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ACCEPTANCE CRITERIA FOR THE CONFORMITY ASSESSMENT PROGRAM

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PREFACE

Evaluation reports issued by ICBO Evaluation Service, Inc. (ICBO ES), are based upon performance features of the Uniform family of codes and the International family of codes. Section 104.2.8 of the 1997 *Uniform Building Code*[™] (UBC), Section 104.11 of the 2000 *International Building Code*[®] (IBC) and Section R104.11 of the 2000 *International Residential Code*[™] (IRC) are the primary charging sections upon which evaluation reports are issued. Section 104.2.8 of the UBC reads as follows:

The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

Similar provisions are contained in Sections 104.11 and R104.11 of the IBC and IRC, respectively.

The attached acceptance criteria has been issued to provide all interested parties with guidelines on implementing performance features of the applicable code(s) referenced in the acceptance criteria. The criteria was developed and adopted following public hearings conducted by the ICBO ES Evaluation Committee and is effective on the date shown above. All reports issued or reissued on or after the effective date must comply with this criteria, while reports issued prior to this date may be in compliance with this criteria or with the previous edition. If the criteria is an updated version from a previous edition, a solid vertical line (|) in the margin within the criteria indicates a technical change, addition, or deletion from the previous edition. A deletion indicator (°) is provided in the margin where a paragraph has been deleted if the deletion involved a technical change. This criteria may be further revised as the need dictates.

ICBO ES may consider alternate criteria, provided the proponent submits valid data demonstrating that the alternate criteria are at least equivalent to the attached criteria and otherwise meet the applicable performance requirements of the codes. Notwithstanding that a material, type or method of construction, or equipment, meets the attached acceptance criteria, or that it can be demonstrated that valid alternate criteria are equivalent and otherwise meet the applicable performance requirements of the codes, if the material, product, system or equipment is such that either unusual care with its installation or use must be exercised for satisfactory performance, or malfunctioning is apt to cause unreasonable property damage or personal injury or sickness relative to the benefits to be achieved by the use thereof, ICBO ES retains the right to refuse to issue or renew an evaluation report.

ACCEPTANCE CRITERIA FOR THE CONFORMITY ASSESSMENT PROGRAM

1.0 INTRODUCTION

1.1 The purpose of this criteria is to establish requirements, responsibilities and qualifications for ICBO ES accreditation of conformity assessment agencies and ICBO ES recognition of products under the conformity assessment listing program.

1.2 This program includes agencies engaged in testing, assessing, quality control and labeling of products of specific categories, as set forth in Section 1.3 of these criteria, which are regulated by standards referenced in the Uniform Codes or acceptance criteria approved by the ICBO ES Evaluation Committee.

1.3 Agency and product recognition under the ICBO ES Conformity Assessment Program applies only to those of the following categories which are noted in the conformity assessment agency's evaluation report (numbers in parentheses reflect product categories in the ICBO ES *Index of Evaluation Reports*):

1.3.1 Fire doors and windows (078)

1.3.2 Structural wood panels (216)

1.3.3 Vented decorative gas appliances (076)

1.3.4 Vented decorative gas logs for installation in solid-fuel-burning fireplaces (104)

1.3.5 Factory-built chimneys (076)

1.3.6 Factory-made air ducts (046)

1.3.7 Gas vents (106)

1.3.8 Solid-fuel-burning, factory-built fireplaces (076)

1.3.9 Plumbing products (190)

1.4 Reference Documents:

1.4.1 ICBO ES Rules of Procedure for the ICBO ES Conformity Assessment Program.

1.4.2 ICBO ES Acceptance Criteria for Laboratory Accreditation (AC89).

1.4.3 ICBO ES Acceptance Criteria for Quality Control Agency Accreditation (AC98).

1.4.4 ICBO ES Acceptance Criteria for Test Reports and Product Sampling (AC85).

1.4.5 ICBO ES Acceptance Criteria for Quality Control Manuals (AC10).

2.0 DEFINITIONS

2.1 Conformity Assessment Agency: A third-party agency engaged in testing, assessing, quality control and labeling of building materials or products which are manufactured and/or distributed by another party (called the "manufacturer/distributor").

2.2 Assessment Category: One of the categories, in Section 1.3 of these criteria, which specify products regulated by text or standards referenced in the Uniform Codes or ICBO ES acceptance criteria.

2.3 Conformity Assessment Agency Report: An ICBO ES evaluation report issued to a conformity assessment agency.

2.4 Assessment Category Summary: An ICBO ES document, to be completed by the conformity assessment agency, attesting to compliance with the testing, quality control, code and acceptance criteria requirements pertaining to a particular building material or product; this document must be signed by authorized representatives of the conformity assessment agency and the manufacturer/distributor.

2.5 ICBO ES Index of Evaluation Reports: An ICBO ES publication containing summary information from all current ICBO ES evaluation reports and listings.

2.6 Uniform Codes: Model codes adopted by ICBO ES.

For the purposes of the ICBO ES Conformity Assessment Program, these codes include the *Uniform Building Code*, the *ICBO Uniform Mechanical Code* and the *Uniform Plumbing Code**

2.7 Conformity Assessment Listing: Recognized products, identified with a unique listing number, noted (in the ICBO ES *Index of Evaluation Reports* and other media) as complying with the requirements of the code and applicable ICBO ES acceptance criteria.

2.8 Agency Officer: An authorized signatory of the conformity assessment agency, as specified in the agency manual.

3.0 REQUIREMENTS FOR A CONFORMITY ASSESSMENT AGENCY

3.1 The conformity assessment agency shall maintain current accreditation with ICBO ES as a quality control agency in the category for which conformity assessment accreditation is requested. Additionally, the agency shall maintain current accreditation with ICBO ES as a testing laboratory in the standards applicable to the provided conformity assessment services.

3.2 Along with the conformity assessment agency application, the agency shall submit an addendum to its existing quality control manual. For the product categories listed under Section 1.3 of these criteria, the addendum shall document the following items and information detailing the agency's procedures for the administration of its follow-up program:

3.2.1 An organizational chart (of personnel and positions) which includes a definition of each person's role in the conformity assessment agency.

3.2.2 Employment of a technical manager and deputy (with appropriate qualifications, and experience in the operation of a conformity assessment agency) who have overall responsibility for the program.

3.2.3 Product areas (from the list of assessment categories in Section 1.3 of these criteria) for which accreditation is sought.

3.2.4 An affidavit, signed by an authorized officer of the agency responsible for the agency's operation, attesting to the following:

1. The conformity assessment agency does not have, nor does it intend to acquire or will it acquire, a financial interest in any company manufacturing or distributing products tested and labeled by the agency.

2. The conformity assessment agency is not owned, operated or controlled by any company manufacturing or distributing products that it tests or that it might be testing and labeling or intends to label in the future.

3.3 The conformity assessment agency shall create and retain data sheets and documentation showing compliance, for all tests conducted. The documentation shall have sufficient detail to allow verification and evaluation of test results, including dates of all tests and signatures of either the supervising engineer or an agency officer. Data sheets and documentation shall contain the information required in Sections 5.2 through 5.5 of AC85, and the original, qualifying data shall be retained by the agency as long as the product and manufacturer are listed in the ICBO ES *Index of Evaluation Reports*.

3.4 The conformity assessment agency shall ensure that installation instructions on products labeled by the agency do not conflict with the code or any relevant ICBO ES acceptance criteria.

**Uniform Plumbing Code* is a copyrighted publication of the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789-2825.

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3.5 The conformity assessment agency shall respond promptly to building-official inquiries that pertain to products recognized under the program.

4.0 CONFORMITY ASSESSMENT LISTING REQUIREMENTS

4.1 The manufacturer/distributor of products for which recognition is requested shall submit an application to ICBO ES under a specific assessment category.

4.2 The applicant shall obtain and provide a copy of the written contractual agreement with an ICBO ES accredited conformity assessment agency to conduct testing and provide quality control services.

4.3 An assessment category summary shall be completed by the conformity assessment agency. Representatives of both the agency and the manufacturer/distributor shall sign and date this document, attesting to the accuracy of information contained therein. The completed assessment category summary shall be submitted with the application.

4.4 The manufacturer/distributor may request modifications or additions to an existing listing by submitting an application and the appropriate fees, as set forth in the ICBO ES Standard Fee Schedule.

4.5 Products shall be identified with the evaluation report number of the conformity assessment agency and the conformity assessment listing number.

5.0 PROGRAM PROCEDURES

5.1 ICBO ES shall publish a conformity assessment agency report upon satisfactory demonstration of compliance with all requirements, listing the specific categories of accreditation.

5.2 For recognition of products under the program, the manufacturer/distributor of the product shall submit a completed assessment category summary for each model and manufacturer thereof that will be listed. An authorized representative of the manufacturer/distributor shall sign the assessment category summary, which is to be submitted to ICBO ES for review, attesting that the information provided in the summary is true and correct and that they agree to

abide by the provisions of the applicable ICBO ES acceptance criteria and rules of procedure.

5.3 Upon completion of review of the assessment category summary, ICBO ES shall assign a conformity assessment listing number to the product and shall add it to the ICBO ES listing, noting the approval action. The listing will also be published in the ICBO ES *Index of Evaluation Reports* at its next publishing date, under the appropriate assessment category.

6.0 INSPECTIONS AND EXPENSE REIMBURSEMENT

6.1 An ICBO ES representative shall be permitted to conduct unannounced inspections of facilities of companies manufacturing/distributing products under the conformity assessment agency's quality control program, to monitor the performance of the agency. Biennial on-site assessment and review of each conformity assessment agency will be conducted by ICBO ES. Assessments will be conducted concurrently with inspections required under acceptance criteria AC89 and AC98.

6.2 ICBO ES expenses, including travel and staff time for annual assessments or reassessments, shall be reimbursed by the conformity assessment agency.

When ICBO ES determines it is necessary to conduct and witness tests, conduct field investigations or investigate complaints related to the agency, all related expenses, including travel and staff time, shall be reimbursed by the conformity assessment agency.

6.3 As a condition of an ICBO ES conformity assessment listing, ICBO ES staff or their authorized representative shall be permitted to conduct unannounced inspections at the facilities of companies manufacturing/distributing products, to verify compliance with the ICBO ES listing requirements and applicable rules of procedure. When ICBO ES determines it is necessary to conduct and witness tests, conduct field investigations or investigate complaints related to the manufacturer/distributor, all related expenses, including travel and staff time, shall be reimbursed by the manufacturer/distributor. ■