


**Biosafety Cabinetry JC Meeting  
Teleconference  
October 1, 2009**

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**Participants:**

<b>Company</b>	<b>Name</b> 	<b>Interest Category</b>	<b>Role</b>
Tulane University	Balsamo, Jr., James	Public Health / Regulatory	Member
NSF International	Costello, Mindy	General Interest	Secretariat
B & V Testing	Flynn, Nick	User	Member
---	Harris, Peter		Guest
Labconco Corp.	Hunter, Jim	Industry	Member
The Baker Company, Inc.	Johnson, Aaron	Industry	Member
EPA EPP Office	Kempton, Jeff	Public Health / Regulatory	Observer
Consultant in Biosafety	Kennedy, Mary Ellen	Public Health / Regulatory	Member

**Discussion:**

M. Costello took attendance and read the antitrust statement.

Jeff Kempton, EPA, presented his issue paper for discussion. The background on the issue and issue statement were presented to the group. The statement for decontamination does not point out that these decontaminants need to be registered as FIFRA products. The current statement in the NSF standard on the use of pesticides as decontaminants states that OSHA safety Standards must be followed when using these materials but it does not mention the EPA requirements.

The issue paper with its highlighted text addresses these two concerns. There was support for inclusion of this information in the NSF Standard by Mary Ellen Kennedy. Nick Flynn had discussed these issues with certifiers and user groups that had some concerns about including this information in the standard. These groups are those who use these materials for decontamination. Inclusion of this proposed language would in essence ban the use of formaldehyde for use in decontamination. The concern was that there are limited available alternatives to decontamination with these materials in question. The cost of making that transition was brought forward as well. There are safety and material compatibility issues relating to the use of Chlorine Dioxide. Routine decontamination occurs and exposure of repeatedly CD effects on material. There is pressure on the industry to come up with alternatives to the current products and to be able to make judgment calls on the handling of filters that may pose potential exposure risks from contaminated filters.

The original language was a bit more direct. This new language addresses the awareness of what is being purchased. The company that sells the chemicals is the one that needs to register them. It was said that only one product that generates chlorine dioxide is registered and that no product containing Paraformaldehyde or Formaldehyde was ever registered and no one ever pursued this issue. This could be revisited by the chemical manufacturers. If the BSC decontamination companies put pressure on the manufacturers to get these products registered, it may occur. There was strong concern of the impact that an immediate ban on Formaldehyde use will have; the alternative was to provide a gradual process of implementation. The Annex G is specifically referenced in decontamination procedures and is widely used. The exemption was also brought up. The exemption process was discussed; this is a long process. The expansion of the exemption through the Military or USDA which is now called a "quarantine exemption" may be one way to get the needed exemption in a short time. It was stated that only federal agencies and states can request such exemptions. Also it was said that there are ways to pursue this approach by expanding the exemption that is already in place for military or USDA use for decontamination purposes in BSCs. If this was genericized, it could possibly allow for use in any

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lab for decontamination purposes. EPA needs to be pursued by the industry. Perhaps they should send a letter to the military requesting an expansion of this exemption. This does not imply a guarantee of follow through. The states could request the expansion of the exemption but it was felt that this would not be efficient; but they could bring the issue forward to EPA for consideration. It was said that manufacturers of formaldehyde do not see a need to register this product with the EPA.

The group discussed the possible paths forward considering legality, decontamination, and progress of new product development. Military could be contacted by the CETA or ABSA organization regarding the exemption. CETA will discuss this at the upcoming meeting in October.

The group will pursue the exemption and then work on the addition of language. There may be more CD products and VHP products are being developed for use.

Nick Flynn will be in contact with Jeff Kempter after the CETA meeting and feedback from ABSA later this month.