



DEFENSE COMMISSARY AGENCY
HEADQUARTERS
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FORT LEE, VIRGINIA 23801-1800

IN REPLY
REFER TO

MPS

NOTICE TO THE TRADE – DECA NOTICE 15-51

APR 28 2015

SUBJECT: Questions regarding NTT 15-33, Contingency Planning to Support Commissaries Overseas

These responses are in reference to questions from industry from the recently published NTT 15-33 (subject above). Industry is reminded that the purpose of requesting this information is to have information on hand should there be another or similar incident to the most recent dock issues experienced on the west coast. It is not for the purpose of finding permanent alternate sources.

Question 1: If these are not brand name American products are they subject to the competition in contracting act?

Answer: All products that DeCA purchases are subject to the competition in contracting act, however brand name products for resale are specifically excluded from the requirement for full and open competition in accordance with 10 U.S.C. §2304(c)(5). There is no additional qualifier in the law that the items be "American" brand name.

Question 2: If these items either have no UPC or the items have no movement in Nielsen are they prohibited from addition per existing law?

Answer: No UPC or having no current product movement within the Nielsen database would not necessarily preclude DeCA from acquiring the product for possible resale.

Question 3: Do the manufacturing sites for these products require a Vet inspection and certification?

Answer: Depending on the particulars of the item and its source, it is possible that in order to become an Approved Source, a Vet inspection may be required.


Question 4: Do products with contents and nutritional value portrayed in a foreign language meet the USDA standards for sale in an American outlet?

Answer: DeCA does sell products with labels in foreign languages at its overseas commissaries without any change to these labels. However, DeCA does reserve the right to require items be labeled to more clearly define ingredients if it determines a need. These will be dealt with on a case-by-case basis.

Question 5: Is it DeCA's intention to seek alternative sources for brand name American products other from the manufacturer?

Answer: As stated in the NTT, it is DeCA's intention to conduct contingency planning in order to minimize product disruptions, similar to the recent disruptions on the west coast, to military members and families stationed overseas. At this stage, the Agency is exploring all plausible alternatives.

Submissions regarding NTT 15-33 will be accepted through May 22, 2015. Point of contact for this NTT is Alan Huoni, (804) 734-8000, extension 48233, or alan.huoni@deca.mil.


for Tracie L. Russ
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