

Geographic Preference Expansion Related to the Final Rule-titled, *Child Nutrition Programs: Meal Patterns Consistent the 2020-2025 Dietary Guidelines for Americans*

On April 25, 2024, the Food and Nutrition Service (FNS) published [\*Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans\*](#) (89 FR 31962, final rule). The final text of the final rule covers a broad range of child nutrition programs (CNP) provisions, including, but not limited to, the expansion of the geographic preference option.

This memorandum provides a detailed explanation of the expanded geographic preference option. CNP operators, state agencies purchasing for CNPs, and the USDA Department of Defense Fresh Fruit and Vegetable Program (USDA DoD Fresh) may use local as a specification and continue to set a geographic preference when soliciting or buying unprocessed agricultural products. CNP operators and state agencies purchasing on their behalf are not required to use geographic preference when procuring unprocessed agricultural products; it remains an option. The implementation date of the final rule provision is July 1, 2024.

To ease challenges related to buying local products and to promote CNPs as a market for local producers, the [\*Child Nutrition Programs: Meal Patterns Consistent With the 2020-2025 Dietary Guidelines for Americans\*](#) final rule expands the geographic preference option to allow CNP operators to use “local” as a procurement specification for unprocessed agricultural products for CNPs. The updated regulations<sup>1</sup> for the geographic preference option are found in each program’s regulation at [7 CFR 210.21\(g\)\(1\)](#), [215.14a\(e\)](#), [220.16\(f\)\(1\)](#), [225.17\(e\)\(1\)](#), and [226.22\(c\)\(1\)](#).

CNP operators may now use local (e.g., “locally grown”, “locally raised”, or “locally caught”) as a specification for local unprocessed agricultural products purchased for program meals, snacks, and milk. CNP operators can require that an unprocessed agricultural product be locally grown, raised, or caught to meet the solicitation requirements and remove products or bids that do not meet this standard from consideration.

CNP operators may also continue to apply a geographic preference through additional points or credit during evaluation for local unprocessed agricultural products. This memo will now refer to this strategy as a “defined scoring advantage,” to help differentiate between the concept of a geographic preference option and the two strategies that may be used to implement it.

In summary, under the expanded geographic preference option, beginning July 1, 2024, CNP operators may choose to:

- Use local as a specification (i.e., the written description of a product or service that a vendor must meet to be considered responsive to a solicitation) for local unprocessed agricultural products;
- Use a defined scoring advantage (e.g., additional credit or points given to local unprocessed agricultural products during the evaluation of responses to a solicitation) for local unprocessed agricultural products;
- Adopt a mix of both strategies; or,
- Elect not to use any of these approaches.