MEMORANDUM

TO: Joint Committee on Drinking Water Additives – Treatment Chemicals

FROM: France Lemieux, Chairperson

DATE: September 18, 2013

SUBJECT: Proposed revision to NSF/ANSI 223 - *Conformity Assessment Requirements for Certification Bodies that Certify Products Pursuant to NSF/ANSI 60-Drinking Water Treatment Chemicals - Health Effects* (223i3r1)

Draft 1 of NSF/ANSI 223, issue 3, is being forwarded to the Joint Committee on behalf of the DWA Task Group on Conformity Assessment. Please review the changes proposed to these standards and **submit your ballot by October 9, 2013** via the NSF Online Workspace.

Purpose

The proposed revision is to add a reference the 2012 version of the Transparency International (TI) Corruption Perception Index (CPI) and change the criteria from <5.0 to <50.

Background

The TI CPI which is referenced in NSF/ANSI 223 has changed their methodology to simplify the method for aggregating different data sources. This includes using just one year's data from each data source, which will allow for better comparison of scores over time. They also changed the index from a scale of 0 to 10.0 to a scale of 0 to 100. For example Poland went from a score of 5.5 in the 2011 Index to 55 in the current index. China went from a score of 3.6 in the 2011 Index to 39 in the 2012 Index. The proposed revision will adjust the TI CPI referenced under section 5 to coincide with the updated scale of <50 and reference the 2012 version of the TI CPI.

If you have any questions about the technical content of the ballot, you may contact me in care of:

Chairperson, Joint Committee
c/o Monica Leslie
Joint Committee Secretariat
NSF International
Tel: (734) 827-5643
E-mail mleslie@nsf.org

[Note – the changes are seen below using strikeout for removal of old text and gray highlights to show the suggested text. ONLY the highlighted text is within the scope of this ballot.**]**

[NOTE: The revisions to the foreword are provided for informational purposes only and are not part of the actual ballot.]

Foreword

It was noted during the discussion that when NSF/ANSI 60 was originally devised, most production of direct additives occurred in or was overseen by owners from countries where corruption played an insignificant role in business. Today, a substantial portion of the production of direct additives to water has moved to countries where this is no longer the case. Transparency International's Corruption Perceptions Index (CPI) is perhaps the most famous of a number of such indexes constructed to aid international businesses in understanding the conditions they will face in the different countries in which they do business. Such conditions include labor rates, public holidays, endemic diseases, labor laws, business etiquette and corruption. The index has been constructed annually since 1995 for Transparency International by Prof. Johann Graf Lambsdorff of the University of Passau. The process sources 16 independent surveys of countries, and a country must appear in at least three of these sources in order for a score to be calculated. ~~A score of 5.0 or lower on the CPI indicates that corruption will be a significant factor in doing business in that country.~~ The CPI was revised in 2012 from a scale of 0–10 to 0-100, where the lowest possible level of perceived corruption would equal a score of 100 and the highest possible level of perceived corruption would equal a score of 0. As production moves to a wider variety of source countries and raw material sourcing is further diversified due to cost considerations, there must be a method to differentiate locations where oversight can be relaxed, and where it must be maintained. Therefore NSF 223 establishes additional requirements for locations in countries with a CPI score of < 50. This external source of such judgments is the method most commonly used worldwide and is used in this Standard as one of the determinants as to where oversight shall be maintained.

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NSF/ANSI Standard
for Drinking Water Additives –

Conformity Assessment Requirements for Certification Bodies that Certify Products Pursuant to NSF/ANSI 60: Drinking Water Treatment Chemicals – Health Effects

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1 General

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1.3 Normative references

The following documents contain provisions that, through reference, constitute provisions of this NSF Standard. At the time this Standard was balloted, the editions listed below were valid. All documents are subject to revision, and parties are encouraged to investigate the possibility of applying the recent editions of the documents indicated below. The most recent published edition of the document shall be used for undated references.

ISO/IEC Guide 65: 1996 *General requirements for bodies operating product certification systems*[1]

ISO/IEC Guide 17020: 1998 *General criteria for the operation of various types of bodies performing inspection*[1]

NSF/ANSI 60 - *Drinking Water Treatment Chemicals – Health Effects*

Transparency International *Corruption Perception Index*, ~~2009~~2012[2]

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5 Facility audits

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5.2 Facility audits during surveillance

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5.2.3 If the country in which the manufacturing, blending, diluting, dissolving, re-packaging, re-labeling, or product transferring facility is located has a score less than ~~5.0~~ 50 or lacks a Corruption Perceptions Index on Transparency International's most recent Corruption Perceptions Index (TI CPI), then the audit frequency for a facility shall be increased to at least twice per calendar year. The facility shall however, attain the audit frequency in 5.2.1 if,

a) The facility engages in the audit regimen of 5.1 and if the facility demonstrates and maintains 36 months of continuous freedom from the deficiencies listed in 5.2.2, or

b) the facility is part of a wholly owned global business entity, or joint venture where all parties are operating under a quality management plan as described as in c) below.

c) The facility's Quality or Environmental Management or Product Stewardship program includes one or more of the programs listed below and is capable of supporting and demonstrating the consistent fulfillment of the product requirements in NSF/ANSI 60. Registration by an external certification authority shall be the means to demonstrate the implementation of the quality or environmental management systems or product stewardship program. For programs 1, 2, and 3, the external certification authority shall be accredited by an International Accreditation Forum signatory. The certification body shall assess whether the facility's Quality or Environmental Management or Product Stewardship program is capable of

1 International Standardization Organization, 1 ch. De la Voie-Creuse, Case postale 56, CH 1211 Geneva, 20 Switzerland, <www.iso.org>.

2 Transparency International, Alt-Moablt 961, 10559 Berlin, Germany, <www.transparency.org>.

supporting and demonstrating the consistent fulfillment of the product requirements in NSF/ANSI 60.

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5.2.4 Facilities that blend, dilute, dissolve, re-label, repackage, or transfer non-certified products that are supplied by a facility that is located in a country with a TI CPI < ~~5.0~~ 50 shall have an audit frequency of twice per calendar year. The certification body has the option to reduce the inspection frequency to once every 12 months if the supplying facility meets one of the following criteria:

a) The supplier to the facility also receives audits from a certification body that is accredited by an International Accreditation Forum signatory, according to the requirements of this Standard.

b) The blender, diluter, dissolver, re-labeler, re-packager, or transfer facility has an alternate method that is acceptable to the certification body, which provides a mechanism to verify that no changes have been made to the supplied product and continues to be provided identical product.

Reason: The proposed revision will adjust the TI CPI referenced under section 5 to coincide with the updated scale of <50 and reference the 2012 version of the TI CPI.

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Annex A[3]

(informative)

Examples of Conformity Assessment Activities

[NOTE: The revisions to Annex A are provided for informational purposes only and are not part of the actual ballot.]

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A.5 Example of an alternate method that would be acceptable to the certification body to provide verification that non-certified suppliers do not make unauthorized changes to the product.

A re-packaging firm located in Country 1 (TI CPI <50), is certified by Certification Agency A, and has three suppliers. One supplier is in Country 1 and is certified by Certification Agency B. Another supplier is located in Country 2, and is certified by Certification Agency C. The third supplier is located in Country 3, and is not certified. The third supplier has each batch of material sent to the re-packaging firm tested for the substances prescribed in NSF/ANSI 60 by a third-party testing organization located in Country 4 (TI CPI >50). The testing organization is accredited by an international oversight agency, has a sound reputation, and its ownership is independent of the Country 3 supplier.

3 The information contained in this Annex is not part of this American National Standard (ANS) and has not been processed in accordance with ANSI's requirements for an ANS. Therefore, this Annex may contain material that has not been subjected to public review or a consensus process. In addition, it does not contain requirements necessary for conformance to the Standard.

A.6 Example of an alternate method that would not be acceptable to the certification body to provide verification that non-certified suppliers do not make unauthorized changes to the product.

A blender, diluter, dissolver, re-labeler, re-packager or a transfer facility located in Country 5 (TI CPI <50), is certified by Certification Agency A, and has two suppliers. One supplier is in Country 6 and is certified by Certification Agency B. The second supplier is located in Country 7, and is not certified. The second supplier has each batch of material sent to the blender, diluter, dissolver, re-labeler, re-packager, or the transfer facility tested for the substances prescribed in NSF/ANSI 60 by a third-party testing organization located in Country 8. The testing organization is not accredited by any international oversight agency, it has been noted in the press for lapses in quality, and it does not have other multi-national clients. It is determined later that the testing organization's ownership is related by marriage to the owners of the blender, diluter, dissolver, re-labeler, re-packager, or transfer facility's firm