

Results of the Annex G Straw Ballot

Voting Statistics

Number of votes cast (excluding abstentions) 28

Eligible members who have voted 29 of 36 81%

Eligible members who have not voted 7 of 36 19%

Voting Summary by Option (min 2/3 affirmative required)

Options with highest number of votes are bold

| Option | # Votes | % of Total | |
|--------------------|-----------|------------|---------------------------|
| Affirmative | 20 | 71% | ← Minimum of 2/3 required |
| Negative w/Comment | 8 | 29% | |
| Abstain | 1 | | |

Percent of DWA JC members voted affirmative: **55.5%**
(20/36 = .555)

← Greater than 50% required

Comment Summary

| Voting Member | Company Affiliation | Comment |
|--------------------------------|--------------------------|---|
| Negatives with comments | | |
| Robert Powell | Pinellas County | On balance I find the arguments against inclusion of Annex G in NSF 61 more persuasive than those in favor. The key points in my view are that this is a "single state issue" at this point and there is currently no scientific evidence that the lead content approach California is pursuing is more protective than existing NSF performance standards. |
| Jim Cleland | MI Dept. of Env. Quality | I agree that this is essentially a "single state option" and am voting as such. |
| Tim Muldoon | Kingscote Chemicals Inc. | At this time I would agree this is a stste by state issue. |
| Julius Ballanco | J.B. Engineering | I am opposed to adding this section to NSF 61. I believe that such an inclusion will lower the quality of the standard. NSF 61 is a health effects document. It is not a material standard. The proposed annex is a material requirement designed to help combat the law that California enacted. This law has no health basis. This committee should not respond to inappropriate political decisions by elected officials. If we start with California, we could have annexes for every state to respond to their politicians. Then we would have to consider foreign countries since NSF 61 is used outside the United States. |
| Mike Briggs | IAPMO | While guidelines should be established for a lead content evaluation, The existing NSF/ANSI 61 document is not the appropriate place for such guidelines. Several reasons have been given, but regional requirements for commerce do not belong in a national performance standard. A separate standard would be appropriate for the contents of Annex G. |
| Franco Di Folco | CSA International | I am still uncomfortable supporting the Addition of Annex G to the NSF/ANSI 61 standard for several reasons: 1. The NSF 61 standard is a performance based standard. Annex G is written as design requirements and does not include any performance requirements. 2. California has not officially stated how they will enforce this bill or if they would accept Annex G as a suitable vehicle for demonstrating compliance. 3. Other states (including California) have had and enforced prescriptive requirements for lead for years, which have never been part of NSF 61 standard. |

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|-----------------------------------|---------------------------------------|---|
| | | <p>4. The language proposed, states that the manufacture has the option of meeting the requirements of Annex G or not. This would lead to confusion in the field.</p> <p>A separate stand alone document for these requirements should be established.</p> |
| Brennan, James | Arch Chemicals | <p>I'm concerned that this proposal is an over reactions to one state's actions and we'll find ourselves vascillating on this issue in the future. Not a good strategy for a "standards" organization.</p> <p>I'm not even sure we want to initiate a new standard now, for the same reasons.</p> <p>Regulation lead exposure is an important issue and we will want to move in that direction. However, the only thing I like less than doing nothing, due to indicision, is doing the wrong thing, due to insufficient information.</p> <p>Let's revisit the question of whether NSF needs to act now on lowering the standards for lead content. If so, how can we be proactive without over reacting?</p> |
| Winton, Richard | Underwriters Laboratories, Inc. | <p>Annex G is inconsistent with the scope of NSF 61. NSF 61 is a comprehensive, nationally and internationally recognized, technically sound, test-based standard.</p> <p>In contrast, Annex G has been crafted to afford manufacturers a means of demonstrating compliance with a material content requirement promulgated in legislation of a single state that is narrowly focused on one contaminant to the exclusion of all others, whose basis as appropriately protective of public health has been questioned and whose provisions are still unclear.</p> |
| Affirmatives with comments | | |
| Carrier, Richard | Health Canada | <p>Any entity or person can propose changes to the standard to address a need, so the validity of CA requesting a change or addition is not in question here. That being said, it is important that some mechanism exist to ensure that the requirements under NSF61 are clearly communicated and identified on the label. The overriding requirements for certification are found in the body of standard 61 and Annex G is a voluntary/supplementary requirement. It is important that this is clearly stated in Annex G and in the introduction of the standard to avoid confusion.</p> |
| Craig Selover | Masco Corp. | <p>Annex G is neither performance nor prescriptive in nature. While it does not match the leachate performance of the regular sections of Std 61 , it restricts lead content, but allows for a variety of means with which to comply. This is flexible enough for me to prefer inclusion in Std. 61. Note that most certifiers already prohibit hose, plastic and elastomer formulations which contain lead.</p> <p>Plumbing Codes already require compliance with Std 61. I expect requirements similar or the same as California to be very common, and placing Annex G in Std 61 will keep things simpler than referencing a separate standard in the Codes.</p> |