

# **ASSE International Seal Control Board Procedures**



**2018**

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## PREAMBLE

Written operating procedures shall govern the methods used for maintaining the product listing program and shall be available to any interested person. These operating Procedures are maintained by ASSE International Chapter of IAPMO LLC (“ASSE International” or “ASSE”).

The Product Listing (Seal) Program was established by authorization of the membership of ASSE International.

The Seal Control Board, as appointed by ASSE International’s Board of Directors, is responsible for reviewing and granting product listings. The Seal Control Board is also responsible for overseeing the Product Listing (Seal) Program and for reporting the program’s activities to the ASSE International Board of Directors. As appointed by the ASSE Executive Director, the Product Listing Coordinator is responsible for maintaining the product listings. The Staff Engineer shall be responsible for reviewing requests for extending a product listing. The Seal Control Board Chairperson is responsible for decisions regarding suspensions or withdrawals of a product listing.

Display of the ASSE Seal and the applicable standard number shall indicate that the product(s) has been accepted by the Seal Control Board as meeting the material and performance requirements of the applicable product standard and the current edition of the *Seal Control Board Procedures*.

Display of the ASSE Seal is not a product endorsement.

Display of the SCC mark is not an endorsement of ASSE or the products ASSE lists by SCC.

For listees with ASSE listed products sold in Canada, SCC is the final level of appeal in disputes regarding conformance with certification and accreditation criteria

All certification services are available internationally, including all parts of Canada and the United States.

ASSE declares responsibility for decisions relating to granting, maintaining, extending, suspending and withdrawing of certification.

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## **SECTION 1 – SEAL CONTROL BOARD PROCEDURES AND PRODUCT LISTINGS**

### **1.1. Scope**

The scope of the Seal Control Board of ASSE International shall be the listing of products, including devices, fixtures, appliances and materials pertaining to plumbing, water treatment and piping systems which are in the interest of protecting public health. The listing of products shall include requirements for safety, health, construction, maintenance, performance and/or operation of equipment and materials for plumbing, water treatment and piping systems as referenced by ASSE and other applicable industry standards. All certification activities with respect to listees', including but not limited to, listing requirements, evaluations, reviews, decisions, and surveillance shall be confined to the scope of certification with ASSE.

### **1.2. Organization**

- A. As per the ASSE International By-Laws, the President shall appoint all committee members, in accordance with the ASSE International By-Laws or by resolution.
- B. The Product Listing Coordinator shall ensure the implementation of these procedures and the ASSE International By-Laws as they pertain to the certification program.
- C. Where the ASSE International Board of Directors determines that a special committee must be formed, the committee shall be formed using a classification system which is devised by the Product Listing Coordinator and within the scope of the American National Standards Institute's (ANSI's) and Standards Council of Canada's (SCC) guidelines and approved by the ASSE International Board of Directors.
- D. The ASSE Executive Director shall be responsible for the supervision of the finances and shall be responsible of providing adequate resources for ASSE International's certification activities.

### **1.3. Openness/Consensus**

- A. The ASSE Product Listing (Seal) Program is open to any manufacturer producing a product that complies with all of the requirements of the program and the requirements of the applicable product standard. ASSE International is responsible for the ASSE Product Listing (Seal) Program to be administered in a nondiscriminatory manner and shall:
  - 1. Avoid placing an undue financial burden or other conditions that prohibit the use of the program.
  - 2. Not discriminate based on the size of the manufacturer.
  - 3. Not require the manufacturers to be a member of ASSE in order to have their products authorized to display the ASSE Seal.
  - 4. Not make authorization to display the ASSE Seal on a particular product contingent on prior certifications, either for a specific product or by the manufacturer.
  - 5. Not provide consultancy services to listees, applicants, manufacturers or any other interested parties.
  - 6. Perform all certification activities impartially.
- B. Not offer or provide management system consultancy or internal auditing to its clients where the certification scheme requires the evaluation of the client's management system.
- C. Revisions to the Procedures will be processed in accordance with Section 17.13.

#### **1.4. Subcontracting**

- A. ASSE maintains the right to subcontract work.
- B. ASSE ensures the subcontracted body or person(s), is competent and complies with the current edition of the Seal Control Procedures and the signed agreement.
- C. ASSE takes full responsibility for the subcontracted work and maintains the responsibility for granting, maintaining, extending, suspending or withdrawing the signed agreement.
- D. ASSE shall monitor all subcontractor performance by means of an annual audit of the subcontractor or representative of the subcontractor conducted by the Compliance Coordinator. The subcontractor or subcontractor's representative shall be responsible for addressing any corrective or preventative action with ASSE in a timely manner.

#### **1.5. Conflict of Interest and Confidentiality**

- A. All ASSE personnel, including contractors but excluding listed laboratories, involved in the Product Listing Program are required to complete an R-095-ASSE form annually, which includes sections on conflicts of interest and confidentiality. Listed laboratories shall have conflicts of interest and confidentiality requirements included in their contracts.
- B. Any ASSE personnel involved in the Product Listing Program, including contractors and subcontractors, who may have a conflict of interest as declared on the form, shall not be assigned to the processing and review of a product listing where a conflict of interest may exist. A conflict of interest could exist if the personnel member or subcontractor has been involved in or been employed by a body involved in the design, supply, installation or maintenance of the applicable product within the past two (2) years.
- C. All Seal Control Board and ASSE International Board of Director members are required to complete a Conflict of Interest and Statement of Confidentiality form.
- D. Seal Control Board members who have a conflict of interest as declared on the form shall not ballot or review an application or modification request where a conflict of interest may exist.
- E. Should an undisclosed conflict of interest arise for a member of personnel or a Seal Control Board member, the member will be removed immediately by the ASSE International Board of Directors.
- F. ASSE shall also perform and document an analysis of potential conflict of interests for all related bodies or subcontracted parties by completing the "Related Bodies Analysis" form.
- G. If an actual, perceived, or potential conflict of interest is observed within the product certification process, it is the Product Listing Coordinator's obligation to resolve it. If it cannot be resolved, then it will be reported to the Executive Director and an action commensurate with the degree of conflict of interest shall be undertaken.

#### **1.6. Product Listing Extent of Listing**

An ASSE Product Listing does not imply an endorsement or a warranty of any kind on the part of ASSE, ANSI or SCC, with respect to the manufacturers or the distributors of the listed products.

## **SECTION 2 – APPLICATION REQUEST**

### **2.1. Applicant**

Applications for the ASSE Seal shall be requested by a product manufacturer who is responsible for its design, production and any subsequent changes or licensee (hereinafter referred to as the applicant). To request application documents in French, a written request shall be sent to the attention of ASSE's Product Listing Team.

### **2.2. Application Packet, Forms and Questions**

- A. Upon request, the ASSE International Office shall forward an application packet, complete with instructions, procedures and required forms. The application packet shall include, a list of all ASSE listed testing laboratories or agencies (hereinafter referred to as listed testing laboratory) capable of testing to the applicable product standard(s), the Product Listing Contract, and the listing agreement.
- B. All ASSE application documents and product listing forms are controlled documents and the format of them shall not be amended by any other party other than ASSE.

### **2.3. Applicant's Responsibilities**

- A. The applicant shall make all arrangements with the listed testing laboratory for conducting the product(s)' testing and shall be responsible for all costs incurred. The listed testing laboratory shall submit the original copy of the laboratory report directly to the attention of the Product Listing Team.
- B. The applicant shall forward all required documentation as referenced on the Product Listing Contract to ASSE. Applicants shall submit a completed ASSE Product Listing Contract for all products or series of products, under one standard.
- C. The applicant shall forward the required application fee as referenced on the Product Listing Contract.

### **2.4. Explanation or Clarification Regarding the ASSE Product Listing Process**

For an explanation or clarification regarding the ASSE product listing process or Seal Control Board Procedures, the applicant, ASSE listee or an ASSE listed testing laboratory shall contact the Product Listing Coordinator.

## SECTION 3 – APPLICATION SUBMITTAL

### 3.1. Application Materials

- A. The initial application, excluding transfer applications, shall include:
1. From the listed testing laboratory:
    - a. One (1) copy of the completed ASSE Laboratory report(s) for the product(s) tested to the complete standard, along with any drawings and technical data evaluated by the listed testing laboratory shall be directly submitted from the listed testing laboratory to the attention of the Product Listing Team.
  2. From the applicant:
    - a. One (1) set of packaging instructions, installation instructions, maintenance instructions, testing instructions, catalogue cut sheets and spare parts lists, and copies of safety labels and instructions if required by the standard or by the Authority Having Jurisdiction of where the product is intended to be marketed. The SCC Mark shall not appear on the product or the product's packaging.
    - b. A drawing identifying the location of the ASSE Seal on the product(s):
    - c. A completed and signed Product Listing Contract;
    - d. One (1) set of assembly drawings;
    - e. One (1) set of individual detail parts drawings of the components of the product with a complete material listing;
    - f. A completed Wetted Parts List (WPL) as required; and
    - g. Application fee.
  3. All items shall be sent to the attention of a member of the Product Listing Team.
- B. All application materials, including relevant safety labels, shall be submitted in English or French. If the product is intended to also be marketed in Canada in addition to the US, the applicant shall provide copies of the items as requested in Section 3.1.A.2.a and b in both English and French. If the product is intended to be marketed only in Canada, all application documents may be submitted only in French.
- C. Toxicity Requirements
1. Testing regarding toxicity or verification of compliance to toxicity requirements, as applicable, shall be accepted by ASSE if the laboratory's internationally recognized ISO/IEC 17025 accreditation includes the appropriate standard (i.e. NSF 61) within the scope of accreditation.
  2. If the toxicity requirements are reviewed or verified by a laboratory not meeting the above criteria, ASSE will subcontract a toxicologist to review the data prior to balloting the application. Any fees for the subcontracted toxicologist will be billed to the applicant.
- D. Transfer Applications
1. The scope of a transfer application is a set of products that are currently certified by another certification body to the same standard and revision.
  2. See Section 23 – Transfer Applications and Secondary Reviews & Decisions for further requirements.

### **3.2. Application Review Time Period**

- A. Regular review – regular review applications have a twenty-five (25) calendar day ballot period.
- B. Accelerated review – requires an additional fee and has a five (5) business day ballot period.

### **3.3. Application Requirements**

- A. Applications, including test results, must be submitted to the current edition of the standard in order to be accepted for review by ASSE, excluding the provisions as outlined in Section 12.1.
- B. Applications may include more than one model or series of models; however, all the models must pertain to the same product performance standard.

### **3.4. First Time Applicant (or new manufacturing facility) Quality System Requirements**

For quality system requirements, refer to Section 7 – Quality System.

**NOTE:** Incomplete applications will not be processed until such time that the applicant can supply all of the required data to ASSE. Incorrect applications may be charged an additional fee based on the time and cost involved to correct the application.

### **3.5. Product Listing Team Administration**

- A. Upon receipt, the Product Listing Team shall determine if the application includes all items referenced in Section 3.1 and that ASSE has the capability to perform the certification review for the application submitted by verifying that the requested scope of listing is in Appendices C and D. The Product Listing Team is obligated to decline the application if the scope of listing is not within ASSE International’s capabilities. Applications to be listed to parts or fractions of standards will be declined.
- B. The Product Listing Team shall notify the applicant and/or the listed testing laboratory, in writing, of any documentation omissions and/or errors and the corrective action required. The application is not forwarded until all application documentation is complete and correct.
- C. If the application includes all required documentation, the Product Listing Team shall forward the application materials to the Staff Engineer for evaluation.

### **3.6. Staff Engineer’s Evaluation**

- A. The Staff Engineer shall evaluate the laboratory report, technical data and supporting documents as submitted by the listed testing laboratory in comparison to the technical data and supporting documents submitted by the applicant including, but not limited to, laboratory report, certifications, drawings, markings, verification of compliance for toxicity requirements (if applicable), installation instructions and spare parts lists. The Staff Engineer shall verify the documents are complete and in order and ensure that ASSE has the technical expertise for the certification review of the application submitted.
- B. If the Staff Engineer determines that the application is complete the application will be forwarded to the Product Listing Team to be balloted by the Seal Control Board.
- C. If the Staff Engineer determines that item(s) pertaining to technical data or documentation are incorrect or incomplete or contain a non-conformity, the Staff Engineer shall communicate with the applicant and/or the listed testing laboratory and advise them accordingly. If the product



requires a retest to particular sections of the standard in order to address technical deficiencies, both applicant and lab will be informed.

- D. The applicant and/or the listed testing laboratory shall have fifteen (15) days to respond to the Staff Engineer. Failure to respond may be cause for rejection of the application.
- E. Once the necessary documentation is returned to ASSE and if the documentation is determined to be:
  1. Incorrect, the Staff Engineer shall:
  2. direct the Product Listing Team to communicate to the applicant the reason(s) the application is incomplete; or
  3. continue to work with the applicant and/or the listed testing laboratory, if their interest in continuing is expressed, until all issues and non-conformities are addressed including additional evaluation tasks as noted by the Staff Engineer to the applicant. The process repeats starting from 3.6.A.
  4. Correct, the Staff Engineer shall complete the Technical Evaluation Form and the application will be forwarded to the Product Listing Team to be balloted by the Seal Control Board.
- F. The applicant shall be responsible for any additional costs, as determined by ASSE.

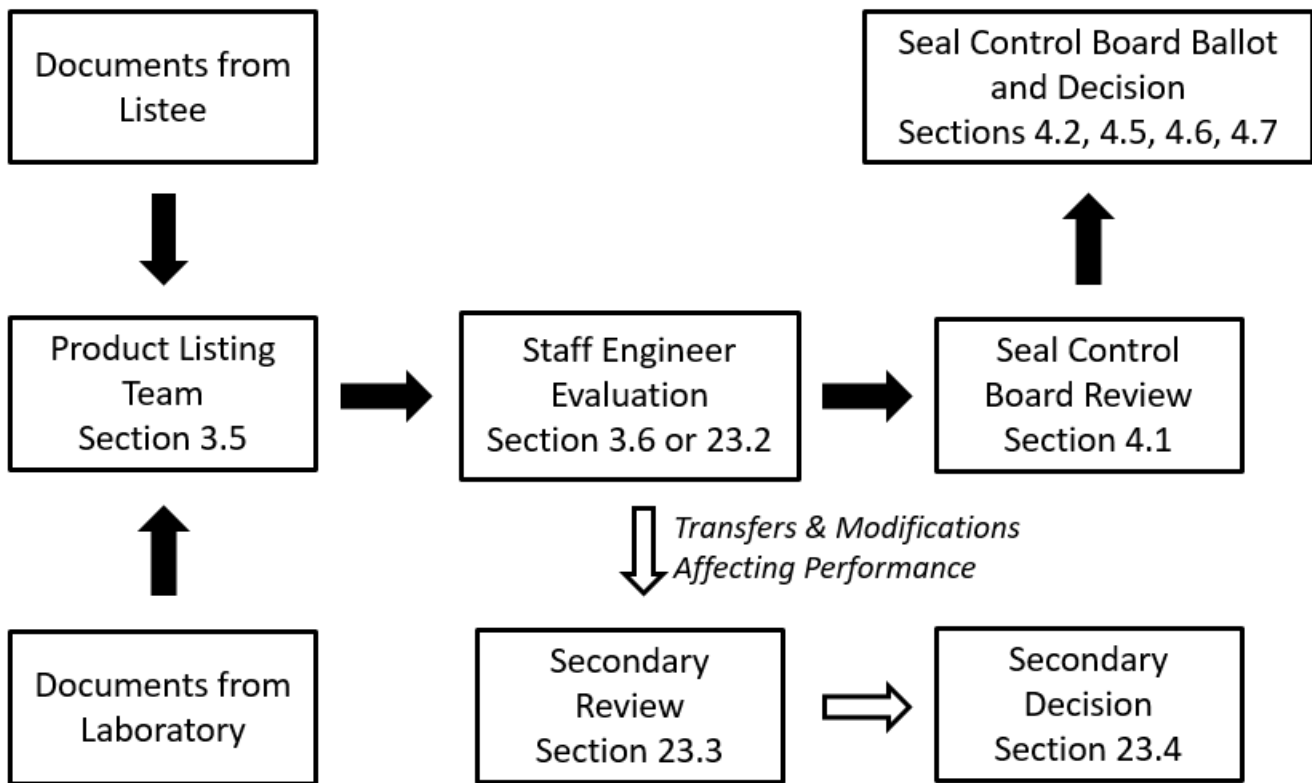


Figure 1 – Flow chart of listing process

## SECTION 4 – SEAL CONTROL BOARD REVIEW PROCEDURES

### 4.1. Application Review

- A. Each voting member of the Seal Control Board shall review the application documentation, the Technical Evaluation Form and the laboratory report with respect to the appropriate sections of the product standard.
- B. Should any discrepancies between the supporting documentation and the appropriate sections of the product standard be noted, the application shall be disapproved.
- C. Application documentation is transmitted to Seal Control Board voting members by way of mail, e-mail, or posted on a secure website for a maximum of five (5) days.

### 4.2. Seal Control Board Application Review Time Frame and Balloting

- A. The voting members of the Seal Control Board shall reply by written ballot as appropriate. The Seal Control Board written ballots have the following voting options
  - 1. Affirmative
  - 2. Tentative
  - 3. Negative
  - 4. Abstain
- B. The voting members of the Seal Control Board shall complete the ballot by checking the applicable box(s) including the declaration box, sign, date and return the ballot no later than the close of the business day as stated on the ballot.
- C. Ballots received by the Product Listing Team after the close of the balloting time frame may not be considered in the review.
- D. Ballots not returned shall be considered a "non-returned" ballot and the vote shall not be considered in the decision of granting the product listing(s).
- E. Balloting results shall not be disclosed to the applicant until either all the ballots have been returned or after the close of the balloting time frame.
- F. At least three categories shall be represented on every ballot issued.

### 4.3. Granting a Product Listing

- A. For the product listing to be granted, five (5) voting Seal Control Board Members shall be balloted, with a minimum of three (3) affirmative votes returned, less abstentions. None of the balloted members shall have been involved in evaluating the application.
- B. The new listing will be published on ASSE's website and in the *Seal Authorizations Book*, downloadable from ASSE's website.
- C. Under the signature of the Seal Control Board Chairperson, the applicant (hereinafter referred to as the listee) shall be notified by a Product Listing Notification Letter.
- D. Under the signature of the Seal Control Board Chairperson, a Seal Listing Certificate identifying the listee's name and address, ASSE's name and address, the standard's numerical designation and revision date, the model(s), the product seal record number, the listed testing laboratory of record, the listing date, and the listing expiration date shall be included with the Product Listing Notification Letter.

#### **4.4. Retention of Application Material**

One (1) copy of the application material shall be retained by the ASSE International Office for the duration of the listing. Refer to Section 19.3 for retention of inactive records.

#### **4.5. Tentative or Negative Ballots**

- A. Technical Reason:
1. All tentative or negative ballots due to a technical reason shall be reviewed by the Product Listing Team.
  2. The Product Listing Team and/or Staff Engineer may discuss the contents of the tentative or negative ballot(s) with the listed testing laboratory of record, the Seal Control Board Member(s) or the applicant's contact person regarding possible errors, omissions or supporting documentation.
  3. Responses from the applicant, the listed testing laboratory or the Seal Control Board member shall be received within fifteen (15) calendar days and shall be forwarded to the Product Listing Team for review. If, in the opinion of the Product Listing Team, the unresolved issue(s) has been satisfactorily addressed, the Product Listing Team shall forward a copy of the response and a second ballot to the voting member(s) of the Seal Control Board who submitted the tentative or the negative ballot(s).
  4. The Product Listing Team and/or Staff Engineer may discuss the response with the listed testing laboratory of record or the applicant's contact person to clarify any possible errors, omissions or supporting documentation.
  5. If, in the opinion of the Product Listing Team, the clarifying information, documentation or corrections have adequately addressed the comments on the negative or tentative ballot(s), the Product Listing Team shall forward a second ballot to the Seal Control Board member(s) who cast a negative or tentative ballot(s).
  6. If the applicant or listed testing laboratory fails to respond within fifteen (15) calendar days, the application fails and the application documentation is returned to the applicant.
- B. Documentation Reason:
1. If the ballot has been returned with a tentative or negative vote based on a documentation error, the Product Listing Team shall address the comment(s) with the applicant or the Seal Control Board Member. Once the documentation error has been addressed, the Product Listing Team shall forward a second ballot to the Seal Control Board member who cast a negative or tentative ballot.
- C. If it is determined by the Staff Engineer or by ballot of the Seal Control Board that an application does not meet the scope of a standard, the application fails and will be returned to the applicant with an explanation by the Product Listing Team.

#### **4.6. Second Ballot for Application**

- A. The member(s) of the Seal Control Board who submitted the tentative or the negative ballot(s) shall have five (5) calendar days to review the response and return the second ballot.
- B. No new issues on this application shall be introduced.
- C. If the member(s) of the Seal Control Board who submitted the tentative or negative ballot(s) fails to return the second ballot by the close of the fifth calendar day, the Product Listing Team shall

inform the Seal Control Board Chairperson. The Product Listing team and/or the Seal Control Board Chairperson shall determine if all issues are resolved in order to grant the product listing.

#### **4.7. Resolution of Second Tentative or Negative Ballot**

- A. If a tentative or negative ballot(s) is received from the second ballot(s), the Seal Control Board Chairperson and/or Product Listing Team, in an attempt to resolve the issue(s), shall address the Seal Control Board member(s) who submitted the tentative or negative ballot(s) by correspondence, special meetings or teleconferences.
- B. If the Seal Control Board Chairperson and/or Product Listing Team, through correspondence, special meetings or teleconferences with Seal Control Board member(s) who submitted the tentative or negative ballot(s) resolves the issue(s) within fifteen (15) calendar days of the second ballot closing, the procedure as set forth in Section 4.3 shall be followed.
- C. If the Seal Control Board member(s) cannot reach an affirmative, unanimous decision, less abstentions, on the second ballot:
  - 1. The product listing shall not be granted, and the Product Listing Team shall notify the Seal Control Board Chairperson;
  - 2. Or, the Seal Control Board Chairperson, with the recommendation from the Product Listing Team that the discrepancies, omissions or failures as indicated on the ballot(s) have been addressed and with four (4) affirmative ballots may override a single tentative or negative ballot.

#### **4.8. Notification of a Failed Application**

If the application fails the review process, the Product Listing Team shall notify the applicant in writing that the eligible voting members of the Seal Control Board were unable to render an affirmative decision and that the product listing cannot be granted.

#### **4.9. Deviations to Standards**

- A. A deviation is defined as an alteration to or an omission of certain requirements of the standard to which the product is certified.
- B. Listed products are to comply with the full requirements of a standard unless a deviation has been specifically granted by the Seal Control Board. Deviations shall be processed in the same manner as a modification affecting performance to a product per Section 10.3.
- C. One cannot apply for a deviation to a private label. All deviations granted to primary seals shall affect the associated private labels in kind.
- D. Deviations shall be requested by an authorized representative of the manufacturer and contain:
  - 1. List of affected products;
  - 2. Sections of the standard affected by proposed deviation;
  - 3. Purpose of deviation.
- E. If granted, the seal certificate shall identify the scope of the deviation from the standard and shall be available to the public.
- F. Deviations are granted for the life of the seal. If the seal is made inactive per Section 13 –, a new deviation shall be requested if a new application is submitted to reapply for certification.
- G. Deviations shall not be granted for products bearing the cASSE seal before being approved by the appropriate Authorities Having Jurisdiction.

## **SECTION 5 – PRODUCT LISTINGS APPEALS, COMPLAINTS, DISPUTES OR QUESTIONS**

### **5.1. Appeals, Complaints, Disputes or Questions**

- A. ASSE, while recognizing its responsibility to the public to promote safe sanitary practices through the Product Listing Program, provides a system of recourse or appeal, to those who have complaints, disputes or questions about its policies, procedures, the performance of personnel involved in the Product Listing Program or product listings.
- B. All complaints, disputes or questions shall be submitted in writing to the ASSE International Office.
- C. ASSE alone and at its sole discretion, has the right to challenge any entity which has been given express, prior, written consent to display the ASSE Seal.
- D. ASSE alone and at its sole discretion, has the right to challenge the unauthorized use or infringement(s) of the ASSE Seal.
- E. ASSE alone and at its sole discretion, has the right to seek legal counsel against any entity who unlawfully uses, improperly displays or attempts to display the ASSE Seal.
- F. Personnel, including those acting in a managerial capacity, who may have a conflict of interest which may compromise the impartiality of an investigation of a complaint, question or dispute shall not be used to review the complaint, question or dispute.

### **5.2. Complaints, Disputes or Questions Regarding Product Listings**

- A. Entities that question an ASSE-listed product shall submit a letter, in writing, detailing their concerns with supporting documentation to the attention of the Product Listing Coordinator. The Product Listing Coordinator shall confirm that the subject applies to ASSE's scope of certification activities and shall reply to the entity confirming receipt of the complaint.
- B. Entities submitting complaints or disputes regarding an ASSE-listed product shall submit a letter, in writing, detailing their concerns with evidence of non-compliance to the requirements of the standard to the attention of the Compliance Coordinator.
- C. Complaints or disputes shall be evaluated by the Product Listing Coordinator and the Compliance Coordinator and reported to the Seal Control Board Chairperson. The Seal Control Board Chairperson is responsible for the timely response of ASSE. All necessary information shall be gathered and verified by the Compliance Coordinator with a recommendation given to the Seal Control Board Chairperson.
- D. The listee of the product in question shall be notified that a complaint, dispute or question is being investigated by ASSE. All necessary arrangements shall be made by the listee to cooperate with the investigation.
- E. The Seal Control Board Chairperson is responsible to report any necessary information to the ASSE International Board of Directors.
- F. If ASSE determines that the product should be retested to the applicable standard after reviewing the letter and supporting documentation indicating non-compliance, ASSE shall independently obtain the product for testing at an ASSE listed testing laboratory.
- G. Once the retesting is completed, the complainant and the listee of the product in question will be notified of the results.

- H. If the product fails the retesting, the procedures in Section 13.4 shall be followed and ASSE shall determine the costs that are chargeable to the listee of the product not in compliance.
- I. Prior to the start of testing at ASSE's request, the complainant shall agree in writing to pay for all costs involved should the retesting indicate continued compliance of the product.
- J. After completion of the investigation, the listee of the product in question and the complainant shall be informed of the results.
- K. If the complaint comes from a Canadian Regulatory Authority in order to request cessation of certification of a listing, the Product Listing Coordinator shall inform the SCC and take action in accordance with ISO/IEC Guide 27.

### **5.3. Complaints, Disputes or Questions Regarding ASSE Procedures, Policies or Personnel**

- A. Person(s) who have complaints, disputes or questions about the policies and procedures of the Product Listing Program or of a listed product, shall document these complaints or questions, in writing, to the attention of the Product Listing Coordinator.
- B. Complaints, disputes or questions about the policies and procedures of the Product Listing Program shall be evaluated by the Product Listing Coordinator and reported to the Seal Control Board Chairperson.
- C. The Seal Control Board Chairperson is responsible to report any necessary information to the ASSE International Board of Directors.
- D. Person(s) who have complaints, disputes or questions about the performance of the personnel involved in the Product Listing Program shall document these complaints, disputes or questions, in writing, to the attention of the Compliance Coordinator.
- E. Complaints, disputes or questions about the performance of the personnel involved in the Product Listing Program shall be evaluated by the Compliance Coordinator and reported to the ASSE International Board of Directors.
- F. ASSE shall ensure that appropriate action shall be taken to address the issues.
- G. The complainant shall be notified, in writing, by the Product Listing Coordinator, Seal Control Board Chairperson or the Compliance Coordinator of the action taken.
- H. If the top management does not follow the input of the SCB, the SCB shall have the right to take independent action (e.g. informing authorities, accreditation bodies). In taking appropriate action, the confidentiality requirements of this document shall be respected.
- I. Input that is in conflict with the SCB procedures or other mandatory requirements should not be followed. Management should document the reasoning behind the decision to not follow the input and maintain the document for review by appropriate personnel.

### **5.4. Special Appeal Meeting Due to Failure of Application Review**

- A. Upon receipt of the notification that the voting members of the Seal Control Board were unable to render an affirmative decision in an endeavor to resolve the issue(s) for failure, the applicant has fifteen (15) calendar days to appeal the decision and request a special meeting in an endeavor to resolve the issue(s).
- B. If the issue(s) is resolved, the voting members(s) who submitted the tentative or negative ballot(s) shall re-ballot for the record. The applicant shall be notified in writing.

- C. If the issue(s) is not resolved, the Product Listing Coordinator shall notify the applicant, in writing, that the voting members of the Seal Control Board were unable to render an affirmative decision and the application has failed the review process.
- D. Personnel, including those acting in a managerial capacity, who may have a conflict of interest which may compromise the impartiality of an investigation of an appeal, shall not be part of the appeals process.

**5.5. Record Keeping of Appeals, Complaints, Disputes or Questions**

- A. Documentation of the appeal, complaint, dispute or question of or for a product listing, along with any correspondence and a report of any actions taken, shall be maintained while the investigation is ongoing and once closed out, for as long as the listing in question is an active listing. All documentation shall be maintained at the ASSE International Office.
- B. Documentation for appeals, complaints, disputes or questions regarding product listings or the Product Listing Program Procedures shall be maintained by the Product Listing Coordinator.
- C. Documentation for complaints, questions and disputes regarding personnel involved within the Product Listing Program shall be maintained by the Administrative Manager.

**5.6. Requests for Hearing before a Board of Appeals**

- A. Upon receipt of the notification from the Seal Control Board Chairperson that the Seal Control Board was unable to render an affirmative decision following the special appeal meeting, the applicant may request a hearing before a Board of Appeals. A written request shall be filed with the ASSE International Office within thirty (30) calendar days after the date of notification that the application failed the review process.
- B. If a written request for a hearing is not filed within the thirty (30) calendar days, the file shall be closed and all application documentation returned to the applicant.
- C. The Board of Appeals shall consist of three (3) individuals who have not been directly involved in the decision and who will not be materially or directly affected by any decision made in the appeal.
  - 1. One (1) member, who shall serve as the chairperson, shall be appointed by the International President.
  - 2. One (1) member shall be appointed by the Compliance Coordinator.
  - 3. One (1) member shall be appointed by the applicant.
- D. Each member of the Board of Appeals shall be approved by a majority vote of the International President, the Compliance Coordinator and the applicant.
- E. The purpose of the Board of Appeals is to review all documentation submitted prior to the date of the hearing and to render a decision whether the Seal Control Board adhered to the procedural requirements as set forth in the *Seal Control Board Procedures* and/or the technical requirements as referenced by the applicable standard.
- F. The Board of Appeals may request testimony from the applicant and/or their expert witnesses and may request testimony from representative(s) of the Seal Control Board, the Product Listing Coordinator, representative(s) from the Board of Directors and/or their expert witnesses.
- G. The decision shall be by a two-thirds (2/3) vote by the Board of Appeals. The Board of Appeals shall render its decision, in writing, stating findings of fact and conclusions within thirty (30) days of the conclusion of the hearing.

- H. If the Board of Appeals rules in favor of the applicant, the listing shall be granted. The applicant shall be notified of the decision in writing.
- I. If the Board of Appeals does not uphold the appeal, the application shall remain failed and the file closed. The applicant shall be notified of the decision in writing. All application documentation shall be returned to the applicant.
- J. If the applicant elects to resubmit the product(s) as a new application for the ASSE Seal, all items pertaining to the failure by the voting members shall be addressed. The product shall then be tested at a listed testing laboratory and a new application submitted.

**5.7. Appeals as a result of a Complaint or Dispute Decision**

- A. A decision regarding a complaint, or dispute as determined by ASSE may be appealed.
- B. A representative from the parties involved shall request an appeal of the final decision as determined by ASSE with 15 days of notification.
- C. If an appeal is received, a special appeal meeting will be held via teleconference. The person issuing the appeal along with the Seal Control Board Chairperson, Compliance Coordinator and Staff Engineer shall be present.
- D. All documented expenses will be the responsibility of the party requesting the appeal.
- E. If a decision is rendered during the Special Appeal meeting, the Compliance Coordinator shall notify the parties involved in writing of the decision.
- F. If a decision cannot be rendered or the party involved would like to appeal the decision rendered, the party involved shall request a hearing before a Board of Appeals.
- G. A written request shall be filed with ASSE within 30 days after the Special Appeals Meeting.
- H. The procedures as set out in Section 5.6 shall then be followed.

**5.8. Timeline for Addressing Complaints & Disputes**

- A. Because each case is different and some cases may require retesting, there is not a set time period for when ASSE's investigation of a complaint or dispute will be completed.
- B. ASSE will evaluate each case and provide an estimated time period for completion of an investigation of a question, complaint or dispute to the party who issued the concern.
- C. Should the party who issued the concern feel that the investigation of the question, complaint or dispute by ASSE is taking an unnecessary amount of time; the party may contact the Seal Control Board Chairperson.

**5.9. Appeal Expenses**

- A. All documented expenses shall be the responsibility of the applicant. Charges may include, but are not limited to, purchase of product(s), testing charges, consultants, legal counsel, telephone charges, mailing/shipping costs and hourly rates as determined by the ASSE International Board of Directors for ASSE personnel.
- B. The applicant shall be invoiced, on a monthly basis, for all documented expenses. All invoices shall be paid per the stated terms. The appeal shall be held in abeyance until all past due accounts are settled.



**5.10. Technical Interpretations**

- A. All interpretation requests related to an ASSE Product Standard shall be processed in accordance with ASSE's *Procedures for the Development of Standards*.
- B. Interpretation requests related to a non-ASSE product standard shall be forwarded to the ASSE Standards Coordinator who will facilitate the resolution with the other organization.

## SECTION 6 – DISPLAY OF THE ASSE SEAL

### 6.1. Ownership

- A. The International Association of Plumbing and Mechanical Officials (IAPMO) is the sole owner of the ASSE Seal and cASSE Seal. ASSE is the sole and exclusive license holder of the Seal. The ASSE Seal is a duly registered trademark with the US Department of Commerce Patent and Trademark Office (United States Trademark Reg. No 2,323,383, Canadian Trademark Reg. No TMA856415). The cASSE Seal is a duly registered trademark with the Canadian Intellectual Property Office (App. No 1831060). Display of the ASSE Seal, cASSE Seal or any other mark owned by ASSE without the prior written authorization of the Seal Control Board Chairperson or the ASSE International Board of Directors is a violation of federal and state law. Failure to adhere to the policies set forth in this section shall result in legal action.
- B. The Seal shall not be affixed to or published on any product, advertisement, literature, instruction, packaging and other printed material until written authorization to display the seal has been received from the Seal Control Board Chairperson.
- C. If the listee provides copies of the certification documents to others, the documents shall be unmodified and reproduced in their entirety.

### 6.2. Display of the ASSE Seal and Product Markings

- A. The ASSE Seal shall be displayed on all ASSE listed products which have received the express, prior, written consent from the ASSE Seal Control Board Chairperson.
- B. There are various markings required by individual standards which must be displayed in order to meet the standard's requirements.
- C. Subject to express prior written consent by ASSE, ASSE listed products whose only finished surfaces exposed to view would be defaced by the imprinting of the ASSE Seal and those products by virtue of their size would not permit the imprinting of the ASSE Seal and applicable standard number(s), shall have the ASSE Seal placed on all product literature and packaging. This exclusion of the ASSE Seal on the product shall be recorded on the listing certification.
- D. If ASSE identifies a listed product (with the exception of products noted in Section 6.2.C) not displaying the ASSE Seal on products, the listee shall be notified in writing to submit corrective action in accordance with Section 14.10.C of these procedures. If corrective action is not submitted within the time period, Section 14.10.D & E shall be followed.

**NOTE:** As the ASSE Seal is a recognizable symbol of product performance to nationally recognized consensus standards, ASSE recommends that the ASSE Seal be included in all product literature and advertisements.

### 6.3. Prohibition of Display of ASSE Seal

- A. The ASSE Seal shall not be affixed to or published on any product and product literature or packaging until written authorization to display the ASSE Seal has been received from the Seal Control Board Chairperson. Infringed products are governed by the guidelines found in Section 14.7 of these Procedures.

- B. Should ASSE discover the improper use of the ASSE Seal, (i.e.: Seal is displayed on product that has been determined to be hazardous, the product is not authorized to display the Seal, the product contains an unauthorized form of the Seal or the product is in violation of the certification agreement, etc.), a letter will be forwarded to the company improperly displaying the ASSE Seal informing them to remove the logo from the product, literature, catalog, advertisements or website upon receipt of notification.
- C. The Product Listing Coordinator shall forward a copy of such letters to the ASSE executive director.
- D. The Product Listing Coordinator shall follow up with the company in question to ensure that the improper display of the ASSE Seal has been removed in the timeline requested. If the ASSE Seal is not removed, the Product Listing Coordinator shall inform the Executive Director and the Executive Director shall determine the next course of action. The Executive Director shall refer to ISO/IEC Guide 27 for direction in determining the next course of action.
- E. ASSE maintains the right to take appropriate legal action, as determined by the ASSE Executive Director, for unauthorized display of the Seal.

#### **6.4. Product Endorsement**

- A. Display of the ASSE Seal or use of the SCC Mark is not a product endorsement by either ASSE or the SCC.
- B. Display of the ASSE Seal is confirmation that the product(s) has been submitted to ASSE for evaluation to the applicable product standard, has been reviewed by the voting members of the Seal Control Board and is found to be in compliance with the minimum requirements as stated in the applicable standard and the current edition of the *Seal Control Board Procedures*.
- C. Any misrepresentations or violations of the *Seal Control Board Procedures* shall be cause for removal of the ASSE Seal on the product(s) and on all literature pertaining to the product(s). Listees shall not use the ASSE Seal or its product certification in a manner to bring ASSE International into disrepute.
- D. Individuals and organizations making false claims regarding ASSE listings shall be contacted by the Product Listing Coordinator or ASSE International's counsel depending on the severity of the infraction.

## SECTION 7 – QUALITY SYSTEM

### 7.1. ASSE Quality System

- A. The Executive Director is responsible to establish, implement, maintain and report to the Board of Directors regarding the quality system as defined in ISO/IEC 17065. The Executive Director shall charge Compliance Coordinator to ensure these requirements are in force.
- B. The procedures for conducting internal audits shall be based on ISO/IEC 19011.

### 7.2. Applicant or Listee's Product Quality System

- A. Each applicant or listee shall demonstrate that the manufacturing or assembly facility for the proposed or listed product has an ongoing product quality system.
- B. The applicant's or listee's or associated manufacturing facility's quality system shall be documented in a quality control manual.
- C. The quality control manual shall include, at a minimum, the following criteria:
  - 1. a quality policy;
  - 2. an organizational chart or statement indicating which positions are responsible for compliance to the quality system;
  - 3. procedures or policies for handling incoming materials and components;
  - 4. procedures or policies for monitoring calibration records for processing equipment;
  - 5. procedures or policies for inspection of finished products;
  - 6. procedures or policies for dealing with non-conforming product;
  - 7. procedures or policies for identifying and addressing corrective and preventive actions; and
  - 8. procedures or policies for maintaining and addressing complaints regarding the product's compliance with requirements of the relevant standard.
- D. The manual and supporting records shall be available to ASSE when requested.

### 7.3. Applicant or Listee Complaint Records as Part of the Quality System

- A. The listee shall keep a record of all complaints made known to the supplier relating to a product's compliance with requirements of the applicable standard or the manufacturer's services and to make these records available to the ASSE or the ASSE's representative(s), when requested.
- B. The listee shall take appropriate action with respect to such complaints and any deficiencies found in products or services that affect compliance with the requirements for certification.
- C. The listee shall document the actions taken.

### 7.4. First-Time Manufacturing Facility Requirements

- A. For first-time manufacturing facilities either for a product seeking an ASSE listing or for currently listed products, an initial inspection of the manufacturing facility shall be conducted.
- B. Refer to Section 14.2 for the requirements regarding the initial inspection.

### 7.5. Manufacturing facility or Quality System Changes

- A. Listees shall inform ASSE of any manufacturing facility changes, including but not limited to the contact address, legal status, ownership, facility contact, or person(s) responsible for the quality system.

- B. Listees should inform ASSE of any quality system changes affecting production of the listed product.

## **SECTION 8 – DISPOSITION OF THE ASSE SEAL**

### **8.1. Voluntarily**

When a manufacturer voluntarily terminates (i.e. deactivates) their ASSE Seal Listing, the listee shall:

- A. Remove the ASSE Seal from all product literature, instructions, packaging and other printed material, including advertising matter;
- B. Remove the ASSE Seal from any deactivated products such that only certified products may bear the ASSE Seal when being placed into the market.

The process of voluntary deactivation or withdrawal of a listee's seal is listed under Section 13.6

### **8.2. Involuntarily**

See Section 13 –.

## SECTION 9 – RENEWALS

### 9.1. Annual Renewal

- A. Annually all listees shall receive a Seal Authorization Renewal Notice. This notice shall include:
  - 1. The amount due for each listing.
  - 2. A statement affirmed by the listee through payment that the product(s) has not changed or been modified in the past year.
  - 3. A statement which reads: “If the product(s) is produced at a facility subcontracted by the listee, the signature of the listee’s duly authorized representative also confirms that the manufacturing facility has not made any changes to the design of the product, the materials of the product or to the material suppliers without prior notification to ASSE.”
- B. Before the renewal certificate will be issued, the listee's duly authorized representative shall return to the ASSE International Office the signed renewal notice together with the referenced renewal fee.
- C. Renewal status is not official until such time as the signed statement and renewal fee is received in the ASSE International Office and a renewal certificate is issued.

### 9.2. Updated Material Listing

- A. At ASSE’s discretion, ASSE shall require the listee to submit a complete material listing at the time of renewal.
- B. Before the listing shall be renewed, the Compliance Coordinator shall compare the material listing as submitted by the listee with the material listing on file to verify no changes to the materials have been made without prior written authorization from ASSE.
- C. If the Compliance Coordinator determines that an unauthorized modification has been made to the materials, the Compliance Coordinator shall then follow the steps in Section 13.2.
- D. Should the Compliance Coordinator determine that no unauthorized modifications have been made to the materials, a recommendation to the Product Listing Team that the listing be renewed shall be made.

## SECTION 10 – MODIFICATIONS TO A LISTED PRODUCT

### 10.1. Modification(s) to a Listed Product

- A. When a listee intends to make a modification(s) to an ASSE listed product(s), including a material modification, a full description of the intended modification(s) along with new technical data or drawings shall be submitted, in writing, to the ASSE Product Listing Team.
- B. Upon receipt, the Product Listing Team shall forward the request with the supporting documentation to the Staff Engineer for review.
- C. The Staff Engineer shall determine if the modification does or does not affect the performance of the product as it relates to the applicable product standard.

### 10.2. Modification(s) Not Affecting Performance

- A. If, the Staff Engineer, determines the modification(s) does not affect the performance of the product as it relates to the applicable standard (nonfunctional modification) and, as such, no additional testing will be required.
- B. Examples of nonfunctional changes to a product listing include, but are not limited to, exterior trim options, exterior finishes such as chrome, satin chrome and polished, additional types of end connections of the same pipe size as the original listed product, consolidations of records and additional marketing product designation numbers.
- C. The Product Listing Team shall inform the listee of the results of the modification request.

### 10.3. Modification(s) Affecting Performance (i.e. Technical Modifications)

- A. If the Staff Engineer determines that the change may affect the performance as it relates to the applicable standard and therefore determines additional testing is necessary, the Staff Engineer shall make a recommendation for further testing.
- B. If additional testing is required, the listee shall submit the product(s) to a listed testing laboratory for testing to the standard as required.
- C. If testing to the entire standard was not required, the following shall be followed:
  - 1. The listed testing laboratory shall submit the Laboratory Evaluation Report Form to ASSE International with a cover letter noting the testing was performed as a result of a modification.
  - 2. The Staff Engineer shall evaluate the laboratory report and all documentation.
  - 3. After evaluation by the Staff Engineer, the procedures as listed in Sections 23.3 and 23.4 shall be followed.
- D. If testing is required to the entire standard, the modification shall be handled as a new application and the following shall be completed:
  - 1. The listed testing laboratory shall submit the laboratory report to ASSE International.
  - 2. The listee shall submit the documentation as listed in Section 3.1 of these procedures.
  - 3. Upon receipt of all documentation, the procedures as listed in Section 4 –shall be followed.

### 10.4. Unauthorized Product Modification

If an ASSE listed product(s) is modified by the listee or the manufacturer without prior, written authorization from ASSE, the procedures in Section 13.2 shall be followed.



**10.5. Modification Fees**

- A. The modification fee shall be the responsibility of the listee.
- B. If testing to the complete standard was required, the listee shall be required to submit a full application fee at the time testing is completed and the application is submitted to ASSE.

## **SECTION 11 – PRIVATE LABELS (ADDITIONAL PRODUCT LISTINGS)**

### **11.1. Private Labels (Additional Product Listings)**

- A. A private label shall exist if a current listed product is intended to be marketed by a company under a different name than the listee.
- B. Should an ASSE listee desire to additionally list a current listed product to be marketed as a private label by another company, the listee shall complete the Private Label Request Form which can be obtained upon request.
- C. Upon completion, the listee shall submit the Private Label Request Form to the Product Listing Team.
- D. A private label request fee will apply to process the request and issue a listing certificate for the private label company.

## SECTION 12 – REVISIONS TO A PRODUCT STANDARD

### 12.1. Applications under the Current Edition

- A. An application received within six (6) months of the Board of Directors approving the revision of a product standard, may be submitted under the previous edition of the product standard.
- B. Any application received after the expiration of the six (6) month date shall be returned to the applicant.
- C. If the product is at a listed testing laboratory and the testing cannot be completed within the six (6) month time frame, the applicant can request, in writing, an extension. The request shall include a statement from the listed testing laboratory indicating the approximate completion date.
- D. An exception to the rule may be granted upon written approval of the ASSE Seal Control Board.

### 12.2. Updating to the Revised Edition

- A. After release and adoption of a revised standard the product certification team shall inform listed companies of the revised standard, review the revised standard and propose additional tests (if any) needed to maintain product listings to the Seal Control Board.
- B. If the Seal Control Board determines no further testing is needed, the applicable listing(s) will be updated to the revised edition of the standard and the listee shall be notified.
- C. If the Seal Control Board determines retesting is necessary to maintain the listing, the product(s) shall be tested to either the revised section(s) or the complete standard (as directed by the Seal Control Board) within three (3) years of the ASSE International Board of Directors approval date of the Standard.
- D. All listees with products listed to the previous revision of the standard shall be informed of the testing requirements as directed by the Seal Control Board through direct correspondence.
- E. The listee and/or the listed testing laboratory shall submit to ASSE a revised laboratory report.
- F. The laboratory report shall be evaluated by the Staff Engineer. Should the Staff Engineer have any questions regarding the laboratory report or need any further documentation, the Staff Engineer shall contact the listee or listed testing laboratory for clarification.
- G. Should the listee elect not to submit the product(s) for retesting, the listee shall notify ASSE in writing and the product(s) listing shall be removed. The listee will be notified upon completion of the removal of the listing that the product can no longer carry the ASSE Seal.
- H. If the listee does not notify ASSE and a revised laboratory report is not submitted within three (3) years of the ASSE Board of Directors approval date, the product listing shall automatically be removed. The listee shall be notified in writing of this action and that the product can no longer carry the ASSE Seal.

### 12.3. Withdrawal of an ASSE Product Standard

- A. When ASSE International withdraws a standard, the Product Listing Team shall notify all listees with products listed under the withdrawn standard in writing.
- B. Listing(s) can be maintained for three (3) years from the date of withdrawal.

- C. At the close of the three (3) year withdrawal date, the standard and all products listed under the standard shall be removed. The listee shall be notified that the product can no longer carry the ASSE Seal.

## **SECTION 13 – SUSPENSIONS & REMOVAL OF PRODUCT LISTINGS**

### **13.1. Suspensions for Health or Safety**

- A. Health or Safety Hazard within the Applicable Standard
  1. Should the ASSE Board of Directors or Product Standards Committee determine that a health or safety hazard associated with a product standard exists; all products listed under the affected standard shall be suspended immediately.
  2. The Product Listing Team, under signature of the Seal Control Board Chairperson shall notify, in writing, all listee(s) with products listed under the affected standard that their product(s) are suspended. The listee shall also be informed that any products produced after the date of notification of the suspension shall not carry the ASSE Seal Logo until further notice from ASSE.
  3. Upon resolution of the health or safety issue(s), if the product's performance as it relates to the applicable standard is not affected, the listee(s) listing shall be reinstated and the listee(s) shall be notified in writing.
- B. If the product's performance is affected, the listee(s) shall be notified, in writing, that the product(s) shall be retested to the standard or to those section(s) of the standard, as determined by the Seal Control Board, before reinstatement can be granted.
- C. Listee-Recognized Hazardous Situation
  1. If a listee recognizes a potential hazardous situation with a listed product, ASSE shall be notified within 30 days from recognition of the problem.
  2. The listing shall therefore be suspended until such time as acceptable corrective action can be submitted by the Listee.
  3. The Listee will be informed by the Product Listing Team of the suspension of the listing on the products and that any products produced after the date of notification of the suspension until further notice from ASSE shall not carry the ASSE Seal Logo.
  4. After receiving notification of suspension of the ASSE listing from the Product Listing Team, the listee shall make no misleading claims regarding the certification of the product during the time of the suspension.
- D. If an inventory of products produced prior to the date of suspension, carrying the ASSE Seal Logo, exists, the Listee shall be responsible to notify all relevant existing and potential customers that the certification on the product has been suspended. A copy of this notification shall also be sent to ASSE.
- E. The listee shall have sixty (60) days to submit corrective action to ASSE.
- F. The Product Listing Team, with consultation from the Seal Control Board Chairperson, shall determine if the corrective action is acceptable and shall notify the Product Listing Team that the listing can be reinstated.
- G. ASSE's Responsibilities:
  1. For all listings removed due to a potential health or safety hazard, ASSE shall also take all measures possible to contact the appropriate regulatory authorities, including but not limited to the Canadian Advisory Council on Plumbing, of the suspension of the product listing when relevant.

2. If any safety related product incident or a safety related recall occurs that ASSE is aware of, ASSE as an accredited third party certification body, shall inform the Canadian Regulatory Authority Advisory Body and copy the Standards Council of Canada in writing in accordance with the SCC Requirements and Guidance – Product, Process, and Service Certification Body Accreditation Program.

### **13.2. Suspensions Due to an Unauthorized Modification**

- A. If an ASSE listed product(s) is modified by the listee or the manufacturer without prior, written authorization from ASSE, the Product Listing Team or Compliance Coordinator, after authorization from the Seal Control Board Chairperson, shall immediately contact the listee stating the product listing has been suspended.
- B. The listee shall have 30 calendar days from date of notification of the suspension to respond to ASSE.
- C. The listee shall be informed that any products produced after the date of notification of the suspension until further notice from ASSE shall not carry the ASSE Seal Logo.
- D. If the listee responds within the allotted time frame of thirty (30) calendar days, ASSE will determine the next course of action.
- E. If the listee does not respond within the allotted time frame, the listing will be delisted and the listee informed. The status of the listing shall then be considered inactive.

### **13.3. Suspensions Due to a Failure of Factory Audit Retesting**

- A. Should two consecutive samples of the selected product fail the necessary testing or should the Seal Control Board determine a suspension of the product listing is necessary per Section 14.6.C & D, the Product Listing Team shall contact the listee stating the product listing has been suspended due to failure to conform to the applicable product standard performance requirements.
- B. The listee shall be informed that any products produced after the date of notification of the suspension, until the date of reinstatement, shall not carry the ASSE Seal Logo.
- C. Should the listee elect to reinstate the listing, the listee shall have thirty (30) days from the date of notification to address the reason for failure of the testing and re-submit the product to an ASSE listed testing laboratory for the applicable retesting.
- D. The test results shall be submitted to ASSE directly by the listed testing laboratory within six (6) months from the date of notification of the suspension. If six months is not a sufficient time period to complete the testing, the listed testing laboratory shall submit a letter of explanation including an estimated completion date to ASSE.
- E. The listee shall submit documentation detailing the corrective action to address the failure.
- F. Upon receipt of the required documentation and the Laboratory Evaluation Report form, the Staff Engineer shall evaluate the documentation.
- G. The Staff Engineer shall make a recommendation to the Seal Control Board Chairperson to either reinstate or delist the listing.
- H. The Product Listing Team shall then notify the listee of the results.

**13.4. Suspensions Due to a Failure of Retesting as Requested by ASSE to Resolve a Complaint**

- A. After following the steps as described in Section 5.2, if the retesting of a product due to a complaint received by ASSE indicates that the product is no longer in compliance with the requirements of the standard, the listee shall be notified by the Product Listing Team that the product listing has been suspended due to failure of testing as requested by ASSE to settle a complaint submitted regarding the product.
- B. The listee shall be informed that any products produced after the date of notification of the suspension until the date of reinstatement shall not carry the ASSE Seal Logo.
- C. In order for the listing to be reinstated, the listee shall submit documentation that the cause for failure has been modified and new testing confirming that the product meets the applicable product standard within six months from the date of notification of the suspension.
- D. The documentation submitted by the listee along with the test results shall first be reviewed by the Technical Services Team for completeness, then evaluated by the Staff Engineer, and then balloted by the Seal Control Board.
- E. If the Seal Control Board authorizes the request, the listing shall be reinstated to an active listing.
- F. If the Seal Control Board rejects the request, the listing will be delisted.
- G. In order to obtain the listing again, the steps in Section 3 –and Section 4 –shall be followed.

**13.5. Suspensions Due to a Failure of Submitting the Necessary Corrective Action**

- A. If the corrective action is not submitted as explained in Section 14.10, the affected listings will be suspended.
- B. The listee shall be notified by the Product Listing Team that the product listing(s) has been suspended due to failure to submit the necessary corrective action.
- C. The listee shall be informed by the Product Listing Team that any products produced after the date of notification of the suspension shall not carry the ASSE Seal Logo until the date of reinstatement.
- D. In order for the listing to be reinstated, the listee shall submit to ASSE, the necessary corrective action within 5 business days from the date of notification of the suspension.
- E. If the Listee fails to respond as required in 13.5D, the listing will remain suspended.
- F. In order to be reinstated, the Listee will be required to follow the procedures as outlined in Section 3 –and Section 4 –.

**13.6. Deactivating a Product Listing or Removing Listed Models**

- A. Listees wanting to deactivate or withdraw their listings shall complete the “Deactivate Seal or Remove Models Request” form or request in writing that the listing be deactivated or the removal of specific models.
- B. The listee shall be informed by the Product Listing Team that any products produced after the date of deactivation or withdrawal of the listing shall not carry the ASSE Seal Logo.

### **13.7. Listee Responsibilities – Notification of Suspension**

- A. The Listee shall be responsible to verify that as of the date of the suspension of the ASSE listing, any products produced do not carry the ASSE Seal Logo.
- B. After receiving notification of suspension of the ASSE listing, the listee shall make no misleading claims regarding the certification of the product during the time of the suspension. This includes but is not limited to: specification sheets, advertising, packaging, websites, and other print or digital media.
- C. If an inventory of products produced prior to the date of suspension, carrying the ASSE Seal Logo, exists, the Listee shall be responsible to notify all relevant existing and potential customers that the certification on the product has been suspended. A copy of this notification shall also be sent to ASSE.

### **13.8. Reinstatement of a Seal after Suspension**

- A. A listee shall have 30 days after being notified of a product's or seal's suspension to perform a permanent corrective action and submit evidence of it to the Product Listing Team.
- B. The Product Listing Team shall compile the documentation for Staff Engineer evaluation. The Staff Engineer shall make a recommendation to the Seal Control Board to either reinstate or delist the product or listing based on their evaluation.
- C. The Seal Control Board shall review the recommendation and ballot it in a timely manner determined by the Product Listing Team.
- D. If the Seal Control Board determines that the product or seal must be delisted, the steps in Section 3 –and Section 4 – shall be followed.



## **SECTION 14 – INSPECTIONS FOR PRODUCT LISTING COMPLIANCE**

### **14.1. Compliance Inspections**

- A. An independent agency contracted by ASSE shall conduct, at a minimum, an annual announced or unannounced inspection of all manufacturing facilities for all ASSE listed products. The inspection shall be conducted to ascertain that:
  - 1. The listed manufacturing facility has an acceptable quality control system in conformance with Section 7.2 of these procedures and that the system is implemented per the Quality Control Manual.
- B. ASSE listed products display the proper markings as required by the applicable product standard, the ASSE Standard number and the ASSE Seal.
- C. No modifications have been made to the original listed product without prior written consent from the ASSE Seal Control Board.
- D. No unauthorized display of the ASSE Seal is being used.
- E. Inspections shall be conducted by qualified personnel as defined by ASSE and may be observed by a representative of an accreditation body.
- F. Inspections shall be conducted in accordance with ISO/IEC 17021.
- G. Listees shall be billed for all costs incurred for the inspection unless written notice from the listee advises ASSE to direct billing to the manufacturer on record.
- H. Listee shall make all necessary arrangements for the auditor once the independent agency has made first contact with the listee. The independent agency shall inform the listee in advance if any additional observers will be present during the audit. The necessary arrangements shall include availability of requested documents and records, access to equipment, location(s), area(s), personnel, and if necessary, the same for the listee's sub-contractor(s).

### **14.2. Initial Inspections of New Manufacturing Facilities**

- A. An independent agency contracted by ASSE shall conduct an initial announced inspection for a manufacturing facility seeking product certification or for current listings with a new manufacturing facility location.
- B. If the inspection is for a manufacturing facility seeking product certification, the inspection shall be conducted prior to completion of the ballot period and a decision is rendered by the Seal Control Board regarding certification.
- C. The inspection shall review that the manufacturing facility has an acceptable quality control system in conformance with Section 7.2 of these procedures and that the system is implemented per the facility's quality control manual.

### **14.3. Annual Inspection Procedures for Current Listed Manufacturing Facilities**

- A. During the course of an inspection at all listed manufacturers' locations, ASSE inspectors shall perform the following functions, in addition to the requirements of Section 14.1.B:
  - 1. Review representative samples of the listee's product listing seals.
  - 2. Seals shall be selected randomly without prejudice of prior audit history.
  - 3. Samples shall be selected from the ASSE listed products in production on the day of inspection or from available inventory.

4. For each seal inspected the following sampling plan shall be followed by the ASSE inspector:

Number of Models in Seal	Number of Models to Inspect from Seal	Number of Units of Each Selected Model to Inspect from Seal
1-5 Models	1	1
6-15 Models	2	1
16 Models and over	3	1

- B. ASSE reserves the right to select additional seals if a reasonable suspicion exists that a listed model is not being produced in accordance with the ASSE Standard, Seal Control Board Procedures and/or Product Listing Contract. Such additional inspection would be above the random seal selection. Reasonable suspicion could arise from query into the legitimacy of a listing.
- C. If product is not available from the listee’s selected product listing seals, the inspector shall review product from the non-selected (“backup”) seals.
- D. If there are no listed products available to review, the Inspector shall note this on the Factory Audit Report. ASSE will then inform the listee of the necessary corrective action.
- E. The inspector shall record all results and observations on the ASSE Factory Audit Report.
- F. The inspector shall ensure that each section of the Factory Audit Report is complete. The signed and dated Factory Audit Report shall be returned to the ASSE International Office within thirty (30) days of the inspection.

**14.4. Retesting of Product Listings as Result of a Factory Audit**

- A. ASSE reserves the right to randomly select a model(s) for testing to the applicable section(s) of the standard from a series of models for each seal.
- B. The period for retesting shall not exceed five (5) years.
- C. Inspectors shall select two (2) sample(s) of the same model and size for retesting at the listee's designated listed testing laboratory or complete in house testing to be witnessed by the ASSE Inspector provided the requirements of Section 14.9 of these procedures are met.

Number of Models in Seal	Number of Models to Select for Retest per Seal	Number of Units per Selected Model(s) for Retest
1-5 Models	1	2
6-15 Models	2	2
16 Models and over	3	2

- D. If in-house witness testing is performed, the inspector shall record the results of the test(s) on the appropriate Factory Audit Inspection Test Report form.
- E. For sample(s) to be forwarded to an ASSE listed testing laboratory, the ASSE inspector shall:
  1. Complete the Instructions for Testing for Audits form to be included with the selected sample(s).
  2. Tag the selected samples with the ASSE Seal Logo Tape.

- F. The manufacturer/listee contact shall promptly forward one of the selected sample(s) to the listed testing laboratory by the best means available. The second sample shall remain at the factory as a back-up sample. If the manufacturer/listee contact is unable to forward the selected sample(s), they shall immediately notify the ASSE Compliance Coordinator, in writing, explaining the reason for the delay.
- G. If, during an annual inspection, samples are not available for the required testing, the listee shall be notified, in writing, that samples were not available and have the option of forwarding the required samples from the factory with a copy of the Instructions for Testing for Audits form to a listed testing laboratory or ASSE staff will purchase the required samples and forward the samples with a copy of the Instructions for Testing for Audits form to the listee's designated listed testing laboratory.
- H. All costs involved for the purchase and shipping of the samples by ASSE shall be the responsibility of the listee.
- I. Upon receipt, the listed testing laboratory shall perform testing on the sample(s) in accordance with the applicable section(s) of the standard, as noted on the Instructions for Testing for Audits form and the latest edition of the *Seal Control Board Procedures*.
- J. The listed testing laboratory shall forward one (1) copy of the completed Factory Audit Inspection Test Report form to the attention of the Product Listing Team and one (1) copy to the listee.
- K. The Staff Engineer shall evaluate the report for continued compliance. The Product Listing Coordinator will review the evaluation.
- L. If the selected product(s) was found in compliance, the listee shall be notified, in writing and the record will be updated to reflect the new testing date.
- M. If the Factory Audit Inspection Test Report Form reveals that the products were found not in compliance with the standard, the procedures in Section 13.3 shall be followed.

#### **14.5. Two Categories of Product Failures**

- A. **Affected product(s)** - ASSE listed product that fails to meet the requirements of the applicable sections of the product standard during in house witness testing or at a listed testing laboratory. For further information regarding affected products, refer to Section 14.6.
- B. **Infringed product(s)** – non-conforming product or product that displays the ASSE Seal prior to receiving authorization from the Seal Control Board. For further information regarding infringed products, refer to Section 14.7.

#### **14.6. Affected Product(s) Disposition**

- A. If the first sample of the selected ASSE listed product tested in-house or at an ASSE listed testing laboratory as part of an ASSE listing compliance inspection, fail to comply with the applicable sections of the product standard(s), a second sample shall be tested.
- B. Should the second sample of the selected ASSE listed product fail the necessary retesting, the procedures as outlined in Section 13.3 shall be followed.
- C. Should a failure of the testing of the first selected ASSE listed product and passing of the second sample, a written explanation of the failure shall be submitted by the listed testing laboratory to ASSE for evaluation by the Staff Engineer.
- D. After evaluation by the Staff Engineer, the Product Listing Team shall forward the Staff Engineer's evaluation, the explanation of the failure as submitted by the listed testing laboratory, the failed

and passed factory audit retest report forms, with a ballot to each voting member of the Seal Control Board for reviewing and balloting. The voting members of the Seal Control Board shall have 15 days to return their ballots.

- E. Should the Seal Control Board determine that the listing shall be suspended, Section 13.3 shall be followed.

#### **14.7. Infringed Products**

If any non-conforming products or non-listed products displaying the ASSE Seal are found during an annual inspection or through any other means the following procedures shall be followed:

- A. All non-conforming products or non-listed products displaying the ASSE Seal shall be designated "infringed products".
- B. Immediately upon notification by ASSE, the manufacturer shall perform the following:
  1. Place on hold all quantities of the "infringed products" still remaining in inventory.
  2. Within ninety (90) days, recall all of the "infringed products" that have been delivered to third parties.
  3. Remove the ASSE Seal from the non-conforming or non-listed product, both in house and in the field.
  4. Schedule an inspection within 90 days from notification, both in house and at large, to ensure that the ASSE Seal has been removed from all applicable products.
  5. If the removal of the ASSE Seal from the "infringed product(s)" is not accomplished within ninety (90) days, unless prior arrangements for an extension have been made with ASSE, ASSE shall contact legal counsel for violation of federal and/or state laws.

#### **14.8. Multiple Plants / Same Product(s)**

- A. Some manufacturers or listees fabricate the same model(s) and size(s) at more than one manufacturing location.
- B. Each manufacturing location shall require, at a minimum, an annual inspection per the procedures defined in Section 14.3.
- C. The product shall be retested per Section 14.4 for each manufacturing location.

#### **14.9. In-House Witness Testing Criteria**

- A. In-house witness testing shall be conducted under the supervision of a qualified ASSE inspector and the director of engineering, an in-house laboratory director or a manufacturer's factory representative.
- B. Qualifications of the ASSE Inspectors (including subcontractors):
  1. ISO/IEC 17025 Training
  2. ISO/IEC 9001 Training
  3. Five (5) years experience in auditing and/or plumbing background.
- C. Capabilities of the manufacturing facility to conduct in-house testing to ASSE Standards should include:
  1. Personnel.
  2. Equipment.
  3. Records of maintenance and calibration.
  4. Current copy of the applicable standard is available.

- D. In-house witness testing should be arranged by the ASSE Inspector prior to the audit to ensure the testing equipment can be set-up and that the product is available.

#### **14.10. Corrective Action**

- A. If a deficiency is found during an inspection regarding the listed product(s) or the manufacturer's / listee's quality control system, the listee will be notified in writing by ASSE.
- B. The listee shall be responsible to submit corrective action or ensure that the manufacturer, if different than the listee, submits corrective action.
- C. All corrective action shall be submitted to ASSE within 60 days from notification.
- D. If the necessary corrective action is not submitted by the deadline, ASSE shall notify the Listee that the Listee has 10 additional business days to submit the corrective action or arrange a timeline as agreed on.
- E. If the Listee has not responded within the 10 business days, the procedures in Section 13.5 shall be followed.
- F. Corrective actions shall be recorded and tracked in the issue log.

#### **14.11. Payment of Expenses (Infringed or Affected Products)**

The listee shall be invoiced for all costs incurred as a result of the unauthorized use of the ASSE Seal or product failures including, but not limited to, testing and additional follow-up inspections as determined by ASSE (including travel expenses and ASSE costs).

#### **14.12. Oversight of Inspection Body**

The Compliance Coordinator is responsible for the auditing activities stated in Section 14 –.

- A. ASSE or an ASSE-appointed representative shall conduct an initial audit of the inspection body. During the time of the audit, the auditor will review the inspection body's capabilities, quality control system, and personnel and ensure that the inspection body meets applicable requirements of ISO/IEC 17021.
  - 1. The inspection body shall be responsible for the audit's fees.
- B. The scope of the audit shall cover the standards within the scope of ASSE's accreditation that the inspection body desires to be able to inspect.
- C. As an alternative to 15.3.A, the inspection may show compliance by having an audit completed by an International Laboratory Accreditation Corporation (ILAC) signatory or the Standards Council of Canada (SCC). The report shall be sent from the ILAC accreditor or the SCC directly to the Compliance Coordinator.
- D. ASSE auditors and ASSE-appointed auditors who audit manufacturing facilities shall show evidence of competency to ISO/IEC 17021.
- E. The inspection body shall be responsible for the audit's fees.

#### **14.13. Competence of Independent Agencies as Inspection Bodies**

See Section 22 –of these procedures.

## SECTION 15 – ASSE LISTED TESTING LABORATORIES

### 15.1. Laboratory Applications

- A. Testing laboratories or agencies seeking ASSE listing shall request in writing a laboratory application form.
- B. The laboratory shall submit to ASSE a copy of the Laboratory Listing Agreement, resume(s) of laboratory personnel, equipment information, quality documents and manual, two laboratory evaluation report forms prepared by the laboratory, the Laboratory Capabilities List and application fee.
- C. Laboratories not indicating a qualified toxicologist on staff shall be required to include toxicology compliance from agencies that have a qualified toxicologist on staff and have met ANSI requirements for testing to the applicable toxicology standards.
- D. All laboratory applications will be evaluated by the Plumbing Testing Committee, a subcommittee of the Seal Control Board.
- E. The Plumbing Testing Laboratory Committee shall make a recommendation for approval or disapproval of the laboratory as an ASSE Listed Testing Laboratory to the Seal Control Board.
- F. The Seal Control Board shall review the documentation and the recommendations as submitted by the Plumbing Testing Laboratory Committee to either approve or disapprove the laboratory as an ASSE listed testing laboratory for their scopes of accreditation to specific industry standards.
- G. Upon completion of the Seal Control Board's review, if approved, the laboratory applicant shall be notified by a confirmation letter and a listing certificate. If disapproved, the laboratory applicant shall be notified in writing with rationale of the disapproval.
- H. Testing laboratories or agencies may not employ ASSE staff members. Previous relationships must be disclosed as a conflict of interest per Section 1.5.

### 15.2. Listed Testing Laboratory Requirements

- A. The laboratory applicant and/or listed testing laboratories shall adhere to the ASSE Laboratory Listing Agreement.
- B. Annually, the laboratory will be required to complete a laboratory renewal notice confirming continued compliance to ASSE's procedures and verification of compliance to ISO/IEC 17025, current edition.
- C. Upon payment and receipt of the laboratory renewal notice, a renewal certificate will be sent to the listed testing laboratory.

### 15.3. Listed Testing Laboratory Audits

- A. ASSE or an ASSE-appointed representative shall conduct an initial laboratory audit. During the time of the audit, the auditor will review the laboratory's capabilities, quality control system and personnel and ensure that the laboratory meets applicable requirements of ISO/IEC 17025.
- B. The laboratory shall be responsible for the audit fees.
- C. The scope of the audit shall cover the ASSE and other industry standards that the lab desires to be capable of performing.
- D. Laboratories shall be audited annually after the initial audit.

- E. As an alternative to 15.3.C, the laboratory may show compliance by having an audit completed by an International Laboratory Accreditation Corporation (ILAC) signatory. The report shall be sent from the ILAC accreditor directly to the Product Listing Team.
- F. After the audit, the Plumbing Testing Laboratory Committee will review the Staff Engineer's evaluation of the listed testing laboratory's capabilities, quality control system, personnel and ensure that the listed testing laboratory continues to meet applicable requirements of ISO/IEC 17065 and ISO/IEC 17025, current editions.

#### **15.4. Testing and Reporting**

- A. For obtaining product listings through ASSE, testing may only be performed by an ASSE listed testing laboratory. ASSE listed tested laboratories perform the evaluation of the product.
- B. The listed testing laboratory shall complete the ASSE laboratory report for those applicants seeking ASSE product(s) listing.
- C. All laboratory reports and Factory Audit Inspection Test Report forms completed by an independent listed testing laboratory shall include a signature of the official of the laboratory supervising the evaluation.
- D. All laboratory reports and Factory Audit Inspection Test Report forms completed by a manufacturer's in-house listed testing laboratory shall include a signature of an authorized representative of the company supervising the evaluation.
- E. Original, or scanned, digital copies of the laboratory report shall be submitted to the Product Listing Team as required in Section 3.1.A.1.
- F. Each Laboratory Evaluation Report form and Factory Audit Inspection Test Report form shall include a list of the equipment used by the laboratory during the testing and evaluation period. The list shall also include a unique instrument identification (i.e. serial number or internal traceable asset number) along with the corresponding calibration due date for the individual equipment piece.

#### **15.5. Laboratory Performance**

- A. Should the Staff Engineer, Product Listing Team, or a Seal Control Board member notice a significant technical error on a laboratory report, a warning letter regarding the error will be sent to the listed testing laboratory.
- B. If a second error is found on another report, a second warning letter shall be sent to the listed testing laboratory.
- C. Should a third error be found, a ballot will be sent to the Plumbing Testing Laboratory Committee with reasoning from the Product Listing Team for removal of the laboratory as an ASSE listed testing laboratory.
  - 1. Should the Plumbing Testing Laboratory Committee determine, by a majority vote, the listed testing laboratory should be removed as an ASSE listed testing laboratory, letter of notification will be sent to the laboratory. A notice shall be posted in the ASSE *Newsletter*, and ASSE website. All listees will receive a notification of the removal of a laboratory by email.
  - 2. Should the Plumbing Testing Laboratory Committee determine, by a majority vote, the laboratory should not be removed; the laboratory shall remain as an ASSE listed testing laboratory.

#### **15.6. Re-listing Procedures for Removed Laboratories**

- A. A laboratory shall wait six (6) months from the date of notification of removal before filing a new application to become re-listed as an ASSE listed testing laboratory.
- B. The laboratory shall be responsible for a new application fee, a re-inspection fee, and all expenses for performing the audit.
- C. In addition to following Section 15.1, the laboratory shall provide evidence of corrective action and/or preventative action which was implemented in order to address the issues which led to the removal of their listing.
- D. After ballot by the Plumbing Testing Committee, the laboratory will be notified of the status of their application.
- E. Should a significant technical error occur within one year, the laboratory will be removed as an ASSE listed laboratory.
- F. Should a laboratory request to be removed as an ASSE listed testing laboratory, the lab shall be removed as an ASSE listed laboratory.

#### **15.7. Complaints Regarding ASSE Listed Testing Laboratories**

- A. All complaints about an ASSE listed testing laboratory shall be submitted in writing to the Compliance Coordinator with supporting evidence for the complaint.
- B. Should ASSE receive or issue a written complaint regarding performance of a listed testing laboratory, the listed testing laboratory will be notified in writing that a complaint has been received regarding the listed testing laboratory's performance and the nature of the complaint.
- C. The letter should request the listed testing laboratory to provide evidence of internal audits, management reviews and also evidence of how the requirements of ISO/IEC 17025 and the ASSE Seal Control Board Procedures are being implemented.
- D. The listed testing laboratory will be requested to provide evidence of conformance to their Quality Control Manual and evidence of corrective and/or preventative action/s performed to address the complaint.
- E. The listed testing laboratory will have sixty (60) days from the date of notification to submit the required information. If the requested information is not submitted within the sixty (60) days, the listed testing laboratory shall be removed as an ASSE listed testing laboratory.
- F. The complainant's information shall be kept confidential.

#### **15.8. Corrective Action for Listed Testing Laboratories**

- A. If a non-conformity is found during an inspection of a listed testing laboratory or of the listed testing laboratory's system, the listed testing laboratory will be notified in writing by the Product Listing Team.
- B. The listed testing laboratory shall be responsible to submit corrective action.
- C. All corrective action shall be submitted within 60 days from notification.
- D. All corrective action shall be evaluated by the Product Listing Team.
- E. The Product Listing Team shall determine if the corrective action satisfies the non-conformity.
- F. If the Product Listing Team determines that the corrective action is satisfactory, the listed testing laboratory shall be notified that the corrective action has been accepted and the non-conformity has been closed out.



- G. If the Product Listing Team determines further information is needed, the listed testing laboratory shall be notified.
- H. If the necessary corrective action is not submitted by the deadline, the listed testing laboratory shall be notified that the necessary corrective action was not submitted by the required due date and that the listed testing laboratory has 10 additional business days to submit the corrective action or arrange a timeline as agreed on to submit the corrective action.
- I. If the listed testing laboratory has not responded within the 10 business days or by the timeline agreed upon, the laboratory will be removed as an ASSE listed testing laboratory. For reinstatement as an ASSE listed testing laboratory, the procedures in Section 15.6 A-D shall be followed.

**15.9. Testing Subcontracted Out by the ASSE Listed Testing Laboratory**

- A. At times, an ASSE listed testing laboratory may need to subcontract out certain portions of the applicable testing to another laboratory.
- B. When conducting testing for ASSE, prior to subcontracting to another laboratory the ASSE listed testing laboratory shall ensure that the subcontracted laboratory meets the requirements of ISO/IEC 17025.
  - 1. If the subcontracted laboratory is 17025 accredited by a recognized signatory of the International Laboratory Accreditation Cooperation (ILAC), the ASSE listed testing laboratory shall provide the current accreditation certificate to ASSE.
  - 2. If the subcontracted laboratory does not have nationally recognized accreditation to ISO/IEC 17025, ASSE shall audit the subcontracted laboratory to confirm compliance to the applicable requirements of ISO/IEC 17025. All costs involved for this audit will be billed to the ASSE listed testing laboratory.
- C. All evaluation or testing subcontracted out by the laboratory shall be supervised by an official of the laboratory overseeing the evaluation and testing of the applicable product.
- D. When testing is subcontracted, the ASSE listed testing laboratory shall include along with the Laboratory Evaluation Report or Factory Audit Inspection Test Report, a separate document that includes the following information:
  - 1. Name of subcontracted laboratory
  - 2. Name of ASSE listed laboratory responsible party supervising the testing
  - 3. Explanation of why the testing was subcontracted
  - 4. List of tests performed
  - 5. List of equipment used for testing at the subcontracted laboratory
  - 6. Evidence that the ASSE listed testing laboratory verified subcontracted laboratory acceptance with ASSE.

## **SECTION 16 – ASSE SEAL CONTROL BOARD MEMBERSHIP**

### **16.1. Membership**

The Seal Control Board shall be an ASSE Standing Committee consisting of the following ASSE members:

- A. A minimum of ten (10) rotating voting members (with no more than five (5) members voting on each application).
- B. Alternate member(s) (no more than one (1) alternate member representing each classification).
- C. Product Listing Coordinator (non-voting).
- D. The scope of the Seal Control Board is defined in the Society's By-Laws.

### **16.2. Terms of Appointment**

Length of appointment shall be in accordance with the ASSE By-Laws.

### **16.3. Classification of Membership**

- A. The Seal Control Board voting membership shall consist of a cross section of the entire plumbing industry. Members shall be in good standing.
- B. Classification of membership may include, but not be limited to, the following:
  - 1. Plumbing Inspector - Shall be certified or licensed by a recognized regulatory agency.
  - 2. Plumbing Contractor - Shall be a licensed plumbing contractor in possession of a current plumbing license.
  - 3. Plumbing manufacturer or their direct factory or sales representative or independent sales representative.
  - 4. Engineer who is a Registered or Licensed Professional Engineer, or is a Registered or Licensed Plumbing Engineer, or who has satisfactory engineering experience.
  - 5. A representative of the ASSE general membership.
- C. Not more than one voting member from each category shall vote on the same application.

### **16.4. Authorization**

ASSE shall have documented authorization for all personnel involved in the certification process.

### **16.5. Selection of Seal Control Board Chairperson and Vice-Chairperson**

At the ASSE Annual Meeting, the Seal Control Board shall recommend to the Board of Directors a current member to serve as Chairperson and Vice-Chairperson for the coming year.

### **16.6. Responsibilities of Chairperson**

- A. The Seal Control Board Chairperson shall be responsible for all activities relating to the ASSE Product Listing Program and the protection of its integrity and through the ASSE Board of Directors, all ASSE International Office personnel responsible for related activities of the Seal Control Board.
- B. The Seal Control Board Chairperson shall chair all regular meetings of the Seal Control Board, all applicant or listee hearings and any other meetings necessary to conduct the activities of the Seal Control Board.

- C. The Seal Control Board Chairperson shall be responsible for ensuring the quality system is maintained per the latest version of ISO/IEC 17065 and Section 7.1 of these procedures.

**16.7. Vice Chairperson**

If the Seal Control Board Chairperson is unable to perform the duties as described, the Vice-Chairperson shall act in the capacity of the Chairperson.

**16.8. Liaison/Product Standards Committee**

- A. At the ASSE Annual Meeting, the Seal Control Board shall recommend to the Chairperson a current member to serve as Seal Control Board /Product Standards Committee Liaison.
- B. The Seal Control Board / Product Standards Committee Liaison shall present at the Annual and Mid-Year Product Standards Committee Meetings, all correspondence directed to the Seal Control Board which requires direction from the Product Standards Committee.
- C. The Liaison shall report all rulings from the Product Standards Committee back to the Seal Control Board either directly at the meetings or through written correspondence.

## **SECTION 17 – ASSE SEAL CONTROL BOARD DUTIES AND PROCEDURES**

### **17.1. Member Responsibilities**

- A. Each member shall have the responsibility to apply extreme care and diligence to the listing process, to assure that the review of an application is conducted properly and to the best of their ability using the applicable product standard and that the laboratory report and the applicable documentation is submitted for evaluation.
- B. Each member shall refrain from giving advice or provide consultancy services to the applicant as the methods of dealing with matters which are barriers to the certification requested.
- C. Each member shall refrain from voting on applications that are of the same type of product that the member supplies or designs to avoid a conflict of interest. Prior to voting on a particular seal application, the member make a conscious decision as to whether voting on the ballot would risk ASSE's impartiality.
- D. Each member shall be responsible for attending the ASSE Annual Meeting and the ASSE Mid-Year Meeting unless prior, written notice is forwarded to the Product Listing Coordinator or the International President stating the reason(s) for not attending. The International President shall be notified when a member fails to attend three (3) consecutive meetings without prior notice to either the Product Listing Coordinator or the International President.

### **17.2. Seal Control Board Training**

- A. Each Seal Control Board member and supporting staff shall have a training record.
- B. Training shall be conducted on ASSE Standards, other referenced standards and procedures by a person(s) qualified on the specific area of instruction.
- C. The training shall be recorded on the Seal Control Board member's training record and the record shall be maintained in the member's personnel file at the International Office until such time as they voluntarily or involuntarily leave the Seal Control Board.
- D. Training shall be conducted for Seal Control Board Members at the Mid-Year and Annual meetings.
- E. The topics, content, and materials of the semi-annual training shall be determined and provided by the Product Listing Coordinator to Seal Control Board members.
- F. New Seal Control Board members shall be given copies of the latest revisions of the Seal Control Board Procedures, Quality Control Manual, ASSE International By-Laws, and all current ASSE product standards by the Product Listing Coordinator.

### **17.3. Disclosure of Confidential Materials**

- A. Members of the Seal Control Board shall not disclose the contents of an application, modification request, testing results, complaint, appeal, dispute or audit due to the confidential nature of the material.
- B. Violation by any member of the Seal Control Board shall result in their immediate dismissal from the Seal Control Board.
- C. The Board of Directors shall determine the course of action for violations by staff members.

- D. When ASSE or Seal Control Board members are subpoenaed to disclose information regarding product listings or potential product listings the applicant or listee shall be informed of the information provided as permitted by the law.

#### **17.4. Destruction of Listing Materials**

Each member, upon leaving the Seal Control Board, shall destroy listing materials previously reviewed.

#### **17.5. Meetings**

- A. The Seal Control Board shall hold two (2) regular meetings each year. One (1) meeting shall be held at the ASSE Annual Meeting and one (1) meeting at the Mid-Year Meeting.
- B. The Seal Control Board may conduct special meetings in person or via teleconferences.
- C. The Product Listing Coordinator and the Compliance Coordinator shall attend both the ASSE Annual Meeting and the Mid-Year Meeting.
- D. The meetings are open to members, clients and any interested parties.
- E. One of the agenda items of each meeting will be to review any instances of actual, perceived, or potential conflicts of interest observed since the last meeting, the actions taken, and potential recommendations to procedural changes.

#### **17.6. Balloting and Voting**

- A. In addition for balloting and voting as explained in Section 4.2, the Seal Control Board may vote on other matters.
- B. Voting on all other matters shall be a majority vote.
- C. The method of voting shall be at the discretion of the Seal Control Board Chairperson.
- D. Examples for voting on other matters may include, but not be limited to:
  - 1. Recommendation to the President for Seal Control Board Chairperson.
  - 2. Listed product modifications.
  - 3. Matters coming before the Seal Control Board not pertaining to the listing of a product.
  - 4. Proposals to allow ASSE to list products to a standard from an outside organization not mentioned in Appendix D.

#### **17.7. Conflict of Interest**

- A. Each voting member of the Seal Control Board shall, on each ballot, declare whether or not there exists a conflict of interest.
- B. The Conflict of Interest statement shall read as follows:
  - 1. "I declare under penalty of perjury that I have no conflict of interest with the above issue and that I am eligible to vote on the above issue," or
  - 2. "I have no conflict of interest on the above issue, but I have personally decided to abstain," or
  - 3. "I have a conflict of interest on the above issue that prevents me from voting on the above issue and, therefore, I abstain."

#### **17.8. Failure to Declare**

If a Seal Control Board member fails to declare whether or not a conflict of interest exists, the ballot shall be considered as a non-returned ballot.

### **17.9. Abstention**

The Seal Control Board member shall indicate, on the ballot, the reason or circumstance necessitating the abstention. Abstention shall be for cause and not for delay.

### **17.10. Negative Ballots**

- A. Negative ballots shall include, in writing, comments referencing the applicable section(s) of the standard or supporting documentation for the negative vote.
- B. Editorial comments and opinions are not cause for a negative vote of the product listing.

### **17.11. Tentative Ballot**

Where there is a question(s) or comment(s) which will not affect the performance of the product but require answers for the record, the voting member shall indicate a tentative vote. The question(s) or comment(s) shall be stated on the ballot.

### **17.12. Correspondence**

Correspondence from the Seal Control Board to applicants and listees shall be categorized as administrative, technical clarification or seal action and shall be signed by the person listed as follows:

- A. Administrative Correspondence: That which pertains to the procedures for filing an application, housekeeping (documentation verification and day to day correspondence) - by the Product Listing Team.
- B. Technical Clarification Correspondence: That which pertains to the verification of test reports, product certification, documented prints or any item that requires clarification concerning markings, toxicity, installation instructions and spare parts lists - by the Seal Control Board Chairperson or Staff Engineer.
- C. Seal Action Correspondence: That which directly affects the listing, suspension or delisting of a product authorized to display the ASSE Seal - by the Product Listing Team under signature of the Seal Control Board Chairperson.

### **17.13. Revisions to Procedures**

- A. A complete review of the *Seal Control Board Procedures* shall be conducted at least annually.
- B. Proposed revisions shall be submitted in writing to the Compliance Coordinator. ASSE International staff, members, manufacturers and individuals associated with the plumbing industry may request revisions.
- C. All requests for revisions will be reviewed by the Compliance Coordinator and will result in a recommendation implemented into the *Seal Control Board Procedures* in legislative format of underline text to be added and strikethrough text to be removed.
- D. The revised *Seal Control Board Procedures* in legislative format with reasons for non-obvious revisions will be circulated to affected staff members for peer review. Revisions not affecting the technical content (i.e. typos, grammar, etc) will not require peer review. It is understood that some documents are required to be reviewed by legal counsel prior to approval and acceptance.
- E. All revisions made to these Procedures shall require approval from the Executive Director.

- F. Any revisions that affect the listees shall require notification to the listee at least 30 days prior to the implementation date. The notification can be through press releases, posting on the ASSE webpage or in ASSE eNewsletters or industry magazines.
- G. Following approval of the document, a revision date is assigned and the Controlled Document Master List spreadsheet will be updated.

## **SECTION 18 – FEES**

### **18.1. Fees**

- A. ASSE maintains a system of fees for work performed and related expenses incurred.
- B. The fee structure is available upon written request to the Product Listing Coordinator.

### **18.2. Payments**

- A. All invoices shall be paid as per the stated terms.
- B. Invoices thirty (30) days past due may be charged an additional late fee.
- C. Past due accounts shall be cause for suspension of the product listing(s).



## **SECTION 19 – PRODUCT LISTING AND LABORATORY RECORDS**

### **19.1. Access to Product Listing Records**

- A. ASSE Staff members involved in the Product Listing Program shall have unrestricted access to the product listing and laboratory files.
- B. ASSE Seal Control Board and Board of Directors members who do not have a conflict of interest with the manufacturer's or laboratory's record shall have access to the product listing or laboratory records in the presence of an ASSE Staff member involved in the Product Listing Program.
- C. For the purpose of continued compliance for ANSI and SCC accreditation, ANSI and SCC auditors shall have supervised access to the files after written approval from the Executive Director and in the presence of an ASSE Staff member who is involved in the Product Listing Program.
- D. Situations may arise in which a representative from a regulatory authority may request access to a product listing or laboratory record. Such requests shall be made in writing to ASSE with rationale as to why access to the record is being requested. Access shall only be granted after notification has been made to the Listee or laboratory and written permission has been obtained from both the Board of Directors and the Listee or laboratory. An ASSE personnel member involved in the Product Listing Program shall be present during the review. No copies from the product listing record shall be taken from the ASSE International Office.
- E. Parties reviewing product listing or laboratory records as explained in Sections 19.1 C & D will be required to sign a non-disclosure agreement.
- F. ASSE Inspectors shall be provided information as determined by the Product Listing Team for the purpose of conducting a factory audit.
- G. Listees or manufacturers or laboratories may review their own records after written approval from the Board of Directors and only in the presence of an ASSE staff member who is involved in the Product Listing Program.
- H. Copies of a listee's or laboratory's application materials may be forwarded by the Product Listing Team upon a written request. The written request must be submitted by the contact on record or a verified company officer on the listee's letterhead. The information shall only be sent to the address on record at the ASSE International Office.
- I. If ASSE records are being subpoenaed, the listee or laboratory shall be contacted prior to the information being released or reviewed.
- J. Product listing or laboratory files shall not be supplied to competitors of the listee or laboratory unless written permission is granted by the listee or laboratory and the Executive Director.

### **19.2. Active Product Listing and Laboratory Records**

- A. Active listee records include any records which have a current product listing.
- B. Active laboratory records include any records which are part of a currently listed testing laboratory.
- C. Active records are kept for the duration of the listing at the ASSE International Office.

**19.3. Inactive Product or Laboratory Listing Records**

- A. The records are moved to an inactive status in the event of either a voluntary or involuntary removal of the product listing or listed testing laboratory.
- B. Records that have been inactivated shall be retained for a period of seven (7) years.
- C. At the completion of the seven (7) year period, the manufacturer or laboratory shall have the option of having the files returned or having ASSE destroy the files.

**19.4. Suspended Product Listing Records**

- A. Suspended records are maintained with the active files until such time as the product listing or laboratory is moved to inactive status.

## **SECTION 20 – ADDITIONAL REQUIREMENTS FOR THE CANADIAN MARKET**

### **20.1. Introduction**

There are additional requirements as set forth in CAN-P 1500 that are unique to operating in the Canadian market. Those requirements as applied to ASSE are stated below.

### **20.2. Scopes of Listings**

- A. Listing of products to standards in Appendices C and D shall only be valid for those standards, LEC's, or other normative documents that have been recognized by a Canadian Regulatory Authority. This listing shall be recognized in regulated areas.
- B. ASSE may list a product to a National Standard of Canada or to a standard developed in accordance with ISO/IEC 17007 as long as they are stated in Appendices C and D. This listing shall be recognized in unregulated areas.

### **20.3. ASSE Seal and cASSE Seal Use in Canada**

- A. The International Association of Plumbing and Mechanical Officials (IAPMO) is the sole owner of the ASSE Seal and cASSE Seal. ASSE is the sole and exclusive license holder of the Seal. The ASSE Seal and cASSE Seal are duly registered trademarks with the Canadian Intellectual Property Office (Application Numbers 1517300 and 1831060, respectively). Display of the ASSE Seal, cASSE Seal or any other mark owned by ASSE without the prior written authorization of the Seal Control Board Chairperson or the ASSE International Board of Directors is a violation of federal and state law. Failure to adhere to the policies set forth in this section shall result in legal action.
- B. Display of the seals in Canada follows the same requirements as described in Section 6 –.

### **20.4. Knowledge of Canadian standards, ORD's, and regulations**

- A. The Product Listing Coordinator shall maintain a comprehensive knowledge of regional, national, and international standards and certification. Product Listing Coordinator shall also maintain up-to-date knowledge of Canadian recognized standards, ORD's, and regulations. Contracted employees will attend meetings with Regulatory Authorities as required.

### **20.5. Compliance to Canadian Regulatory Authorities**

- A. When necessary as deemed by and informed by Canadian Regulatory Authorities, ASSE shall comply with those requirements as applicable to the scope of accreditation while operating within Canada.
- B. The Compliance Coordinator is responsible for this activity.

## **SECTION 21 – TRAINING & COMPETENCE TO STANDARDS AND LEC’S**

### **21.1. Introduction**

When a new ASSE International standard or Listing Evaluation Criteria is released, or when there exists a standard in the market that ASSE International’s Board of Directors decides to certify to, competent human resources shall be available in order to perform the review, evaluation, and certification decision for a given product.

### **21.2. Management of Competency**

- A. The Compliance Coordinator is responsible for determining the criteria of competence, identifying staff training needs, authorizing personnel, and monitoring the performance of the Seal Control Board members and the Administrative Coordinator. The Executive Director is responsible for the same for the Compliance Coordinator, Product Listing Coordinator, and the Staff Engineer.
- B. A list of required competencies for each position is maintained by the Compliance Coordinator and the Executive Director.
- C. During annual reviews and/or after training, a demonstration of competence shall be assessed by reviewing previous work or a test.

### **21.3. Seal Control Board**

Training the Seal Control Board is covered in Section 17.2.

### **21.4. Adding ASSE Standards and LEC’s to ASSE International’s Scope of Certification**

The Staff Engineer is involved in all ASSE standards development activities. The Staff Engineer with the Product Listing Coordinator shall develop training materials in order to train the Seal Control Board to the particular standard or LEC.

### **21.5. Adding non-ASSE Standards and LEC’s to ASSE International’s Scope of Certification**

The Staff Engineer shall recommend what the required competencies are for evaluating, reviewing, and deciding certification of a product to a particular standard that is not developed by ASSE. The Product Listing Coordinator will then develop training materials in order to train staff and the Seal Control Board.

### **21.6. Justification**

ASSE shall maintain a record of the justification of the decision for ASSE to certify products to any particular standard within its scope of certification (see Appendices C and D). The Executive Director shall make the decision to list. If the required competence and capabilities to certify products is unavailable, the decision shall be to decline adding the standard to the scope of certification until the required competence and capabilities are available to ASSE.

## **SECTION 22 – TRAINING & COMPETENCE OF THE INSPECTION BODY**

### **22.1. Introduction**

ASSE International uses a contracted independent agency/agencies to perform laboratory and manufacturing facility audits. All records pertaining to audits for ASSE shall be made available to the Compliance Coordinator.

### **22.2. Evaluation of Inspection Body records**

- A. ASSE shall ensure that the inspection body's personnel's factory and laboratory evaluations are credible. Each individual auditor, whether employee or sub-contractor, shall have a document that states:
  - 1. Their name and address;
  - 2. Their employer and position held;
  - 3. Their educational qualifications and professional status;
  - 4. Their experience and training;
  - 5. Their supervisor's assessment of competence;
  - 6. Results of performance monitoring by their supervisor (e.g. written or oral evaluations, review of previous audit documentation, mock audits, etc.)
  - 7. The date the document was updated.
- B. When the auditor's supervisor identifies training needs in order to meet competency requirements, they shall be recorded and reassessed during the next annual review or earlier. ASSE will supply training and training materials to the inspection body as required.

### **22.3. Criteria for competency**

- A. The criteria for competence of manufacturing facility auditors is:
  - 1. Satisfactory evaluation of the auditor during the annual inspector training session;
  - 2. Satisfactory evaluation of a Factory Audit Report from the last 12 months;
- B. The criteria for competence of laboratory auditors is:
  - 1. Satisfactory evaluation of the auditor during the annual inspector training session;
  - 2. Satisfactory evaluation of a Laboratory Audit Report from the last 12 months;

### **22.4. Authorization of personnel**

Compliance Coordinator shall authorize the personnel to inspect facilities per ISO/IEC 17021, laboratories per ISO/IEC 17025, or both.

## **SECTION 23 – TRANSFER APPLICATIONS AND SECONDARY REVIEWS & DECISIONS**

This section describes the full transfer application process.

### **23.1. Transfer Application Submittal**

- A. The transfer application shall include evidence of current, non-expired certification of the product set from a certification body accredited to ISO 17065 by an International Accreditation Forum (IAF) signatory. It shall also include all the items requested in section 3.1.3.1.A.2.
- B. For cases where the transfer is only for a Canadian cASSE listing in addition to an existing ASSE listing, it is at the Staff Engineer's discretion to require assembly or individual detailed drawings.

### **23.2. Evaluation of Transfer Applications**

- A. The Staff Engineer shall:
  - 1. ensure that ASSE has the technical expertise for the certification review of the application submitted;
  - 2. verify the documents application package is complete;
  - 3. evaluate the documents as submitted by the applicant including, but not limited to, laboratory report, certifications, drawings, markings, verification of compliance for toxicity requirements (if applicable), installation instructions and spare parts lists;
  - 4. evaluate and confirm any proposed bracketing by the applicant.
- B. An inspection of the manufacturing facility prior to listing is not required. It is assumed that the currently accredited certification body is performing inspections per ISO 17021.
- C. If the applicant seeking certification with ASSE is different from the entity which owns the existing certification upon which the proposed transfer is based, the applicant shall provide:
  - 1. A letter of authorization from the owner of the existing listing allowing the applicant use of test reports and supporting data (as defined in 3.1) related to the product(s) being considered for transfer.
  - 2. Copies of such data for all models to be transferred. ASSE has the right to request the product be tested partially or completely to the standard.
- D. The process shall continue with a secondary review and secondary decision.

### **23.3. Secondary Review**

- A. The review period shall be the same as an accelerated review per Section 3.2.B.
- B. A single, competent, secondary reviewer shall review the Staff Engineer's evaluation
- C. The secondary reviewer shall not be the same individual who performed the evaluation.
- D. The secondary reviewer shall review all information gathered and generated during the evaluation.

### **23.4. Secondary Decision**

The secondary reviewer shall make the decision as to whether or not ASSE shall grant or continue to grant certification to the client regarding the products in question.

## **APPENDIX A – APPLICATION REVIEW**

Appendix A is intended to serve as a guideline for the ASSE Seal Control Board member to follow while reviewing an application and action upon completion of the review. It is also intended for the applicant/listee to see what steps are taken by the Seal Control Board member, including the Staff Engineer and Product Listing Team, during the review process.

- A. The Staff Engineer shall verify that the product(s) has been tested to the current revision of the applicable product performance standard.
- B. The Product Listing Coordinator shall verify that the testing agency is one of the ASSE listed testing laboratories.
- C. The Staff Engineer shall verify that the laboratory report submitted conforms to the applicable product standard by comparing dates, paragraph numbers and descriptions of test procedures.
- D. The Staff Engineer shall evaluate and verify that all items in the applicable laboratory report have been completed by the listed testing laboratory and the report is signed by an official of the laboratory.
- E. Each voting member of the Seal Control Board shall review and determine whether all items in the applicable laboratory report are in compliance.
- F. Each voting member of the Seal Control Board's ballot shall be returned to them if there is a pending interpretation administered by the ASSE Seal Control Board Chairperson or the Product Standard Committee Chairperson. Each voting Seal Control Board member shall be notified of the results of the interpretation and then re-ballot accordingly.
- G. If any item(s) in the applicable laboratory report indicates noncompliance or is unanswered without appropriate comments, the application shall be disapproved. Each voting member of the Seal Control Board shall so note on the ballot the reason(s) for the disapproval.
- H. If any item on the applicable laboratory report is marked "questionable" and the item has not been addressed by the Staff Engineer prior to submittal to the voting members of the Seal Control Board, the member(s) of the Seal Control Board shall request, through the Product Listing Team, from the applicant or the listed testing laboratory, the reason(s) why the item was so designated.
- I. Editorial comments and opinions shall not be included on an ASSE ballot. If a voting Seal Control Board member wishes to submit an editorial comment or opinion, it shall be submitted in a separate letter.
- J. If a voting Seal Control Board member wishes to have the editorial comment or opinion addressed, the member shall request that the editorial comment or opinion be placed on the agenda at the next Seal Control Board Meeting, providing the request is submitted at least sixty (60) days prior to the scheduled meeting.

## **APPENDIX B – COMMUNICATIONS**

- A. All written communications, including e-mail and facsimiles, shall be maintained with the applicant's records. Dates of notifications shall be as stated on the communications, unless otherwise noted.
- B. Applications, documents, drawings (if applicable), ballots and written letters shall be forwarded to the voting members of the Seal Control Board electronically.



## **APPENDIX C – ASSE PRODUCT STANDARDS**

The following is a list of ASSE Product Standards to which a manufacturer may obtain ASSE certification. The list applies to the current edition of the referenced standards, unless otherwise noted:

- ASSE 1001 - Atmospheric Type Vacuum Breakers
- ASSE 1003 - Water Pressure Reducing Valves for Domestic Water Distribution Systems
- ASSE 1004 - Backflow Prevention Requirements for Commercial Dishwashing Machines
- ASSE 1006 - Residential Use Dishwashers
- ASSE 1007 - Home Laundry Equipment
- ASSE 1008 - Plumbing Aspects of Residential Food Waste Disposer Units
- ASSE 1009 - Commercial Food Waste Grinder Units
- ASSE 1010 - Water Hammer Arresters
- ASSE 1011 - Hose Connection Vacuum Breakers
- ASSE 1012 - Backflow Preventers with Intermediate Atmospheric Vent
- ASSE 1013 - Reduced Pressure Principle Backflow Preventers & Reduced Pressure Principle Fire Protection Backflow Preventers
- ASSE 1014 - Backflow Prevention Devices for Hand-Held Showers
- ASSE 1015 - Double Check Backflow Prevention Assemblies & Double Check Fire Protection Backflow Prevention Assemblies
- ASSE 1017 - Temperature Actuated Mixing Valves for Hot Water Distribution Systems
- ASSE 1018 - Trap Seal Primer Valves – Potable Water Supplied
- ASSE 1019 - Wall Hydrant with Backflow Protection and Freeze Resistance
- ASSE 1020 - Pressure Vacuum Breaker Assembly
- ASSE 1021 - Drain Air Gaps for Domestic Dishwashers Applications
- ASSE 1022 - Backflow Preventer for Beverage Dispensing Equipment
- ASSE 1023 - Hot Water Dispensers Household Storage Type - Electrical
- ASSE 1024 - Dual Check Valve Backflow Preventers
- ASSE 1030 - Positive Pressure Reduction Devices for Sanitary Drainage Systems
- ASSE 1032 - Dual Check Valve Type Backflow Preventers for Carbonated Beverage Dispensers, Post Mix Types
- ASSE 1035 - Laboratory Faucet Backflow Preventers
- ASSE 1044 - Trap Seal Primer Devices - Drainage Type and Electronic Design Types
- ASSE 1047 - Reduced Pressure Detector Fire Protection Backflow Prevention Assemblies
- ASSE 1048 - Double Check Detector Fire Protection Backflow Prevention Assemblies
- ASSE 1049 - Individual and Branch Type Air Admittance Valves for Chemical Waste Systems
- ASSE 1050 - Stack Air Admittance Valves for Sanitary Drainage Systems
- ASSE 1051 - Individual and Branch Type Air Admittance Valves for Sanitary Drainage Systems
- ASSE 1052 - Hose Connection Backflow Preventers
- ASSE 1053 - Dual Check Backflow Preventer Wall Hydrants - Freeze Resistant Type
- ASSE 1055 - Chemical Dispensing Systems
- ASSE 1056 - Spill Resistant Vacuum Breaker
- ASSE 1057 - Freeze Resistant Sanitary Yard Hydrant with Backflow Protection
- ASSE 1060 - Outdoor Enclosures for Fluid Conveying Components
- ASSE 1061 - Push-Fit Fittings

- ASSE 1062 - Temperature Actuated, Flow Reduction (TAFR) Valves for Individual Fixture Fittings
- ASSE 1063 - Air Valve & Vent Intake Preventer
- ASSE 1064 - Backflow Prevention Assembly Field Test Kits
- ASSE 1066 - Individual Pressure Balancing In-Line Valves for Individual Fixture Fittings
- ASSE 1069 - Automatic Temperature Control Mixing Valves
- ASSE 1071- Temperature Actuated Mixing Valves for Plumbed Emergency Equipment
- ASSE 1072- Barrier Type Floor Drain Trap Seal Protection Devices
- ASSE 1079 - Dielectric Pipe Unions
- ASSE 1081 - Backflow preventers with Integral Pressure Reducing Boiler Feed Valve and Intermediate Atmospheric Vent Style for Domestic and Light Commercial Water Distribution Systems

ASSE 1002/ASME A112.1002/CSA B125.12 - Anti-siphon Fill Valves

ASSE 1016/ASME A112.1016/CSA B125.16 -

Automatic Compensating Valves for Individual Showers and Tub/Shower Combinations

ASSE 1037/ASME A112.1037/CSA B125.37 - Pressurized Flushing Devices for Plumbing Fixtures

ASSE 1070/ASME A112.1070/CSA B125.70 - Water Temperature Limiting Devices

## APPENDIX D – ADDITIONAL INDUSTRY STANDARDS

The following is a list of industry standards to which a manufacturer may obtain ASSE certification. The list applies to the current edition of the referenced standards, unless otherwise noted:

### ASME STANDARDS

A112.1.2	Air Gaps in Plumbing Systems (For Plumbing Fixtures and Water-Connected Receptors)
A112.1.3	Air Gap Fittings for use with Plumbing Fixtures, Appliances and Appurtenances
A112.14.1	Backwater Valves
A112.18.3	Backflow Protection Devices and Systems in Plumbing Fixture Fittings
A112.18.7	Deck Mounted Bath/Shower Transfer Valves with Integral Backflow Protection
A112.19.5	Trim for Water-Closet Bowls, Tanks and Urinals
A112.19.10	Dual Flush Devices for Water Closets
A112.21.3M	Hydrants for Utility and Maintenance Use
A112.3.1	Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above and Below Ground
A112.36.2M	Cleanouts
A112.4.1	Water Heater Relief Valve Drain Tubes
A112.6.1M	Floor Affixed Supports for Off-the-Floor Plumbing Fixtures for Public Use

### ASME & CSA Standards

A112.18.1/CSA B125.1	Plumbing Supply Fittings
A112.18.2/CSA B125.2	Plumbing Waste Fittings
A112.19.1/CSA B45.2	Enameled Cast Iron and Enameled Steel Plumbing Fixtures
A112.19.2/CSA B45.1	Ceramic Plumbing Fixtures
A112.19.3/CSA B45.4	Stainless Steel Plumbing Fixtures

**CSA Standards**

B64 Series          Backflow Preventers and Vacuum Breakers  
(Consists of B64.0, B64.1.1, B64.1.2, B64.1.3, B64.1.4, B64.2, B64.2.1, B64.2.1.1, B64.2.2, B64.3, B64.3.1, B64.4, B64.4.1, B64.5, B64.5.1, B64.6, B64.6.1, B64.7, B64.8 and B64.9)

B356-10          Water Pressure Reducing Valves for Domestic Water Supply Systems

**AWWA Standards**

AWWA C510      Double Check Valve Backflow Prevention Assembly  
AWWA C511      Reduced Pressure Principle Backflow Prevention Assembly

**IAPMO STANDARDS**

PS 050          Flush Valve with Dual Flush Device for Water Closet or Water Closet Tank with Integral  
Flush Valve with Dual Flush Device  
PS 072          Valves with Atmospheric Vacuum Breaker  
PS 076          Ballcock or Flushometer Valve Tailpiece Trap Primers and Trap Primer  
Receptors/Adapters  
PS 079          Multiport Electronic Trap Primer  
PS 101          Suction Relief Valves  
PS 113          Hydraulically Powered Household Food Waste Disposers

## **APPENDIX E – OTHER INDUSTRY STANDARDS & RECOGNIZED DOCUMENTS**

Should an applicant desire ASSE certification to a Standard not listed in Appendices C & D, a written request to add the standard to ASSE's scope shall be submitted to ASSE.

The ASSE Staff Engineer, Product Listing Coordinator, and Seal Control Board Chairperson will review the standard to determine if it meets ASSE's certification scope and will determine if it can be added to either Appendices C or D.

A Listing Evaluation Criteria or LEC may be developed to provide certification services within ASSE's certification scope in areas where recognized standards do not exist or are not applicable.

The ASSE Staff Engineer, Product Listing Coordinator, and Seal Control Board Chairperson will review the request to develop an LEC in order to:

1. determine if the LEC would be applicable to ASSE's certification scope.
2. ensure an applicable standard or LEC does not already exist for the type of product in question.
3. verify if products are currently being approved through the interpretation of an existing standard by other product certification bodies.

Should the Staff Engineer, Product Listing Coordinator, and Seal Control Board Chairperson determine the need for the LEC, they should notify the Seal Control Board and Product Standards Committee Liaison of the request.

It should then be the responsibility of the Seal Control Board and Product Standards Committee Liaison member to bring the request for the LEC to the attention of the Product Standards Committee.

For development of an LEC, procedures as set forth in ASSE's Procedures for the Development of Standards for the Plumbing Industry, Section III, Item F, shall be followed. While developing the LEC, the Products Standards Committee should be determined if other test requirements can be used from other current standards. If an LEC is developed and the applicable products will be sold in Canada, the LEC should be based on Canadian Recognized Standards, should they exist.

Before any product is certified to the LEC, the LEC must first be submitted to the appropriate Regulatory Authority Advisory body for acknowledgement of the need for the LEC, and acknowledged by the appropriate regulatory authority within the jurisdiction where the product will be marketed and installed and where a recognized standard addressing the scope of the product is not available. The submission to the Regulatory Authority Advisory body shall include:

1. a summary of the research conducted to establish the need for the LEC;
2. summary of the details on the new product and why an LEC needed to be developed;
3. a list of the performance requirements/testing criteria
4. evidence of reproducible test data;
5. evidence of a laboratory's conformance with ISO/IEC 17025 for the new test requirements;
6. the proposed effective date for the application of the LEC.

Certification of the applicable product cannot be completed in any regulated areas until the appropriate Regulatory Authority Advisory Body has acknowledged the need for the LEC. If the area is an unregulated one, no certification can be conducted before consultation with and endorsement of the LEC by the appropriate industry body.

Within 30 days of receipt of acknowledgement of the LEC by the Regulatory Authority Advisory Body, ASSE shall make copies available to the public, including other certification bodies whose scope of accreditation includes the scope of the LEC and to the Standards Council of Canada.

At the meetings held by the Regulatory Authority Advisory Body, ASSE shall report usage and any issues arising from the LEC's applications.

If the Staff Engineer, Product Listing Coordinator, and Seal Control Board Chairperson determine that the scope of the standard or LEC does not meet the ASSE scope of certification, the party issuing the request shall be notified that the standard was not accepted or that ASSE will not be moving forward to develop an LEC.

LEC's will be reviewed on an annual basis by the Product Standards Committee for acceptance into the marketplace. By the third (3<sup>rd</sup>) anniversary of the LEC's adoption, a two-thirds (2/3) majority decision must be made by the Product Standards Committee to either withdraw the LEC or start the product standard development process per the Product Standard Development Procedures. If a new standard is developed, the LEC shall remain active until the new standard becomes active at which point the LEC shall be withdrawn.

If a Regulatory Authority Advisory Body requests the cessation of certification to a specific LEC, the procedures of Section 5.2 will be followed. If the Product Standards Committee decides to withdraw the LEC, ASSE shall inform all affected listees and other certifying bodies, and will cease all existing and future listings to the LEC.

## **APPENDIX F – CONTRACTED AGENCIES**

ASSE may use a contracted agency to perform work on behalf of ASSE. Agency contact information and listed testing abilities are located within the ASSE database or the ASSE website. ASSE's current list of contracted agencies includes:

As an inspection body performing annual inspections in accordance with Section 14 – of these procedures:

- IAPMO R&T

As a listed laboratory testing product for evaluation in accordance with Section 15 –of these procedures:

- Apollo/Conbraco
- CSA Group Laboratory
- IAPMO R&T Laboratory
- In-Sink-Erator
- Kiwa Nederland B.V.
- NSF International
- QAI Laboratories
- Sloan Flushmate
- Steven Institute of Technology
- University of Southern California School of Engineering FCCCHR
- US Analytical Laboratories
- Zurn/Wilkins

As a translator and interpreter:

- Multilingual Connections

As a toxicological evaluator:

- Tox Services

## **APPENDIX G – SERVICES WHERE PRIMARY LANGUAGE IS FRENCH**

### Conducting Factory Audits

ASSE will provide a subcontracted translator for the inspector while performing the inspection where a manufacturing facility representative's primary language is French.

### Addressing Oral and Written Requests

ASSE will use the services of a subcontracted translator to address responses for those whose primary language is French.

### Politique d'inspection pour compagnie francophone

ASSE fournira un traducteur en sous traitance pour l'inspecteur dans l'exercice de l'inspection d'une usine ou la langue première est le Français.

### Description détaillant la manière dont les réponses seront traitées par voie orale et écrites en Français et en anglais

ASSE aura recours aux services d'un traducteur sous traite à l'adresse des réponses pour ceux dont la seule langue est le Français et qui sont incapable de s'exprimer en Anglais. Le membre du personnel ASSE répondra aux demandes de vive voix et par écrit pour ceux présentés en anglais.