Notice to Validation Entities

It has been brought to our attention that not all state approved validation entities understand the scope of their responsibilities when validating applications for state product approval. Checking the final box on the validation checklist provided through the Building Code Information System constitutes your certification to the Commission that the application is complete and includes all required documentation, that the documentation you reviewed complies with all requirements of Rule 9B-72, FAC, and that the documentation indicates the product complies with specific standards or sections of the Florida Building Code (the Code). The following explanation of validation entity responsibilities is derived from the rule and law. Please review and familiarize yourself with this information. If you conclude you have not done all of the below for the applications you have validated, please contact DCA staff immediately to correct your review before the applications are taken to the Commission.

Validation entities review all documentation, which is required to be submitted in a product approval application, for completeness and compliance with Rule 9B-72. They then certify to the Commission that the documents submitted indicate compliance with specific referenced standards or sections of the Florida Building Code [9B-72.080(3)].

The validation entity must:
Verify that the standard used to evaluate the product is the standard adopted by the Code or a standard approved by the Commission in 9B-72.180 as an equivalent alternate standard.
[Reference: 9B-72.080(1), 9B-72.070(4)(b), 9B-72.080(2) and the validation checklist item 5.]

Verify that the evaluator (test laboratory, evaluation entity, Florida licensed Engineer or Architect) is Florida approved.
- *Where the method of demonstrating compliance is by a test report on standardized tests*- Verify that the test laboratory is approved by the Commission to conduct that test.
- *Where the method of demonstrating compliance is by an evaluation report*- Verify that the entity issuing the evaluation report is a Commission approved evaluation entity or a Florida licensed Engineer or Architect in good standing.
[Reference: 9B-72.080(1), 9B-72.070(1),(2), 9B-72.080(2) and validation checklist item 1.]

Verify that the product evaluator's (test laboratory, evaluation entity, Florida licensed Engineer or Architect) certification of independence was submitted and complies with the requirements of rule section 9B-72.110.
[Reference: 9B-72.080(1), 9B-72.070(4)(g), 9B-72.080(2) and validation checklist item 2.]

Verify that the test report or evaluation report includes a "statement of compliance" with all criteria of the standard test or rational or comparative analysis adopted by the Code or an alternate equivalent standard recognized by the Commission. Where there is no standardized test or rational or comparative

analysis adopted by the Code, verify that the report includes a statement of compliance with the intent of a specific section of the Code.
[Reference: 9B-72.080(2), and 9B-72.070(4)(b)]

Verify that the test report or evaluation report is current and has not been suspended, recalled or revoked.
[Reference: 9B-72.080(2) and validation checklist item 3.]

Verify that the product has not been recalled or revoked.
[Reference: 9B-72.080(2) and validation checklist item 4.]

Verify that the name and address of the manufacturer and the evaluator (evaluation entity, test laboratory, or Florida licensed Engineer or Architect) indicated on the application are the same throughout all of the documents.
[Reference: 9B-72.080(1) and 9B-72.070(4)(a)]

Verify that an accurate description of the product has been submitted and that it matches the product described in the test report, evaluation report and other supporting documentation.
[Reference: 9B-72.080(1) and 9B-72.070(4)(c)]

Verify that technical documentation on test and/or calculation results have been submitted and that it supports the statement of compliance in the test report or evaluation report, including all performance ratings claimed and compliance with all pass/fail criteria required by the standard used to evaluate the product.
[9B-72.080(1) and 9B-72.070(1)&(2)]
- Where there is a standardized testing or comparative or rational analysis method established by the Code for evaluating a product's compliance and the testing laboratory or evaluation entity certifies in the statement of compliance that the product complies with the standard required by the Code, validation shall not include further evaluation. [see s. 553.842(3), F.S.] It requires only the determination that the documentation on its face supports the statement of compliance.
- Where there is no standardized testing or comparative or rational analysis method established by the Code for evaluating compliance the validation entity must conduct a review sufficient for it to certify that the evaluation report and other required documentation indicate compliance with the intent of the Code.
  [Reference: s. 553.842(4), (6)(b), F.S., 9B-72.080(1),(2)&(3) and 9B-72.070(2),(3)&(4)]

Verify that the test report or evaluation report indicate any limitations of use of the product.
[Reference: 9B-72.080(1), 9B-72.070(4)(f), 9B-72.080(2) and validation checklist item 6.]

Verify that the signature on the test report or evaluation report is that of a person authorized to sign on behalf of the testing laboratory or evaluation entity. Where an evaluation report is prepared by a Florida licensed Engineer or Architect who does not work for an approved evaluation entity, the registration number, seal and

signature must be provided in a manner approved by the respective Florida licensing board.
[Reference: 9B-72.080(1)/9B-72.070(4)(h)]

Verify that official installation instructions have been submitted and that they correspond with the tested configuration. Where allowed by the approved evaluation standard, specifications determined by rationale or comparative analysis as demonstrated by supporting documentation may be provided.
[Reference: 9B-72.080(1), 9B-72.070(4)(e), 9B-72.080(2) and validation checklist item 7.]

Verify that the manufacturer has a state approved quality assurance entity under contract to conduct independent monitoring of the quality control program for manufacture of the product.
[Reference: 9B-72.080(1), 9B-72.070(3), 9B-72.080(2) and validation checklist item 8.]