

**PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE
TELECONFERENCE MEETING FROM TALLAHASSEE
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March 31, 2022

10:00 A.M.

Minutes

**PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE
PRESENT:**

Rod Hershberger, Chairman
Brian Swope

David Compton
David Gilson

**PRODUCT APPROVAL PROGRAM OVERSIGHT COMMITTEE
NOT PRESENT:**

STAFF PRESENT:

Mo Madani
Thomas Campbell
Justin Vogel

Jim Hammers
Sabrina Evans
Robert Benbow

Welcome:

Time: 10:00 a.m.

Mr. Campbell welcomed everyone to the teleconference meeting of the Product Approval Program Oversight Committee.

Roll Call:

Mr. Campbell performed roll call for the Product Approval Program Oversight Committee. A quorum was determined with 3 members present at the time of roll call.

Agenda Approval:

Commissioner Hershberger asked for a motion to approve the agenda for today if there were no changes.

Commissioner Compton entered a motion to approve the agenda as posted for today's meeting. Commissioner Swope seconded the motion. The motion was passed unanimously with a vote of 3-0.

Approval of Minutes from February 1, 2022:

Commissioner Hershberger asked for a motion to approve the meeting minutes from the February 1, 2022 meeting, if there were no changes.

Commissioner Compton entered a motion to approve the minutes as posted from the February 1, 2022 meeting. Commissioner Swope seconded the motion. The motion was passed unanimously with a vote of 3-0.

Product Approval and Entities Statistics Report:

Mr. Madani stated that, due to technical issues, there is no report to provide.

Report on conditional approvals from the February 8, 2021 meeting:

Mr. Madani reported all of the relevant conditions were met for each of the conditional approvals.

Discuss the complaint against Soft-Lite LLC by Silvia Lino:

Mr. Campbell introduced Ms. Silvia Lino who made the complaint against Soft-Lite LLC.

Mr. Campbell introduced Peter Langan, Director of Technical Service for Soft-Lite LLC, Mike VanNiel, and Rick Wright, Head of their Florida testing lab, who are the representatives for Soft-Lite LLC.

Mr. Campbell introduced Justin Vogel, the Commission's legal counsel.

Mr. Vogel informed the POC on the legal framework for reviewing complaints within the product approval program.

Commissioner Gilson entered the meeting at 10:08 am, making the quorum 4.

Ms. Silvia Lino explained her complaint and concern against Soft-Lite LLC to the POC.

POC Discussion:

Commissioner Swope asked Ms. Lino questions regarding the complaint.

Ms. Silvia Lino provided answers to Commissioner Swope's questions.

Commissioner Gilson provided a statement regarding the complaint.

Commissioner Compton left the meeting at 10:30 a.m. making the quorum 3.

Soft-Lite LLC:

Mr. Mike VanNiel provided a statement regarding the complaint.

Staff:

Mr. Madani provided the POC with general notes regarding the complaint.

Ms. Silvia Lino and Commissioner Hershberger asked Mr. Madani questions regarding the general notes.

Mr. Madani provided answers regarding the general notes.

Comments to the POC:

Ms. Silvia Lino provided additional statement and question regarding the complaint.

Mr. Mike VanNiel provided an additional statement regarding the complaint.

Public Comment:

Jamie Gascon provided a statement clarifying that the product in question has state approval, not an NOA.

Ms. Silvia Lino commented on Mr. Gascon's comment.

Joe Belcher commented on the complaint.

Commissioner Hershberger provided a question to Justin Vogel and Soft-Lite.

Mr. Vogel provided an answer to Commissioner Hershberger's question.

Motion:

Commissioner Gilson entered a motion to recommend dismissing the complaint against Soft-Lite LLC, on the grounds that there was not substantial material evidence that a violation of the product approval rules had occurred. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 3-0.

Review of Product Approval & Entity Applications:

Mr. Campbell advised there were 21 entities on the consent agenda for approval and asked for a motion to approve, if there were no entities to be pulled for individual consideration.

Motion:

Commissioner Gilson entered a motion for approval of the consent agenda of 21 product approval entities. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 3-0.

Review and Consideration of Product Approval Application with Comments:

Products without comments:

Mr. Campbell advised there were 135 products on the consent agenda for approval without comments.

Motion:

Commissioner Gilson entered a motion to approve the 135 products on the consent agenda without comments. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 3-0.

Products with comments:

Mr. Campbell advised there were 3 products on the consent agenda for approval with comments.

Motion:

Commissioner Gilson entered a motion to approve the 3 products on the consent agenda with comments. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 3-0.

Products with conditional approval:

Mr. Campbell advised there were 6 products on the consent agenda for conditional approval with comments.

Motion:

Commissioner Gilson entered a motion to approve the 6 products on the consent agenda of products with comments recommended for conditional approval. Commissioner Swope seconded the motion. The motion passed unanimously with a vote of 3-0.

Product Approval of Consent Agenda of DBPR Product Approval Applications:

Mr. Campbell stated there no actions needed; there were 102 DBPR applications, none with comments.

Public Comment:

None

POC Member and Staff Comment:

Mr. Madani thanked everyone.

Adjournment:

There being no further business before the POC. Chairman Hershberger adjourned the meeting at 11:06 a.m.