

Current Laboratory Assessment Plan for 1981

J. R. Dise

LAPs covering the testing of Thermal Insulation Materials (Insulation LAP), Carpet (Carpet LAP), and Freshly Mixed Field Concrete (Concrete LAP) are now in operation.

Application for Accreditation or Reaccreditation

New applications for accreditation in one or more of the three LAPs are being accepted on a continuing basis. Completed application forms are reviewed as received; and when found to be in order, they are grouped into appropriate "action units" for assessment under the NVLAP process. In most instances, the interval between receipt of an application at NBS and issuance of accreditation will be less than 12 months.

Accreditation is issued for one year, and renewal must be requested. Applications for reaccreditation, which are distributed to accredited laboratories at the appropriate time, should be submitted approximately 6 months before the anniversary date.

On-Site Visits

On-site visits are a major element of the NVLAP assessment process. There are two kinds of on-site visits—scheduled and unscheduled. Scheduled visits are arranged in cooperation with the laboratory well in advance; unscheduled visits may be conducted at laboratories selected either at random or in response to apparent laboratory testing problems. Scheduled visits involve an in-depth examination of equipment, methods, and quality assurance procedures used to conduct the tests for which accreditation has been requested. Unscheduled visits (spot visits) involve examinations of selected procedures or equipment.

Participants in the Insulation LAP who received their first accreditations from NVLAP in 1980, and the participants who join NVLAP in 1981, must undergo detailed on-site visits in order to be accredited or reaccredited. The Insulation LAP participants who were first accredited in 1979, and the Carpet LAP

and Concrete LAP participants who were first accredited in 1980, may be selected for spot visits. Spot visits may be conducted at approximately 10 laboratories in the Insulation LAP and 7 in the Carpet LAP before September 15, and up to 16 laboratories in the Concrete LAP before December 1.

Accreditation or Reaccreditation Decisions

During 1981, the Department plans to accredit new participants by the end of June, the end of September, or the end of December. Decisions for reaccreditation of the 1980 participants in the Insulation LAP and Carpet LAP, and the 1980 participants in the Concrete LAP who have an October anniversary date, will be made by October 1. Decisions for reaccreditation of the 1980 Concrete LAP participants who have a December anniversary date will be made by December 15.

Accreditation Advocate Retires

(Reprinted with permission from the the April issue of NATA News, a newsletter of the National Association of Testing Authorities, Australia.)

One of America's greatest forces in laboratory accreditation, Dr. Howard Forman, will retire in April from the position of Deputy Assistant Secretary for Product Standards Policy at the United States Department of Commerce.

Dr. Forman is best known to Australians for his constructive contributions to the International Laboratory Accreditation Conferences—a result of his conviction that technical barriers to international trade can best be broken down



through acceptance of test results across national boundaries. It may be recalled that he had collaborated with Per Thoft of Denmark in convening the first ILAC conference in 1977 because they saw that the GATT Standards Code could only be made workable if national laboratory accreditation systems were harmonised. And the most likely way of achieving this was through mutual recognition of systems. Continuation of the conferences and their positive achievements are in no small part due to his personal contributions.

Perhaps Dr. Forman's breadth of

Coordinator's Corner

John W. Locke

Laboratory accreditation, which is growing in worldwide interest, was the subject of meetings of Task Force C of the International Laboratory Accreditation Conference (ILAC) hosted by NVLAP staff during the week of May 11 at the Department of Commerce. Representatives from Australia, Denmark, France, Germany, Japan, Mexico, Sweden, and the United Kingdom met to develop guidelines in four areas of particular interest to laboratory accreditation systems.

One set of guidelines deals with characteristics of a competent laboratory accreditation system. Questions raised during the discussions include: Does the system publish its criteria; is a list of accredited laboratories available; and are assessments scheduled periodically? Another set of guidelines relates to equipment calibration procedures. A third set of guidelines relates to the use of proficiency testing in determining competence of laboratories. Work will continue on a fourth set of guidelines on the content of an appropriate quality systems document that each accredited laboratory should develop and maintain.

ILAC is an informal conference of laboratory accreditation system managers who are working together to develop protocols which will lead to mutual recognition of test data among countries. Four yearly conferences have been held and the fifth is scheduled to be held in Mexico City in October (ILAC/81). The guidelines and recommendations from Task Force C will be presented to ILAC/81 for acceptance at that time.

On May 19 and 20, the International Standards Organization (ISO) sponsored a meeting of the ILAC/ISO Ad Hoc Committee on the Revision of ISO Guide 25, "Guidelines for Assessing the Technical Competence of Testing Laboratories". This document is similar in scope to the NVLAP criteria and is an attempt to provide an internationally accepted document as a basis for laboratory accreditation criteria. Only modest changes were suggested for Guide 25, with the biggest emphasis on the development of requirements for quality systems in the laboratory. The proposed changes will be taken up by ISO CERTICO for a final revision to ISO Guide 25 in perhaps a year. Currently, all documents are in first-draft stage for review by Task Force members.

In the meantime, NVLAP has received requests for information about accrediting laboratories in Canada, Hong Kong, India, Ireland, and the Philippines. The NVLAP procedures specifically prohibit the Department from denying accreditation to any laboratory solely on the basis that the laboratory is a foreign firm. Appropriate costs must be recovered, however, in assessing these laboratories. Other issues, such as the language used and the nature of a foreign laboratory's test reports, still must be resolved before applications from foreign laboratories are accepted.

You may ask why NVLAP is interested in international activities. First, there is knowledge to be gained from the experiences of others. Second, and most important, we are striving for the worldwide acceptance of test data from NVLAP-accredited laboratories performing tests for which they have been accredited. Third, we are concerned

about the implementation of the General Agreement on Tariff and Trade (GATT) and its provisions to minimize technical barriers to trade. Knowledge of both U.S. and foreign testing arrangements is necessary for the implementation of the agreement.

Reader's Forum

Recent articles featuring NVLAP and NVLAP accredited laboratories have appeared in the February issues of the *Air Conditioning, Heating, and Refrigeration News*, the *Rocky Mountain Construction* and the *Contractor's Guide*. A news item about NVLAP was published in the June issue of *Concrete International* and another is scheduled for the June issue of *NIGP NEWS* (a newsletter distributed to 20,000 government procurement officials by the National Institute of Governmental Purchasing). This professional recognition by government, industry, trade, and technical associations through their publication media speaks for the competence of NVLAP accredited laboratories.

Some accredited laboratories have sent us mailing lists in response to NVLAP Lab Bulletin No. 5, "The Value of Your NVLAP Accreditation." We have been writing to many of those agencies, associations, or firms which these laboratories have identified to explain the benefits of NVLAP accreditation. We are eager to receive additional contacts or suggestions from others in order to make NVLAP accreditation more meaningful for all.



Participants at the ILAC Task Force C meeting in Washington during the week of May 11, 1981. Seated from left: J. Williams, USA; R. Serra, Mexico; J. Gilmour, Australia; J. Locke, USA. Standing from left: B. Lindkvist, Sweden; J. Bryson, USA; J. Roue, Canada; J. Leteurtris, France; J. Wright, RILEM; J. Bell, UK; G. Berman, USA; L. Christoffersen, Denmark; P. Unger, USA; F. Wilson, USA; M. Yoshikai, Japan; and W. Schirmer, W. Germany. Photo by C. Ophardt.



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Litigation Involving Cellulosic Insulation Manufacturers and the Consumer Product Safety Commission

Diana Kirkpatrick

Background

The Consumer Product Safety Commission (CPSC) reports twice yearly to Congress describing the enforcement of the interim insulation safety standard. Under the safety standard, the manufacturer must test the insulation materials at the time of manufacture and certify that they comply with the requirements of the CPSC standard. As part of its enforcement program, CPSC routinely conducts plant inspections and collects samples of products which CPSC tests for conformance with the standard in regard to corrosiveness, surface flammability (as measured by the radiant panel), and smoldering combustion. When a failure occurs, CPSC issues to the firm a letter of advice which also serves as a notice of noncompliance. The letter advises the company of the test results, the need to retest, and the availability of CPSC laboratory staff for guidance.

After repeated tests have indicated that a failing product continues to be manufactured, CPSC will (1) bring legal action to enjoin the manufacturer from producing and selling the product or (2) seize the noncomplying product.

On May 29, 1980, CPSC filed suit to enjoin a cellulosic insulation manufacturer from further production and sale of a noncomplying insulation (US vs. Archer Insulation, Inc., et. al. (Southern District of Indiana, Civil No. IP 80-494C)).

On June 6, 1980, the Cellulose Manufacturers Association (CMA) and 21 individual manufacturers filed suit to set aside the amended interim standard and portions of the certification rule and to enjoin CPSC from enforcement of the amended standard. The CMA also asked the court to require the Commission to modify the tests in the standard to improve the repeatability and reproducibility (*Cellulose Manufacturers Association et al. vs. Consumer Product Safety Commission et al.*, (Western District of Washington, Civil Action File No. C 80-622)).

Update—the Current Situation

On December 22, 1980, 2 days prior to the scheduled hearing, the Archer Insulation case was settled out of court. CPSC agreed to take no further action against the company, and Archer agreed to market only those insulation materials passed by CPSC. As part of this settlement, certain members of the cellulosic insulation industry have agreed to submit recommended changes to the test methods and procedures of the standard. The industry submission will include specific suggestions for revising the standard as

well as technical data and other supporting information. This submission was to be filed with CPSC in early 1981. However, CPSC was anticipating a submission from the industry in mid-June.

The Commission has filed a motion to dismiss the CMA suit. Both the original suit and the CPSC motion are pending further efforts by CPSC and the industry to resolve questions about the test methods and standard. For the latest information, contact CPSC staffer Harry Cohen (301-492-6453).

Newsbriefs

- NVLAP is currently conducting assessments for reaccreditation for insulation, carpet, and concrete laboratories. To assure no lapse in your current accreditation, required information should have been returned to NBS by June 8, 1981. The reaccreditation period is an excellent time to consider adding additional test methods or enrolling in a new LAP.
- NVLAP staff members have been calling the accredited laboratories to update names and addresses of the key person(s) in your laboratory who are technically responsible for the accredited test methods. NVLAP general criterion G1.2 requires that you advise NVLAP of any such fundamental change within 30 calendar days of the change. Prompt submission of this information is important to the efficient conduct of NVLAP operations.
- A Symposium on Evaluation and Accreditation of Inspection and Test Activities sponsored by ASTM Committee E-36 was held in Washington, DC, on April 28 and 29. A cross-section of government and private sector representatives presented papers in sessions including U.S. Government evaluation and accreditation, international experiences in evaluation and accreditation, laboratories and compliance, laboratory applications, and computerized systems and laboratories. NVLAP staff participants included Gerald Berman (Chairman of ASTM E-36), John Locke, Peter Unger, Margaret Federline, Jeffrey

Horlick, and Diana Kirkpatrick. We'll let you know when the Symposium Proceedings become available.

- In an April 14 notice in the *Federal Register*, the Occupational Safety and Health Administration (OSHA) asked for comments and information regarding establishment of Federal regulations or guidelines aimed at the protection of laboratory workers. These new rules would apply only to exposure of laboratory workers to toxic chemicals. OSHA needs information on current lab practices and safety procedures in addition to ways to improve lab worker safety. Comments should be submitted promptly to Docket Officer, Docket No. H-150, Room S6212, OSHA, 200 Constitution Avenue, N.W., Washington, DC 20210.

- The National Research Council has recently issued a guide on the safe use of chemicals in laboratories. This book, which covers all types of laboratories where chemicals are used, is available under #389/6731 for \$12 from the National Research Council, 2101 Constitution Avenue, N.W., Washington, DC 20418 (202/389-6511).

- A *Catalog of Federal Metrology and Calibration Capabilities* (NBS Special Publication 546, 1980) available from the Government Printing Office lists Federal laboratories involved in metrology and calibration. Calibration services and capabilities, as well as contacts and geographic location of each laboratory, are included.

Forman from front page

vision may be traced to his diverse professional training and experience: a Ph.D. degree in chemistry combined with substantial laboratory experience, a law degree followed by involvement in corporate affairs and patent law, and finally, a senior position in the U.S. public service. He was responsible for creating and developing the ambitious National Voluntary Laboratory Accreditation Program. While this made him a relative "new chum" in the laboratory accreditation business, his background and qualities of dedication and enterprise have led him to occupying a pre-eminent position in the ILAC forum.

On his retirement, Howard Forman will establish a consultancy for industry and government on all matters relating to accreditation of testing laboratories. His friends in ILAC wish him well in this enterprise. We in NATA especially pay tribute to him for his contribution to the

work of ILAC which has so occupied us for the last four years, and which we believe has been very productive.

Newsbriefs from page 3

• DoC published in a March 17 *Federal Register* notice (46 FR 17073-17074) a request from the U.S. Department of Housing and Urban Development (HUD) to develop a program to accredit laboratories that test solid fuel room heaters in accordance with Underwriter's Laboratories (UL) Standards UL737 and UL1482 and the 1981 HUD Minimum Property Standards. HUD recommended that current criteria (45 FR 5572 -5600, January 23, 1980), be used to accredit these laboratories. The Department is processing the HUD request in accordance with NVLAP Part 7b procedures for Federal agencies. Based on an analysis of the comments received, HUD will inform us whether it

wishes the Department to proceed with the establishment of the LAP.

• A planning meeting for a new activity on a discipline approach to accreditation of chemical laboratories was held at ASTM Headquarters in Philadelphia on April 16, 1981. ASTM Committee E-36 had previously conducted a survey of its members and related ASTM committees to determine interest in developing a standard for such an activity. This survey indicated insufficient support at that time to proceed with the activity. A new request from the American Association for Laboratory Accreditation (AALA) prompted ASTM to once again explore interest in the development of a standard for chemical laboratory accreditation. Information on this activity may be obtained from ASTM. Contact Jim Thomas, ASTM staff manager for Committee E-36, at 1916 Race Street, Philadelphia, PA 19103 (215-299-5498)

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