40% LESS FAT SMOKY BBQ – all sizes
 LAY'S® KETTLE 40% LESS FAT SEA SALT & VINEGAR – all sizes
 LAY'S® KETTLE 40% LESS FAT JALAPENO CHEDDAR – all sizes
 LAY'S® KETTLE 40% LESS FAT ORIGINAL – all sizes
 MUNCHIES® CRACKERS CHEESE PEANUT BUTTER
 MUNCHIES® CRACKERS TOAST PEANUT BUTTER
 MUNCHIES® SALTED PEANUTS
 MUNCHIES® MUNCH MIX SNACK MIX
 ROLD GOLD® WHOLE GRAIN RICH PRETZELS HEARTZELS
 ROLD GOLD® TINY TWIST PRETZELS – all sizes
 RUFFLES® ORIGINAL POTATO CHIPS – all sizes
 SANTITAS® CORN BLEND TORTILLA CHIPS – all sizes
 SANTITAS® WHITE CORN TORTILLA CHIPS – all sizes
 SMARTFOOD® REDUCED FAT WHITE CHEDDAR POPCORN
 STACY'S® NAKED PITA CHIPS – all sizes
 STACY'S® MULTIGRAIN PITA CHIPS – all sizes
 SUNCHIPS® WHOLE GRAIN SNACKS ORIGINAL – all sizes
 SUNCHIPS® WHOLE GRAIN SNACKS HARVEST CHEDDAR – all sizes
 SUNCHIPS® WHOLE GRAIN SNACKS GARDEN SALSA – all sizes
 SUNCHIPS® WHOLE GRAIN SNACKS FRENCH ONION – all sizes
 SUNCHIPS® WHOLE GRAIN SNACKS HONEY BBQ – all sizes
 TOSTITOS® BITE SIZE ROUNDS TORTILLA CHIPS – all sizes
 TOSTITOS® REDUCED FAT CRISPY ROUNDS TORTILLA CHIPS – all sizes
 TOSTITOS® CRISPY ROUNDS TORTILLA CHIPS – all sizes
 TOSTITOS® TRIANGLES RESTAURANT STYLE TORTILLA CHIPS – all sizes
 TOSTITOS® THICK CUT YELLOW ROUNDS TORTILLA CHIPS – all sizes
 TOSTITOS® WHOLE GRAIN RICH CRISPY ROUNDS TORTILLA CHIPS – all sizes
 TOSTITOS® MILD MINI SALSA CUP – 3.0 oz.
 TOSTITOS® SALSA TO GO CUP – 3.8 oz.
 TOSTITOS® NACHO CHEESE FLAVORED DIP – bulk 140 oz.
 TOSTITOS® MILD NACHO CHEESE FLAVORED DIP – bulk 140 oz.

As of the date set forth above, the Frito-Lay® U.S. products listed directly below are produced in our domestic facilities. However, the first ingredient in these products, potato flakes, are not available in the U.S. in sufficient and reasonably available quantities of a satisfactory quality to support commercial demand for all package sizes.¹ Due to recent poor growing years and crop harvest of flaking potato in the U.S., combined with increased global demand of frozen potatoes, a supply chain was required to be developed outside of the U.S. for east coast facilities.

BAKED LAY'S® POTATO CRISPS BBQ – 1.125 oz single serve package
 BAKED LAY'S® POTATO CRISPS REGULAR/ORIGINAL – 1.125 oz single serve package

I verify the information above is accurate.



Sarah Meyer

VP Supply Chain Quality and Food Safety, PepsiCo Foods North America

1. See *USDA Food and Nutrition Service (FNS) Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, June 30, 2017*, <https://fns-prod.azureedge.us/sites/default/files/cn/SP38-2017os.pdf> (**Exception 1** from the Buy American provision when an agricultural commodity is not produced in the U.S. in sufficient and reasonably available quantities of a satisfactory quality).

