

Legal Report
May 2, 2006

DCA06-DEC-092 by Dennis Fischer, Building Official, City of Edgewater, was deferred to the local appeal board.

ISSUE: DCA06-DEC-094. The Petitioner is requesting clarification regarding Rule 9B-72 regarding product test reports.

Question: Can a Testing Lab test a product and make a test report available to other manufacturers of the same product to use as their own?

Answer: No. Test Lab is functioning as both a test lab and a manufacturer. The test lab is unable to demonstrate independence from the manufacturer. The POC tabled action on this DEC until the next meeting, requesting that the petitioner be present to provide clarification and answer concerns of the POC members.