



Did You Know!?! Product Markings and Labeling

General Commentary

This document addresses the issue of product markings and labeling. It is meant to provide clarification as to the requirements and to aid in the proper identification of product that is Made in the U.S. in support of the American Recovery and Reinvestment Act (ARRA) of 2009 and the Buy American Act.

The interpretation comments provided herein are solely based on Bridgeport's research and are provided to help the reader understand product marking and labeling requirements, and areas of concern when using products funded by the ARRA of 2009 and the Buy American Act. Every attempt has been made to accurately portray the information herein; the reader should consult the specific references below for accuracy and factual information.

This document is divided into three sections:

- **General –The Problem:** The issue of Product Markings and Labeling
- **Solution - What You Can Do:** An approach to product country of origin verification
- **References – Behind the Markings:** Source documents detailing what product markings and labeling are required

GENERAL – The Problem

Bridgeport Fittings has encountered numerous situations where non-U.S. made products have been used on projects that require the use of Buy American and/or product made in the U.S. This document addresses the issue of product markings and labeling; for reference to the use and requirement of Made in the U.S., please refer to the ARRA of 2009 and the Buy American Act.

The issue at hand is contractors have been cited in many cases for ***using and/or receiving*** non-U.S. made product where the project required made in the U.S. products. Bridgeport Fittings is not suggesting that any distributor, contractor nor competitor intentionally sought to deceive anyone associated with a specific project that required U.S. made products. What we do know is there needs to be a greater understanding of product marking and labeling requirements, and what the actual markings mean.



In general, a product is not required to have the country of origin marked on the product; however there is a requirement that the smallest package/carton containing that product must have the country of origin clearly marked on the package. The exception to this labeling requirement is if the product is made in the U.S., the label does not have to identify the country of origin, although it is becoming a more common practice to do so. **Caution – Third Party Certifications (C-UL-US, C-CSA-US, etc.) do not indicate country of origin.**

An Example – Steel EMT Connectors and Couplings:

In general, steel EMT fittings are sourced offshore from various sources in India or China (and in some cases Mexico). The majority of these sourced products do not have any country of origin markings on the actual product; all of the packaging (smallest carton to largest standard carton) will have the proper country of origin markings noted, as well as any third party certification listings (U.L., C.S.A., etc.).

U.S. made steel EMT fittings are available from many companies but at a substantial premium from offshore sourced fittings; the actual product may or may not be marked with country of origin.

Solution – What You Can Do

The challenge for the contractor (and in some cases the distributor) is to know which product is made in the U.S. and which is not. Since the product is not necessarily marked, the contractor must consult other sources to determine the proper selection of the product for the specific application/project.

Information Sources to Determine Country of Origin

The contractor can do one or more of the following to determine country of origin:

1. **Consult the Product carton label.** The carton label including the smallest carton/packaging of the product must have the country of origin clearly marked. This is the simplest method to determine the country of origin. Caution – if the “packaging” does not have the country of origin referenced, then this should immediately send up a red flag. Bridgeport Fittings has been made aware of several situations where product was supplied in a “bag” that had no specific product labeling information whatsoever; this should be an immediate red flag. The contractor must then submit to other means to determine country of origin.
2. **Consult the Manufacturer’s Catalog and Website.** Manufacturers who market product made in the U.S. will typically denote this in the catalogs and/or website information. In the case of steel EMT fittings, manufacturers use *different catalog numbering systems* to delineate between a U.S. made product and one that is not. The distributor and contractor must supply the right product catalog series based on what is required.



3. **Obtain a Certification Letter from the Manufacturer.** If there remains any doubt as to the country of origin, request a certification letter from the manufacturer that indicates a specific catalog number and/or series is made in the U.S.

Consequences of using non-U.S. Made Product where required.

If You Suspect a Product is Being Used that does not meet the made in the U.S. criteria, you should simply approach the distributor, contractor or property owner as soon as possible, and recommend one of the verification approaches as referenced above. Consequences of using non-U.S. made product can be significant and may include removing installed product and replacing it with U.S. made product; this can be a very costly venture.

References – Behind the Markings

The following are product markings and labeling requirements and the meaning of specific markings:

Third Party Certification Markings - The letters “US” in these marks has nothing to do with the country of origin.

UL Mark:



The C-UL-US Mark indicates compliance with **both** Canadian and U.S. requirements. UL encourages those manufacturers with products certified for both countries to use this combined Mark, but they may continue using separate UL Marks for the United States and Canada. This Mark is a registered trademark of Underwriters Laboratories Inc.

CSA Mark:



The C-CSA-US Mark indicates compliance with both Canadian and U.S. requirements. CSA stands for Canadian Standards Association and is a NRTL that is certified to test to UL514B and other related specifications. This Mark is a registered trademark of Canadian Standards Association.



Federal Trade Commission – Made in USA Marking Policy

The Federal Trade Commission (FTC) has established guideline standard for complying with the “Made in the USA”. There is no law that requires most products sold in the U.S. to be marked or labeled Made in the USA or have any other disclosure about their amount of U.S. content with the exception of automobiles, textile, wool, and fur products. However, manufacturers and marketers must comply with FTC’s Made in the USA policy.

For further discussion on this policy, please refer to the following internet link:

<http://www2.ftc.gov/bcp/edu/pubs/business/adv/bus03.shtm>

Department of Homeland Security – Country of Origin Marking

Here is some additional reading on labeling requirements:

http://www.cbp.gov/xp/cgov/trade/trade_programs/international_agreements/free_trade/nafta/customs_procedures/country_of_origin_marking.xml

U.S. Code Title 19 Chapter 4 Subtitle II Part I Section 1304 Marking of Imported Articles and Containers (Cornell University Law School Website Reference Document)

http://www.law.cornell.edu/uscode/uscode19/usc_sec_19_00001304----000-.html