

Bill Potentially Impacting “Made in USA” Claims Undergoing Committee Review

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May 15, 2017

The U.S. Senate Committee on Commerce, Science, and Transportation has scheduled a reading this week of the proposed [S. 118](#) Reinforcing American-Made Products Act of 2017. The bill proposes to amend the Violent Crime Control and Law Enforcement Act of 1994 to require the Federal Trade Commission's regulation of the labeling of products as "Made in the U.S.A." or "Made in America" to supersede any state laws regarding the extent to which a product is introduced, delivered, sold, advertised, or offered for sale in interstate or foreign commerce with such a label in order to represent that the product was in whole or substantial part of domestic origin. The bill's sponsors include the following: Sens. Mike Lee (R-Utah), Shelley Moore Capito (R-W.V.), Susan Collins (R-Maine), Deb Fischer (R-Neb.), Angus King (I-Maine).

The FTC has been a consistent enforcer of its “Made in USA” advertising policies in recent years, having issued 57 investigation closing letters between 2014 and 2016 alone. In 2017, the agency has already released ten closing letters regarding “Made in USA” claims to companies selling everything from pillows to water filters to standing desks. As domestic manufacturing has received more attention from the Trump administration, many companies are wondering whether they can say their product is “Made in the USA” and, for some, whether they can sell that product to the government under the provisions of the Buy American Act.

We will tackle just these issues in our upcoming webinar [“Buy American, Hire American: Is Your \(Or Your Competitor’s\) Product Really ‘Made in the USA?’”](#) on Wednesday, May 17, at Noon-1:00 Eastern. More information and registration details are [here](#).