**61G20-3.008 Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies.**

(1) Approved Product Evaluation Entity Criteria ~~Entities~~. Approval by the Commission is limited to the scope of accredition established by approved accreditation entities ~~established by Section 553.842, F.S~~.

(a) An entity shall be approved by the Commission as an evaluation entity if it complies with one of the following. Approval shall be limited to those procedures listed on the certificate of accreditation or accreditation listing issued by the accreditation body:

1. Evaluation entities accredited by ANSI that meet the requirements of ISO/IEC 17065: Conformity Assessment – Requirements for Bodies Certifying Products, Processes and Services, or another standard certified as equivalent by the accrediting entity pursuant to Rule 61G20-3.015, F.A.C., and approved by the Commission.

2. Evaluation entities accredited as meeting the requirements of ISO/IEC 17065: Conformity Assessment – Requirements for Bodies Certifying Products, Processes and Services, or another standard certified as equivalent by the accrediting entity pursuant to Rule 61G20-3.015, F.A.C., and approved by the Commission.

(b) Evaluation entities shall apply to the Commission for approval by filing an application as provided by subsections 61G20-3.011(1) and 61G20-3.007(3), F.A.C., including a Certificate of Independence in accordance with Rule 61G20-3.009, F.A.C., and submitting fees pursuant to subsection 61G20-3.007(2), F.A.C.

(c) Approvals shall be valid until such time as: Commission approval requirements change; the evaluation entity no longer qualifies under current requirements; the accreditation expires, or is removed, or is both expired and removed; or the approval is suspended.

(d) ~~(a)~~ Pursuant to section 553.842(8)(a), F.S., the ~~The~~ following entities are also approved evaluation entities:

1. The National Evaluation Service (NES),

2. The Miami-Dade County Building Code Compliance Office Product Control Division (MDCBCCOPCD),

3. The International Code Council, International Evaluation Services (IES),

4. The International Association of Plumbing and Mechanical Officials Evaluation Service (IAPMO),

5. Underwriters Laboratories, LLC; and,

6. Intertek Testing Services NA, Inc.

(e) ~~(b)~~ Architects and engineers licensed in this state are also approved to conduct product evaluation.

(2) through (3) No change.

(4) Approved Certification Agency Criteria. Approval by the Commission is limited to the scope of accreditation established by approved accreditation entities.

(a) An entity shall be approved by the Commission as a certification agency if it complies with one of the following. Approval shall be limited to those procedures listed on the certificate of accreditation or accreditation listing issued by the accreditation body:

1. Certification Agencies accredited by ANSI that meet the requirements of ISO/IEC 17065: Conformity Assessment – Requirements for Bodies Certifying Products, Processes and Services ~~Guide 65: General Requirements for Bodies Operating Product Certification Systems~~ or other standard certified as equivalent by the accrediting entity pursuant to Rule 61G20-3.015, F.A.C., and approved by the Commission.

2. Certification Agencies accredited as meeting the requirements of ISO/IEC 17065: Conformity Assessment – Requirements for Bodies Certifying Products, Processes and Services ~~Guide 65: General Requirements for Bodies Operating Product Certification Systems~~ or other standard certified as equivalent by the accrediting entity pursuant to Rule 61G20-3.015, F.A.C., and approved by the Commission.

 (b) Certification Agencies shall apply to the Commission for approval by filing an application as provided by subsections 61G20-3.011(1) and 61G20-3.007(3), F.A.C., including a Certificate of Independence in accordance with Rule 61G20-3.009, F.A.C., and submitting fees pursuant to subsection 61G20-3.007(2), F.A.C.

(c) Approvals shall be valid until such time as Commission approval requirements change, the certification agency no longer qualifies under current requirements; the accreditation expires, or is removed, or is both expired and removed; or the approval is suspended or revoked.

(5) through (6) No change.

*Rulemaking Authority 553.842(8) FS. Law Implemented 553.842(8) FS. History–New 5-5-02, Amended 9-4-03, 3-9-04, 11-22-06, 4-10-08, 12-9-09, Formerly 9B-72.100, Amended 7-14-11, Formerly 9N-3.008, Amended 10-26-16, .*

**61G20-3.011** **Forms.**

The following forms are adopted for use in reference to the Product Evaluation and Approval System. Copies of these forms are available from the Department of Business and Professional Regulation, Office of Codes & Standards, 2601 Blairstone Road, Tallahassee, Florida 32399-0772, and via the Building Codes Information System on the Internet, www.floridabuilding.org.

(1) Florida Building Commission, Application for Organization/Entity Approval, Form 9N-3.011(1), effective July XX 2021 ~~December 3, 2020~~ (which can be found at the Florida Administrative Code/Register/Laws, 500 South Bronough Street, Tallahassee, Florida 32399-0250).

(2) through (3) No change.

*Rulemaking Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History–New 5-5-02, Amended 9-4-03, 11-22-06, 4-10-08, 3-2-10, , Formerly 9B-72.130, 9N-3.011.*

**61G20-3.013** **Revocation or Modification of Product Approvals and Entity Certifications.**

(1) No change.

(2) Revocation or suspension of evaluation entity, certification agency, testing laboratory, validation entity, quality assurance agencies or accreditation body approval.

(a) The Commission shall revoke or suspend the approval of any evaluation entity, certification agency, testing laboratory, quality assurance agency, or validation entity ~~other than those specifically identified in Section 553.842(9)(a), F.S.,~~ for one or more of the following reasons:

1. Failure to maintain accreditation by a Commission approved accreditation body.

2. Suspension or revocation of accreditation by a Commission approved accreditation body for failure to meet Commission accreditation standards or equivalent pursuant to Rules 61G20-3.008 and 61G20-3.015, F.A.C.

3. Determination by the Commission that any requirement set forward in this document has been violated.

4. Determination that the criteria for independence from any manufacturer set forth in Rule 61G20-3.009, F.A.C., has been violated.

5. Determination that the entity is not independent pursuant to Rule 61G20-3.009, F.A.C., of any competing manufacturer of the manufacturer to whom the entity provided services on which Florida jurisdictions’ product approval is based.

6. An entity has misrepresented its accreditations or other material information on its application for approval.

7. Failure to conduct investigations of products authorized by Rule 61G20-3.014, F.A.C.

(b) through (e) No change.

(3) No change.

*Rulemaking Authority 553.842(15) FS. Law Implemented 553.842(15) FS. History–New 5-5-02, Amended 11-22-06, Formerly 9B-72.160, 9N-3.013, Amended .*

**61G20-3.016** **Reference Standards.**

1. No change.

(2) International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17065 ~~Guide 65~~: 2012 ~~1996~~, Conformity Assessment – Requirements for Bodies Certifying Products, Processes and Services ~~General Requirements for Bodies Operating Product Certification Systems~~.

(3) through (6) No change.

*Rulemaking Authority 553.842(1) FS. Law Implemented 553.842(2) FS. History–New 5-5-02, Formerly 9B-72.190, 9N-3.016, Amended .*