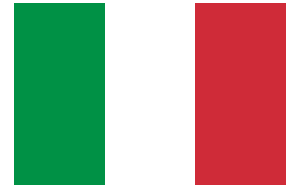# Buy American Act 41 USC 10a-10d

Many Jomar Group products comply with the Buy American Act (41 USC 10a-10d). As with all federal building projects before 2009, recipients of the American Recovery and Reinvestment Act of 2009 must comply with the previously established Buy American Act (41 USC 10a-10d) provisions by either certifying that the materials purchased for these projects meet the criteria or apply for a waiver stating that the requirements are consistent with the public interest. All Jomar products produced by Fratelli Pettinaroli meet the criteria for the Buy American Act either by domestic end product definition or public interest exemption through establishment of trade with qualifying countries.

The Buy American Act restricts the purchase of supplies that are not domestic end products. It uses a two-part test to define a domestic end product: 1) the article must be manufactured in the U.S.; and 2) the cost of the domestic components must exceed 50% of the cost of all the components. The Act requires that procurement of covered items in excess of $3,000, the micro-purchase threshold, for supplies and construction materials must be produced in the U.S., its possessions or qualifying countries that are exempt unless the Contracting Officer determines that satisfactory quality and sufficient quantity "cannot be procured as and when needed at the United States market prices."

The Trade Agreements Act FAR 52.225-12 states further that the Contracting Officer has the authority to approve a waiver to the Buy American Act under several conditions including inconsistency with public interest. The public interest exemption covers materials originating in the following qualifying countries: Australia, Belgium, Canada, Denmark, Egypt, Germany, France, Greece, Israel, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Switzerland, Turkey, United Kingdom, Northern Ireland and others.

Please feel free to contact Jomar if you have any questions regarding this important public policy.

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