



**INTERNATIONAL ASSOCIATION OF  
PLUMBING AND MECHANICAL OFFICIALS**

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**Monte H. Bogatz**, Executive Vice President & General Counsel  
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July 9, 2020

Via e-mail: [william.vogel@myfloridalicense.com](mailto:william.vogel@myfloridalicense.com)

W. Justin Vogel  
Chief Legal Counsel  
Florida Building Commission, Office of Codes & Standards  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, FL 32399-2202

Re: Product Approval Program Complaint- IAPMO Uniform Evaluation Service (UES)- FBC  
Organization Number EVL7629

Dear Mr. Vogel,

Thank you for your e-mail to Barry Johnson of June 9, 2020, with copy of a complaint alleged by Dermot Ennis.

We understand the Program Oversight Committee will meet on July 23, 2020 to determine whether to recommend to the Building Commission that Mr. Ennis's letter becomes a legitimate complaint pursuant to the Florida Administrative Code.

As you know, IAPMO UES is a building product evaluation conformity assessment body accredited by the American National Standards Institute. UES has enjoyed approval by Florida as a product evaluation entity, continuously, since July 2008.

The scattershot allegations and attacks from Mr. Ennis that we have reviewed do not coalesce into a legitimate complaint of misconduct on the part of IAPMO UES, and IAPMO UES does not feel any need to defend itself to Mr. Ennis. While we believe the allegations are unfounded, we also understand that individuals unfamiliar with our evaluation process may not understand IAPMO UES internal requirements and policies. There is certainly value in providing this Committee with some background for consideration at the July meeting.

For the benefit of the Committee and its deliberations on July 23, we have attached a timeline of activity related to our Evaluation Report ER291 issued to Fi-Foil Company, Inc. The Committee should also be aware that as of today the Report is not active.

You should be aware that, per our procedures, every manufacturing facility for a product in an IAPMO UES Evaluation Report is inspected each year by a properly accredited third-party inspection agency to confirm quality and consistency of products related to the evaluation report, thereby in most cases preventing the need for annual testing.

In the case of Fi-Foil, all data in our possession indicates conformance to both National and Florida requirements. However, as indicated in the timeline, due to failure to provide all



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additional information in a timely fashion, including additional time given due to pandemic issues, the report has been cancelled pending the receipt of product testing data.

The current pandemic has created unprecedented situations that require unique decisions to be fair to our clients while also ensuring we adhere fully to our ANSI-accredited procedures. We remain fully confident we have carried out our product evaluation program in full compliance with our ANSI and state and local accreditations.

If you would kindly share this information with the Program Oversight Committee, and Mr. Madani, and any other individual as you deem necessary or appropriate, that would be much appreciated. If there is anything else, you need from me or IAPMO UES to effectuate sharing this information with the necessary parties please do not hesitate to contact me anytime at your convenience. Thank you.

Regards,

*/s/ Monte Bogatz*

Attachment(s): As Noted

Cc: Jerry Carrier, Senior Vice President, IAPMO Uniform Evaluation Services  
([jerry.carrier@unifrom-es.org](mailto:jerry.carrier@unifrom-es.org))



<b>IAPMO UES Evaluation Report 291 Fi-Foil, Inc Timeline</b>	
<b>Date</b>	
05/03/2013	IAPMO UES Evaluation Report #291- first issued to Fi-Foil, Inc. in 05/2013 Products - AA-2 Vapor Shield, M-Shield, Silver Shield Radiant Barrier, FSK Shield and RBI Shield. New report approval to the 2012 and 2009 IBC, IRC and IECC; 2010 FBC, FRC and FECC in accordance with ASTM C1224-03 and ASTM E84-04
10/04/2013	ER-291 was revised and re-issued. The report was evaluated and modified to include AC220 for the Silver Shield Radiant Barrier and to add the 2006 IBC & IRC and 2007 FBC, FRC and FECC. This report was evaluated to the 2012, 2009 and 2006 IBC, IRC and IECC; 2010 & 2007 FBC, FRC and FECC in accordance with ICC-ES AC02 & AC220, approved June 2011 and September 2010, respectively.
07/18/2014	ER-291 was renewed and modified. VR Plus Shield was evaluated and added to the report.
05/29/2015	ER-291 was renewed and re-issued. [added FBC] Report modified to the 2014 Florida Codes, while maintaining the report to the 2012, 2009 and 2006 IBC and IRC in accordance with ICC-ES AC02 and AC220.
05/31/2016	ER-291 was renewed and re-issued. Only editorial/grammatical changes were made.
05/31/2017	ER-291 was renewed and re-issued.
04/05/2018	ER-291 was renewed and modified. Report modified to add the 2015 IBC, IRC and IECC; 2017 FBC, Building, Residential and Energy Conservation Codes. Added recognition for the 24 inches on center stud spacing to the AA-2 Vapor Shield, M-Shield, and VR Plush Shield. The report was modified while maintaining existing the 2012, 2009 and 2006 IBC, IRC, and IECC; and removing the 2010 and 2007 FBC, Building, Residential and Energy Conservation Codes in accordance with ICC-ES AC02 – Acceptance Criteria for Reflective Insulation, approved June 2011, (editorially revised March 2017) and ICC-ES AC220.
05/31/2018	ER-291 was renewed and re-issued.
09/28/2019	ER-291 Revised to reference only the 2006 IBC & IRC AC 02 approved June 2006.
4/6/2020	The report was removed from the live Directory on the UES Website pending test results.
7/6/2020	The Technical Committee voted to cancel ER-291.