THURSDAY, FEBRUARY 7, 2019

MEETING SUMMARY AND OVERVIEW

At the Thursday, February 7, 2019 teleconference meeting the POC considered regular procedural issues including product approval and entities statistics reports; a status report on conditional approvals from the December 11, 2018 Commission meeting, indicating that all of the applications are now resolved and approved; review and approval of product and entity applications; and a review of DBPR approved product approval applications. Specific actions included: recommending the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports; and a recommendation to the Commission regarding declaratory statement DS 2019-001.

Background and Supporting Documents

Relevant background and supporting documents are linked to each agenda item. The Agenda URL for the February 7, 2019 meeting is as follows:

http://www.floridabuilding.org/fbc/commission/FBC_0219/Product_Approval/Product_Approval_Agenda.htm.

AGENDA ITEM OUTCOMES

A. 1. STATEMENT OF TELECONFERENCE PARTICIPATION PROCESS

Jeff Blair reviewed the teleconference participation process with participants reminding them that it is important for participants to keep their phones on mute to minimize background noise, not to put their phones on hold, and to wait until invited to speak to avoid confusion and chaos. Jeff emphasized that all participants will have ample time to speak on all agenda items. Participants were reminded to state their names each time they speak.

A. 2. OPENING AND MEETING PARTICIPATION

The meeting was opened at 10:00 AM, and roll call determined a quorum of the members were present. The following POC members participated (4 of 6 members):

Jeff Stone (Chair), Nan Dean, David Compton, and Brian Swope.

Members Absent:

David Gilson, and Robert Hamberger.

A. 3. DBPR STAFF PARTICIPATING

Zubeyde Binici, Tom Campbell, Jim Hammers, Chris Howell, Mo Madani, and Justin Vogel.

Meeting Facilitation and Reporting

Product Approval POC meetings are facilitated and meeting reports drafted by Jeff Blair from the FCRC Consensus center at Florida State University. Information at: http://consensus.fsu.edu/

FcRC CONSENSUS CENTER

A. 4. AGENDA REVIEW

The POC voted unanimously, 4 - 0 in favor, to approve the agenda for the February 7, 2019 meeting as posted/presented. Following are the key agenda items approved for consideration:

- To Consider/Discuss Product Approval Program Issues.
- To Consider/Decide on Approval of Products and Product Approval Entities.
- To Consider/Decide on Declaratory Statement.

Amendments:

There were no amendments to the posted Agenda.

The complete Agenda is included as *"Attachment 1".*

(See Attachment 1—Agenda)

B. REVIEW AND APPROVAL OF THE NOVEMBER 29, 2018 MINUTES AND FACILITATOR'S SUMMARY REPORT

*MOTION—*The POC voted unanimously, 4 – 0 in favor, to approve the November 29, 2018 meeting minutes and Facilitator's Summary Report as posted/presented.

Amendments:

*None were offered.

C. 1. PRODUCT APPROVAL AND ENTITIES STATISTICS REPORT

Zubeyde Binici reviewed the product and entities statistics reports with participants and answered members' questions. Zubeyde reported that the total number of product approval applications approved to the 2017 Code is 4,921 (5,557 total in the System), the total number of products approved to the 2017 Code is 20,183 (22,911 total in the System), and the total number of entities approved to the 2017 Code is 117 (406 total in the System). The reports are linked to the Product Approval POC's agenda.

C. 2. REPORT ON CONDITIONAL APPROVALS FROM THE OCTOBER 8, 2018 FBC MEETING

Commissioner Stone noted that all of the relevant conditions were met for each of the conditional approvals reported at the December 11, 2018 Commission meeting, and are now approved.

C.3. CONSIDERATION OF DS 2019-001 BY JALAL FAROOQ OF AL-FAROOQ CORPORATION

Jalal Farooq of Al-Farooq Corporation submitted a petition for a declaratory statement for review by the Product Approval POC. All of the relevant documentation is linked to the February 7, 2019 Product Approval POC agenda found on-line (BCIS). The petitioner was not available to provide additional input, and subsequently Mo Madani reviewed the petition and provided staff's analysis. Following questions and answers and an opportunity for public comment, the POC took the following action:

POC Actions:
MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the POC's recommendation on the Petition (to approve staff's analysis as presented/posted).

Overview:
Petitioner seeks a Declaratory Statement for clarification regarding whether an additional spacer options not currently allowed under ASTM E 1996 as adopted by the 6th Edition (2017) FBC are permitted to be applied to current product approvals. The Petitioner requests clarification to the following question:

Staff Analysis:
Question 1: Given that it is likely that ASTM E1996-17 will be incorporated into future versions of the Florida Building Code, and since this revision implies that it is not a structural issue for this type of substitution, is it acceptable to follow the new exemption in ASTM E1996-17 section A1.9.2 for spacers, even though Florida Building Code 6th Edition, Chapter 35 currently only lists ASTM E1996-05, 06, 09, 2012a, or 2014a as reference standards?

Answer: As per Rule 61G20-3.015(5), Equivalence of product standards for specific application, ASTM E 1996 -2017 is permitted to be used to update the current product approval for FL 28367 as long as the said standard is certified by an approved entity (i.e. an approved certification agency, an approved test lab, an approved evaluation entity, Florida licensed professional engineer or architect, or a nationally recognized standard writing organization) as meeting or exceeding the performance of the standard (i.e. ASTM E 1996-05, 06, 09, 012a or 014a) as referenced by the 6th Edition (2017) FBC.

C.4. TRAINING UPDATE

 Mo Madani reported that on January 19, 2019 a general training on the State Product Approval Rule was provided online by DBPR staff. The training was provided based on feedback from stakeholders, and the subsequent direction of the Commission. Mo noted that there were approximately 86 participants, and that they provide useful feedback during the training. Mo indicated that the training was well received.

D. 1. PRODUCT AND ENTITY APPLICATIONS CONSENT AGENDA

Commissioner Stone presented the consent agenda for entities by asking if any participants wished to have any entity applications pulled from the consent agenda for individual consideration. There were no entity applications pulled for individual consideration. Commissioner Stone presented the consent agenda for approval of products by asking if any participants' wished to have any

applications pulled from the consent agenda for individual consideration. There were no product approval applications pulled for individual consideration.

POC Actions:

MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of product approval entities (29) recommended for approval as posted.
MOTION—The POC voted unanimously, 4 - 0 in favor, to recommend the Commission approve the consent agenda of products (116) recommended for approval to the 2017 Code as presented/posted.

PRODUCT APPROVAL APPLICATIONS PULLED FROM THE CONSENT AGENDA FOR INDIVIDUAL CONSIDERATION

None.

D. 2. PRODUCT APPROVAL APPLICATIONS WITH DISCUSSION OR COMMENTS

Jeff Blair presented the products with discussion and public comment. Following are the POC's recommendations on the (13) product approval application submitted for approval to the 2017 Code with public comment:

- The POC recommends the Commission conditionally approve product FL 13061-R6 based on the conditions requested by the applicant and recommended by DBPR staff (4 – 0 in favor).
- The POC recommends the Commission approve product FL 14313-R10 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 14370-R4 (4 – 0 in favor).
- The POC recommends the Commission conditionally approve product FL 14428-R6 based on the conditions requested by the applicant and recommended by DBPR staff (4 – 0 in favor).
- The POC recommends the Commission approve product FL 15099-R11 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 15551-R6 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 15768-R6 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 15780-R9 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 15781-R9 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 16854-R9 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 23505-R2 (4 – 0 in favor).
- The POC recommends the Commission approve product FL 28131 (4 – 0 in favor).
- The POC recommends the Commission conditionally approve product FL 28682 based on the conditions requested by the applicant and recommended by DBPR staff (4 – 0 in favor).

The complete report of POC recommendations on product and entity applications is available linked to the Florida Building Commission's February 19, 2019 agenda.

D. 3. DBPR APPLICATIONS

Commissioner Stone noted that there were a total of 98 DBPR applications including 4 applications with comments submitted for approval to the 2017 Code. Staff noted that the applications with comments have been resolved to staff's satisfaction (either the application was revised or no change was needed) and no further action was required for approval of the products. The balance of the DBPR applications for the cycle were approved, and no further action was required of the POC. All

of the recommendations for the DBPR applications are linked to the February 7, 2019 Product Approval POC agenda posted on the BCIS.

E. 1. PUBLIC COMMENT

Commissioner Stone invited members of the public to address the Product Approval POC on any issues under the POC's purview.

Public Comments:

- There were no Public comments.

E. 2. POC MEMBER COMMENT

Commissioner Stone invited POC members to offer any general comments to the POC.

- There were no POC comments.

E. 3. STAFF MEMBER COMMENT

Commissioner Stone invited DBPR staff members to offer any general comments to the POC.

- There were no staff comments.

POC RECOMMENDATIONS FOR COMMISSION ACTION

The POC recommends the following actions to the Florida Building Commission:

1.) The POC recommends the Commission take action on product and entity applications as recommended by the POC and reflected in DBPR staff's product and entity approval reports.
2.) The POC recommends the Commission take action on DS 2019-001 by Jalal Farooq of Al-Farooq Corporation as recommended by the POC.

NEXT STEPS

The POC will meet April 4, 2019 to provide recommendations to the Commission on Product Approval System relevant issues for the April 16, 2019 Commission meeting.

(See Attachment 2—POC Meeting Schedule)

F. ADJOURN

After a second roll call confirmed that the POC retained a quorum, Commissioner Stone, POC Chair, thanked POC members, staff and the public for their attendance and participation, and adjourned the meeting at 10:23 AM on Thursday, February 7, 2019.

ATTACHMENT 1

MEETING AGENDA

FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE (POC)

THURSDAY, FEBRUARY 7, 2019—10:00 AM
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
2601 BLAIR STONE ROAD—TALLAHASSEE, FLORIDA 32399

MEETING OBJECTIVES
• To Consider/Discuss Product Approval Program Issues • To Consider/Decide on Approval of Products and Product Approval Entities • To Consider/Decide on Petition for Declaratory Statement

PRODUCT APPROVAL POC MEMBERS
Jeff Stone-Chair, David Compton, Nanette Dean, David Gilson, Robert Hamberger, and Brian Swope.

MEETING AGENDA— THURSDAY, FEBRUARY 7, 2019

All Agenda Times—Including Adjournment—Are Approximate and Subject to Change

10:00AM	A)	**Call to Order** **1. Statement on Teleconference Participation Process** **2. Roll call of POC Members** **3. Identification of Staff/Attendees** **4. Review and Approval of Agenda**
	B)	**Review & Approve *November 29, 2018* Minutes and Facilitator Summary Report**
	C)	**Product Approval Program Issues:** **1) Product Approval & Entities Statistics Report** **2) Report on Conditional Approvals from the *October 8, 2018* Meeting.** *(All conditional approval requirements were met)* **3) DS 2019-001 by Jalal Farooq of Al-Farooq Corporation**
	D)	**Department of Business and Professional Regulation Reports:** **1. Review of Product Approval & Entity Applications** **2. Product Approval Applications with Comments** **3. DBPR Applications**
	E)	**Public/POC/Staff Comments**
	F)	*Adjourn*

ATTACHMENT 2

PRODUCT APPROVAL POC MEETING SCHEDULE

2019 SCHEDULE	LOCATION
February 7, 2019	Tallahassee/DBPR and via Teleconference/Webinar
April 4, 2019	Tallahassee/DBPR and via Teleconference/Webinar
June 6, 2019	Tallahassee/DBPR and via Teleconference/Webinar
August 1, 2019	Tallahassee/DBPR and via Teleconference/Webinar