

CODEX ALIMENTARIUS COMMISSION



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 5

EXEC/69 CRD/5

Original language only

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION
Sixty-ninth Session
WHO Headquarters, Geneva, Switzerland
8-11 July 2014**

NSF INTERNATIONAL

PHILIP C. OLSSON
RICHARD L. FRANK
DAVID F. WEEDA (1948-2001)
DENNIS R. JOHNSON
ARTHUR Y. TSIEN
STEPHEN D. TERMAN
MARSHALL L. MATZ
MICHAEL J. O'FLAHERTY
DAVID L. DURKIN
NEIL F. O'FLAHERTY
BRETT T. SCHWEMER
TISH E. PAHL
ROBERT A. HAHN
EVAN P. PHELPS
GARY H. BAISE
FREDERICK H. BRANDING*
BRUCE A. SILVERGLADE
JOLYDA O. SWAIM
JONATHAN M. WEINRIEB
STEWART D. FRIED
ROGER R. SZEMRAJ



— L A W —
OLSSON FRANK WEEDA TERMAN MATZ PC

THE WATERGATE
600 NEW HAMPSHIRE AVENUE NW
SUITE 500
WASHINGTON, DC 20037

(202) 789-1212 • FAX (202) 234-3550
WWW.OFWLAW.COM

Bruce A. Silverglade – Principal
Direct (202) 518-6316 / bsilverglade@ofwlaw.com

JOHN G. DILLARD
J. MASON WEEDA*
NATHAN B. FRETZ*

COUNSEL
ANSON M. KELLER
CASPER E. ULDRICKS

OF COUNSEL
KENNETH D. ACKERMAN
MARK L. ITZKOFF
ELLIOT BELILOS
JUR T. STROBOS, M.D.
JANIE S. HIPPI*

SENIOR POLICY ADVISORS
JOHN R. BLOCK
CHARLES W. STENHOLM
SALLY S. DONNER
BARBARA J. MASTERS, D.V.M.
WILLIAM G. IMBERGAMO
GARY M. ZIZKA

*PRACTICE WITHIN THE DISTRICT OF COLUMBIA
IS LIMITED TO MATTERS AND PROCEEDINGS
BEFORE FEDERAL COURTS AND AGENCIES

April 1, 2014

BY ELECTRONIC MAIL

Ms. Selma Doyran, Secretary
Codex Alimentarius Commission
United Nations Food and Agriculture Organization
Viale delle Terme di Caracalla
00153 Rome, Italy
Phone: +39 06 570 55826
Email: selma.doyran@fao.org

Dear Ms. Doyran:

Re: Application of NSF International for observer status at the Codex Alimentarius Commission

We represent NSF International, an international, non-governmental, non-profit public health and safety organization focusing on food safety, water quality, and consumer product standards and certification. NSF International wishes to seek official “observer” status at the Codex Alimentarius Commission, attend Codex Committee meetings as an observer, and contribute to the work of Codex Committees dealing with food hygiene, contaminants, additives, and food import/export inspection and certification.

This application is submitted pursuant to Codex “Principles concerning the participation of International Non-Governmental Organizations in the work of the [Codex Alimentarius Commission](#).”

NSF International already serves as a WHO/PAHO Collaborating Centre on food safety, water quality, and indoor environments. NSF International is also an official member of the WHO Chemical Risk Assessment Network.

As we understand, Codex procedures require that INGOs that have relations with either FAO or WHO should provide responses to “Information Required from International Non-Governmental Organizations Requesting ‘Observer Status.’” See Attachment 1. In response to these requirements, NSF International is pleased to provide the information requested in CX 12/1-2011. See Attachment 2.

NSF International seeks to begin participating in the work of specific Codex Committees in preparation for their next meetings. We therefore respectfully request that observer status be granted as soon as reasonably possible.

Should there be any questions, do not hesitate to contact us by e-mail or telephone.

Sincerely,



Bruce Silverglade
Principal
OFW Law

cc: Stan Hazan, NSF International

Attachments:

**INFORMATION REQUIRED FROM INTERNATIONAL NON-GOVERNMENTAL
ORGANIZATIONS REQUESTING "OBSERVER STATUS"**

CX 12/1 - 2111

a) Official name of the organization:

The official name of the applicant is NSF International. NSF International was originally founded in 1944 at the University of Michigan, School Public Health as the National Sanitation Foundation. The name of the non-profit organization was changed in 1990 to NSF International. See Restated Articles of Incorporation. See Attachment 3.

b) Full postal information, telephone, facsimile and e-mail as well as telex and website addresses as appropriate:

NSF International
789 N. Dixboro Road
Ann Arbor, Michigan 48105
USA

Principal Contact:

Stan Hazan, Senior Director, Scientific and Regulatory Affairs

Telephone: +1 734 769 5105

Fax: +1 734 827 7133

Web-site: www.nsf.org

E-mail: hazan@nsf.org

c) Aims and subject fields (mandate) of organization, and methods of operation (Enclose charter, constitution, by-laws, rules of procedures, etc). Date of establishment.

NSF International was founded in 1944 at the University of Michigan School of Public Health as the National (Food) Sanitation Foundation. NSF was incorporated in 1952 and reincorporated in 1990 when it obtained its current name. The purposes of NSF International include:

1. To conduct educational, scientific, and charitable efforts that promote public health and safety, the environment, sanitation, and public health;
2. To conduct activities to further scientific research in public safety, public health, the environment and sanitation, and to engage in environmental and sanitation testing, demonstrations, and studies as well as education and training programs. The purposes of NSF International also include practical application demonstrations, publication of information, maintaining, equipping, and providing facilities and courses of study, and

otherwise aiding and/or assisting colleges, universities, high schools, institutions and agencies for such purposes;

3. To establish and conduct in the public interest, scientific research and scientific testing for public safety, including environmental, sanitation and public health; to measure and determine the sanitary effectiveness and efficiency of equipment, products in the public interest, and;
4. In conformity with previously determined standards established by the organization, to issue marks for public protection and benefit. See Attachment 3, *supra*.

d) Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has International Non-Governmental Organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission).

World-wide affiliations:

NSF International headquartered in Ann Arbor, Michigan, USA, has subsidiary offices around the world. NSF International provides standardization and conformity assessment services for the food, dietary supplement, water, and consumer products industries throughout the U.S. and around the world. NSF International also provides food safety and dietary supplement facility GMP auditing, HACCP training and education and consulting services.

With a regional office in Brussels, Belgium, and a testing laboratory in the United Kingdom, NSF International provides product certification and testing services for foodservice equipment, drinking water and plumbing systems and components, residential drinking water treatment units, bottled water and dietary supplements. NSF International also provides certification, testing, auditing and training in food safety including the Global Food Safety Initiative (GFSI), fresh produce, and produce pack house certification.

NSF International's regional office in San Jose, Costa Rica and testing laboratories in Lima, Peru and Sao Paulo, Brazil certify the safety of food, bottled water, commercial food equipment, and dietary supplements throughout Latin America.

NSF International's Middle East affiliate, based in Abu Dhabi, provides certification, auditing, consulting and training services in the Middle East and North Africa, including food safety audits for fresh produce and other food products, certifications under standards accepted by GFSI, testing and certification for municipal water treatment distribution components, chemicals and plastic piping.

NSF International offers food safety audit services throughout Africa. NSF International certifies fresh produce to GLOBAL G.A.P. and Tesco NURTURE standards and certifies produce pack-houses to GFSI standards such as BRC and IFS Food, ISO 22000, and FSSC 22000.

NSF's affiliate office in Bangkok, Thailand, and test labs in Shanghai, China, offer services throughout Asia, including food safety testing, certification and auditing (including seafood), as well as certification of food service equipment, dietary supplements and drinking water treatment.

NSF International also maintains worldwide management systems registration services against international standards ISO 9000, 14000, and many others.

The majority of NSF International programs are accredited under ISO Guide 65 (17065), 17021, 17024 for personnel and 17025 for laboratories.

Names of Principal Officers:

- Kevan P. Lawlor, President and Chief Executive Officer
- Lori L. Bestervelt, PhD, Executive Vice President and Chief Technical Officer
- Thomas Chestnut, Vice President, Global Food Safety & Quality
- Elizabeth A. Jones, Vice President, Communications
- Chandana Kathuria, Vice President and Chief Information Officer
- Kurtis R. Kneen, PhD, Vice President Global Laboratories
- James A. Lewis, Vice President, Human Resources
- Clifton J. Mclellan, Vice President, Water Programs
- Robert Pietrowski, PhD, Vice President, Health Sciences Programs
- Michael P. Walsh, Vice President and Chief Financial Officer
- Nancy E. Bauer, Corporate Secretary

See Attachment 4.

Contact Points

- WHO/PAHO Collaborating Centre Liaison – Stan Hazan
- International Offices by country/region:

Region	E-mail Contact	Phone
USA Headquarters	hazan@nsf.org	+1 734 769 5105
Balkans	foodeurope@nsf.org	+38 16 220 0242
Belgium /Holland	europa@nsf.org	+32 27 713 654
Brazil	brasil@nsf.org	+55 11 2847 4972
Canada	gftc@gftc.ca	+1 519.821.1246
Chile	chile@nsf.org	+56 2 263 3149

China	nsfchina@nsf.org	+86 21 5237 7700
Costa Rica	costarica@nsf.org	+506 2248 0259
Czech Republic	foodeurope@nsf.org	+420 603 256 649
Egypt	info@ictsegypt.com	+202 01 0050 2956
France	foodeurope@nsf.org	+33 5 56 36 80 41
Germany	foodeurope@nsf.org	+49 (0)171 32 77 323
Greece	foodeurope@nsf.org	+30 2310 535765
India	india@nsf.org	+91 965 003 4551
Italy	info@nsf-italy.it	+39 051 6494836
Japan	foodjapan@nsf.org	+81 3 3868 3463
Korea	foodkorea@nsf.org	+82 2 511 8311
Malaysia	foodasia@nsf.org	+66(0) 2650 3080
Mexico	mexico@nsf.org	+52 44 2242 2926
Morocco	hicham.cmi@gmail.com	+212 (0) 66 161 4425
Peru	peru@nsf.org	+51 13 726 638
Poland	foodeurope@nsf.org	+48 (0) 5160 25265
S. Africa	wconradi@nsf.org	+27 (0)21 880 2024
Spain	infospain@nsf.org	+34 950 348064
Taiwan	taiwan@nsf.org	+886 (7) 336 8070
Thailand	foodasia@nsf.org	+66(0) 2650 3080
Turkey	foodeurope@nsf.org	+90 216 465 6165
UK/Ireland	enquiriesuk@nsf.org	+44 (0) 1993 885 600
UAE	middleeast@nsf.org	+971 50 147 3383
USA	info@nsf.org	+734.769.8010

e) Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on specific topics, if any; etc.)

NSF International is an independent, not-for-profit organization with a mission to protect environmental and public health. NSF International writes standards, and tests and certifies products for the food industry (and other consumer and commercial end-users). NSF International advocates for consensus-based standards for food safety that protect the public health. NSF International is committed to open communication and cooperation between all stakeholders (government regulators, industry, and academia) to create optimal consensus standards with maximum acceptance.

NSF International has hundreds of stakeholders who participate in the organization's standards development committees. Accredited by the American National Standards Institute (ANSI), NSF International has developed over 80 voluntary American National Standards under the scope of public health, safety, environment and sustainability assessment. NSF/ANSI standards are developed through a public process that ensures balanced input from industry representatives,

public health/regulatory officials, and users/consumer representatives. The following is a current list of NSF consensus public health standards.

NSF International Standards

The following standards established, developed and adopted by NSF as minimum voluntary consensus standards are used internationally. Food related standards are highlighted in bold.

- 2 **Food equipment (Commercial Food Service)**
- 3 **Commercial warewashing equipment**
- 4 **Commercial cooking, rethermalization, powered hot food holding & transport equipment**
- 5 **Water heaters, hot water supply boilers, and heat recovery equipment**
- 6 **Dispensing freezers**
- 7 **Commercial refrigerators and freezers**
- 8 **Commercial powered food preparation equipment**
- 12 **Automatic ice making equipment**
- 13 Refuse processors and processing systems
- 14 Plastics piping system components and related materials
- 18 **Manual food and beverage dispensing equipment**
- 20 **Commercial bulk milk dispensing equipment**
- 21 Thermoplastic refuse containers
- 24 Plumbing system components for recreational vehicles
- 25 **Vending machines for food and beverages**
- 29 **Detergent and chemical feeders for commercial spray-type dishwashing machines**
- 35 **High pressure decorative laminates (HPDL) for surfacing food service equipment**
- 36 **Dinnerware**
- 37 **Air curtains for entranceways in food and food service establishments**
- 40 Residential wastewater treatment systems
- 41 Non-liquid saturated treatment systems
- 42 Drinking water treatment units – Aesthetic effects
- 44 Residential cation exchange water softeners
- 46 Evaluation of components and devices used in wastewater treatment systems
- 49 Biosafety cabinetry: Design, construction, performance, and field certification
- 50 Equipment for swimming pools, spas, hot tubs, and other recreational water facilities
- 51 **Food equipment materials**
- 52 Supplemental flooring
- 53 **Drinking water treatment units – Health effects**
- 55 **Ultraviolet microbiological water treatment systems**
- 58 Reverse osmosis drinking water treatment systems
- 59 **Mobile food carts**
- 60 **Drinking water treatment chemicals – Health effects**
- 61 Drinking water system components – Health effects

- 62 Drinking water distillation systems
- 140 Sustainable carpet assessment
- 169 Special purpose food equipment and devices**
- 170 Glossary of food equipment terminology**
- 173 Dietary supplements**
- 177 Shower filtration systems – Aesthetic effects
- 184 Residential dishwashers
- 222 Ozone generators
- 223 Conformity assessment requirements for certification bodies that certify products pursuant to ANSI/NSF Standard 60 – Drinking Water Treatment Chemicals
- 240 Drainfield trench product sizing for gravity dispersal onsite wastewater treatment
- 245 Wastewater treatment systems - nitrogen reduction
- 305 Personal care products containing organic ingredients**
- 330 Glossary of drinking water treatment unit terminology
- 332 Sustainability assessment for resilient floor coverings
- 336 Sustainability assessment for commercial furnishings fabric
- 341 Health/fitness facilities sanitation
- 342 Sustainability assessment for wallcovering products
- 347 Sustainability assessment for single ply roofing membranes
- 350 Onsite residential and commercial water reuse treatment systems
- 350-1 Onsite residential and commercial graywater treatment systems for subsurface discharge
- 355 Greener chemicals and processes information**
- 359 Valves for crosslinked polyethylene (PEX) water distribution tubing systems
- 360 Wastewater treatment systems – Field performance verification
- 372 Drinking water treatment system components – Lead content
- 14159-1 Hygiene requirements for the design of meat and poultry processing equipment**
- 14159-2 Hygiene requirements for the design of hand held tools used in meat and poultry processing equipment**
- 14159-3 Hygiene requirements for the design of mechanical belt conveyors used in meat and poultry processing equipment**

The NSF Council of Public Health Consultants (CPHC) serves as the independent, public health ratification step at the end of the process and provides final review and acceptance. CPHC membership includes only representatives from government/regulatory, academia, public health and public service; there is no industry representation. All NSF International standards must be approved by CPHC before they are published. The CPHC contains members from the United States, Canada, China, and the United Kingdom.

NSF International standards cover construction, sanitation, health effects, and performance of commercial food service equipment, water treatment and water contact products, and other types of products normally regulated and approved by local health departments.

NSF International also inspects tests and certifies bottled water, packaged ice and dietary supplements for GMP compliance with U.S. FDA rules and various other national regulations. Further, NSF International certifies “Organic” and “Gluten-Free” foods, along with registration of “Nonfood Compounds” used in food processing for compliance with U.S. FDA regulations.

f) Indication of source of funding (e.g. membership contributions, direct funding, external contributions, or grants).

NSF International earns its revenues through the provision of independent, professional, scientific services under a contract that specifies policies which govern the responsibilities of each party. The large number of product categories and thousands of individual companies served in this capacity prevents the influence of any single industry or company on NSF International policies and programs. NSF International is a non-profit organization governed by an independent Board of Directors.

NSF International maintains a conflict of interest (COI) policy that prevents staff from taking a financial interest in any company or organization for which NSF International provides services. Employees are required annually, as a condition of employment, to agree to not engage in any COI activities. In accordance with NSF International’s accreditation under ISO Guide 65 (ISO 17025), it is required that NSF International maintain strong COI policies, and verify them annually.

g) Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission’s field of activity).

The Council of Public Health Consultants, the body that must approve and ratify all food safety standards developed by NSF International, meets annually. The 68th annual meeting of CPHC was on October 9, 2013 in Ann Arbor Michigan. Forty-six members from five countries attended the two day meeting. See Attachment 5. The agenda for the last meeting and the CPHC membership roster are provided. See Attachment 6.

Additionally, NSF International regularly sponsors food safety conferences, seminars, webinars, and educational programs. See Attachment 7.

h) Relations with other international organizations:

- UN and its organs (indicate consultative status or other relationship, if any)
- Other international organizations (document substantive activities)

NSF International serves as a WHO/PAHO Collaborating Centre on food safety, water quality, and indoor air quality. See Attachment 8.

NSF International is also an official member of the WHO Chemical Risk Assessment Network. See Attachment 9 for Terms of Reference.

Stan Hazan of NSF International is a member of ANSI's International Conformity Assessment Committee (ICAC) that provides input into the ISO Standards on certification, registration and accreditation.

i) Expected contribution to the Joint FAO/WHO Food Standards Programme.

NSF International has a professional staff of microbiologists, toxicologists, chemists, public health experts and certification specialists in locations worldwide. [NSF International laboratories](#) provide a wide range of testing, certification and technical services, as well as human health risk assessments across all segments of the food industry. NSF International operates more than 211,000 square feet of ISO 17025-certified, state-of-the-art labs, including extensive instrumentation and technologies, in North and South America, Europe and Asia. NSF International is accredited by the [U.S. Occupational Safety and Health Administration](#), the [Standards Council of Canada](#) (SCC), the [American National Standards Institute](#) (ANSI) and the [International Accreditation Service](#). NSF International laboratories are ISO/IEC 17025 accredited for testing and calibration.

NSF International's expertise includes the provision of extensive food safety and quality services spanning every link from farm to fork. Due to complex challenges in today's food supply chain, many of the world's largest food retailers are mandating supplier certification to GFSI schemes. These global standards address food, packaging, packaging materials, storage and distribution for primary producers, manufacturers and distributors. NSF International is a leading global certifier to GFSI benchmarked standards such as BRC and SQF. Additionally, NSF International staff serves on GFSI committees, including Regulatory Affairs and Auditor Competency.

j) Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application)

Mr. Stan Hazan, Senior Director of Scientific and Regulatory Affairs for NSF International has previously attended the 2012 meeting of the Codex Committee on Contaminants in Maastricht, Netherlands as part of the U.S. government delegation. NSF International has served as an official WHO/PAHO Collaborating Centre on food safety, water quality, and indoor environments since 1997. See Attachment 10. NSF International is also an official member of the WHO Chemical Risk Assessment Network. See Attachment 11.

k) Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the

formation of such a single organization is not feasible, the application should explain why this is so.

NSF International requests observer status to participate both in meetings of the Commission, and various Codex committees. NSF International is specifically interested in participating in the work of the:

- [Codex Committee on Food Import and Export Inspection and Certification Systems](#), (meeting in Australia on October 13, 2014);
- [Codex Committee on Food Hygiene](#), (meeting in the U.S. on November 17, 2014);
- [Codex Committee on Contaminants in Food](#), (meeting in the Netherlands on March 31, 2014, and then again on March 16, 2015); and,
- [Codex Committee on Food Additives](#), (meeting in Hong Kong, March 17, 2014 and then again in China on March 23, 2015).

NSF International also has interests in the work of several Codex regional committees representing:

- [Latin America](#);
- [The Near East](#); and
- [Asia](#).

- l) Previous applications for observer status with the Codex Alimentarius Commission, including those made by a member organization of the applicant organization. If successful, please indicate why and when observer status was terminated. If unsuccessful, please indicate the reasons you were given.**

NSF International has not previously applied for observer status to Codex.

- m) Languages (English, French, or Spanish) in which documentation should be sent to the International Non-Governmental Organization.**

NSF International respectfully requests that documentation be sent in English.

- n) Name, function and address of the person providing the information**

Bruce Silverglade, Esq.
Principal, OFW Law
600 New Hampshire Ave. N.W. Suite 500

Washington, D.C. 20037
USA
bsilverglade@ofwlaw.com

On behalf of:

Stan Hazan
Senior Director of Scientific and Regulatory Affairs
NSF International
789 N. Dixboro Road
Ann Arbor, MI 48105
USA
Hazan@nsf.org

o) Signature and date



Bruce Silverglade, Esq.

Dated: April 1, 2014

Attachment 1

C O D E X A L I M E N T A R I U S

Codex Members and Observers

Currently the Codex Alimentarius Commission has:

186 Codex Members - 185 Member Countries and 1 Member Organization (EU) **220** Codex Observers - 50 IGOs, 154 NGOs, 16 UN.

Members

Membership of the Commission is open to all Member Nations and Associate Members of FAO and WHO which are interested in international food standards. Regional economic integration organizations that are members of either FAO or WHO can also become members and special rules apply. To apply for membership please [click here](#).

Observer nations

Any Member Nation or Associate Member of FAO or WHO which is not a Member of the Commission, may, upon request, attend sessions of the Commission and of its subsidiary bodies and ad hoc meetings as observers. Nations which, while not Member Nations or Associate Members of FAO or WHO, are members of the United Nations, may be invited on their request to attend meetings of the Commission as observers. To request an invitation interested Nations should write to the Codex Secretariat at least one month before the session.

Observer organizations

For the participation of observers from other UN Organizations, IGOs and NGOs the following applies:

- UN organizations should fill in the application form and Observer status will be granted.
- IGOs or NGOs that have official relations with either FAO or WHO should fill in the application form and observer status will be granted.
- IGOs that have no official relations with either FAO or WHO should fill in the [application form](#). The application will be examined by the Codex Secretariat and the legal offices of FAO and WHO. In the process further questions may be asked of the applicant.
- NGOs that have no official relations with either FAO or WHO should fill in the [application form](#) and submit related information as requested in the form. The organization should study the text on NGO participation before applying to check if it fulfils the criteria. The application will be examined by the Codex Secretariat and the legal offices of FAO and WHO as well as the Executive Committee of the Codex Alimentarius Commission. The Executive Committee then makes a recommendation to on the application to the Directors General of FAO and WHO.

General public

All Codex meetings are public to the limits of available space. Members of the public wishing to attend a Codex session should write to the Codex Secretariat at least one month before the session.

Updated on: 24-01-2014

Attachment 2

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of
the United Nations



World Health
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

CX 12/1 - 2011

INFORMATION REQUIRED FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS REQUESTING "OBSERVER STATUS"

- (a) Official name of the organization in different languages (with initials)
- (b) Full postal address, Telephone, Facsimile and Email, as well as Telex and website addresses as appropriate.
- (c) Aims and subject fields (mandate) of organization, and methods of operation. (Enclose charter, constitution, by-laws, rules of procedures, etc.). Date of establishment
- (d) Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has International Non-Governmental Organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission).
- (e) Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.).
- (f) Indication of source of funding (e.g. membership contributions, direct funding, external contributions, or grants).
- (g) Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission's field of activity.
- (h) Relations with other international organizations:
 - UN and its organs (indicate consultative status or other relationship, if any).
 - Other international organizations (document substantive activities).
- (i) Expected contribution to the Joint FAO/WHO Food Standards Programme.
- (j) Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application).
- (k) Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.
- (l) Previous applications for observer status with the Codex Alimentarius Commission, including those made by a member organization of the applicant organization. If successful, please indicate why and when observer status was terminated. If unsuccessful, please indicate the reasons you were given.
- (m) Languages (English, French or Spanish) in which documentation should be sent to the International Non-Governmental Organization.

- (n) Name, Function and address of the person providing the information.
- (o) Signature and date.

Attachment 3

RESTATED ARTICLES OF INCORPORATION¹
of
NATIONAL SANITATION FOUNDATION TESTING LABORATORY, INC.
(A Nonprofit Corporation)

Pursuant to the provisions of Act 162, Public Acts of 1982, as amended, the undersigned Corporation executes the following Restated Articles:

1. The present name of the Corporation is National Sanitation Foundation Testing Laboratory, Inc.
2. The Corporation identification number (CID) assigned by the Bureau is 704-075.
3. The Corporation has no former names.
4. The date of filing the original Articles of Incorporation was December 4, 1952.

The following Restated Articles of Incorporation supersede the Articles of Incorporation as amended and shall be the Articles of Incorporation for the Corporation:

ARTICLE I

The name of the Corporation is NSF International.

ARTICLE II

The purposes for which the Corporation is organized are as follows:

A. To further the educational, scientific and charitable purposes of promoting progress in public safety, the environment, sanitation, public health and education of and for mankind.

B. To conduct activities to further scientific research, including research in public safety, public health, the environment and sanitation, and to engage in experiments, tests for public safety, including public health, environmental and sanitation testing, demonstrations, studies, education, training, practical application, publication and dissemination of information; to do such other things as the Board of Directors of the Corporation may deem necessary or proper for the accomplishment of said purpose or purposes; and to establish, maintain, equip, and provide facilities and courses of study and otherwise to aid or assist colleges, universities, high schools, institutions and agencies for said purpose or purposes.

C. To establish, own, operate and conduct in the public interest, scientific research and scientific testing laboratories to test for public safety, including environmental, sanitation and public health; to measure and determine the sanitary effectiveness and efficiency of equipment, materials, articles, products and methods of use and operation thereof in the public interest; and in conformity with previously determined standards established, approved or accepted by the Corporation, to promulgate the results thereof; to issue marks for public protection and benefit; and to publish lists of the companies which have received the marks.

D. To acquire, own, dispose of and deal with real and personal property and interests therein and to apply gifts, grants, bequests and devises and the proceeds thereof in furtherance of the purposes of the Corporation.

E. To do such things and to perform such acts to accomplish its purposes as are not forbidden by Section 501(c)(3) of the Internal Revenue Code of 1986 or corresponding provisions of subsequent legislation (the "Code"), with all the powers conferred on nonprofit corporations by the laws of the State of Michigan.

¹As filed with Michigan Department of Commerce, December 28, 1990 and Resident Agent change filed September 5, 1995 (ID No. 704075).

As filed with Michigan Department of Commerce, December 28, 1990 and Resident Address change filed September 27, 1999 (ID No. 704075).

ARTICLE III

The Corporation is organized on a nonstock, directorship basis, without members. The description and value of the assets which the Corporation possesses are:

Real property:	Approximately \$5,274,000.00
Personal property:	Approximately \$1,942,000.00

The Corporation is financed under the following general plan: payments for services rendered, income from investments, contributions and grants from individuals and organizations and other sources which may be available.

ARTICLE IV

1. The street and mailing address of the current registered office is 789 N. Dixboro Road, Ann Arbor, Michigan 48105.
2. The name of the resident agent at the registered office is Dennis R. Mangino.

ARTICLE V

The Board of Directors of the Corporation shall establish policies for and oversee the management of the Corporation and shall have the power and authority to do and perform all acts and functions permitted for an organization described in Section 501(c)(3) of the Code not inconsistent with these Articles of Incorporation or with the laws of the State of Michigan; in addition to, and not in limitation of, all powers, express or implied, now or hereafter conferred upon boards of directors of nonprofit corporations, and in addition to the powers mentioned in and implied from Article II, the Board of Directors shall have the power to borrow or raise money for corporate purposes, to issue bonds, notes or other obligations, to secure such obligations by mortgage, security interest or other lien upon any or all property of the Corporation, whether at the time owned or thereafter acquired, and to guarantee the debt of any affiliated or subsidiary corporation or other entity, whenever the same shall be in the best interests of the Corporation and in furtherance of its purposes.

ARTICLE VI

A. The Corporation shall be operated exclusively for charitable, educational and scientific purposes and for the purpose of testing for public safety, including sanitation, environmental and public health testing, as a nonprofit corporation. No Director of the Corporation shall have any title to or interest in the corporate property or earnings in his or her individual or private capacity and no part of the net earnings of the Corporation shall inure to the benefit of any Director, officer, member, shareholder or any other private individual. No substantial part of the activities of the Corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation, nor shall the Corporation participate in or intervene in any political campaign on behalf of (or in opposition to) any candidate for public office.

B. Upon dissolution, the property remaining after providing for debts and obligations of the Corporation shall be distributed to such organization or organizations exempt from tax under Section 501(c)(3) of the Code as the Board of Directors shall determine. Any such assets not so disposed of shall be distributed to such organization or organizations exempt from tax under Section 501(c)(3) of the Code as the Circuit Court for Washtenaw County, Michigan, shall determine.

ARTICLE VII

A. No member of the Board of Directors of the Corporation who is a volunteer director, as that term is defined in the Michigan Nonprofit Corporation Act (the "Act"), shall be personally liable to this Corporation or its shareholders or members, if any, for monetary damages for a breach of the Director's

fiduciary duty; provided, however, that this provision shall not eliminate or limit the liability of a Director for any of the following:

1. A breach of the Director's duty of loyalty to the Corporation or its shareholders or members, if any;
2. Acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;
3. A violation of Section 551(1) of the Act;
4. A transaction from which the Director derived an improper personal benefit;
5. An act or omission occurring before filing these Restated Articles of Incorporation.
6. An act or omission that is grossly negligent.

B. The Corporation hereby assumes all liability to any person other than the Corporation or its shareholders or members, if any, for all acts or omissions of a Director who is a volunteer director as defined in the Act occurring on or after January 1, 1988, incurred in the good faith performance of the Director's duties as such; provided, however, that the Corporation shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code.

C. If the Act is amended after filing these Restated Articles of Incorporation to authorize the further elimination or limitation of the liability of Directors of nonprofit corporations, then the liability of members of the Board of Directors, in addition to the limitation, elimination and assumption of personal liability contained in this Article VII, shall be assumed by the Corporation or eliminated or limited to the fullest extent permitted by the Act as so amended, except to the extent such limitation, elimination or assumption of liability is inconsistent with the status of the Corporation as an organization described in Section 501(c)(3) of the Code. No amendment or repeal of this Article VII shall apply to or have any effect on the liability or alleged liability of any member of the Board of Directors of this Corporation for or with respect to any acts or omissions of such Director occurring prior to the effective date of any such amendment or repeal.

These Restated Articles of Incorporation were duly adopted on the 30th day of November, 1990, in accordance with Section 642 of the Act. These Restated Articles of Incorporation restate, integrate and do further amend the provisions of the Articles of Incorporation and were duly adopted by the vote of the sole shareholder. The necessary number of votes were cast in favor of these Restated Articles of Incorporation.

Attachment 4

NSF International
Directors and Officers
June 1, 2013 – May 31, 2014

Board of Directors

- Bonser, Charles F., Ph.D. - Dean Emeritus and Ameritech Professor Emeritus, School of Public & Environmental Affairs, Indiana University, Bloomington, Indiana.
- Daamen, P.L.F. (Peer) - Managing Director and Executive Vice President (retired), Cook Group Europe A/S, Son The Netherlands.
- England, Mary Jane, M.D. - President (retired), Regis College, Weston, Massachusetts. Professor Chair Ad Interim, Boston University School of Public Health, Boston, Massachusetts.
- Glasgow, Thomas W., Jr. - Executive Vice President and Chief Operations Officer (retired), McDonald's Corporation, Oak Brook, Illinois.
- Graham, John D., Ph.D. - Dean, School of Public & Environmental Affairs, Indiana University, Bloomington, Indiana.
- Lawlor, Kevan P. - President and Chief Executive Officer, NSF International, Ann Arbor, Michigan.
- Menke-Schaenzer, Joan - Chief Global Quality Officer, ConAgra Foods, Inc., Omaha, Nebraska.
- Rabbideau, Richard E., JD, Chairman - Senior Partner (retired), Dykema Gossett PLLC, Detroit, Michigan.
- Riederer, Richard K. - President and Chief Executive Officer (retired), Weirton Steel Corporation, Weirton, West Virginia.

Officers

- Kevan P. Lawlor, President and Chief Executive Officer
- Dr. Lori L. Bestervelt, Executive Vice President and Chief Technical Officer
- Thomas Chestnut, Vice President, Global Food Safety & Quality
- Elizabeth A. Jones, Vice President, Marketing & Business Development
- Chandana Kathuria, Vice President and Chief Information Officer
- Dr. Kurtis R. Kneen, Vice President Global Laboratories
- James A. Lewis, Vice President, Human Resources
- Clifton J. McLellan, Vice President, Water Programs
- Dr. Robert Pietrowski, Vice President, Global Health Sciences
- Michael P. Walsh, Vice President and Chief Financial Officer
- Nancy E. Bauer, Corporate Secretary

Attachment 5

2013 NSF CPHC

Council of Public Health Consultants

Carol	Henry	PhD, DABT	George Washington University	School of Public Health	USA
Dave	Schepens		Delaware Department of Natural Resources	Environmental Program Manager II	USA
Deb	Riebe	PhD,	University of Rhode Island	Professor and Chair, Dept of Kinesiology	USA
David	Mosswane	PhD	Conference for Food Protection, U.S. Food Code	Executive Director	USA
Elizabeth	Nutt		Tulsa Health Department	Division Manager, Food Protection Services	USA
Paul	Olson		American Water Works Association	Senior Manager of Standards	USA
Kevin	Besey		Michigan Dept of Agriculture/Rural Development	Director, Food and Dairy Division	USA
France	Lemieux	M.Eng	Health Canada Water and Air Quality Bureau	Head, Materials and Treatment Section	Canada
Tom	Vyles		City of Plano Health Department	Senior Health Specialist	USA
Jamie	Bartram	PhD	University of North Carolina	Director of The Water Institute	USA
Paula	Brown	PhD	British Columbia Institute of Technology (BCIT)	Director Applied Research for Biosciences	Canada
Hongliang	Liu	MD, PhD	Tianjin Centers for Disease Control and Prevention	Deputy Director	China
Jeffrey	Olsen		Pennsylvania Dept of Environmental Protection	Agency Liaison Director	USA
Steve	Steingart		Allegheny County Health Department	Industry Liaison / Chief	USA
Ralph	Paroli	PhD	National Research Council (Canada)	Director, R&D	Canada
Kevin	Smith		FDA Retail Food and Cooperative Programs	Director, Coordination Staff	USA
Jack	Guzewich		*FDA/CFSAN	Trainer/consultant	USA
Walter	Thompson		Georgia State University	Assoc Dean, College of Education	USA
Susan	Bagley	PhD	* Michigan Technological Univ., Biological Sciences	Professor Emerita	USA
Doug	Farcuhar	LLB	National Conference of State Legislatures	Program Director for Environmental Health	USA
Matthew	Realf	PhD	Georgia Institute of Technology	Chemical & Biomolecular Engineering	USA
Phillip	Oshida	PhD	U.S. EPA OGWDW OW	Standards and Risk Management Division	USA
Ewen	Todd	PhD	Health Canada/ Michigan State University	Director	USA
Cheryl	Osterhout	PhD	Consumer Product Safety Commission (CPSC)	Pharmacologist	USA
Robert	Renner		Water Research Foundation (formerly AwwarF)	Executive Director	USA
Stan	Hazan	MPH	NSF	Regulatory Affairs Senior Director	USA
Gary	Noonan	MPA	U.S. Centers for Disease Control - NCEH	Assoc. Director for Emergency Response	USA
Gary	Greenberg	MD MPH	University of North Carolina School Public Health	Assoc. Adj. Professor	USA
Brian	Zamora	MPH	County of San Mateo Health System	Director Public & Family Health Division	USA
Gary	Yanamoto	MS	* California Department of Public Health	Chief	USA
Steve	Tackitt	MPH	* Barry-Eaton District Health Department	Health Officer	USA

Tracy	Schonrock		*USDA	Consultant	USA
Robert	Powitz	PHD, MPH	R. W. Powitz & Assoc., P.C.	Forensic Sanitarian	USA
Norman	Parkinson	PHD	* King's College London	Senior Research Fellow	UK
Edward	Ohanian	PHD	U.S. EPA, Office of Water	Associate Director for Science	USA
Jerome	Nriagu	PHD	University of Michigan, School of Public Health	Professor	USA
Anne	Mackenzie	PHD	* Canadian Food Inspection Agency (CFIA)	Principal	Canada
John	Leffel		U.S. National Park Service	REHS, MPH, Public Health Consultant	USA
Michael	Hoover	PHD	North Carolina State University	Professor & Extension Specialist	USA
Michael	Halko	MS	* University of Alaska Anchorage, EHS/RMS	Institutional Safety Officer	USA
Ray	Green		* State of California		USA
Duncan	Ellison	PHD	* Canadian Water & Wastewater Association	Senior Advisor	Canada
Daniel	Boatright	PHD	University of Oklahoma, School of Public Health	Senior Associate Dean	USA
James	Balsamo, Jr.	PHD	Tulane University, School of Public Health	Director, EHS	USA
Jaret	Ames	CAPT	* U.S. CDC, Vessel Sanitation Program	Chief, Vessel Sanitation Program	USA
Ernest	Julian	PHD	Rhode Island Dept. of Health	Chief Office of Food Protection	USA

Attachment 6



Agenda
68th Annual Meeting of the NSF Council of Public Health Consultants
Meeting Agenda

Wednesday October 9, 2013

1	8:30	Call to Order	Mike Halko, CPHC Chair
2		Welcome	Richard Rabbideau, NSF Board Chairman
3		Self introductions	Mike Halko
4	9:00	Review & Approval of 2012 Meeting Summary	Mike Halko
5		Review of 2013 Meeting Agenda	Mike Halko
6		2014 Meeting Dates	Stan Hazan, CPHC Secretary
7	9:30	NSF President's Address	Kevan Lawlor, NSF President
	10:30	Break	
8	10:45	Standards Update and Report on JC Chairs Meeting	Jessica Evans, Director Standards
9		JC Chair Reports - Consent Agenda / Administrative Actions	Jessica Evans
	11:45	Group Photo	Leslie Lynch/Susan Cruden, NSF Standards
	12:00	Lunch for Nomination Committee in Board Room	Stan Hazan
		Lunch for Remainder of CPHC & Staff in Snyder Room	Ron Grimes
10	1:00	NCSL State Legislative Update on EH Issues & Discussion	Doug Farquhar, NCSL
11	1:45	WHO Collaborating Center Updates	Stan Hazan
	a	• Water Treatment Secondment Update	Nikki Beetsch
	b	• Food Toxicology Secondment Update	Adva Gadoth
	2:30	Break	
12	2:45	Issues Submitted and Continuing Discussion	Mike Halko/Stan Hazan
	a	• 2012 CPHC Meeting Follow-up Discussion Items	Mike Halko
	b	• Food Equipment - Slicers Certification Update	Sarah Krol
	c	• Task Group on Shower Filters Biological Hazards	Susan Bagley
	d	• Regulatory Recognition of DWTU Standards	Robert Powitz
	e	• Discussion on Scope of CPHC Role in NSF Standards	Stan Hazan
13	3:30	NSF Program Updates	
	a	• Global Food Safety Programs	Tom Chestnut
	b	• Global Water Quality Programs	Clif McLellan
	c	• Health Sciences Programs	Lori Bestervelt
	d	• Sustainability Programs	Tom Bruursema
	5:00	Adjourn – Return to Hotel	NSF
	6:00	Shuttles/Rides to Gandy Dancer for Reception/ Dinner	NSF

Agenda
68th Annual Meeting of the NSF Council of Public Health Consultants
Meeting Agenda

Thursday October 10, 2013

	8:00	Shuttles from Holiday Inn to NSF International	
14	8:30	Regulatory Updates / Other Updates	Stan Hazan
	a	<ul style="list-style-type: none"> • Proposed FDA FSMA Rules Update 	Stan Hazan
	b	<ul style="list-style-type: none"> • Environmental Health Workforce Development 	Mike Halko / Nelson Fabian, NEHA
	c	<ul style="list-style-type: none"> • Update on NEHA 	Nelson Fabian
	d	<ul style="list-style-type: none"> • NSF Health Advisory Board (HAB) Report • Risk Assessments Updates 	Caroline English for Ed Ohanian, HAB Chair
	e	<ul style="list-style-type: none"> • Nanomaterials in Food and Water Products - Health Effects Update 	Amanda Phelka, NSF Director of Toxicology for Ed Ohanian, HAB Chair
	10:15	Break	
15	10:30	NSF Program Updates	
	a	<ul style="list-style-type: none"> • Field Services – Audits, Complaints, Enforcements 	Craig Morr, Director QA
	b	<ul style="list-style-type: none"> • NSF Applied Research Center (ARC) Initiatives 	Rob Donofrio, Director ARC
	c	<ul style="list-style-type: none"> • NSF Communications Update 	Anna Schmitt-Reichert, Director
16	11:30	Issues Submitted CPHC for Discussion	
	a	<ul style="list-style-type: none"> • ISO Developments Related to Water Sector 	Duncan Ellison
	b	<ul style="list-style-type: none"> • New Encyclopedia on Food Safety by Elsevier 	Ewen Todd
	12:00	Lunch	Sinai Room
	1:00	CPHC Membership Review & Needs	Stan Hazan, Secretary
17	a	Gavel Transfer	Mike Halko to Elizabeth Nutt
	b	Nominating Committee Recommendations for 2014	Mike Halko
18		Issues/Unmet Public Health Needs Summary	Mike Halko
		Recommendations for Next Meeting	Mike Halko
	2:30	Summary and Adjourn / Shuttles to Airport	Stan Hazan

Wednesday, October 9, 2013

- 1) Call to Order – The 2013 Council of Public Health Consultants (CPHC) meeting was held in Ann Arbor, MI on October 9-10, 2013. The meeting convened at 8:30 a.m., Michael Halko, Chair, presiding, and Stan Hazan, Secretary assisting.

<u>CPHC Members Present</u>	<u>CPHC Members Absent</u>	<u>NSF Staff Present</u>
Susan Bagley*	Jaret Ames*	Nikki Beetsch*
James Balsamo	Jamie Bartram	Lori Bestervelt*
Kevin Besey	Ray Green	Tom Bruursema*
Daniel Boatright	Gary Greenberg	Tom Chestnut*
Paula Brown	Carol Henry	Mindy Costello
Duncan Ellison*	Michael Hoover	Susan Cruden
Doug Farquhar*	Ernie Julian	Robert Donofrio*
Jack Guzewich	Edward Ohanian*	Caroline English
Michael Halko	Phil Oshida*	Jessica Evans*
John Leffel – Private Citizen	Cheryl Osterhout*	Adva Gadoth*
France Lemieux	Rob Renner	Ron Grimes
Hongliang Liu	Tracy Schonrock	Stan Hazan*
Anne MacKenzie	Kevin Smith*	Elizabeth Jones
David McSwane		Sarah Krol*
Gary Noonan – Private Citizen	<u>*Federal Gov't Shutdown</u>	Mary Ellen Krueger
Jerome Nriagu	<u>resulted in more than average</u>	Kevan Lawlor*
Elizabeth Nutt	<u>absentees</u>	Monica Leslie
Jeff Olsen		Leslie Lynch
Paul Olson		Clif McLellan*
Norman Parkinson		Craig Morr*
Ralph Paroli		Amanda Phelka*
Robert Powitz*		Anna Schmitt-Reichert*
Matthew Realf		Allan Rose
Deborah Riebe		Jessica Slomka
Dave Schepens		
Steve Steingart		Others Present:
Steve Tackitt		Bruce Silverglade, OFW
Walter Thompson		Richard Rabbideau*, NSF Board
Ewen Todd*		Nelson Fabian*, NEHA
Tom Vyles		
Gary Yamamoto		
Brian Zamora		*Presenter

Attachment 7



Team Food Safety

A Community for Food Safety Educators



[Home](#) | [Program](#) | [Speakers](#) | [Abstracts](#) | [General Info](#) | [Promo Kit](#) | [Registration](#) | [Sponsorship](#) | [Media](#)

Together: A Food Safe America

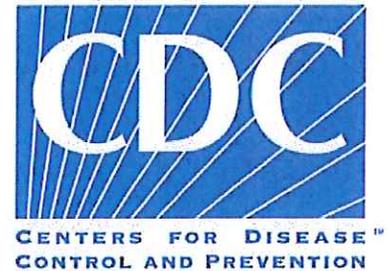
Consumer Food Safety Education Conference 2014
Arlington, VA • December 4 & 5, 2014



Important Dates

- March 18, 2014
[Registration opens](#)
- June 2, 2014
[Abstract submission deadline](#)
- November 1, 2014
Early Bird registration deadline
- December 3, 2014
Pre-Conference Workshops
- December 4 - 5, 2014
Conference begins. On-site registration.

With Support Of



Achieve a Food Safe America

Join your colleagues to help shape a food safe future for American consumers. The Consumer Food Safety Education Conference 2014 is your opportunity to meet with health educators and public health leaders to discuss the newest concepts and tactics to promote consumer food safety behaviors. The strong and focused conference program will empower you to improve public health outcomes through robust discussion of topics like:

- How to Motivate Behavior Change
- Assessing the Impact of Food Safety Education Programs
- Helping Consumers Identify the Myths and the Truths about Food Safety in Social Media
- Real World, Real Change - Reaching Your Target Audiences

Hear prominent speakers, enjoy networking lunches, and dig deep in breakout sessions to help as you and your colleagues prepare to take on the [Healthy People 2020 Food Safety](#) goals.

You can make a difference in food safety! [Register today](#) to fight for a food safe tomorrow.

About the Partnership for Food Safety Education

The Partnership for Food Safety Education (PFSE), saves lives and improves public health through research-based, actionable, consumer food safety initiatives that reduce risk of foodborne illness. Visit <http://www.fightbac.org/about-us> to learn more.

General Information

- Attractions
- Conference Hotel
- Transportation

Latest Tweets

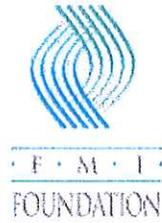
Registration is now open!
Consumer Food Safety Education
Conference 2014 #Foodsafety2014
Dec. 4-5, <http://t.co/Ym2sKCmgHS>
by [Home Safety Experts](#) about 20 hours ago

RT @Fight_BAC: Join us to work
towards a food safe America

Sponsored By



NSF International
The Public Health and Safety Organization™



Fightbac.org

Visit Fightbac.org for food safety information, downloads, and tools you can use to educate people about protecting their health through safe food handling.

Government Resources

Foodsafety.gov

U.S. Department of Agriculture

U.S. Food and Drug Administration

Centers for Disease Control and Prevention

Contact Us

Partnership for Food Safety Education
2345 Crystal Drive, Suite 800
Arlington, VA 22202
(p): 202-220-0651
(f): 202-220-0873
info@fightbac.org

Copyright © 2014 The Partnership for Food Safety Education

website design by Joomla Design Studios

Attachment 8



IN REPLY REFER TO: USA-403

3 January 2014

Mr. Kevan Lawlor
President and CEO
NSF International
789 Dixboro Road
Ann Arbor, Michigan 48105

Dear Mr. Lawlor:

I am pleased to inform you that the Pan American Health Organization/World Health Organization (PAHO/WHO) has designated the Standards Unit of the NSF International, Ann Arbor, as a PAHO/WHO Collaborating Center on Water and Indoor Quality and Food Safety, under WHO's reference number (USA-403). As previously agreed, Mr. Stan Hazan will act as Head of the Center. Kindly inform PAHO/WHO without delay if there is any change in the future.

The agreed terms of reference and workplan of the Center are attached. We wish to emphasize that institutions designated as PAHO/WHO Collaborating Centers are expected to implement the agreed workplan in a timely manner and to the highest possible standard of quality. Any issue that may affect the implementation of the agreed workplan should be brought to the attention of the WHO responsible officer, Dr. Margaret Montgomery (phone: 41 22 79 14430; e-mail: montgomerym@who.int). For information on administrative matters, please visit the website: <http://www.WHO.int/collaboratingcenters/information/en/>

We wish to emphasize that institutions designated as PAHO/WHO Collaborating Centers must comply with the attached *Terms and conditions for PAHO/WHO collaborating centers*. We wish to draw your particular attention to the fact that the PAHO/WHO name and emblem may only be used by a PAHO/WHO Collaborating Center as described in those terms and conditions.

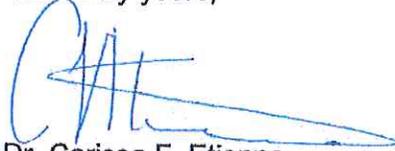
. / .

Finally, please note that institutions designated as PAHO/WHO Collaborating Centers must complete a short online progress report form once a year. On the anniversary of the designation date, details will be sent to the e-mail address of the Head of the Center specified in the designation form.

The designation as a PAHO/WHO Collaborating Center will be effective for a period of four years, beginning on 3 January 2014, and will automatically end on 3 January 2018, unless redesignation has been approved by PAHO/WHO before that date. During the period of designation, either party may revoke the designation at any time by giving three months advance notice in writing.

Again, I would like to express my appreciation for your past contribution and I look forward to our continuing successful collaboration.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'C. Etienne', with a long horizontal stroke extending to the right.

Dr. Carissa F. Etienne
Director

Enclosures

cc: Mr. Stan Hazan

Attachment 9



Tel. direct: +41 22 791 5526
Fax direct: +41 22 791 4848
E-mail : ipcsmail@who.int

In reply please
refer to:

Your reference:

Dr J.C. English
NSF International
Ann Arbor
Michigan
Etats-Unis d'Amérique

05 February 2014

Dear Dr English,

I write regarding the application of NSF International to become a participant in the WHO Chemical Risk Assessment Network.

The World Health Organization is pleased to invite NSF International to become a Network Participant. The term for Network Participants is four years, subject to renewal.

In order to complete the application procedure, you are kindly requested to reply in writing confirming adherence to the enclosed *Network Terms of Reference*. Please also provide the name and full contact details of the representative who will be the formal contact point for future communications.

I look forward to your reply, following which you will receive a confirmation letter completing the process.

Yours sincerely,

Dr Maria Neira
Director
Department of Public Health, Environmental
and Social Determinants of Health

ENCL: (1)

Attachment 10



World Health Organization

*WHO Collaborating Centres
Global database*

FILE COPY

1/1

[Display all](#) [Display report](#)

Reference	Institution name	City	Country	Region	Title	WHO responsible officer	Status	
USA-403	NSF International	Ann Arbor	USA	AMRO	WHO Collaborating Centre on Water and Indoor Air Quality and Food Safety	MONTGOMERY Margaret	Active	Details

Collaborating centres

WHO collaborating centres database

The WHO collaborating centres database has the updated list of all the WHO collaborating centres, and is accessible through the internet to the general public.

It is the official source of information on WHO collaborating centres. For each entry, it shows the following information:

- reference number
- initiator of the designation
- title
- name of the head of the WHO CC
- name and contact details of the institution
- date of original designation, date of last redesignation (if any) and date of expiry
- Terms of reference
- types of activity
- reference to WHO's Outputs
- name and contact information for the responsible officer and technical counterpart

[Search the WHO collaborating centres database](#)



FACTSHEET



 [CC Factsheet 2012](#)
 pdf, 283kb

NEWS

On 28/Nov/2013 the Institute of Public Health, UAE University, Al Ain, United Arab Emirates, has been designated as a WHO Collaborating Centre for occupational health. [More information](#)

On 18/Dec/2013, the Water Quality and Health Knowledge Group, KWR Watercycle Research Institute, Nieuwegein, Netherlands has been designated as a WHO Collaborating Centre on Water Quality and Health. [More information](#)

On 18/Dec/2013, the Spatial Ecology and Epidemiology Group, Department of Zoology, University of Oxford, Oxford, UK has been designated as a WHO Collaborating Centre in Geospatial Disease Modelling. [More information](#)

Attachment 11



World Health Organization Chemical Risk Assessment Network

Terms of Reference

4 April 2013

I. Introduction

1. To address the objectives outlined in the Strategic Approach to International Chemicals Management and explore options to strengthen global efforts to assess risks to health associated with chemical exposures, the World Health Organization (WHO) convened two meetings on Global Collaboration in Chemical Risk Assessment, the first held in Geneva, Switzerland in March 2010 and the second in Bonn, Germany in March 2012. The Bonn meeting endorsed the establishment of a WHO Chemical Risk Assessment Network and discussed possible objectives, role/function, structure and potential sources of funding¹.
2. These Terms of Reference ("TOR") outline the governance aspects of the WHO Chemical Risk Assessment Network ("the Network").

II. Objectives and Status

1. The overall objective of the Network is to improve chemical risk assessment globally through fostering and facilitating interaction between institutions on chemical risk assessment issues and activities. In view of its status as a WHO Network, Network activities shall be aligned with and advance World Health Assembly approved policies and WHO's General Programme of Work.
2. The specific objectives of the Network are to, in the field of chemical risk assessment,;
 - a) Provide a forum for scientific and technical exchange;
 - b) Facilitate and contribute to capacity building;
 - c) Promote best practices and the harmonization of methodologies;
 - d) Assist in the identification of research needs and promote the application of new science in risk assessment practice;
 - e) Assist in the identification of emerging risks to human health from chemicals;
 - f) Share information about work programmes to avoid duplication of effort;
 - g) Upon request, assist WHO in the development of training and other materials in support of the above.

¹ http://www.who.int/ipcs/about_ipcs/networks/gra_report/en/index.html

3. The Network is administered by the World Health Organization ("WHO") through its Department of Public Health and Environment ("WHO-PHE"). The Network is not an independent legal entity but a collaborative mechanism between the interested parties including WHO and the Network Participants. The operations of the Network shall in all respects be administered in accordance with the WHO Constitution, WHO's Financial and Staff Regulations and Rules, Manual provisions, and applicable policies, procedures and practices.
4. Subject to the availability of sufficient human and financial resources for this purpose, secretariat and planning support for the Network will be provided by WHO-PHE (hereinafter referred to as the "Secretariat")

III. Scope and application

1. The Network will focus on issues related to the assessment of risks to human health associated with exposure to chemicals, through all pathways and routes of exposure.

IV. Working arrangements

1. The Network welcomes contributions from the following entities undertaking work towards its overall objective, subject to the provisions contained in Annex I:
 - a) Government and public health institutions;
 - b) Intergovernmental organizations;
 - c) Professional societies;
 - d) WHO Collaborating Centres;
 - e) Non-governmental organizations in official relations with WHO; and
 - f) Any other entity with expertise concerning chemical risk assessment. Such entities shall be free from concerns which are primarily of a commercial or profit-making nature.
2. Each entity invited by WHO to become a participant in the Network (hereinafter referred to as "Network Participant") and contribute towards its overall and specific objectives will adhere to these TOR.
3. The recommendations of the Network are made by consensus of the Network Participants and shall not be binding on WHO or on any other Network Participant.
4. Contributions of Network Participants to the activities of the Network may be in the form of financial support, in-kind contribution, information and/or technical expertise. Annex I contains further information on the process and requirements for becoming a Network Participant.
5. Activities identified as Network Projects will be undertaken in accordance with applicable WHO policies and procedures and may, as appropriate, be subject to Agreements between WHO and the concerned Network Participants.
6. A Network Coordinating Group will be convened by WHO. The terms of reference for the Network Coordinating Group, including its membership, are contained in Annex II.

7. A Network meeting will be convened by WHO, approximately once every two years in support of the Network objectives. Other means of communication, such as teleconferences, can be employed between Network meetings. All Network Participants will be informed of the date and venue of the Network meeting and provided with a provisional meeting agenda. WHO will work to ensure that each Network meeting provides a balance of views from different geographical regions and interests.
8. Network Participants shall normally bear their own expense in relation to Network meetings, however WHO may support participation exceptionally on a case-by-case basis.

V. Network Publications and Communications

1. Any publication on the work of the Network is subject to WHO's rules on publications and will be published by WHO in accordance with its usual procedures and practices.
2. As a general rule and subject to its discretion, WHO shall be responsible for issuing publications about Network activities. All decisions about the preparation and dissemination of publications concerning Network activities shall be made by WHO. For the avoidance of doubt, dissemination of Network materials will only be made by WHO or as decided on a case-by-case basis by WHO.
3. Copyright in any publication made by WHO shall be vested in WHO. This also applies if the work is issued by WHO and is a compilation of works by Network Participants or is otherwise a work prepared with input from one or more Network participants.
4. Any publication about Network activities by one or more Network Participant shall be subject to review and approval by WHO prior to its issuance and shall contain appropriate disclaimers as decided by WHO, including that the content does not necessarily reflect the views or stated policy of the Network or the Secretariat. Network Participants may not use the name or emblem of WHO without the prior written consent of the Secretariat. No reference to the Network or to WHO may be made for commercial or promotional purposes.
5. Network materials will be disseminated through the Network website, maintained by WHO on its domain and established in accordance with WHO rules.
6. Upon review and approval by WHO, Network materials developed by WHO Collaborating Centres and Non-governmental organizations in official relations with WHO may as appropriate be disseminated by them.
7. A listing of information and resources will be available from the Network website. The mention of specific resources or their producers does not imply that they are endorsed or recommended by WHO in preference to others of a similar nature that are not mentioned. WHO shall not attest to the accuracy of information provided by Network Participants.
8. Network Participants shall not make public statements about Network activities or public statements on behalf of WHO unless specifically requested to do so by WHO.
9. The contributions to the Network made by Network Participants will be acknowledged by WHO in accordance with its applicable rules, policies and practices.

VI. Financial resources

1. The business plan for the work of the Network will be a key component of resource mobilization efforts providing information to potential donors and financial institutions on the priority activities needed to achieve the overall and specific objectives of the Network.
2. Subject to applicable WHO rules, policies and practices, WHO welcomes financial and/or in-kind contributions to cover personnel, operational costs including contractual agreements, communication and outreach activities such as information forms, newsletters, hosting of a dedicated website for the Network, and any Network meeting costs.
3. Network Participants may contribute to the resources required for the Network (ref, paragraph VI(2)) and are expected to assist in identifying potential donors with an interest in providing resources for the Network. Donations must not be subject to any perceived or real conflicts of interest and must comply with the applicable WHO rules.

VII. General

1. WHO may at any time decide not to continue the work on the Network, in which case all reference to activities as being conducted under the auspices of the Network shall cease upon communication to Network Participants to that effect.
2. These Terms of Reference may be amended from time to time by WHO.

Annex I
**Network Participants in the WHO Chemical Risk
Assessment Network**

1. Entities identified by WHO to be Network Participants or voluntarily expressing an interest in becoming Network Participants shall complete a standardized questionnaire. The questionnaire will seek information concerning the status of the entity concerned and the nature of the contribution that such entity will make towards the Network overall and specific objectives.
2. Completed questionnaires should be sent together with a letter of intent to:

Director; Department of Public Health and Environment;
World Health Organization; 20, av. Appia;
CH-1211 Geneva 27; Switzerland;
Email: ipcsmail@who.int.
3. WHO shall be solely responsible for reviewing such questionnaires and for all decisions relating to acceptance of Network Participants.
4. The term of Network Participants shall be limited to 4 years, unless renewed by WHO for additional 2 year terms. The renewal process is the same as the initial acceptance process.
5. Composition of the Network's membership will be periodically reviewed by WHO. In this regard, WHO has the right to terminate the participation of any Network Participant at any time.
6. A Network Participant may withdraw from the Network at any time with the provision of three months written notice to WHO.
7. Network Participants will, inter alia:
 - a) Confirm their adherence in writing to these TOR;
 - b) Contribute to Network activities;
 - c) Designate a representative for the purposes of participating in the Network and its activities;
 - d) Share information within their respective organizations about the work of the Network;
 - e) Assist in the mobilization of financial and/or in-kind resources (ref. paragraph VI(2)), including meeting their own expenses in relation to the Network (except as provided under paragraph IV (8)); and
 - e) Help identify new potential Network Participants.

Annex II

Terms of reference for WHO Coordinating Group for the WHO Chemical Risk Assessment Network

1. WHO will convene a Network Coordinating Group to facilitate coordination of activities, particularly those of a cross-cutting nature between different Network Projects.
2. The functions of the Coordinating Group are to advise WHO on the following Network related matters:
 - (a) Review of Network project work plans to promote consistency with the overall and specific objectives of the Network, including proposing an integrated business plan drawing together and prioritizing Network activities;
 - (c) Review of progress with Network projects and activities;
 - (d) Identification of overarching issues and lessons learned across projects;
 - (e) Advise WHO on the implementation of the business plan of the Network, and
 - (f) At the request of WHO, assist in coordination and collaboration with other related international, supranational or regional initiatives related to Network activities.
3. The membership of the Coordinating Group will be determined by WHO and comprise a number of Network Participants actively involved in Network projects and reflecting the global nature of the Network.
4. The Coordinating Group will meet twice a year and at such other times as deemed necessary by WHO. Meetings will normally be by conference call, but may be in person, or by any other means.
5. WHO may amend the terms of reference of the Coordinating Group, may change its membership and may disestablish the Group at any time. In any case, WHO will appoint a new Coordinating Group periodically, usually after the biennial Network meetings.

-----end-----



NSF International
Council of Public Health Consultants
Policies and Organization



NSF International

**COUNCIL OF PUBLIC HEALTH
CONSULTANTS**

POLICIES AND ORGANIZATION

March 2009

PREAMBLE

NSF International determined early in its development that access to the counsel and support of leaders in the public health and environmental fields was essential to successfully carrying out its public health and safety mission. Without these, NSF would be unable to develop standards for manufacturers' products that would meet user needs or satisfy regulatory requirements. So NSF created the Council of Public Health Consultants in 1946. The Council provides advice about standards development, management philosophies, and programs implementation.

**NSF COUNCIL OF PUBLIC HEALTH CONSULTANTS
POLICIES AND ORGANIZATION**

1. PURPOSE

The Council of Public Health Consultants (CPHC) provides guidance to NSF in the planning, design and implementation of programs to protect public health and the environment and improve quality of life. Responsibilities include identifying and ranking needed standards. The Council offers advice on standards design, management philosophies, and program implementation. The Council also reviews and ballots all new standards and revisions developed by joint committees before final adoption as American National Standards. NSF asks Council members to chair joint committees to augment communication with the Council. Joint committees consist of regulators, manufacturers, and users of NSF's standards and certified products.

2. MEMBERSHIP

2.1 Council Members

Council members are leaders in the public health or environmental fields. The Council is responsible for choosing its membership. NSF encourages the Council to select active practitioners recognized as leaders in their fields by Council members and national or international groups. People eligible to become Council members include regulatory officials, representatives of professional organizations or academic institutions, and others whose prime motivation is promoting public health. Industry representatives and manufacturers, as well as their trade associations are not permitted to be Council Members.

2.2 Member Emeritus

A Member Emeritus is a Council member who has diligently and honorably served for three or more terms. Any Council member or NSF staff person may propose a member for Emeritus status. The Council is responsible for approving a member for Member Emeritus status. A Member Emeritus may perform all duties expected of Council members, except for standards balloting.

2.3 Liaison Member

A Liaison Member is a person who is available to the Council or NSF for consultation. Any Council member or NSF staff person may propose for Liaison Member status an individual who has expertise in an area of importance to NSF. The Council is responsible for approving a person for Liaison Member status. The Council or NSF may provide Liaison Members with Council materials relevant to the Liaison Member's fields of interest. Liaison Members may ask for and receive any Council materials. A Liaison Member is not a voting member of the Council.

2.4 Expenses

Under corporate fiscal policies, NSF does not provide honoraria or consultant fees to Council Members, Members Emeritus, or Liaison Members. NSF provides travel and subsistence expenses to Council Members whose agencies or employers allow them to accept such support. NSF also provides travel and subsistence expenses to a Member Emeritus or Liaison Member when NSF wishes or needs and invites their participation.

2.5 New Member Orientation

The Secretary invites individuals chosen to serve on the Council for the first time to attend a new member orientation meeting. Orientation provides an overview of NSF and its mission. It includes information about NSF's standards and its testing and certification programs. New members learn about the role of NSF's joint committees and the Council. Orientation covers the Council's organization, policies and voting procedures. During the meeting new members meet key NSF staff, tour NSF headquarters and laboratories, and have their questions answered.

3. NUMBER OF MEMBERS

The Council consists of not more than 45 members not including Members Emeritus or Liaison. NSF may change the number as needs change.

4. TERM OF OFFICE

The Council assigns each new Council Member to one of three consecutive annual classes. Each class covers a three-year period. For example, a member of the Class of 2008 will serve a three-year term from 2006 through 2008. The Council may then elect a member to serve a second three-year term. NSF and the Council normally limit Council Members to two 3-year terms. However, the Council may elect a member to added terms if NSF and the Council consider the member's presence essential. This may be because of a member's special experience, expertise, joint committee role, or service as an officer of the Council. If NSF decides to increase the total number of Council members, the Council may initially assign a new member to a partial term to balance the size of each year's class. The term for a Liaison Member is the same as for a Council Member. A Member Emeritus has a life term.

5. OFFICERS

A Chairperson, Vice Chairperson, and Secretary serve as officers of the Council. The Chairperson and Vice Chairperson each serve a one-year term in their respective offices. For continuity in leadership, the Vice Chairperson moves up to Chairperson at the end of their terms. The Council elects a new Vice Chairperson from the Council's membership at the annual business meeting. A member must have served on the Council for a minimum of two years before becoming eligible to serve as Vice Chairperson. The Chief Executive Officer (CEO) of NSF appoints the Secretary from NSF staff.

6. NOMINATIONS COMMITTEE

The Nominations Committee invites, receives and reviews Council and NSF staff nominations for new Council members. NSF identifies unmet needs to guide Committee selection. For selected nominees, Committee duties include finding out willingness to serve, seeking and evaluating resumes, and recommending a slate for election. The Committee also recommends a slate of Council Members to serve another 3-year term, based on limits contained in Section 4 (Term of Office), as well as meeting attendance and voting participation. The Committee yearly places in nomination a Council Member to serve as the new Council Vice Chairperson.

Nominations may be submitted to the Nominations Committee at any time of the year. The Nominations Committee decides which nominees should be forwarded to the full Council for approval.

7. MEETING

The Council meets at least once each year to receive updates on NSF programs, provide feedback, suggestions and ideas, and conduct Council business.

8. DUTIES

8.1 Chairperson

The Chairperson provides general and active management of the business of the Council. Duties include presiding at Council and Executive Committee meetings.

The Chairperson together with the Secretary:

- Appoints the Chairperson and members of the Nominations Committee;
- Plans and develops the agenda and program for the annual meeting.

The Chairperson reviews ballot materials for NSF staff prior to distribution for Council balloting. The Chairperson may be consulted by NSF on the adjudication of negative Council ballots.

8.2 Vice Chairperson

The Vice-Chairperson performs the duties of the Chairperson in the latter's absence. This officer also performs such other duties as the Chairperson prescribes.

8.3 Secretary

The Secretary provides general and administrative support of the Council, Executive Committee, and Nominations Committee. Duties include keeping, transcribing, and providing to the full Council minutes of Council and Executive Committee meetings.

The Secretary together with the Chairperson:

- Appoints the Chairperson and members of the Nominations Committee;
- Plans and develops the agenda and program for the annual meeting.

The Secretary forwards an agenda to Council members about three weeks before the annual meeting. The agenda includes matters related to the conduct of NSF programs as defined in Section 1.0, and other matters important to the Council's Purpose. The Secretary also contacts and follows through as necessary with nominees selected by the Nominations Committee and maintains records of Council members' expertise.

8.4 Council

The Council serves NSF in an important, but limited, *advisory* role. Section 1, Purpose, describes the Council's purpose and specific responsibilities. Council Members are responsible for attending annual meetings of the Council and voting on all ballots assigned to them. Failure to perform these responsibilities may result in removal from the Council.

The Council reviews and ballots all standards and revisions before adoption by NSF. The composition, roles and balloting procedures of the CPHC and the Technical Committee are detailed in section 8.2 of the NSF Standards Development and Maintenance Policies.

At the request of a JC, a CPHC Task Group (TG) or Standing Committee (SC) may provide review and comment on a proposed standard during the drafting stage. No formal balloting is necessary for the CPHC TG or SC. A simple majority shall be attained before the draft is returned to the Chair of the responsible JC.



Balloting the Council of Public Health Consultants (CPHC)

Purpose/Subject

The Council of Public Health Consultants (CPHC) reviews and ballots all new NSF standards as well as revisions and reaffirmations of existing NSF standards. CPHC balloting shall follow balloting of the Technical Committee (TC) and the Joint Committee (JC).

Procedure

1. After the TC and JC ballots have closed and consensus requirements have been sufficiently met, the Joint Committee Secretariat (JS) shall ballot the CPHC. The JS determines the appropriate CPHC balloting group to ballot (Food and Sanitation, Health and Sustainability, Water and Environment, etc.).
2. The JS prepares a CPHC ballot package for distribution on the NSF Online Workspace (NOW). The ballot package includes the following information:
 - A memo including JC/TC balloting results, a brief description of the background and impact of the revision, as well as any outstanding issues that need to be addressed.

NOTE: Examples of the CPHC letter are available on the Standards drive (“centraln/Standards”).

- Documentation of project initiation (an issue paper and/or meeting summary excerpt).
 - Negative JC ballot comments and documentation supporting their resolution, if applicable;
 - Certification Council (CC) comments, if applicable; and
 - A draft of the standard with appropriate tracking number.
3. The JS posts all CPHC ballot package materials to the NOW and creates a new ballot.
 4. Ballot results are automatically updated by the NOW. The JS ensures that ballot return is not less than the required 80% of the CPHC balloting group and that all balloting requirements have been met. If an 80% return is not achieved when the ballot closes, the JS may extend the ballot deadline to obtain a sufficient number of votes.
 5. Ballot results of at least 90% of the combined affirmative and negative ballots shall be obtained prior to adoption of the standard (or standard revision).
 6. If applicable, after the ballot closes, the JS shall discuss with the JC Chair and/or issue proponent all comments received
 7. If the vote is affirmative and the comment(s) editorial in nature, the JS shall incorporate appropriate changes and update the draft standard. (See SOP 2600, *Preparation of Draft Standard Documents*).
 8. If the ballot meets the numerical requirements and does not require substantive modifications, the proposed revision can be adopted. If substantive modifications are made to the proposal, steps 9 – 17 need to be followed.
 9. If the vote is affirmative and the comment(s) considered substantive, the JS shall contact the CPHC member under the direction of the JC Chair and advise that the comment(s) cannot be included in the draft without further consideration by the Joint Committee. The CPHC voting member shall be offered the option of withdrawing the comment(s), having the comment(s) considered during the next revision of the standard, or changing his/her vote to a negative. The JS shall document in writing all communication with CPHC member, including the decision. A vote cannot be officially changed unless written confirmation is received.
 10. If the vote is negative, the JC Chair and/or issue proponent shall review the comment(s) submitted. Any comments that do not relate to the ballot shall be considered a new proposal and designated for consideration by the JC at a later date.

The JS may ask the CPHC member to fill out an issue paper for the new proposal. The CPHC member may also be offered the opportunity to change his/her vote.

11. If the vote is negative with comments relative to the ballot, the JC Chair and/or issue proponent shall determine whether the comments will be incorporated into the draft standard for reballoting to the JC or will be reviewed by the JC at a later date. In making this determination, additional internal and/or external input may be requested. The JC Chair may contact the CPHC member to discuss the vote prior to taking any action. If, after discussion, the CPHC member chooses to withdraw the negative vote, the JS shall request written confirmation of the decision. A vote cannot be officially changed unless written confirmation is received from the CPHC member.
12. The JS shall send a written response letter on JC letterhead from the JC Chair to the CPHC member with a date specified for the CPHC member to reply as to whether his/her comments have been addressed.
13. If the CPHC member chooses not to withdraw his/her negative vote, the JS shall prepare an adjudication ballot package, which includes the following at a minimum:
 - A memo issued by the CPHC Chair explaining the adjudication process and including complete ballot results;
 - The negative vote comment(s);
 - All correspondence pertaining to the negative vote(s); and
 - A revision of the draft standard showing only those sections revised from the balloted version or those sections related to the negative vote, if applicable.
13. If the negative vote receives CPHC support, the comment(s) shall be sent to the JC for further resolution. Support is defined as receiving the required ballot results specified in the SDMP.
14. If the negative vote does not receive enough CPHC support to achieve the required ballot results, the ballot does not pass. The JS shall inform the CPHC member of the outcome. The CPHC member shall be offered the opportunity to withdraw or to maintain his/her negative vote. If the negative vote is not withdrawn, it is considered adjudicated; however, it remains recorded as a negative vote.
14. The JS shall review the actions taken to adjudicate the negative vote. If the JS determines that due process has not been followed, appropriate actions shall be taken by the JS and the Director of Standards (DS).
15. Ballot results of at least 90% of the combined affirmative and negative ballots shall be obtained for adoption of the standard (or standard revision).

Reference Documents

SOP 2600, *Preparation of Draft Standard Documents*
SOP 2608, *Balloting Joint Committees*

AESOP COVER SHEET FOR IMAGE DOCUMENTS

AESOP 2419; ISSUE 12; STATUS-PUBLISHED; EFFECTIVE 14 OCT 2013; AUTHORITY JESSICA EVANS

COVER SHEET NOT INCLUDED IN PAGE NUMBERING



NSF International Standards development and maintenance policies



ANSI Approval: September 27, 2013

NSF International, an independent, not-for-profit, non-governmental organization, is dedicated to being the leading global provider of public health and safety-based risk management solutions while serving the interests of all stakeholders.

These Policies are subject to revision.
Contact NSF to confirm this revision is current.

NSF International
789 North Dixboro Road, P. O. Box 130140
Ann Arbor, Michigan 48113-0140 USA
Phone: (734) 769-8010 Telex: 753215 NSF INTL
FAX: (734) 769-0109
E-mail: info@nsf.org
Web: <http://www.nsf.org>

NSF International —

Standards development and maintenance policies

Standard Developer

NSF International

Approved
September 27, 2013
American National Standards Institute

Adopted May 1984
Revised March 1988
Revised April 1991
Revised February 1995
Revised May 1997
Revised March 1998
Revised August 2001
Revised December 2003
Revised June 2004
Revised July 2007
Revised August 2008
Revised June 2009
Revised September 2013

Published by

NSF International
PO Box 130140, Ann Arbor, Michigan 48113-0140, USA

For ordering copies or for making inquiries with regard to these Policies, please reference the designation "Standards development and maintenance policies."

Copyright 2013 NSF International
Previous editions © 2009, 2008, 2007, 2006, 2004, 2003, 2001, 1998, 1997, 1995, 1991, 1988, 1984

Unless otherwise specified, no part of this publication may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying and microfilm, without permission in writing from NSF International.

Printed in the United States of America.

Contents

1	General	1
1.1	Definitions	1
2	Openness	1
3	Committee structure	2
3.1	Committees	2
3.2	Secretariat	2
3.3	Officers	3
3.4	Members	4
4	Membership	4
4.1	Joint committees	4
5	Notification of standards development	7
5.1	Project Initiation	7
5.2	Continuous maintenance	7
5.3	Discontinuance of a proposal	8
5.4	ANSI Board of Standards Review (BSR) Notifications	8
6	Communications	8
6.1	Formal internal communication	8
6.2	External communication	8
6.3	Request of interpretation of standards	9
6.4	Issue Paper	9
7	Meetings	9
7.1	Joint committee meetings	9
7.2	Task group meetings	9
7.3	Quorum	9
7.4	Meeting notice	9
7.5	Meeting attendance	9
7.6	Open meetings	9
7.7	Closed meetings	10
7.8	Meeting summaries	10
7.9	Document distribution	10
8	Balloting	10
8.1	Joint committee	10
8.2	Council of Public Health Consultants	12
9	Public review of proposed standards	13
10	Appeals process	14
11	National adoption of ISO or IEC standards as American National Standards	15
12	Patents in NSF Standards	15
13	Commercial terms and conditions	15
14	Interpretations	16
15	Committee expenses and contracts	16
15.1	Joint committee expenses	16
15.2	Contracts	16
16	Editorial revisions	16

17 Issuance.....	17
18 Periodic review.....	17
19 Recordkeeping.....	17
19.1 Periodic maintenance.....	17
19.2 Continuous maintenance.....	17
20 Disclaimers.....	17
21 Standards publication style.....	18
22 Legal representation.....	18

NSF International

Standards Development and Maintenance Policies

1 General

These Policies are used in the development of NSF voluntary consensus American National Standards. These Policies meet the requirements of due process as defined in the current version of American National Standards Institute (ANSI) *Essential Requirements: Due Process Requirements for American National Standards*.¹ In addition, these Policies are consistent with the OMB A-119 *Federal Participation in the Development and Use of Voluntary Standards*.² NSF Standards are intended to be consistent with government regulations and codes, when they exist. These Policies are written in a manner to incorporate all procedural requirements set forth in the ANSI process. It is understood that when an NSF Standard is developed with the intent for the Standard to not be an American National Standard, those procedures specifically related to the ANSI process may not be applicable.

Where the NSF International *Standards Development Policies* are silent on an issue, the current version of ANSI *Essential Requirements: Due Process Requirements for American National Standards* document referenced above shall serve as the precedent document.

1.1 Definitions

Consensus: Substantial agreement by directly and materially affected interests that signify the concurrence of more than a simple majority but not necessarily unanimity. It requires that all views and objections be considered and that an effort be made toward their resolutions.

Council of Public Health Consultants (CPHC): A group that provides guidance to NSF in the planning, design and implementation of programs to protect public health and the environment and improve quality of life. The Council also reviews and ballots all standards actions developed by joint committees before final adoption as American National Standards.

Joint Committee (JC): The consensus body responsible for development and revision of any NSF/ANSI Standard.

Task Group (TG): A group appointed by the JC Chair to address a specific issue or standard. Task Groups may be formed on an *ad hoc* or standing basis.

2 Openness

Participation in the NSF standards process shall be open to all persons who are directly and materially affected by the standard. These Policies are written to ensure that there are no undue financial barriers to

¹ American National Standards Institute, 25 West 43rd Street, New York, NY 10036 (<http://www.ansi.org>)

² Office of Management and Budget, U. S. Department of Commerce, Washington, DC, 20230. Federal Register, Vol. 46. No. 3, January 6, 1981, Updated February 10, 1998. (<http://www.whitehouse.gov/omb/circulars/a119/a119html>)

participation, and that voting participation on a consensus body is not conditional upon membership in any organization, nor unreasonably restricted on the basis of technical qualifications or other such requirements. Participation is available through voting membership on JCs, membership on TGs, by meeting participation, or by public review and comment.

Timely and adequate notice of any action to create, revise, reaffirm, or withdraw a standard, and of the establishment of a new consensus body, shall be provided to all known directly and materially affected interests. Notice should include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information. In addition, the name, affiliation,³ and interest category of each member of the consensus body shall be made available to interested parties upon request.

3 Committee structure

3.1 Committees

3.1.1 Joint committees

The JC is the consensus body and shall be responsible for:

- proposing NSF Standards consistent with NSF’s mission;
- voting on approval of all proposed NSF Standards actions;
- ensuring that public health, safety, and environmental issues are properly addressed in standards;
- maintaining standards in accordance with these Policies;
- responding to request for interpretations of NSF Standards that have been referred by the JC Chair, in accordance with section 14.3;
- proposing additional policies and procedures to the Secretariat appropriate to its scope of activity as permitted within these Policies; and
- other matters requiring consensus body action as provided in these Policies.

3.1.2 Task groups

If deemed appropriate by JC members, TGs may be formed to address a specific issue. TGs are responsible for providing recommendations to the JC responsible for the standard(s) affected by the recommendation. TGs are not governed by the rules of balance or consensus as defined in these Policies.

3.2 Secretariat

NSF shall be the Secretariat and shall be responsible for:

- overseeing compliance with these Policies;
- maintaining a roster of JC membership and maintaining a list of standards assigned to each JC;

³ “Affiliation” refers to the entity that the consensus body member represents (which may or may not be that person’s employer). If the consensus body member is serving in an individual capacity, then the name of the individual, that person’s employer, sponsor, and interest category shall be made available. Contact information is not required.

- maintaining a roster of TG membership;
- providing administrative services to the JC Chairs to assist them in performing their duties;
- submitting documentation to ANSI, when required;
- documenting actions and decisions made by the JC;
- distributing documents relevant to the business of the JC;
- participating in appeal actions, as defined in section 10; and
- performing other functions as required by these Policies.

3.3 Officers

3.3.1 Joint committee

3.3.1.1 JC Chair

The JC Chair shall be selected by the Secretariat of the Council of Public Health Consultants (CPHC). The JC Chair shall be responsible for:

- managing the JC and JC meetings in a manner that is efficient and in compliance with these Policies;
- completing JC responsibilities in a timely manner, including reviewing drafts for ballot;
- providing a liaison role between JC and CPHC;
- adjudicating all views and objections encountered in the balloting and public review processes, in collaboration with the Secretariat;
- participating in appeal actions, as defined in section 10; and
- performing other functions as required by these Policies or by request of the JC.

The JC Chair shall be a non-voting member of the JC except where necessary to determine a decisive vote.

3.3.1.2 JC Vice Chair

The JC Vice Chair candidate shall be a current JC member and shall be voted into office by a simple majority of the JC members (with the JC Chair casting the deciding vote in the event of a tie). The JC Vice Chair shall assume the responsibilities of the JC Chair in the Chair's absence.

3.3.2 Task groups

TGs shall have a Chair and may have a Vice Chair and/or Secretariat.

3.3.2.1 TG Chair

The TG Chair shall be selected by the JC Chair. The TG Chair shall assume responsibilities for the following:

- managing the TG and its meetings in a manner that is efficient and in compliance with these Policies;
- completing TG responsibilities in a timely manner, including reviewing draft(s);

- providing a liaison role between the JC and their TG; and
- performing other functions as required by these Policies or by request of the TG members.

3.3.2.2 TG Vice Chair

TG Chairs shall oversee the selection of Vice Chairs and Secretariat for their respective groups. The TG Vice Chair shall assume the responsibilities of the TG Chair in the Chair's absence.

3.3.2.3 TG Secretariat

The Secretariat shall be responsible for:

- documenting all actions and decisions made by the TG;
- distributing documents relevant to the business of the TG; and
- submitting a current membership roster to the Secretariat of the JC.

3.4 Members

Members shall be responsible for:

- participating actively at meetings and reviewing documents;
- returning ballots within prescribed deadlines;
- advising the appropriate Chair and Secretariat when a change in employment may affect the member's interest category;
- providing technical expertise;
- demonstrating active participation as an issue proponent, TG Chair, or TG member, e.g., attendance at a meeting and/or an issue sent to ballot;
- abiding by the *NSF Antitrust Guide*; and
- conducting themselves in a manner that is courteous, respectful, and consistent with the principles of the consensus process.

3.5 Non-voting liaison members

A non-voting liaison member is an individual who has expertise in areas of interest to a specific JC or TG. The non-voting liaison member receives all JC materials and may perform duties expected of JC members (see section 3.4) with the exception of balloting. Non-voting liaison members do not count toward the determination of JC balance.

4 Membership

4.1 Joint committees

4.1.1 Application

Any directly and materially affected person may apply for voting consensus body membership by completing an application and submitting the application to the Secretariat. The Secretariat shall forward membership applications to the responsible Chair, who determines eligibility and interest category.

Participation shall not be conditional upon membership in any organization or unreasonably restricted on the basis of technical qualifications or other such requirements.

Applicants shall define their direct and material interests in the JC's activities, their qualifications, and their willingness to participate actively, and should indicate their interest category, if the responsible JC Chair finds the application inaccurately represents the individual's interest, the interest category may be revised at the time of invitation. An organization or agency shall only have one member on a JC unless one of the following applies.

- a) If a company produces an end-product and a component used in the end-product, the company is both a manufacturer and a user. It can therefore have two qualified members on the JC.
- b) If a parent company has two or more smaller companies that manufacture brands that compete against each other in the marketplace, it may have two qualified members on the JC.
- c) If a company has both a domestic and a foreign affiliate, it may have two qualified members on the JC.
- d) If a government agency has two or more branches representing different interests, it may have two qualified members on the JC.

All memberships are based on the experience and expertise of the individuals. They are not "company" memberships and therefore are not transferable.

Applicants not accepted may have their application maintained on file by the Secretariat for consideration by the responsible Chair when openings occur.

No application is required for Task Group membership.

4.1.2 Selection/recommendation

In reviewing the application, the Chair of the applicable committee or group shall consider the following:

- need for active participation by each interest category;
- potential of dominance by a single interest category, individual or organization;
- extent of organization or company support on behalf of the applicant; and
- JC size.

The JC shall have a balance of interests. Members from diverse interest categories shall be sought with the objective of balance (see section 4.1.3). The process shall not be dominated by any single interest category, individual, or organization. "Dominance" shall mean a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

The requirement for balance shall not apply to TG membership; however, each TG should have at least one member from each interest category.

When Chairs become aware of areas of needed technical expertise, they may recruit new members to serve on the JC or TG.

4.1.2.1 Membership

4.1.2.1.1 Each JC member is requested to serve a minimum three-year term. Minimum terms of service shall not be required for TG members. When a JC or TG member completes a term, resigns, or is otherwise unable to serve, all applications on file for the applicable interest category shall be considered for filling the vacant applicable position.

4.1.2.1.2 The recommended maximum number of members on a JC is 34. JC size may be increased by the JC Chair if there is a clear need for additional representation. If the JC size is increased, balance shall be maintained.

4.1.2.1.3 The recommended maximum number of members on a TG is 15. The JC Chair may authorize membership beyond 15 if there is a clear need for specific expertise.

4.1.3 Membership interest categories

JC and TG membership shall include persons directly and materially affected by the standard(s) being developed. "Directly and materially affected" may be defined by the membership interest categories below.

- User/Consumer: A member who purchases, uses, or specifies materials, products, systems, or services covered in the scope of the standard. User/consumer trade association representatives, third-party product certifiers / testing laboratories, and standards developers are included in this membership classification.
- Industry: A member who produces, assembles, distributes, or sells materials, products, systems, or services covered in the scope of the standard. Industry trade association representatives are included in this membership classification.
- Public Health and Safety/Regulatory: A member who is from a public agency (local, regional, state, federal, or international) or represents a professional public/environmental health/safety organization, academia, or a model code organization.

The interest categories appropriate to the development of consensus in any given standards activity are a function of the nature of the standards being developed. The JC Chair in collaboration with the Secretariat may determine that additional or different interest categories are appropriate for the JC's scope of activity. Changes in interest category designations shall be documented with the Secretariat.

4.1.4 Review of JC membership

Meeting attendance, voting records, and participation as an issue proponent, TG Chair, or TG member shall be reviewed by the Secretariat and JC Chair at least on an annual basis.

A JC member may be terminated for the following: if he/she has completed a three-year term or is considered inactive, i.e., returns less than 75% of ballots; and/or misses two consecutive meetings (proxies are excluded from this count); and/or shows a lack of participation as an issue proponent or TG Chair or TG member. A JC member whose change in employment affects his/her voting interest may also be terminated. Any changes in JC member interest category shall be confirmed in writing to the member by NSF.

TG memberships may be terminated at the discretion of the TG Chair and JC Chair.

4.1.5 Observers and experts

Observers are permitted at JC and TG meetings at the discretion of the appropriate Chair. Individual experts may be invited to address the JC or TG on technical matters related to standards development.

4.1.6 Membership roster

A current membership roster for each JC and TG, containing all pertinent member contact information and affiliations, shall be maintained by the Secretariat of that committee and supplied to NSF staff. The membership roster shall be available to members upon request. Member names and affiliations are available to the general public upon request.

4.1.7 Proxies

A JC or TG member may be represented by a proxy at a meeting if unable to attend or participate. A written statement from the member not in attendance authorizing a designated proxy shall be provided to the Chair prior to the meeting. A proxy may perform duties expected of JC members with the exception of balloting.

5 Notification of standards development

5.1 Project Initiation

5.1.1 At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the PINS form except for those projects falling under section 5.2 of these Policies.

Written comments received within 30 days of the PINS announcements shall be addressed according to the current version of ANSI's *Essential Requirements*.

5.1.2 Directly and materially affected persons may request a revision to a standard at any time. The party shall complete an Issue Paper (see section 6.4), which shall be sent to the appropriate JC Chair. The JC Chair shall decide to forward the issue to the JC for immediate review or hold it until the next JC meeting.

5.1.3 A directly and materially affected interest may request the development of a new standard to NSF, if the scope of the new standard is not covered by an existing JC.

5.2 Continuous maintenance

5.2.1 Continuous maintenance schedule

Standards may be placed on a continuous maintenance schedule. This means that any part of the standard is open for comment or proposals at any time and by anyone, within the constraints of any established revision cycle. A PINS is not required for revisions of an American National Standard that is maintained under continuous maintenance if (1) it is registered as such on the ANSI website, (2) a notice is in the standard that the standard is always open for comment and how to submit comments, and (3) information is on NSF's website indicating that the standard is under continuous maintenance and how to submit comments. Any properly submitted proposals shall be considered and acted upon as described in accordance with the established revision cycle for the involved standard.

5.2.2 Revision of continuous maintenance

Standards on continuous maintenance will be published no more than annually, if a revision has passed the JC, TC, and CPHC. If revisions occur more frequently than annually, an addendum will be published on an as-needed basis. In the event that no revisions are issued for a period of four years for a Standard on continuous maintenance, action to revise, reaffirm, or withdraw the Standard shall be initiated during the fourth year.

In the event that a BSR-8/108 has not been submitted for an American National Standard under continuous maintenance within five years of its approval, NSF may request an extension, but shall then maintain the ANS under periodic maintenance.

5.3 Discontinuance of a proposal

NSF reserves the right not to proceed with the development of a proposal submitted for a standard if, in the exercise of its judgment, the publication of the proposed requirements would not be in the best interests of NSF.

If NSF determines during the consensus process or public review that a proposal presents an overriding public health, safety, or legal risk, NSF shall cease processing the proposal and promptly notify the applicable consensus body. The Chief Executive Officer and informed senior management officers shall make the decision to discontinue the development of a Standard. If the decision is made to not proceed, NSF shall provide any interested party with NSF's reasons for not processing the proposal in writing.

If the proposal has been available for public review, NSF shall post a notice in *ANSI Standards Action*⁴ that it is discontinuing the proposal and readers should contact NSF for more information. A request received within 60 days of the notice shall be answered with reasons for the discontinuing the proposal.

NSF shall withdraw a standard for which no action was taken for five years, and an extension has been received from ANSI; and reaffirmation, revision or withdrawal has not been completed by the end of the extension.

The decision to discontinue a proposal may be appealed to the ANSI Executive Standards Council, but is not appealable to NSF, based on procedural noncompliance.

5.4 ANSI Board of Standards Review (BSR) Notifications

5.4.1 Board of Standards Review (BSR-108)

Proposals for new American National Standards (ANS) and proposals to revise, reaffirm, or withdraw approval of an existing ANS shall be submitted to ANSI using the Board of Standards Review (BSR)-108 form for listing in *ANSI Standards Action* in order to provide an opportunity for public comment.

5.4.2 Board of Standards Review (BSR-109)

A BSR-109 (Formal Submittal for Approval/Withdrawal as ANS) notifies ANSI that a new standard has been approved, an existing standard has been revised or reaffirmed and is/will be ready for publication, or has been withdrawn. This information is published in *ANSI Standards Action*.

6 Communications

Correspondence from NSF JC and TC Chairs shall be on NSF International letterhead.

6.1 Formal internal communication

Correspondence between members of JCs or TGs involving issues or decisions affecting other committees shall be sent to all affected Chairs, the Secretariat, and the consensus body officers.

6.2 External communication

All inquiries relating to a standard/issue and all replies to inquiries shall be made through the affected Chair. Members of affected committees shall be informed of the decision of that Chair. Any JC or TG member may introduce an issue of concern by completing an Issue Paper (see section ~~also~~ 6.4), found on NSF's website at <http://www.nsf.org>. The issue paper shall be forwarded to the appropriate Chair for review/action plan.

⁴ <http://www.ansi.org>

6.3 Request of interpretation of standards

Written inquiries requesting interpretation of NSF/ANSI Standards shall be responded to in accordance with the policy of NSF (see section 14). Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these Policies.

6.4 Issue Paper

Each proposal shall be submitted to the Secretariat in electronic format using the Issue Paper Form found on NSF's website at <http://standards.nsf.org>, and shall include the following:

- name of submitter and affiliation (i.e., organization or company);
- name of standard and section to which the issue is directed;
- proposed text, including the wording to be added, revised, or deleted;
- reason for proposal revision; and
- signature of submitter.

7 Meetings

The term “meeting” covers all standards meetings and includes teleconferences, videoconferencing, and other forms of electronic group interaction.

7.1 Joint committee meetings

JC meetings shall be held as decided by the consensus body, the responsible Chair, the Secretariat, or petition of five or more members. The business of JC meetings shall be to consider draft standards or new proposals including Issue Papers, make assignments to TGs, receive reports of work from TGs, resolve differences among or within TGs, or to consider views and objections from any source.

7.2 Task group meetings

TG meetings may be held as decided upon by the members or the responsible Chair.

7.3 Quorum

A majority of the members of the JC or TG shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions shall only be taken subject to subsequent confirmation by letter ballot or vote at a future meeting/date.

7.4 Meeting notice

JC and TG members shall receive announcements of meetings and meeting agendas. The announcement shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and any others expressing interest.

7.5 Meeting attendance

Meeting attendance by members is required. Attendance may include participation via conference call for face-to-face meetings. Failure to attend meetings may result in termination of membership.

7.6 Open meetings

Non-member observers may attend a meeting provided, for logistical reasons, that they notify the Secretariat in advance of their intention to do so.

A JC Chair may close a meeting to observers once a certain number of attendees has been achieved (predetermined by space and/or logistical considerations.)

7.7 Closed meetings

The JC Chair may choose to enter closed sessions for members only when matters of a confidential nature are under discussion. Outcomes of any discussions held in a closed session, which may affect content of standard(s), shall be reviewed during a subsequent session, including review with observers at the same meeting.

On questions of parliamentary procedure not covered by these Policies, *Robert's Rules of Order* (latest edition) shall prevail.

7.8 Meeting summaries

The assigned Chair/Secretariat shall be responsible for creating and distributing meeting summaries. The summaries shall contain all motions and their voting results. Any other discussion may be added at the Chair's discretion. Summaries shall be distributed to all committee members and made available to other interested parties on request.

7.9 Document distribution

Meeting agendas, meeting summaries, and draft standards shall be provided to all members. Such documents shall be provided to other interested parties on request.

8 Balloting

8.1 Joint committee

8.1.1 General

All proposed standards actions shall be reviewed by the applicable JC via electronic ballot.

8.1.2 Ballot/correspondence preparation

The JC Chair shall review all JC correspondence relating to ballots, drafts, and supporting documents. The Secretariat shall send ballots and balloting documentation to members. The JC Chair and Secretariat shall attempt to resolve all objections from consensus body and public review.

8.1.3 Ballot period

Members should be given at least 21 calendar days from the transmittal date to return ballots, although the JC Chair may request a ballot return in fewer than 21 calendar days. Members shall, in all cases, be given a minimum of 14 days to return ballots. Fourteen-day ballot periods may routinely be employed for adjudication and recirculation ballots. Ballots received after the closure date may not be counted, unless the JC Chair has authorized an extension.

8.1.4 Ballot options

Each member of the JC shall have one vote. The use of proxies is not permitted for the balloting. A member shall vote based on one of the following positions:

- affirmative;

- affirmative, with comment(s). Comment(s) shall be considered editorial;
- negative, with reason(s). Reason(s) for a negative ballot shall be given and shall include specific wording on recommended action(s) to resolve objections. A negative ballot that is not accompanied by a written explanation shall be recorded as such and no further action shall be required; or
- abstain, with reason(s). An abstention ballot that is not accompanied by a written explanation shall be recorded as such, and no further action shall be required.

8.1.5 Ballot results

Affirmative ballots shall be received from a majority (greater than 50 percent) of the JC members, and an affirmative ballot total of at least two-thirds of those voting, excluding abstentions, shall be attained before a proposed standard, revision, reaffirmation or withdrawal is recommended for adoption.

8.1.6 Negative ballots / public comments

The Secretariat shall refer all objections from the consensus body or public review to the JC Chair for review and attempt to resolve.

8.1.6.1 The JC Chair shall determine whether expressed views and objections shall be considered by correspondence, by telephone, or at a meeting.

8.1.6.2 Prompt consideration shall be given to all negative ballots and public comments. An attempt to resolve all negative ballots and public comments shall be made, and each submitter shall be advised in writing of the disposition of the negative ballot or comment and the reasons therefore. After receiving the written disposition, the submitter of a negative ballot shall be provided 14 calendar days to respond, reaffirm or revise the original ballot. The public commenter shall be provided 14 calendar days to respond, if no continuing objection is received from the public commenter in this time, NSF may consider the objection resolved.

8.1.6.3 The JC Chair or issue proponent and the submitter may determine that the negative can be resolved without substantive change to the standard. Only comments relating to the issue under ballot shall be considered. The JC Secretariat shall notify the submitter that unrelated comments shall be treated as new proposals.

8.1.6.4 Any continuing objection should be handled in accordance with the current version of ANSI *Essential Requirements*. Each unresolved negative ballot/comment and attempt at resolution, and all substantive changes to the draft standard, shall be submitted to the JC to afford members the opportunity to respond, reaffirm or change their votes; and public commenters shall receive a written response with an opportunity to respond in accordance with section 8.1.6.2. At the completion of the JC review (adjudication), if the requirements of section 8.1.5 are achieved, all negative ballots/comments shall be considered adjudicated.

8.1.6.5 When submitting the decision of the JC to the objector, the JC Secretariat shall advise the objector in writing of the right to appeal the decision in accordance with these Policies. The objector shall be provided a copy of section 10 for review.

NOTE – Comments on certification issues related to the proposals under consideration are considered non-germane and outside the scope of the Standards process. Comments related to certification may be provided to the Secretariat of the NSF Certification Council for consideration.

8.1.7 Member resignation during balloting period

If a member resigns from the JC during the balloting period and has not voted, the member shall be removed from the JC and not be included in the ballot calculations. If a member submits an affirmative

vote and then resigns, the vote shall be recorded and counted. If the member submits a negative vote and then resigns, the vote shall be recorded and counted; a reasonable effort shall be taken to resolve the negative ballot, e.g., the negative ballot shall be circulated to the full committee for consideration. A reasonable effort shall be taken to offer the right of appeal, and in the records for the ballot, the Secretariat shall document the actions taken to resolve the negative vote.

8.2 Council of Public Health Consultants

The NSF Council of Public Health Consultants has a voting role in the development of NSF Standards. The CPHC vote consists of two actions. A CPHC Technical Committee (see section 8.2.1) reviews ballot proposals concurrently with the Joint Committee ballot. When the Joint Committee and Technical Committee balloting requirements have been satisfied (see section 8.1.5, 8.1.6, and 8.2.1.3), the proposal is forwarded to the relevant CPHC balloting group (see section 8.2.2).

When NSF processes a non-NSF standard as an American National Standard, the CPHC balloting process is optional.

8.2.1 CPHC technical committee (TC)

The TC is composed of no more than four members of the CPHC having technical expertise in the area being balloted. These members are appointed by the CPHC Secretariat.

8.2.1.1 TC ballot/correspondence preparation

TC balloting is concurrent with JC balloting (see section 8.1.3). TC members' comments shall be resolved by the TC Chair, and TC negatives shall be returned to the JC Chair for resolution by the JC.

8.2.1.2 TC ballot options

Each member of the TC shall have one vote only and shall vote one of the following positions:

- send to CPHC (affirmative);
- send to CPHC, with comment(s) (affirmative with comment). Comment(s) shall be considered editorial; or
- return to JC, with reason(s). Reason(s) for a return to JC ballot shall be given and include specific wording on recommended action(s) to resolve objections. A return to JC ballot that is not accompanied by a written explanation shall be recorded as such and no further action shall be required.

8.2.1.3 TC ballot results

A 2/3 majority of TC members shall have voted to send a proposed standard or revision to the CPHC before the ballot shall be submitted to the applicable CPHC standards balloting group for review. If negative votes are cast involving substantive issues, they shall be referred to the responsible JC for resolution according to section 8.1.6.

8.2.2 CPHC balloting

Members should be given 21 calendar days from the transmittal date, although the CPHC Chair may request a ballot return in fewer than 21 calendar days. Members shall, in all cases, be given a minimum of 14 days to return ballots. Ballots received after the closure date may not be counted, unless the Chair

has authorized an extension. A Council member may elect to vote on all standards proposals, or may elect to be assigned to one of three standards balloting groups, as follows:

- Health and Sustainability,
- Food and Sanitation standards,
- Water and Environmental standards.

Each Council member shall vote one of the following positions per ballot:

- affirmative, with or without comments. Comment(s) shall be considered editorial;
- negative, with reasons. Reasons for a negative ballot shall be given and shall include specific wording on recommended actions to resolve objections. A negative ballot that is not accompanied by a written explanation shall be recorded as such and no further action shall be required; or
- abstain, with reasons. An abstention ballot that is not accompanied by a written explanation shall be recorded as such and no further action shall be required.

8.2.2.1 Ballot results

A return of not less than 80 percent of all ballots (affirmatives, negatives, and abstentions) is required. An affirmative vote total of at least 90 percent of combined affirmative and negative votes shall be attained before a proposed standard or revision is recommended for adoption.

8.2.2.2 Negative votes

If negative votes are cast by CPHC members involving substantive issues, the Secretariat shall refer them to the responsible JC for resolution. If the Council member casting the negative vote adjudicates the negative and changes to an affirmative vote, the original negative vote is not circulated to the full Council balloting group. If the Council member maintains a negative vote, the negative vote and supporting reasons shall be circulated to the Council balloting group to afford an opportunity to respond, reaffirm or change original votes. A standard with negative votes from the CPHC can be moved forward for adoption if the JC has previously adjudicated the objection, and the minimum CPHC ballot percentage affirmative requirement is satisfied (see section 8.2.2.1).

8.2.2.3 Member resignation during balloting period

If a member resigns from the CPHC during the balloting period and has not voted, the member shall be removed from the CPHC and not be included in the ballot calculations. If a member submits an affirmative vote and then resigns, the vote shall be recorded and counted. If the member submits a negative vote and then resigns, a reasonable effort shall be taken to adjudicate the negative ballot, e.g., the negative ballot shall be circulated to the relevant CPHC standards balloting group for consideration. A reasonable effort shall be taken to offer the right of appeal, and in the records for the ballot, the Secretariat shall document the actions taken to resolve the negative vote.

9 Public review of proposed standards

The public review process may occur concurrently with the JC, TC, and CPHC balloting. The Secretariat shall send a BSR-108 to ANSI for notification of public review and comment. An announcement shall be published in ANSI's *Standards Action* that a standard is available for review and comment, specifying a source for further information.

All negative comments from public review are sent to the JC Chair, who will attempt to resolve them according to section 8.1.6. Prompt consideration shall be given to the written views and objections of all participants. If substantive changes are made to the proposed standard, the changes shall be submitted to public review. If the prior public review period has closed, the Secretariat shall submit another BSR-108 to ANSI for the conduct of an additional public review and comment period.

After the CPHC balloting process and any appeals processes have concluded, the Secretariat shall file a BSR-109 (Formal Submittal for Approval/Withdrawal as ANS) to notify ANSI that a new standard has been approved, an existing standard has been revised or reaffirmed and is/will be ready for publication, or has been withdrawn. This information is published in ANSI *Standards Action*.

10 Appeals process

All unresolved objectors, including public review objectors, shall be notified of their right to appeal. The notification of the right to appeal letter shall notify the unresolved objectors that they have the right to appeal on procedural issues and the procedures relating to an appeal.

10.1 Persons who have directly and materially affected interests and who have been or will be adversely affected by a standard, or by the lack thereof, shall have the right to appeal procedural actions or inactions of the JC. Appeals shall only be considered when due process provided in these Policies has been exhausted.

10.2 The appellant shall file a written appeal with the JC Chair within 15 business days after the date of notification of action or at any time with respect to inaction. The appeal shall state the nature of the objection(s), including any adverse effects; the section(s) of these Policies or the standard that are at issue; actions or inactions that are at issue; and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s), and the outcome of each, shall be noted.

10.3 Within 30 calendar days after receipt of the appeal, the JC Chair shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint. If the response cannot be adequately completed within 30 calendar days, the JC Chair shall provide a written update to the appellant, with the estimated date of the completion of the response.

10.4 If the appellant and the JC Chair are unable to resolve the written appeal in a manner consistent with these procedures, the JC Chair shall initiate formation of an appeals panel.

10.5 The appeals panel shall consist of three individuals from the CPHC or the NSF Certification Council, nominated by the JC Chair. At least two of the members of the panel shall be acceptable to the appellant. If NSF and the appellant cannot agree on the composition of the panel within 30 days, a member of NSF Quality management shall appoint the panel. The JC Chair assigns a fourth individual to serve as Secretariat to the appeals panel. The appeals panel Secretariat shall have no vote. Members of the applicable JC shall not serve on the appeals panel. The members of the appeals panel shall select a Chair from among their membership. The appeals panel shall be charged with determining whether the appellant received due process and that proper procedures were followed in addressing the appellant's objections.

10.6 The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The NSF JC Secretariat shall act as respondent to the complaint before the appeals panel. The respondent has the burden of demonstrating that the JC took all actions in compliance with these Policies. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

10.7 The appeals panel Secretariat, with final approval by the Chair of the appeals panel, shall document the majority decision of the appeals panel within 30 calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- a) finding for the appellant and remanding the action to the JC;
- b) finding for the respondent; and
- c) finding that new, substantive evidence has been introduced and remanding the entire action to the JC for appropriate reconsideration.

10.8 At the completion of the appeals process, the Chair of the appeals panel shall send the written appeals decision to the appellant; and advise the appellant in writing of the right to appeal the decision rendered to ANSI if the appeals panel did not find for the appellant. If the appellant gives notice that further appeal to ANSI is intended, a full record of the complaint, response, hearing, and decision shall be submitted by the Secretariat to ANSI.

11 National adoption of ISO or IEC standards as American National Standards

If NSF wishes to adopt an ISO or IEC standard as an American National Standard, it shall comply with the requirements set forth in the *Procedures for the National Adoption of ISO or IEC Standards as American National Standards*, the current version of ANSI's *Essential Requirements*, and these Policies.

NOTE – NSF will use the ANSI expedited procedures when adopting standards related to the above.

12 Patents in NSF Standards

An NSF Standard may include the use of a patented item, if it is considered that technical reasons justify this approach. If a standard requires the use of an essential patent claim (one whose use would be required for compliance with that standard), NSF shall comply with the current version of ANSI *Essential Requirements*, Inclusion of Patents in American National Standards.

13 Commercial terms and conditions

Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial terms and conditions shall not be included in an NSF Standard. The appearance that a standard endorses any particular products, services or companies shall be avoided. It is generally not acceptable to include proper names or trademarks of specific companies or organizations, acceptable manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex (or the equivalent). Where a sole source exists for essential equipment, materials or services necessary to determine compliance with the standard, it is permissible to supply the name and address of the source in a footnote or informative annex as long as the words "or the equivalent" are added to the reference. In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria is limited to technical and engineering concerns and does not include what would otherwise be a commercial term.

14 Interpretations

14.1 NSF reserves the right to charge a reasonable fee for the processing of interpretation requests.

14.2 All requests for interpretations of Standards shall be submitted in writing and shall include the reasons for the request and a clearly stated suggested interpretation for consideration. Requests shall be made to the JC Secretariat.

14.3 The Secretariat, in consultation with the JC Chair, shall determine if the interpretation may be issued by the JC Chair or if the JC should consider the request, in accordance with section 3.1.1. The Secretariat shall provide the interpretation in writing to the requestor, the interpretation shall be made publicly available.

14.4 If the requestor is not satisfied with the interpretation provided by the Secretariat, the requestor may submit an Issue Paper for consideration by the JC.

14.5 No interpretation is binding on NSF unless it has been established in accordance with the above procedures.

15 Committee expenses and contracts

NSF may provide travel and subsistence expenses, according to its reimbursement policies, to user and regulatory agency members. Industry members shall cover their own expenses.

15.1 Joint committee expenses

Expenses for committee participation (meetings, teleconferences, etc.) will not be assumed by NSF unless expenditures are previously authorized by NSF and are within amounts determined to be reasonable by NSF.

Travel and subsistence expenses may be provided in accordance with NSF corporate fiscal policies to public health / regulatory and user members whose agencies permit them to accept such support. Committees shall not pay salaries or professional fees in any form to any JC or TG member to carry out the responsibilities of their NSF participation.

15.2 Contracts

No person has the authority to negotiate or execute any contract on behalf of NSF except the Chief Executive Officer of NSF or a designee thereof.

16 Editorial revisions

16.1 The Secretariat in consultation with the responsible Chair and Technical Representative may editorially revise (without JC review) standards to ensure that requirements are clearly stated.

16.2 Editorial revisions shall not affect the intent or requirements of the standard. Examples of substantive changes that would not be considered editorial are:

- "shall" to "should" or "should" to "shall";
- addition, deletion, or revision of requirements, regardless of the number of changes; and
- addition of mandatory compliance with referenced standards.

17 Issuance

NSF shall issue new and revised standards approved by consensus of the JC and CPHC. Effective dates are not part of the standard normative text and are established by NSF.

18 Periodic review

18.1 NSF Standards not maintained under “continuous maintenance” for which no revisions have been issued for a period of four years, shall have action begun to reaffirm, revise, or withdraw the standard during the fourth year.

18.2 If a reaffirmation, revision, or withdrawal is in process when the five-year limit is reached, NSF may request an extension from ANSI. The standard being maintained under “periodic maintenance” shall be withdrawn if no action is taken by the end of the extension.

18.3 Standards shall not be designated as American National Standards if no action has been taken beyond 10 years from the date of approval.

18.4 The applicable JC shall be notified of all extensions.

19 Recordkeeping

19.1 Periodic maintenance

General records, including, but not limited to, draft standards, ballots, meeting summaries, appeals, or related information relative to review, revision, reaffirmation, or withdrawal of a standard shall be retained for at least five years, or until the next full revision of the standard, whichever comes later. Records related to a standard that has been withdrawn shall be retained for at least five years from date of withdrawal.

19.2 Continuous maintenance

Records of standards on continuous maintenance shall be retained for a minimum of five years or until approval of the subsequent revision, or reaffirmation, or withdrawal of the complete standard. A documented program for periodic publication of revisions shall be established by NSF. The published standard shall include a clear statement of the intent to consider requests for change, and information on the submittal of such requests. Procedures shall be established for timely, documented consensus action on each request for change, and no portion of the standard shall be excluded from the revision process. Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal or for a duration consistent with the audit schedule.

20 Disclaimers

Participation in NSF's standards development/maintenance activities by regulatory agency representatives does not constitute endorsement of NSF or its Standards by the member's governmental agency or any of its subdivisions.

21 Standards publication style

21.1 NSF shall use the current version of ANSI *Style Guide-sheet* as a guideline for NSF Standards' format.

21.2 Metrication

21.2.1 Metric units shall be included with inch-pound units in all standards. The primary units used shall be determined by the applicable JC.

21.2.2 When inch-pound units are the primary units, "soft metrication" shall be used when providing metric units as equivalent. The intended tolerance, when not otherwise specified, shall be based on the inch-pound unit.

21.2.3 When a tolerance is not specified, conformance to the requirement shall be determined using the rounding method per ASTM E29 –06b.⁵

22 Legal representation

A member of a JC or TG or an observer who intends to have legal representation at a meeting may do so only after requesting and receiving prior written authorization by NSF. A written request shall be provided to NSF at least 10 calendar days before the meeting. If such a request has not been made, legal representation will not be permitted at the meeting. NSF reserves the right to have legal counsel present at any time without notice.

⁵ ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428 (<http://www.astm.org>)



THE HOPE OF MANKIND rests in the ability of man to define and seek out the environment which will permit him to live with fellow creatures of the earth, in health, in peace, and in mutual respect.