
AHAM

Policy and Procedures Governing Technical Standards

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PREFACE

AHAM Standards shall be in the best interest, mutually, of consumers who use appliances, and other properly interested parties. They shall relate to actual use conditions, and be technically and scientifically sound. Their use or observance is voluntary.

This policy applies equally to the Portable and Major Appliance Divisions. The terms Division Board and Engineering Council may be read as being preceded by the applicable division name (e.g. Division Board may be the Major Appliance Division Board or Portable Appliance Division Board whichever is responsible for the particular technical standard).

Whenever work is begun on a new AHAM Technical Standard or revision of an existing one, interested parties shall be notified and their comments and suggestions invited. In addition, nationally recognized consumer sounding boards shall be consulted, as appropriate, during the various stages of standard development.

AHAM's Engineering Council shall be kept informed during the course of development of technical standards and given opportunity to comment and counter propose throughout. Other parties' views, as appropriate, shall also be sought.

Technical standards developed by AHAM shall be designated as "AHAM Technical Standards." Procedures specifically related to safety and submitted to the cognizant independent safety or sanitation certification or listing organization shall be designated as "AHAM Safety Recommendations." Procedures specifically related to safety, and developed because a cognizant independent safety or sanitation certification or listing organization declined to take action on an identified issue, shall be designated as "AHAM Safety Standards."

Upon approval by the appropriate Engineering Council, AHAM Technical Standards, AHAM Safety Standards, and AHAM Safety Recommendations shall be submitted to the appropriate AHAM Appliance Division Board for final AHAM approval.

National recognition by an established national standards recognizing organization shall be sought for AHAM Technical Standards that are the basis of a Certification Program to assure that the views of other interested parties have been canvassed. The AHAM Standard shall then be designated as an American National Standard (or equivalent). At the discretion of the Engineering Council, other AHAM Technical Standards may be submitted for national recognition.

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AHAM TECHNICAL POLICIES AND PROCEDURES

I. SCOPE & GENERAL PRINCIPLES

SCOPE

The policies set forth in this document shall be applicable to the development of AHAM Technical Standards only. The procedures for submitting AHAM Technical Standards to the American National Standards Institute (ANSI) for consideration as American National Standards (ANS) are described in a separate AHAM document titled "Procedures for Approval of AHAM Standards as American National Standards."

AHAM Technical Standards shall relate to the engineering aspects of appliance products. AHAM's Engineering Councils shall be responsible for the development of such standards. The Engineering Councils shall work through product councils and task forces, using AHAM staff in both professional and administrative capacities. Development of AHAM standards is under the direction of the Engineering Councils.

GENERAL PRINCIPLES

- A. AHAM shall develop technical standards in the best interest of the public, the industry and all other interested parties. A high order of integrity and responsibility to the public shall be observed in AHAM standards activities. In pursuit of this policy, AHAM shall develop such standards within its own organization and shall represent appliance manufacturers where appropriate in other standards- development organizations.
- B. AHAM Technical Standards shall be voluntary standards.
- C. The preparation of AHAM Technical Standards and of AHAM positions in other standards-development organizations shall be the responsibility of the respective product task forces assigned by the product council or Engineering Council and working under the direction of the Engineering Council. The Engineering Council, in turn, works under the direction of the Appliance Division Board.
 - 1. The Engineering Council shall be informed as work begins on each new standard or standard review and may approve, disapprove or direct the work at any time.
 - 2. The Engineering Council shall be kept informed of work as it progresses and may direct the work at any time.
 - 3. The Engineering Council must approve the final product council or task force recommendation in accordance with Section IV-C.

Interested parties shall be kept informed of AHAM Technical Standards work. They shall be canvassed for their views on standards being developed. Significant objection from any source, which cannot be resolved, shall be reported to AHAM's Engineering Council and to the Appliance Division Board at the time AHAM Technical Standards are submitted for approval.

- D. AHAM Technical Standards shall be related to realistic consumer usage and may, when appropriate or necessary, also address foreseeable misuse.
- E. AHAM shall work toward the development of uniform standards in preference to many different standards: local, duplicative, inconsistent, or fragmented.

II. CONTENT OF AHAM TECHNICAL STANDARDS

It is the policy of AHAM to develop, sponsor and adopt voluntary technical standards for the home appliances within AHAM's scope and thus to provide information useful to industry, consumers and others. Such standards shall be primarily standard test methods for measuring product performance or other characteristics. AHAM Technical Standards may include sections on any or all of the following:

- A. Safety –AHAM Technical Standards shall include, by reference, appropriate safety standards of cognizant independent safety agencies. If appropriate safety agency standards do not exist, AHAM Safety Recommendations may be developed.
- B. Product description, sizes and ratings.
- C. Product evaluation test procedures – standard methods of measurement for accurate, uniform determination of sizes, ratings, performance or other characteristics. These include recommended testing techniques.
- D. Definitions of terms for consumer use – glossary of terms for all products.
- E. Information about the product, such as labeling standards, which is recommended to be made available to provide consumers with accurate, reliable information on performance values, sizes, ratings, and other information.
- F. Other appropriate characteristics as may be directed or approved by the Appliance Division Board.
- G. Recommended levels of performance (including product operation, performance values and other characteristics) where such standards are found to be of significant public value and clearly will not create a possibility of competitive injury to any market participant or the inhibition of any innovation or improvement in the product.

III. DEVELOPMENT OF AHAM TECHNICAL STANDARDS

The following shall govern the development of AHAM Technical Standards:

- A. Any party of interest may submit a request for a new or revised AHAM Technical Standard.
- B. Engineering Councils shall be responsible for development of such standards or for recommending that such standards not be developed.
- C. The appropriate Product Council or the Engineering Council may initiate a technical standard, review drafts of such standards at any stage of development and shall be informed of work started and significant steps of work in progress.

D. Drafting of AHAM Technical Standards is primarily the responsibility of the AHAM professional staff working with the Engineering Council, the appropriate Product Council or the appointed Task Forces. Full use may be made of council or task force members and others competent and available to work on standards. Such others may include interested persons whether or not they are affiliated with AHAM member companies. AHAM Supplier Division members and persons not affiliated with AHAM member companies may attend meetings and receive minutes as appropriate to the project at hand, but they are not considered voting members of the council or task force. Use may be made of both members' and others' laboratories as required. Progress shall be reported to AHAM's Engineering Council. The Engineering Council may direct such actions, as it deems appropriate.

E. AHAM counsel shall review standards work at each step. See Appendix 1.

IV. APPROVAL OF AHAM TECHNICAL STANDARDS (See Flow Chart)

Unanimity Policy. All Task Forces, Councils and Boards shall, with due diligence, seek to arrive at standards decisions unanimously.

If unanimity cannot be reached, a strong consensus shall be sought. Consensus, in the voluntary standards development process, means substantial agreement after a concerted effort to resolve objections. (See IV-D.) The final judgment in this matter rests with AHAM's Appliance Division Board.

In any event, at least the following conditions must be met for approval of AHAM Technical Standards:

A. Task Force Approval. Approval by Task Force assigned by Product Council (or Engineering Council). After a draft of a technical standard has been prepared, it shall be submitted for ballot. An adequate period, typically at least two weeks, shall be provided for such vote. A two-thirds affirmative vote of the Task Force is required for approval. Abstentions and ballots not returned will be excluded from the total number of Task Force members for the purposes of determining the two-thirds affirmative vote.

If approval by such Task Force is not unanimous, a brief, accurate summary of the positions shall be presented to the Product Council (or Engineering Council). Such summaries shall include the positions of non-AHAM participants as mentioned in III-D above. AHAM staff will prepare a report on the standard including a history of the development, a summary of major changes and the deliberations on it thus far by AHAM. This report will review all factual and technical aspects of the standard, all evidence and positions received, and will set forth the view of staff and counsel as to the application of the foregoing criteria.

If no Task Force has been assigned, the Product Council or Engineering Council will be directly responsible for the initial development and approval of the standard draft in accordance with the following paragraph B (or paragraph IV. C).

B. Product Council Approval. (If Product Council does not exist see IV. C). When the AHAM Technical Standards have been reviewed and approved by an appropriate Task Force, they are next submitted for approval by vote to the appropriate Product Council. An

adequate period, typically at least two weeks, shall be provided for such vote. A two-thirds affirmative vote of the Product Council members is required for approval. Abstentions and ballots not returned will be excluded from the total number of Product Council members for the purposes of determining the two-thirds affirmative vote. If a two-thirds affirmative vote is not obtained, the standard shall be returned to the Task Force with a summary of the negative votes and positions for further revision.

After approval by the Product Council, any negative votes or positions must be accurately summarized and presented to the Engineering Council for resolution acceptable to the Product Council. If an acceptable resolution is not possible, the Product Council's position, along with that of the Engineering Council, must be presented to AHAM's Appliance Division Board if the standard is submitted to the Board for approval. (See IV.D- below.)

C. Engineering Council Approval. After approval by the Product Council (or Task Force if a Product Council does not exist), the technical standard shall be submitted to the Engineering Council for approval, or other action, along with a report showing the record of voting of the Product Council or Task Force and any comments of outside parties. AHAM's Engineering Council shall either approve the standard as a proposed AHAM Technical Standard; send it back to the Product Council or Task Force with instructions; or instruct AHAM's professional staff as to the next action to be taken.

A two-thirds affirmative vote of the Engineering Council is required for approval. Abstentions and ballots not returned will be excluded from the total number of Engineering Council members for the purposes of determining the two-thirds affirmative vote. An adequate period, typically at least two weeks, shall be provided for such vote by the Engineering Council. Whatever the vote, if there is a significant objection, effort must be made to resolve the objection. If the Engineering Council does not resolve it, it must be reported to the Appliance Division Board.

Criteria for approval by the AHAM Engineering Council shall include consideration of:

1. Whether the proposed standard is technically sound.
2. Whether all reasonable objections have been resolved satisfactorily to all interested parties and whether there is a genuine consensus favoring promulgation of the standard.
3. Whether the standard is in the public interest; it does not unfairly favor any sector over another and it will not harm or interfere with any proper technical, economic or social activity.
4. Whether AHAM Counsel has reviewed the standard and its development process to assure that there are no negative antitrust or other legal implications.

In addition to the minutes and reports of meetings by the involved task forces and Product Councils concerning a proposed standard, the Engineering Council will consider the report of AHAM staff and legal counsel on the standard and the deliberations on it thus far by AHAM. This report will review all factual and technical aspects of the standard, all evidence and positions received, and will set forth the view of staff and counsel as to the application of the foregoing criteria.

D. Appliance Division Board Approval. Upon approval by AHAM's Engineering Council, the technical standard shall be submitted to AHAM's Appliance Division Board. If no Board member requests a vote by the Board within 10 days after receipt of the standard, then the Engineering Council's approval of the standard shall be considered final. If a vote is requested, the voting shall be completed within 30 days after the standard was sent to the Board. The Appliance Division Board shall base any action it takes on the same criteria as enumerated in IV.C above. If balloted, a two-thirds affirmative vote of the Division Board members is required for approval. Abstentions and ballots not returned will be excluded from the total number of Division Board members for the purposes of determining the two-thirds affirmative vote. If a two-thirds vote is not obtained, the standard shall be returned to the Task Force.

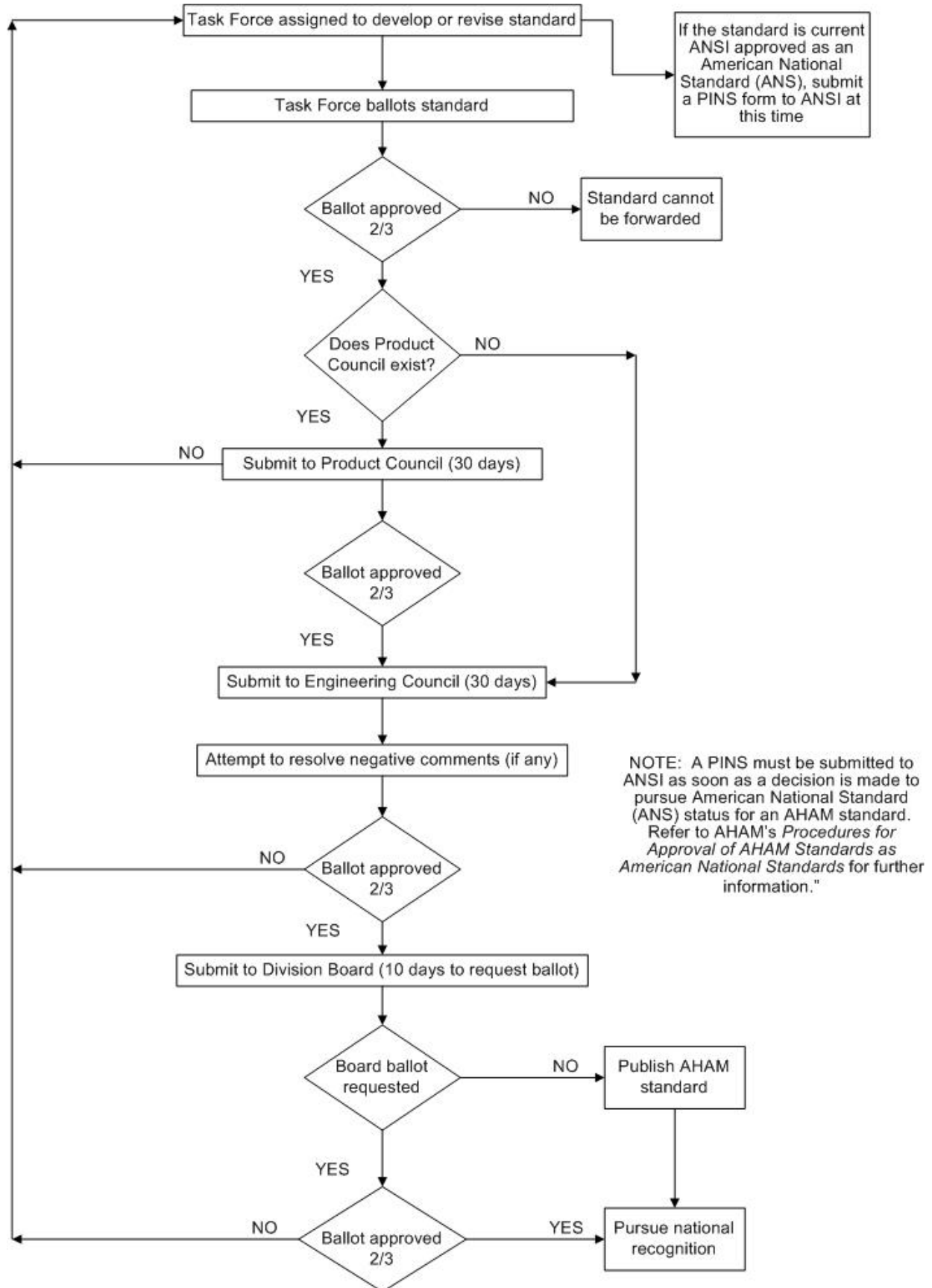
E. National Recognition. Within sixty (60) days of adoption by AHAM, all AHAM Technical Standards that will be the basis for a certification program shall be submitted for recognition by a national standards group (such as the American National Standards Institute). Other standards may also be submitted at any time at the discretion of the Engineering Council. National Recognition, by the consensus panel review of other interested parties, provides for further expression of position from consumer, government and others not included in AHAM's membership.

If an individual requests a substantial change or raises an objection to an AHAM Technical Standard during the consensus panel review, the Task Force assigned will review the individual's request and modify the standard if warranted. If a substantial change is incorporated into the Technical Standard, AHAM approval must be sought again. If a substantial change is not incorporated into the standard, the Task Force and AHAM staff will respond to the individual and attempt to resolve the issue. If the issue cannot be resolved, AHAM will notify the individual of the AHAM Appeals Policy (see Appeals Policy, Section IX) and the means to appeal through the national standards recognizing organization.

F. Review. AHAM Technical Standards shall be subject to continual review and improvement. Not less than every five years, Technical Standards shall be completely reviewed, revised or withdrawn if necessary and resubmitted to AHAM's Engineering Council.

Inputs to this review would be a summary of all known conflicts, suggestions and criticism received by AHAM since the previous review. A file shall be kept for each standard so that all comments received are reviewed and integrated into the standard, if appropriate. The contributor of each comment shall receive a response regarding the handling of his comment.

AHAM Standards Development Process



RELATIONSHIP WITH OTHER STANDARDS ORGANIZATIONS

- A. AHAM shall participate in the activities of other standards-development organizations that are preparing standards of interest to the appliance industry. The AHAM position in such organizations shall be established in consultation with the product councils or their assigned task forces, and with the approval of the Engineering Council. The issues and progress shall be reported to the Engineering Council.

Other technical standardization subjects of concern to AHAM members are:

1. Standards for components (motors, controls, hardware, etc.);
2. General safety standards applicable to many products or parts of products (e.g., leakage current, National Electrical Code, radiation hazards, in-plant safety, etc.);
3. Other (e.g., electromagnetic interference, packaging and labeling, nameplate markings, standard voltage variations, etc.).

- B. AHAM shall participate in the activities of the American National Standards Institute (ANSI) as is appropriate to assist in the development of national technical standards other than appliance standards needed in the appliance field. This participation shall include, but not be limited to:

1. Sponsorship of technical committees;
2. Provision of reasonable staff and professional engineering services for ANSI committees, as well as for AHAM standards committees;
3. Representation on boards and committees;
4. Assistance through research, laboratory testing.

- C. AHAM shall maintain close relationships with organizations preparing safety standards for appliances and shall provide technical assistance to such organizations as required. AHAM shall take the leadership in persuading such organizations to undertake the development of new safety standards in those fields where standards do not exist.

- D. AHAM shall participate in selective international standards work as determined by the Engineering Council, which may be based on recommendations of the product councils or specialists, subject to approval by AHAM's Appliance Division Board.

This participation may include, but not be limited to:

1. Sponsorship of international secretariats, including provision of staff and professional and administrative services, as requested.
2. Technical Advisory Group Administration.

3. Attendance at international meetings; including both staff and member representation, involving standards promulgation and consumer interests – representing the United States as national delegates.
 4. Development of national positions on matters before international standards bodies.
 5. Sponsorship of international conventions and provision of financial support as appropriate.
- E. AHAM shall work with and advise governmental agencies involved with the regulation, use or development of standards.
- F. AHAM shall work with other organizations engaged in standardization within the appliance field as appropriate.

V. OBSERVANCE, USE OR COMPLIANCE WITH AHAM TECHNICAL STANDARDS

- A. AHAM Technical Standards shall be voluntary standards.
- B. An AHAM Technical Standard, or a part thereof, may be used in certification procedures established in an AHAM Certification Program. Such use includes standard test procedures, definitions, test conditions, functional characteristic measurements, operational performance characteristics, and any other part of the standard except, however, there shall be no certification program for recommended levels of performance or recommended performance values.

AHAM Certification Programs shall provide for the use, either in whole or in part, of:

1. An ANSI standard, if one exists, or
 2. An AHAM Technical Standard, or
 3. A combination of both
- C. In the absence of an AHAM Certification Program, AHAM members, other manufacturers, and other organizations maintaining qualified laboratories are encouraged to certify, on their own authority and reputation, that products comply with or have been measured or tested in accordance with AHAM's Technical Standards.

VII. SAFETY STANDARDS AND RECOMMENDATIONS

A. AHAM Safety Standards

Typically, AHAM does not get involved in writing separate safety standards. However, AHAM Safety Standards may be developed when:

1. Appropriate recognized safety and sanitation standards do not exist, and/or
2. The need to enhance the existing recognized safety standard is apparent and the appropriate agencies fail to respond affirmatively.

B. Safety Recommendations and Input to non-AHAM Standards

Safety recommendations, when identified, shall be reviewed by the AHAM Legal Counsel, after which the safety recommendations may be developed in accordance with AHAM's Safety Screening Policy (See Annex C).

Upon approval, the Safety Recommendations shall be forwarded to the appropriate independent agencies with the recommendation that it be considered and processed as a change or addition to that standard.

1. It is the desire and intent of AHAM that all mandatory safety standards required by the U.S. government be developed under an open and transparent process by the independent regulatory safety agency. AHAM's role will be that of a catalyst to encourage the agencies to consider suggestions and proposals to insure proper coordination of their activities, to provide technical input, and to report on all phases of standards-writing activity to its members.

In the event that these independent agencies do not wish to generate a mandatory standard, or if it appears that the agencies will not accept suggestions or proposals, AHAM may offer to develop a standard involving an AHAM product. AHAM would then follow the AHAM Procedures for standard development and approval.

2. AHAM will monitor changes and proposals made to voluntary safety standards. These proposals will be reported to the appropriate Engineering Council, Product Council or Specialists for comment. AHAM may provide comment and alternative proposals to the voluntary safety standards with input from AHAM membership. Before independent data is gathered by AHAM member companies to assist in the development of a safety standard, AHAM shall report the proposed scope and activity to the Legal Operations Advisory Council (LOAC). This Council shall have at least two weeks to review the proposed work.

VIII. REQUESTS FOR CHANGES TO AHAM TECHNICAL STANDARDS

- A. At any time after publication of an AHAM Technical Standard, as an AHAM Standard or as an American National Standard, any interested person may file a written request for a change in the terms of the standard. Such request should contain the reason for the request and the person's recommended action and reasons therefore.
- B. The request shall be referred to the appropriate Engineering Council. The Engineering Council, after consulting with the AHAM Staff and interested members, shall issue its written response within sixty (60) working days.
- C. Any interested person who does not agree with the response of the Engineering Council may file an appeal in accordance with the procedures set forth in Section IX.

IX. APPEALS POLICIES

A. Appeals Policy for AHAM Technical Standard (Not ANSI approved)

1. This section governs an appeal to a response by the Engineering Council. AHAM's Engineering Council may grant a hearing to any interested person who petitions for such an appeal.
2. If the Engineering Council hears the appeal and rules in favor of the petitioner by a simple majority, the matter must be referred to the Product Council or Task Force which developed the standard with direction as to the further proceedings to be conducted. The resulting revised standard shall be submitted for approval in accordance with Section IV.

B. Appeals Policy for ANSI Approved AHAM Technical Standards

Persons who have directly and materially affected interests and who have been or may be adversely affected by a substantive or procedural action or inaction of the consensus body or the secretariat (AHAM) shall have the right to appeal.

1. Complaint

The appellant shall file a written complaint with the secretariat within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objections(s) including any adverse effects, the clause(s) of these procedures or the standard that is 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.

2. Response

Within thirty days after receipt of the complaint, the respondent (chair or secretariat representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

3. Hearing

If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the secretariat shall schedule a hearing with an appeals panel formed by the secretariat on a date agreeable to all participants, giving at least ten working days notice.

4. Appeals Panel

The appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent.

5. Conduct of the hearing

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the consensus body and the secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. 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.

6. Decision

The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented to the appeals panel. Consideration shall be given to the following positions, among others, in formulating the decision:

- Finding for the appellant, remanding the action to the consensus body or the secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- Finding that new, substantive evidence has been introduced, and remanding the entire action to the consensus body or the secretariat for appropriate reconsideration.

7. Further Appeal

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.

X. DISPUTES INVOLVING INTERPRETATION

- A. Following the publication of an AHAM Technical Standard, any interested person may file a written request for an interpretation of the standard. Such a request should contain the interest of the person making the request, the reason for the request and the person's recommended action and reasons therefore.
 1. The request shall be referred to the AHAM staff members responsible for the AHAM Technical Standard in question for review. If the staff members, in consultation, as necessary, with AHAM members or other parties that participated in the standard's development, are able to draft a written interpretation based on precedent and/or knowledge of the standard, the staff members will prepare a written response. The written interpretation shall be submitted to AHAM's Legal Counsel for approval, and then issued within forty-five (45) business days.

2. If the staff members, in consultation, as necessary, with AHAM members or other parties that participated in the standard's development, are **not** able to draft a written interpretation based on precedent and/or knowledge of the standard, the matter shall be brought to the Engineering Council. The Engineering Council would determine appropriate proceedings given the nature of the issue. The appellant shall have the opportunity to present comments, supporting documents, or data to the Council. In addition, AHAM staff shall also provide the Council, with any supporting documents or data. Final action of the Council shall require a majority vote of those members that respond, excluding abstentions. The written interpretation shall be submitted to AHAM's Legal Counsel for approval and then issued to the appellant within sixty (60) business days. AHAM will comply with the findings of the Engineering Council.
3. Any AHAM member who does not agree with the response of the Engineering Council may appeal the decision to an Arbitrator selected by the Engineering Council. The decision of the Arbitrator, following a hearing, is the final AHAM determination and binding to all parties. All out-of-pocket costs (Arbitrator fees and expenses, and necessary facilities) associated with this appeal will be borne by the interested party if the Arbitrator does not support the interested party.

XI. DOCUMENT RETENTION POLICY

AHAM's document retention policy is designed to assure that AHAM maintains complete, accurate, and high quality records. Records are to be retained for the period of their immediate use, unless longer retention is required for contractual or legal requirements. Records that are no longer required, or have satisfied their required periods of retention, are to be destroyed in an appropriate manner.

Adopted* AHAM and/or ANSI/AHAM standards, policies and procedures governing the text of standards	Permanently
All documents pertaining to the development of new, revised or reaffirmed AHAM and/or ANSI/AHAM standards	For one cycle of the standard or until the standard is revised.
Withdrawn AHAM and/or ANSI/AHAM standards (that have not been adopted).	Retain for five (5) years from the date of withdrawal
Certain key Certification Program documents (contracts, Procedural Guides, etc.)	Permanently

*For example, adopted by a U.S. Federal Agency such as the Department of Energy.

XII. METRIC POLICY

AHAM Technical Standards shall list the English inch-pound (I-P) units followed by the equivalent metric system (SI) units in brackets. Technical Standards shall follow the rules for conversion and rounding outlined in the *IEEE/ASTM SI 10-2002 Standard for Use of the International System of Units (SI): The Modern Metric System*. For identifying or establishing test conditions, the I-P units are considered as “hard” units and the SI equivalents as “soft” units.

XIII. PATENT POLICY

AHAM does not object in principle to drafting proposed standards that include the use of a patented item, if technical reasons justify this approach. Prior to AHAM approval of the standard, AHAM shall receive from the patent holder, or other identified party, assurances that if such party has, or in the future acquires, a patent, it will:

- A. Grant a license without compensation to the applicants desiring to utilize the license for the purpose of implementing the standard; or
- B. Grant a license to the applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

When AHAM receives from a patent holder the assurance set forth in A & B above, the standard shall include a note as follows:

"NOTE - The user's attention is called to the possibility that compliance with this standard may require the use of an invention covered by patent rights.

By publication of this standard, no position is taken with respect to the validity of this claim or of any patent rights in connection therewith. The patent holder has, however, filed a statement of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details may be obtained from the standards developer."

A record of the written assurance provided for above, shall be placed and retained in AHAM central files at AHAM Headquarters. A copy of such record shall also be forward to ANSI for any new or revised ANSI/AHAM standard.

AHAM shall not be responsible for identifying all patents for which a license may be required or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

Informative Annex A

SUMMARY OF LEGAL PRINCIPLES AND POLICIES GOVERNING AHAM'S STANDARDS PROGRAMS

1. There is no inherent legal objection to the development by AHAM of standards to enable consumers to compare the capacity, performance and other characteristics of competing products.
2. These standards must include uniform, repeatable test procedures, often referred to as standard methods for measuring performance, capacity or other product characteristics. These test procedures or standard methods make it possible to evaluate and compare competing products. So long as the test procedures or standard methods of measurement are reasonable, so long as they are adapted to the function the product is to serve, and so long as they are not discriminatory in any way, they should present no antitrust problems.
3. When demonstrably necessary or technically desirable the standards may also include recommended levels of performance (or recommended performance values) which represent the best judgment of industry engineers about the levels of performance that should be attained by a reasonably usable product. This part of a standard may present antitrust questions either because the recommendations may tend to set levels of performance that will be followed by all manufacturers and, thus, tend to eliminate or otherwise affect competition with respect to performance, or because such levels could injure the business of a company whose products do not meet them. In the latter regard, the antitrust concern increases where governmental bodies adopt the standard either for regulatory or purchasing purposes. In view of these antitrust considerations the following specific AHAM policies should be followed with respect to developing and setting recommended product performance values.
 - (a) to the maximum extent practicable the views and recommendations of all interested persons (whether AHAM members or not) should be sought in developing recommended performance values;
 - (b) there should be a procedure for any interested person (whether or not an AHAM member) to object to, question or otherwise seek consideration of the validity of recommended performance values;
 - (c) no minimum or maximum may be placed on performance; performance values should be expressed as a range of values, and a single recommended value should be used only when a range of values cannot be established.
 - (d) Recommended performance values should not be likely to result in inhibition of product innovation and improvement;
 - (e) There should be periodic review of recommended performance values to ascertain whether performance restrictions or inhibitions appear to be emerging;
 - (f) Each recommended performance value should be accompanied by a Statement of Justification for the need of a value and the reason that the particular value was selected;

- (g) Recommended performance values and the reason therefore should be separately stated by paragraph or section from standard methods for measuring product performance or other characteristics;
- (h) There should be no AHAM Certification Program for certifying compliance with recommended performance values;
- (i) A manufacturer or, as appropriate, any other interested person, may at his option, apply a test procedure for a particular value to the product and state the results in point of sale or other promotional materials; the results may be compared with AHAM recommended levels of performance.

Counsel believes that AHAM's Policy and Procedures Governing Technical Standards as amended is consistent with the foregoing summary. However, each proposed AHAM Technical Standard or revision thereof must be reviewed by counsel on its own substantive and procedural basis to assure compliance with AHAM policy.

Informative Annex B

Staff Guidelines for Development of AHAM Standards

1. General

1.1 Objective

The objective of a standard is to define procedures, technical parameters and reference documents in order to facilitate uniform practices for the benefit of trade and communication. To achieve this objective, the standard shall:

- (a) be as complete as necessary within the limits specified by its scope;
- (b) be consistent, clear, and accurate to avoid incompatible interpretations
- (c) be comprehensible to qualified persons who have not participated in its preparation.

1.2 Implementation

The format and text of a standard shall be drawn up in such a way as to permit its direct application and to facilitate its adoption with minimum change as an American National Standard or an international standard.

1.3 Planning

In order to ensure the timely publication of a standard, a list of all aspects to be covered shall be defined before detailed drafting begins so that a clear purpose and scope can be established. These rules for the drafting and presentation of standards shall be applied from the very beginning of the work and through all subsequent stages to avoid delay at any stage.

2. Framework, Structure, and Contents

2.1 General arrangement

The elements that together form a standard are classified into three groups:

- (a) preliminary elements: those that identify the standard, introduce its contents, and explain its background, its development, and its relationship with other standards
- (b) normative elements: those that set out provisions that are required to comply with the standard
- (c) supplementary elements: those that provide additional information intended to assist in understanding or using the standard.

An arrangement often used for product standards is indicated in Table 1. The 3 groups of elements described above are illustrated in Table 1 and described in the subclauses as shown.

A standard need not contain all the technical normative elements shown, and it may contain technical normative elements other than those shown. Both the nature of the technical normative elements and their sequence are determined by the nature of the standard in question.

Table 1
Elements of Standards

Type of Element	Element	See subclauses below
Preliminary	Title Page Contents Preface Introduction	3.1 3.2 3.3 3.4
Normative (General)	Title Purpose Scope Normative References	4.1 4.2 4.3 4.4
Normative (Technical)	Definitions Symbols and abbreviations Test methods Normative Annexes	5.1 5.2 5.3 5.4
Supplementary	Informative Annexes Footnotes	6.1 6.2

3. Preliminary Elements

3.1 Title page

During the development phase of a draft standard or document, certain information should appear on the title page, such as the document editor's name, address, telephone number, fax number, email address and the draft document number. When the standard is ready to be published, AHAM staff shall replace the title page with an official title page.

3.2 Contents

A table titled "Contents" shall be included in all standards. This table shall list the complete titles of the main clauses, the first series of subclauses, and the annexes if such material is included in the standard. Additional levels may be included, if desired. Lists of tables and figures are optional.

3.3 Preface

A foreword shall appear in every standard and consist of a general part giving information relating to AHAM and to standards in general, and a specific part giving as many of the following as are appropriate:

- (a) an indication of the intended users of this document;
- (b) the designation and name of the formulating group that prepared the standard;
- (c) information regarding the approval of the standard;
- (d) an indication of any other organization that has contributed to the preparation of the standard;
- (e) a statement that the standard or document cancels and replaces other documents in whole or in part, as appropriate
- (f) a statement of significant technical changes from the previous edition of the standard, if appropriate
- (g) the relationship of the standard to other standards or other documents;

3.4 Introduction

The introduction is an optional preliminary element used to give specific information or commentary about the technical content of the standard and about the reasons prompting its preparation. It shall not contain requirements.

4. General Normative Elements

4.1 Title

The wording of the title shall be established with the greatest care; while being as concise as possible, it shall indicate the subject matter of the standard in such a way as to distinguish it from that of other standards or documents without going into unnecessary detail. Any necessary additional particulars shall be given in the scope.

4.2 Purpose

The purpose states the intended applications of the standard. It shall not contain requirements.

4.3 Scope

The scope defines what is covered by the standard, and if appropriate, what is not covered. It shall not contain requirements.

4.4 Normative references

This element shall give a list of normative documents (standards, in most cases), with their titles and publication dates, to which reference is made in the text in such a way as to make them indispensable for the application of the standard. All normative references shall be publicly available. If only part of the referenced document is needed to comply with the standard or document, the appropriate sections shall be listed.

The list shall be introduced by the following wording:

"The following standards or documents contain provisions that, through reference in this text, constitute provisions of this standard. At the time of publication, the editions indicated were valid. All standards are subject to revision, and parties to agreements based on this standard are encouraged to investigate the possibility of applying the most recent editions of the standards indicated below."

The list shall not include the following:

- (a) documents that are not publicly available;
- (b) documents to which only informative reference is made;
- (c) documents that have merely served as references in the preparation of the standard

Such documents in "a through c" above may be listed in an informative annex (see 6.1) entitled "Bibliography".

5. Technical Normative Elements

5.1 Definitions

This is an optional element giving definitions necessary for the understanding of certain terms used in the standard or document. The definitions shall be introduced by the following word:

"For the purposes of this standard, the following definitions apply."

5.2 Symbols and abbreviations.

This is an optional element giving a list of the symbols and abbreviations necessary for the understanding of the standard or document.

5.3 Test methods

This element includes all the instructions concerning the procedure for determining the values of characteristics, or for checking compliance with stated requirements, and for facilitating repeatability and reproducibility of the results.

5.4 Normative annexes

Normative annexes are integral parts of the standard that, for reasons of convenience, are placed after all other normative elements. The fact that an annex is normative (as opposed to informative - see 6.1) shall be made clear by the way in which it is referred to in the text and by an indication at the head of the annex itself.

6. Supplementary Elements

6.1 Informative annexes

Informative annexes give additional information and are placed after the normative elements of a standard. They shall not contain requirements. The fact that an annex is informative (as opposed to normative) shall be made clear by the way in which it is referred to in the text and by an indication at the head of the annex itself.

6.2 Footnotes

Footnotes give additional information, but their use shall be kept to a minimum. They shall not contain requirements.

Annex C

Safety Screening Policy

(June, 2003)

AHAM Involvement in Safety Issues

In order for AHAM to undertake activities relating to safety issues such as safety standards, authority must be granted by member committees as follows.

1. Information Gathering

A two-thirds vote of the relevant Task Force, or if no Task Force exists, two-thirds of the product specialists from affected member companies. At the time a vote is requested of a task force, the LOAC will also be informed of the suggested area of activity so that LOAC members can instruct individual Task Force members from their respective companies. Any LOAC member can request a LOAC discussion and petition LOAC for a recommendation to the AHAM Board of Directors for a vote on proceeding with the suggested activity.

2. Comments on a Safety Standard Proposal of a Third Party, including Government.

A two-thirds vote of the relevant Task Force, or if no Task Force exists, two-thirds of the product specialists from affected member companies. Any Task Force member can request a LOAC discussion by contacting AHAM Counsel. LOAC can seek a review by the Board of Directors.

3. Developing New Language for Third Party: Same as # 2

4. Proposing an Amendment to or Rescission of a Third-Party Safety Standard

Same as #1

5. Voting as Part of UL Standards Technical Panel (STP) or Other Third Party Standards Development Body

A unanimous vote of the relevant Task Force, or if no Task Force exists, a unanimous vote of the product specialists from affected member companies.

6. Request for AHAM Staff to Serve as a Board Member of a Third Party Standards Development Body

AHAM staff may not be a member.

7. Request for AHAM to Develop a Safety Standard

The AHAM Board of Directors would need to approve such a request and develop procedures.

8. Voluntary Commitment by Group of Members Regarding Safety Matter (e.g., working with CPSC on a public safety message or activity, like chest freezer locks)

Same as #1

Note: If there is no relevant Task Force or group of product specialists, then the appropriate Division Engineering Council shall vote as necessary, using the same criteria for each case as described above.



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