

Declaratory Statement Report

**December 9-10, 2025
8:30 a.m.**

**Rosen Plaza Hotel
9700 International Drive
Orlando, Florida 32819**

Mechanical Technical Advisory Committee -

DS 2025-041 – Initial Engineers P.A.

Question: When the smoke detector and the refrigerant leak detector are both activated, should the 606.4 shut down requirement supersede the ASHRAE run requirement?

Answer: The answer to the Petitioner’s question is yes. Pursuant to section 102.4.1 of the Florida Building Code, Building, 8th Edition (2023), where conflicts occur between provisions of the FBC and referenced codes and standards, the provisions of the Florida Building Code shall apply.

Therefore, for the project in question, when the smoke detector and the refrigerant leak detector are both activated, the shut down requirement of section 606.4 of the Florida Building Code, Mechanical, 8th Edition (2023) supersedes that of the ASHRAE 15 run requirement.

Energy Technical Advisory Committee -

DS 2025-052 – Richard Porter of CfiFOAM, Inc.

Question #1: Is it a requirement that our company test each of its products in accordance with the requirements outlined in 16 CFR 460 (FTC Rule 460) which requires testing to ASTM C 177 – 2013, or newer; ASTM C 518 – 2017, or newer; or ASTM C 1363 – 2011, or newer?

Answer: *Pursuant to sections C303.1.4 and R303.1.1.1 of the Florida Building Code, Energy Conservation, 8th Edition (2023), the thermal resistance (R-value) of the product in question (“foam-in-place insulation”) must be determined in accordance with the U.S. Federal Trade Commission R-value rule (CFR Title 16, part 460.)*

Question #2: Is it a requirement that testing cannot be based on older outdated versions of these standards?

Answer: *This is a question of general applicability, not tied to the petitioner’s particular circumstances, and thus cannot be answered in this declaratory statement.*

Question #3: Is it a requirement that tests reflect results obtained at a 75-degree Fahrenheit mean test temperature?

Answer: *The answer to the Petitioner’s question is yes. Pursuant to sections C303.1.4 and R303.1.1.1 of the Florida Building Code, Energy Conservation, 8th Edition (2023), the thermal resistance (R-value)*

of the product in question must be determined in accordance with the U.S. Federal Trade Commission R-value rule (CFR Title 16, part 460) in units of $h \cdot ft^2 \cdot ^\circ F/Btu$ at a mean temperature of 75°F (24°C).

Question #4: Is it a requirement that the testing must be performed on a range of sample thickness, including 3 ½ inches, not just a single, 1” thick sample?

Answer: *Pursuant to section 460.13(c)(1) of 16 CFR 460, foamed-in-place insulation must show the R-value at 3 ½ inches, and may also show R-values at other thicknesses.*

Question #5: Is it a requirement that each product we supply must be supported by a current third party certification or evaluation report from a nationally accredited agency that certifies the R-value tests are compliant with 16 CFR 460 (FTC Rule 460), and that the Rule’s requirements for product labels, fact sheets and other promotional materials are compliant as well?

Answer: *Pursuant to section R303.1.1.2, section C303.1.1 and the definition of “listed” of the Florida Building Code, Energy Conservation, 8th Edition (2023), the product in question must be supported by certification listing and the installed thickness of the area covered, and the R-value of the installed thickness must be listed on the certification. The certification listing must be from an organization acceptable to the code official and concerned with evaluation of products or services that maintains periodic inspection of production of listed materials and whose listing states that the material/product meets identified standards or has been tested and found suitable for a specified purpose.*

Question #6: Is it a requirement that without a current third-party certification/evaluation report supported by current R-value test, the product is deemed not to comply with the Florida Building Code, Energy Conservation, and therefore, will not be approved to insulate either residential or commercial buildings in Florida?

Answer: *See answer to question 5.*

Question #7: Is it a requirement that the testing and independent certification/ evaluation requirements apply to all building insulation products and manufacturers including: a. Foamed-in-place insulation that is spray-applied to the surface of concrete masonry walls or injected in the core cells of concrete masonry walls, b. Molded foam plastic insulation inserts or loose fill insulation installed on-site in the core cells of concrete masonry walls. c. Reflective foil insulation d. And pre-insulated concrete masonry wall systems that are marketed either in part or in whole on the basis of whole -wall thermal performance (R-value)?

Answer: *This is a question of general applicability, not tied to the petitioner’s particular circumstances, and thus cannot be answered in this declaratory statement.*