



Frequently Asked Questions: *Buy American Act & Made in USA Statement*

BetaLED® products including THE EDGE™ and LEDway™ streetlights, meet the requirements of the Buy American Act; Section 1605 of the American Recovery Reinvestment Act (ARRA).

Q. What is the Buy American Act?

A. The Buy American Act restricts the purchase of supplies that are not domestic end products. For Manufactured end products, the Buy American Act uses a two-part test to define a domestic end product.

- (1) The product must be manufactured in the United States; and
- (2) The cost of domestic components must exceed 50 percent of the cost of all the components.

Q. What are the conditions of the Buy American Act within the ARRA?

A. When using funds appropriated under the American Recovery and Reinvestment Act of 2009, the definition of “domestic manufactured end product” requires that the product be manufactured in the United States, but does not include the requirement with regard to the origin of the components.

Q. Do BetaLED products meet these conditions?

A. Yes, BetaLED products are manufactured in the United States.

Q. Are there any exceptions to the Buy American Act?

A. Yes. Exceptions are allowed for cases:

1. where the head of the federal agency concerned determines adherence would be “inconsistent with the public interest”,
2. where iron/steel/manufactures are not produced in the U.S. in sufficient and available quantities,
3. inclusion of U.S. products would increase overall project cost by 25 percent

Q. Where can I find more information about the Buy American Act?

A. You can visit www.arnet.gov/far/current/html/Subpart%2025_2.html or www.recovery.gov for more information.



Q. Is the Buy American Act the same as “Made in the USA”?

A. No. They are two different claims. Made in the USA claims are governed by the Federal Trade Commission (FTC).

Q. What is the standard for a product to make an unqualified claim of Made in USA?

A. For a product to claim Made in USA, or of domestic origin without qualifications or limits on the claim, the product must be all or virtually all made in the U.S.

Q. What does all or virtually all mean?

A. All or virtually all means that all significant parts and processing that go into the product must be of U.S. origin. That is, the product should contain no or negligible foreign content.

Q. If BetaLED products are manufactured in the U.S., why don’t they meet the unqualified Made in the USA statement?

A. While BetaLED products are manufactured domestically and use a majority of components that are of U.S. origin, by necessity; they use a minimal number of parts that are either packaged or produced in foreign countries. BetaLED products do meet the qualified statement “Made in the USA of U.S. and imported parts.”

Q. Where can I find more information about the Made in the USA statement?

A. You can visit www.ftc.gov/os/statutes/usajump.shtm for more information.

Q. Who should I contact for more information?

A. Contact Beta-Kramer at (800) 236-6800.