

Issue: DEC06-DEC-067. The Petitioner is requesting clarification regarding Rule 9B-72 application to initiation and completion of testing.

Question: Can a manufacturer use test reports initiated before January 1, 2006, compliant with the Rule in effect at the time of initiation of the testing, when applying for state product approval under the current Rule?

Background:

- (1) Situation: A garage door manufacturer member of DASMA initiated wind load testing on a series of garage door products in mid 2005, with the intent of using the testing on these products toward applying for a single Florida state product approval number. Testing was performed in compliance with the Rule in effect at the time, which did not require a test lab (or facility, as per DCA05-DEC-282) to be accredited by a Florida-approved accreditation entity. However, because of the time at which the testing was completed, the manufacturer was unable to complete the supporting paperwork in time to submit for a state product approval before January 1, 2006.
- (2) Rule 9B-72.070(4) Evaluation Report and Test Report Documentation Requirements. All reports and documentation required in subsections 9B-72.070(1) and (2), F.A.C., shall contain the information listed below. Design drawings submitted for permitting purposes are not to be construed to be an evaluation report and do not require this information. When the Code requires a standardized test as a component of a product approval using the evaluation method, the test lab must be accredited by an approved accreditation body for the test performed. The entity issuing the evaluation report or certification is responsible to ensure that the test lab is accredited.

Staff Recommendation:

Question: Can a manufacturer use test reports initiated before January 1, 2006, compliant with the Rule in effect at the time of initiation of the testing, when applying for state product approval under the current Rule?

Answer: No. According to Rule 9B-72.070(4), testing must be performed in test lab which are accredited by an approved Accreditation entity for the test performed.