

## Types of Non-compliant Products Removed by GSA

FAS runs an automated process several times each year to streamline the removal of non-compliant products from Multiple Award Schedule (MAS) contracts. Non-compliant products are identified by using data from the Verified Products Portal (VPP), wholesalers and trusted distributors. FAS will remove products that are non-compliant for any one of the following reasons:

- The product is a “**Kaspersky Lab** Covered Article” as defined in FAR 52.204-23 *Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities*.
- The product is covered telecommunications equipment (i.e., **Section 889**) as defined in FAR 52.204-25 *Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment*.
- The product is **solely compatible** with Kaspersky or Section 889 products. “Solely compatible products” are items that can only fulfill their intended purpose in conjunction with another product(s). For example, a small pluggable module that only functions with a covered telecommunications equipment as defined in FAR 52.204-25 is considered to be solely compatible with a prohibited product. These products do not add value to the MAS program since the products they are designed to support cannot be purchased or used by GSA customers.
- The contractor failed to remove **reference to a prohibited entity** (e.g., Kaspersky, Huawei) from the product description upon request. FAS removes these references to minimize customer confusion and avoid promotion of prohibited products. For example, for a USB Wall Charger that lists “Huawei” as a compatible phone, OPC will request that vendors remove the reference to “Huawei” from the product description or other product data.
- The product is prohibited by a Federal Acquisition Supply Chain Security Act (FASCSA) order and therefore does not comply with the **FASCSA** order clause (FAR 52.204-30 Alt I *Federal Acquisition Supply Chain Security Act Orders - Prohibition*). FASCSA Orders can be found by checking the [System of Award Management \(SAM\) webpage SAM.gov](#) under the [View FASCSA Orders](#) tab.
- The product is an **unmanned aircraft system (UAS)** (i.e. drone) and does not comply with provision SCP-FSS-001.
- The product is **TAA non-compliant** per FAR 52.225-5 *Trade Agreements Act*. This includes products that have been manually reviewed by Subject Matter Experts for supply chain risks. The TAA applies to all GSA Schedule contracts unless otherwise stated in the solicitation or contract. The TAA limits the country of origin for products sold through your schedule contract to U.S.-made or designated country end products. More information on TAA compliance is available [here](#).
- The product does not comply with I-FSS-600 because the product **inaccurately lists the country of origin as “US”** in GSA Advantage!. Contractors are required to maintain an accurate pricelist, including the country of origin for products. These products may be offered on future modification requests if the country of origin is corrected.

- The product is a **refurbished, reconditioned, or repaired** product and not within the scope of the solicitation per SCP-FSS-001.
- The product is **remanufactured** but is awarded under a SIN that does not allow remanufactured products or the product is not identified as remanufactured as required per clause 552.238-78. SINs designated for remanufactured remanufactured products are:
  - SIN 336350 Remanufactured Automotive Components
  - SIN 33721RSB Remanufactured Furniture
  - SIN 339940 Office Products (toner cartridges only)
  - SIN 339940OS4 OS4 Office Products and Supplies (toner cartridges only)
  - SIN 339940OVER OS4 Overseas Office Products and Supplies (toner cartridges only)
  - 339940SVC Office Supply Support Services (toner cartridges only)
  - 532490ESA Equipment Service Agreements (product support options only)

Remanufactured products may be offered on future modification requests to SINs that allow remanufactured products and/or if the product is identified as remanufactured as required per clause 552.238-78.

- The product is **obsolete** Information Communication Technology (ICT) equipment per SCP-FSS-001. GSA continuously gathers information related to product availability in order to mitigate potential customer issues. If an item appears to be obsolete the GSA may request additional information, such as confirmation of sufficient availability of supply. However, given the risk of using obsolete items, particularly ICT equipment, (i.e. security vulnerabilities as well as legal and regulatory compliance issues), GSA may decide the item should not be offered under the MAS program and will not award such item(s).
- The product violates section 2(b)(i) of Executive Order 14151 *Ending Radical and Wasteful Government DEI Program and Preferencing*.
- The product violates sections 3(e) and (g) of Executive Order 14168 *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*.
- The product is a **paper straw** and is prohibited in accordance with section 2(a) of EO 14208 *Ending Procurement and Forced Use of Paper Straws*.
- The product is “**unauthorized**” because the vendor is not authorized to sell the products per I-FSS-644 *Products Offered and Sold by Vendors Other Than the Manufacturer*. This could mean the manufacturer is a VPP participant and the vendor is not listed as an authorized manufacturer, or, the manufacturer is a VPP participant and has expressly identified the vendor as prohibited.
- The product is “**essentially the same**” (ETS) same as [AbilityOne](#) products and can only be provided by designated AbilityOne nonprofit agencies in accordance with 52.208-9. The process for removing non-compliant ETS products is [here](#).