

From: Charlene Banks <CBANKS@ansi.org>
Sent: Tuesday, April 9, 2019 3:22 PM
To: Tierney, Michael
Cc: Michael Tierney
Subject: ANSI Notification of Final Action for ANSI/BHMA A156.27-2019

Michael Tierney
Builders Hardware Manufacturers Association

RE: Notification on Final Action on: ANSI/BHMA A156.27-2019 Standard for Power and Manual Operated Revolving Pedestrian Doors (revision of ANSI/BHMA A156.27-2010) Approval Date of Final Action: 4/9/2019 Standards Action Publication Date: 4/12/2019

The Board of Standards Review has approved the above action in connection with a candidate American National Standard:

Notice of this Final Action will be published in an upcoming issue of Standards Action. For actions other than withdrawals, applicable publication and maintenance requirements are contained in clause 4 of the ANSI Essential Requirements: Due process requirements for American National Standards.

If your organization has arranged for ANSI to publish this standard, please contact Harvey Rosenfeld in the Publishing Department at 212-642-4921.

If you believe that this American National Standard may be of interest to the Occupational Safety and Health Administration (OSHA) for possible regulatory adoption, please forward a copy of the published standard to OSHA at the address listed below:

William Perry
Director, Directorate of Standards & Guidance U.S. DOL/OSHA
200 Constitution Ave, NW, #N-3718
Washington, DC 20210

Notification of Right to Appeal to the ANSI Board of Standards Review In accordance with ANSI Essential Requirements, those objecting to this final action who have completed the appeals process at the Standards Developer are hereby notified of their right to file a procedural appeal with the ANSI Board of Standards Review (BSR) If you have not completed the appeals process at the standards developer, you are normally not eligible to appeal to the BSR. If you are eligible and choose to appeal, the appeal statement and all supporting documentation must be filed in writing with the office of the undersigned within 15 working days after receipt of this official notification. The appeal must be based on procedural criteria, and include a statement as to why the BSR action should be modified. The BSR will not render decisions on the relative merits of technical matters, but it shall consider whether due process was afforded technical concerns. The appeal must be accompanied by a \$1,200 filing fee payable to ANSI.

If you require an extension of the appeals filing deadline, please direct your written request along with a justification therefore to the office of the undersigned before the 15 working day deadline or you shall forfeit your right to appeal. A complete copy of the Operating Procedures of the ANSI Board of Standards Review, including clause 7, which addresses the appeals process, is available in the public library on ANSI Online (www.ansi.org) or by contacting psa@ansi.org.

Please contact me at psa@ansi.org if you have any questions or if I may be of assistance to you.

Thank you for your support of the American National Standards process.

Sincerely,

Anne Caldas

Secretary, Board of Standards Review



American National Standards Process Summary

MISSION

To enhance the global competitiveness of U.S. business and the American quality of life by promoting and facilitating voluntary consensus standards and conformity assessment systems and ensuring their integrity.



ANSI IS...

- Only accreditor of U.S. Standards Developers
- Only body that approves standards as American National Standards (ANS)
- Represents the US Internationally at ISO (International Organization for Standardization)
- Represents the US Internationally through its US National Committee at the IEC (International Electrotechnical Commission)



ANS GOVERNANCE BODIES

- Executive Standards Council (ExSC)
 - Accredits American National Standards Developers
 - Accredits US Technical Advisory Groups (TAGs) to ISO
 - Oversees Accredited Standards Developer Audit Program
 - Maintains most ANSI procedures and policies
 - Hears appeals and considers complaints

- Board of Standards Review (BSR)
 - Approves American National Standards
 - Hears appeals and considers withdrawal requests

- ANSI Appeals Board (AB)



BSR DETAIL

- Around 10 members
- Review any standards with objections (3 to 5 per week)
- Includes all supporting documentation (20-100+ pages)
- Ensure due process given, procedures followed
- In particular, recirculation, reasons, right to appeal
- Occasional appeal hearings in NYC, rule based on process, not technical content
- Good way to learn the ins and outs



STANDARDS DEVELOPER ACCREDITATION

- Only ANSI-Accredited Standards Developers may submit their standards through the American National Standard approval process
- ANSI-accreditation signifies that the standards developer is committed to an open, fair and time-tested consensus process that benefits stakeholders and the American public
- ANSI-Accredited Standards Developers are accredited to the requirements contained in the *ANSI Essential Requirements: Due process requirements for American National Standards*



BENEFITS OF ACCREDITATION AND ANS APPROVAL

- Hallmarks of the ANS Process
 - Openness, due process, consensus by a balance of materially-affected interests, consideration of views and objections
 - Transparency of the process
 - Fundamental fairness - Ensures level playing field
- Minimizes some legal risks by requiring procedural safeguards (re: antitrust, product liability/negligence, etc.)
- Government acceptability (e.g. National Technology Transfer & Advancement Act of 1995)
- Accreditation is a prerequisite for the National Adoption of an ISO or IEC standard as an ANS



ANSI ACCREDITATION REQUIREMENTS

- A standards developer's written procedures for the development and approval of proposed American National Standards must meet ANSI due process and consensus requirements
 1. Openness
 2. Balance and Lack of Dominance
 - Discrete interest category definitions
 3. Public comment opportunity
 4. Consideration of Views and Objections



ANSI ACCREDITATION REQUIREMENTS

3. Comment Resolution
4. Recirculation Opportunity
5. Consensus Body Vote
6. Numerical Requirements for Consensus
7. Standards Developer Appeals Process
8. Policy for Retention of Evidence of Compliance
9. Compliance with ANSI's Patent Policy
10. Compliance with ANSI's Commercial Terms and Conditions Provisions
11. Interpretations and Metrics Policies



MAINTENANCE OF ACCREDITATION

- Procedural audit typically once every 5 years
- Submission of periodic compliance forms when ANSI's procedural requirements change
- Submission of procedural revisions for approval (reaccreditation process: similar to steps in the accreditation process)
- Payment of ANSI Membership/Maintenance of Accreditation Dues



THE AMERICAN NATIONAL STANDARD DESIGNATION

SIGNIFIES THAT STANDARDS...

- Are developed using fair, open process that ensures a level playing field
- Meet the needs of materially affected interests
- Are voluntary – compliance is not required unless adopted by regulation or statute



CONSENSUS...

...MEANS SUBSTANTIAL AGREEMENT HAS BEEN REACHED BY DIRECTLY AND MATERIALLY AFFECTED INTERESTS CATEGORIES. THIS SIGNIFIES THE CONCURRENCE OF MORE THAN A SIMPLE MAJORITY, BUT NOT NECESSARILY UNANIMITY. CONSENSUS REQUIRES THAT ALL VIEWS AND OBJECTIONS BE CONSIDERED, AND THAT AN EFFORT BE MADE TOWARD THEIR RESOLUTION



ANS APPROVAL PROCESS

- Each Standard, every five years
- Stage 1: **PINS form** to ANSI
 - Announcement of project initiation *Standards Action*.
 - PINS deliberation if claim of conflict or duplication is raised
- Stage 2: Approval of draft
 - Consensus body approves text of draft standard
 - Must meet numerical requirements for consensus as described in developer's accredited procedures (e.g. approval by a majority of consensus body and 2/3 of those voting, etc.)
- Stage 3: Public Review
 - **BSR-8 form** initiates announcement in *Standards Action*. Developer may also announce in industry publications, etc. (multiple public reviews are possible)



ANS APPROVAL PROCESS

- Stage 4: Comment resolution
 - Public and consensus body member comments

- Stage 5: Recirculation (if applicable)
 - Unresolved negative comments from consensus body members and public review commenters as well as any substantive changes to the text, must be recirculated to the entire consensus body to allow them to vote, reaffirm a vote or change a vote

- Stage 6: Appeals at developer level



ANS APPROVAL PROCESS

- Stage 7: Submittal to ANSI for approval
 - Submittal of final standard for approval with evidence of consensus (**BSR-9 form**)

- Stage 8: Notification
 - Notification of final approval/disapproval

- Stage 9: Appeal at ANSI
 - Hearing is scheduled if appeal is filed

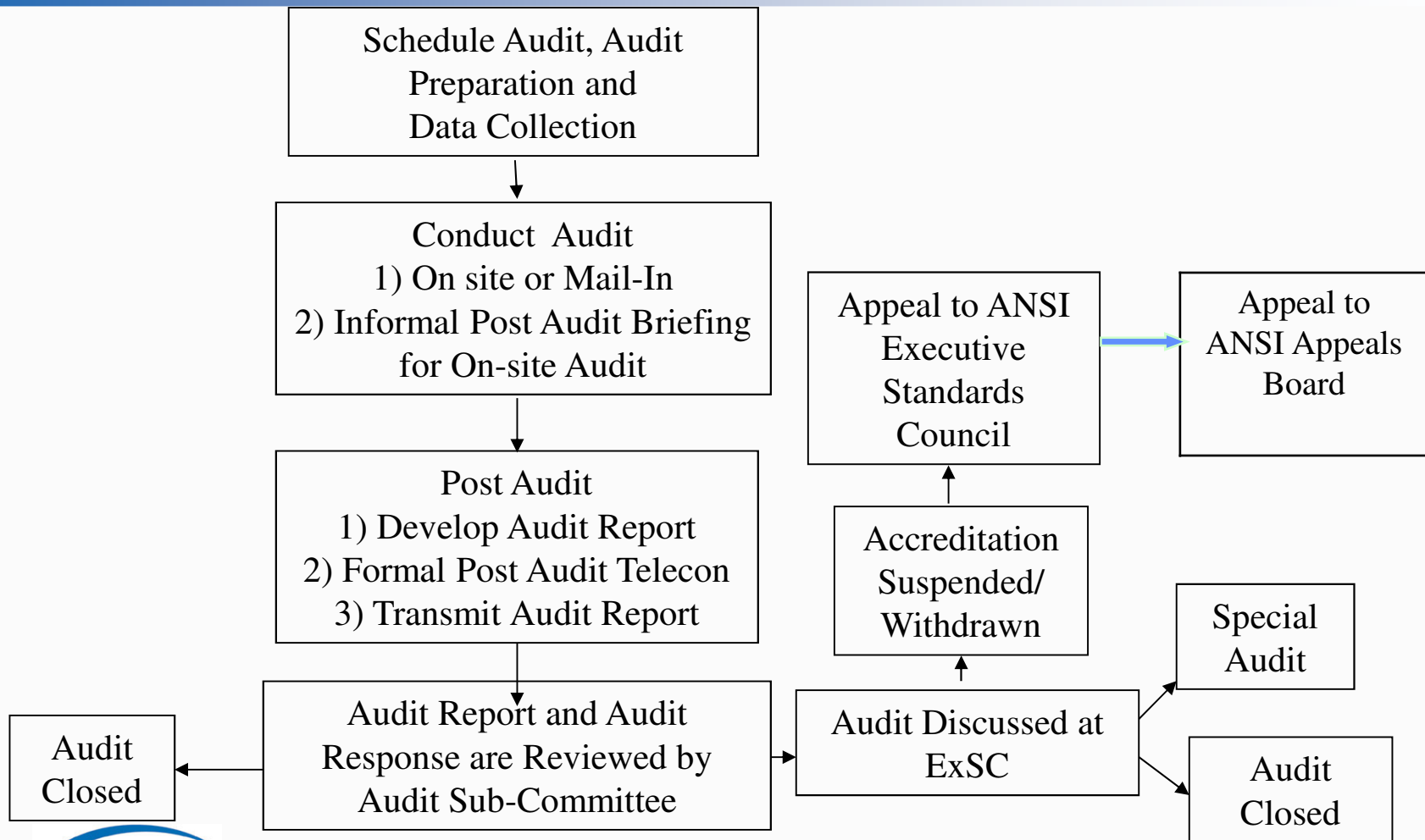


APPEALS

- Informal resolutions encouraged
- Appeals to a developer: in accordance with accredited procedures
- Appeals to ANSI:
 - Board of Standards Review (BSR) – ANS
 - Executive Standards Council (ExSC) – accreditation and procedural compliance issues
 - Appeals Board – final level after the BSR or ExSC appeal concludes



Audit Process – Summary Flow



ANSI'S STANDARDS ACTION

- www.ansi.org/standardsaction
- Available freely to the public
- Published every week
- Includes national and international activity
- Announces: PINS (project initiation notices); public review periods for American National Standards: accreditations and standards; and final approval decisions.
- Announces meetings, all actions re: ANS; any proposed revisions to ANSI procedural requirements, etc.





ANSI/BHMA A156 Series Standards are developed following the accredited procedures below. Stakeholders and other interested parties are welcome to provide their comments for consideration. BHMA Standards are updated at least every five years, and the project initiation and public review period are announced in ANSI Standards Action as required by the ANSI Essential Requirements. Please contact BHMA@kellencompany.com if you have comments or would like to participate in canvass ballots of proposed revisions. Thank you.

September 1, 2017

Proposed Revision Based on 2017 audit and WTO Statement

1. INTRODUCTION

This document constitutes BHMA's accredited procedures for developing evidence of consensus for the approval, reaffirmation, revision, or withdrawal of American National Standards. These procedures meet the requirements found in the *ANSI* Essential Requirements.

2 DEVELOPMENT OF CANVASS LIST

2.1 BHMA shall develop a list of potential canvasees consisting of those organizations, companies, government agencies, standards developers, individuals, etc., known to be, or who have indicated that they are, directly and materially affected by the standard. BHMA shall meet the Essential Requirements paragraphs 1.2 regarding lack of dominance, and 1.3 and 2.3 to ensure balance. No individual shall represent more than one canvasee.

The interest categories include groups with interest in standards related to architectural hardware broken down as follows:

User: Organization (company, association, government agency, individual) that uses the products associated with the standard.

Government: Government agency or department that has an interest in the use of the products associated with the standard. Please note that a government agency or department that *uses* the products associated with the standard should select the:

User category.

General Interest: Organization that has an interest in the use of the products associated with the standards, but neither produces nor uses them directly.

Testing Laboratory: Organization that tests the products associated with the standard to established specifications.

Producer: Manufacturer of the products associated with the standard or a trade association or society that represents the interests of such manufacturers.

2.2 In order to determine if potential canvasees are interested in participating, BHMA shall conduct a pre-canvass interest survey, in which they inform the potential canvasees in writing about the use of the canvass procedure for developing evidence of consensus, and, if the potential canvasees are interested in participating, obtains an appropriate interest category classification. BHMA's letter shall contain the title, designation, scope, description of the standard along with the history of its development, purpose and intended application of the standard, and an explanation of the ANSI function. The time for response shall be at least 30 days from the date of BHMA's letter and shall be so noted in the letter.

Once an interest survey has been completed for a standard, it need not be repeated for subsequent balloting of the document. In addition, BHMA may conduct a single interest survey for a group or category of standards. A canvasee who has indicated a desire to be on BHMA's canvass list for a particular category or categories of standards shall receive the draft document(s), letter ballot(s), and all appropriate information pertaining to 4.2 and 5.

2.3 Notification of standards development and coordination

Notification of standards activity shall be announced in suitable media as appropriate to demonstrate the opportunity for participation by all directly and materially affected persons. At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) form, or its equivalent, for listing in Standards Action. A statement shall be submitted and published as part of the PINS announcement that should include:

- (a) an explanation of the need for the project; and
- (b) identification of the stakeholders (e.g., telecom, consumer, medical, environmental, etc.) likely to be directly impacted by the standard.

Developers are encouraged to consult any relevant international or regional guides that may impact the proposed standard. If the response to sub-section (b) changes substantively as the standard is developed, a revised PINS shall be submitted and published. A PINS form may be submitted, but is not required, at the initiation of a project to reaffirm or withdraw an American National Standard. Comments received in connection with a PINS announcement shall be handled in accordance with these procedures.

If BHMA receives written comments within 30 days from the publication date of a PINS announcement in *Standards Action*, and said comments assert that a proposed standard duplicates or conflicts with an existing American National Standard (ANS) or a candidate ANS that has been announced previously (or concurrently) in *Standards Action*, a mandatory deliberation of representatives from the relevant stakeholder groups shall be held within 90 days from the comment deadline. Such a deliberation shall be organized by the developer and the commenter and shall be concluded before the developer may submit a proposed standard for public review. If the deliberation does not take place within the 90-day period and the developer can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then the developer will be excused from compliance with this requirement. The purpose of the deliberation is to provide the relevant stakeholders with an opportunity to discuss whether there is a compelling need for the proposed standards project. The outcome of a PINS deliberation shall be conveyed in writing (the "Deliberation Report") within 30 days after the conclusion of the deliberation by the developer to the commenter and to ANSI. Upon submission of the Deliberation Report, the developer may continue with the submission of the proposed standard for public review. If additional deliberations take place, they should not delay the submission of the proposed standard for public review, and an updated Deliberation Report shall be conveyed within 30 days after each deliberation. Any actions agreed upon from the deliberations shall be carried out in a reasonably timely manner, but normally should not exceed 90 days following the deliberation. Subsequently, the developer shall include all of the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should the developer ultimately submit the subject standard to ANSI for approval. Stakeholders who were involved in the PINS deliberation process may also file separate Deliberation Report(s) with ANSI and the developer within 30 days after conclusion.

Proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards shall be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in Standards Action in order to provide an opportunity for public comment. The comment period shall be one of the following:

- * A minimum of thirty days if the full text of the revision(s) can be published in Standards Action;
- * A minimum of forty-five days if the document is available in an electronic format, deliverable within one day of a request, and the source (e.g., URL or an E-mail address) from which it can be obtained by the public is provided to ANSI for announcement in Standards Action; or
- * A minimum of sixty days, if neither of the aforementioned options is applicable.

Although a 60-day public comment period is not required in all instances, a number of provisions in the *ANSI Essential Requirements*, when read in combination, satisfy the WTO's 60-day rule. Before adopting a standard, ANSI-Accredited Standards Developers shall allow a period of at least 60 days in total for submission of comments on the draft standard if requested by an interested party within the territory of a Member of the WTO. Exceptions outlined in the rule are permitted due to issues of safety, health or environment. (See *WTO Agreement on Technical Barriers to Trade (TBT), Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards (CGP) Substantive Provision L.*)

Such listing may be requested at any stage in the development of the proposal, at the option of BHMA, and may be concurrent with final balloting. However, any substantive change subsequently made in a proposed American National Standard requires listing of the change in *Standards Action*.

3 ANNOUNCEMENT OF CANVASS INITIATION

BHMA may request ANSI to announce an Initiation to Canvass on the PINS or BSR-8 form. This announcement shall include a statement that the canvass list is available upon request from the developer, or alternately, a URL address where an electronic version of the canvass list is posted.

4 CONDUCT OF CANVASS

4.1 BHMA may begin to conduct the canvass at any time but canvasees subsequently added to the canvass list shall have the same amount of time to respond as do the other canvasees.

4.2 BHMA shall transmit, at minimum, the following information to all canvasees and other interested parties so requesting unless the developer has previously supplied this information:

- the purpose and intended application of the standard;
- a brief history and explanation of how the standard was developed;
- an explanation of ANSI's function and the use of the canvass procedure in the voluntary consensus standards system;
- a copy of the canvass list, consisting of the name, affiliation, and category of interest of each canvasee;
- a copy of the complete proposed American National Standard or the relevant portion under consideration when the canvasee has previously received the complete standard;
- official letter ballot(s) to all canvasees.

Upon request, BHMA shall provide to the canvasee a reasonable number of copies of the document being considered, to allow for a speedy determination of position by the canvasee. Should the document contain material that is not to be considered for approval as an American National Standard, such as an introduction or annex, a clear statement shall be included indicating those portions of the standard that are to be considered for approval by ANSI.

The ballot form used by BHMA shall provide opportunity for the canvasee to indicate its position (i.e., approval, objection (with reasons), or abstention (with comment), with the advice that, in order to receive consideration, objections must be accompanied by supporting written reasons and, where possible, proposals for a solution to the problem raised. At least one follow-up shall be sent ten days prior to the closing date, to canvasees not responding. The canvass ballot may be closed at the end of thirty days, or sooner if all canvasees have responded. An extension of up to sixty days shall be granted upon request from any canvasee giving a legitimate reason.

Those not on the canvass list who have a direct and material interest in the standard have an opportunity to participate in the review of the standard during the public review process, announced in *Standards Action*.

4.3 Approval of a new standard, revision, withdrawal, or reaffirmation of an existing standard, or an addendum to part or all of an existing standard shall require approval by at least a majority of the canvass list and at least two-thirds of those voting, excluding abstentions.

4.4 Views and objections resulting from the canvass (4.2 and 4.3) shall be dealt with in accordance with clause 5.

5 DISPOSITION OF VIEWS AND OBJECTIONS

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on either the PINS announcement or public comment listing in *Standards Action*.

Public review and consensus body comments

In connection with an objection articulated during a public comment period, or submitted in connection with a vote, an effort to resolve all expressed objections shall be made, and each objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, the objector shall be informed in writing that an appeals process exists within procedures used by BHMA. In

addition, each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved (see definition⁸) must be reported to the Board of Standards Review.

When this process is completed in accordance with the written procedures of BHMA, BHMA may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them at the next review.

Consideration of negative votes accompanied by comments not related to the proposal under consideration, or negative votes without comments, is not required. The letter ballot shall state that negative votes must be accompanied by comments related to the proposal and that votes unaccompanied by such comments will be recorded as “negative without comments” without further notice to the voter. If comments not related to the proposal are submitted with a negative vote, the comments shall be documented and considered in the same manner as submittal of a new proposal. If clear instruction is provided on the ballot, and a negative vote unaccompanied by comments related to the proposal is received notwithstanding, the vote may be counted as a “negative without comment” for the purposes of establishing a quorum and reporting to ANSI. However, such votes (i.e., negative vote without comment or negative vote accompanied by comments not related to the proposal) shall not be factored into the numerical requirements for consensus.

Unresolved objections, attempts at resolution, and any substantive change (see Annex A of the Essential Procedures) made in a proposed American National Standard shall be reported to the consensus body in order to afford all members an opportunity to respond, reaffirm, or change their vote within 30 days. Substantive changes made in a proposed American National Standard shall be listed in *Standards Action*.

6 SUBMITTAL OF STANDARD

Upon completion of the procedures for canvass, for disposition of views and objections, and for appeals, the proposed standard may be submitted to ANSI for approval. Please see the ANSI Essential Requirements Section I, Criteria for approval of an American National Standard.

7 WITHDRAWAL

Withdrawal of an ANSI/BHMA Standard, may proceed without a vote of the relevant consensus body, by notifying ANSI who will announce the withdrawal in *Standards Action*.

8 DISCONTINUANCE OF A STANDARDS PROJECT

BHMA may abandon the processing of a proposed new or revised American National Standard or portion thereof if it has followed its accredited procedures. A written justification for such an action shall be forwarded to ANSI, and made available upon receipt of any written request received by the accredited standards developer within 60 days of the date of the final action. Appeals of such actions shall be made to the Executive Standards Council based on procedural noncompliance.

RELATED POLICIES OF BHMA

A. Interpretation Policy

No company member of BHMA, or any individual representative of such member, shall have the authority to issue an interpretation of a BHMA standard in the name of BHMA, and no company member or any individual representative of such member, shall represent to any person that he has the approval of BHMA to issue such an interpretation.

BHMA will, in appropriate cases, render interpretations. These may be formal or informal. Formal interpretations shall be given in writing and the request for them shall also be in writing. Informal interpretations shall be given orally, and may be requested orally or in writing.

Requests for interpretations shall be made to the BHMA Product Standards Coordinator. If, in his judgment, a formal interpretation is required, he shall promptly draft a response and circulate it among all BHMA members who manufacture the product or participated in writing the Standard to which the interpretation relates. If a 75% approval in accordance with 2) of these procedures is not obtained, the BHMA Coordinator shall decline to issue the interpretation. If such approval is obtained, he shall issue the interpretations and send copies to all affected BHMA members and all known government bodies and organizations that have adopted the interpreted Standard.

Complete records of matters pertaining to formal interpretations shall be maintained by BHMA in accordance with the records policy.

Rendering of formal interpretations shall in no way be used to supplant the normal BHMA standard development activities.

B. Appeals Policy and Mechanism

- a) Prior to a formal appeal, there shall be an opportunity to informally resolve the concern. Upon receipt of a request for a formal appeal for either action or inaction, the Executive Committee of BHMA shall establish an appeal board whose purpose shall be to adjudicate the dispute. The appeal board shall be composed of at least five individuals, each of whom shall recognize the importance of according a fair and complete hearing and shall, in the opinion of the Executive Committee, possess the expertise required to participate meaningfully. To the extent practicable, the individuals selected to serve on the appeal board shall not have commercial interests implicated in the issues being appealed and each panel member shall certify that he or she is able to adjudicate impartially.
- b) The appeal board shall accept and consider all written materials submitted by any interested party, and an opportunity for oral argument shall be provided upon request. The appeal shall be based solely on procedural issues, not technical. The appealing party shall submit written materials in support of its position, including a proposal for resolving the dispute, within twenty (20) days after serving the request for appeal. Responsive materials from any interested party shall be submitted within twenty (20) days thereafter. Any additional materials relevant to the appeal will be accepted only in the discretion of the appeal board. Oral argument, if requested, shall occur within thirty (30) days of receipt of all written materials relating to the appeal.
- c) The burden of persuasion in the appeal shall rest with the party initiating the appeal. The decision of the appeal board shall be in writing, with a copy sent to all interested parties, and must be subscribed to by at least a majority of its members. If the appeal board rules in favor of the appealing party, the BHMA proposed American National standard at issue shall be returned to the appropriate BHMA section for revisions consistent with the appeal board's decision. Thereafter, the standard, as revised, shall within sixty (60) days be voted upon as provided in Section 2 of these procedures. In the event that the consensus required by Section 2 is not achieved, the standard will be withdrawn from consideration.
- d) It is the express policy of BHMA to encourage the satisfactory resolution of disputes pursuant to these procedures.

C. Metric Policy

BHMA shall use the U.S. system of weights and measures with a soft conversion to approximate SI units shown in parenthesis.

D. ANSI Patent Policy - Inclusion of Patents in American National Standards

BHMA shall comply with the ANSI Patent Policy in the latest version of the ANSI Essential Requirements.

E. Commercial terms and conditions

BHMA shall comply with the ANSI Commercial Terms & Conditions Policy in the latest version of the *ANSI Essential Requirements*.

F. Records

Records concerning new, revised or reaffirmed American National Standards shall be retained for five years or one complete standards cycle, whichever is longer. Records concerning withdrawn American National Standards shall be maintained for five years from the date of withdrawal.

G. Anti-trust Guidelines

As a reminder, and for the benefit of newcomers, let's review one particularly important legal constraint that governs our conduct at this meeting and other BHMA functions. This constraint is a subject with which we are familiar - *antitrust*. The antitrust laws regulate the conduct of business representatives in connection with Association activities (and otherwise). It is important, therefore, from the individual's own perspective and for the good of BHMA as a whole, that members recognize that no conduct that is questionable under the antitrust laws

should occur at association meetings. No illegal agreements, whether expressed or implied, should be reached or carried out, and members should avoid actions which even create the appearance of an unlawful agreement. Conversations relating to price, production, markets and the selection of customers or suppliers are exceedingly sensitive. Members should avoid discussions that veer toward recommendations in these key areas.

September 29, 2017

Mr. Michael Tierney
Building Hardware Manufacturers Association (BHMA)
355 Lexington Avenue, 15th Floor
NY NY 10017-6603

Re: Regular ANSI Audit Report

Dear Mike

I am pleased to inform you that the ExSC Audit Subcommittee has reviewed and closed the BHMA's audit as a result of BHMA submitting revised procedures that addressed the procedural audit findings and has successfully completed the reaccreditation process.

Please do not hesitate to contact me if you have any questions.

Thank you for all your cooperation.

Sincerely,

Jay Moskowitz
Director, Standards Audit Program

BUILDERS HARDWARE MANUFACTURERS ASSOCIATION, INC.

355 Lexington Ave. - 17th Floor, New York, NY 10017 212/297-2122

PROCEDURES FOR ESTABLISHING BHMA STANDARDS

The Builders Hardware Manufacturers Association, Inc. (BHMA) has been engaged in developing product standards since January 1966. In 1970, a policy of offering those standards to the American National Standards Institute, Inc. (ANSI) for its approval was adopted by most of the BHMA Organizational Sections.

The following procedures are for the guidance of BHMA committee members and any interested parties seeking information concerning the process BHMA employs in adopting its standards.

- 1) Section meetings where criteria for standards are being discussed shall be held at least once a year and shall be open to all BHMA members and manufacturers who are not members of BHMA. Notice of such meetings shall be sent to all BHMA members and to identified non-members manufacturers at least 30 days prior to the meeting.
- 2) When a criterion proposed for adoption is debated, such criterion shall not be adopted unless 75% of BHMA members belonging to the affected Section and manufacturing the product or similar functioning product affected vote affirmatively. If not enough members are present to vote, or if negative votes from absent members would reduce a 75% result, a second vote shall be taken by mail.

The number of yes or no votes required for a 75% consensus shall be reduced by abstentions, but not by failure to return ballots. The ballot shall contain a statement requesting members who do not manufacture the type of product involved to abstain. If a member fails to return a ballot by the due date, a follow up notice shall be sent to the member advising that lacking a return of the ballot within 14 days it will be recorded as an abstention.

The primary opponent(s) and proponent(s) of the debated criterion shall prepare a one page position paper statement and those statements shall be circulated with the ballots.

Should a 75% consensus still not result, the matter shall be resolved by appeal as set forth in 14) of these Procedures.

- 3) Conduct of meetings where votes are taken shall be under Robert's Rules of Order except as otherwise provided in these procedures. The chairman of a BHMA Section shall conduct the meeting and shall appoint a secretary to record minutes and a parliamentarian. If either appointment or both are not made, the BHMA Product Standards Coordinator shall act in either or both capacities. Minutes shall contain rationales as to why criteria are adopted or rejected, if such criteria have been debated.
- 4) Section chairmen at their discretion may appoint subcommittees to work on specific standards projects. The Section Chairmen shall appoint a subcommittee chairman who shall be empowered to call meetings of the subcommittee from time to time in order to complete the assignment as directed.

All criteria formulated by the subcommittee shall be presented to the BHMA Section at a meeting held in accordance with 1, 2 and 3 of these Procedures. Such criteria shall be presented to the BHMA Section as recommendations to be acted upon by the Section. If there are any dissenting subcommittee member opinions, they shall be presented to the Section with reasons for such dissent. Minutes shall be taken at all subcommittee meetings.

5) Sections shall prepare standards incorporating performance criteria where feasible. Material and dimensional criteria shall be avoided unless performance criteria cannot successfully be used in their place. If safety or compatibility with other products is a factor, material and dimensional criteria may then be appropriate. Standards of definitions and terminology are not subject to this requirement.

6) Unless inappropriate, because safety considerations or the state of the art, more than one level of performance shall be established in order for the user to have a choice of performance levels.

7) Appropriate reaffirmation, revisions, or withdrawal of standards shall be made at least every five years.

8) Any BHMA Standard that may for some reason not be submitted to ANSI for approval shall not be circulated outside BHMA.

9) BHMA counsel shall review all BHMA standards prior to publication or submission to ANSI. Counsel shall attend all BHMA Section meetings when the agenda for such meeting includes items of other than technical nature such as promotional projects, advertising and similar subjects. When controversy over technical criteria occurs, counsel shall be advised and shall give appropriate guidance.

10) BHMA standards shall not contain provisions of an exclusionary nature or that involve practices in restraint of trade.

11) A BHMA member company, upon learning of a safety related omission or defect in any BHMA Standard or BHMA sponsored ANSI Standard, shall bring it to the attention of BHMA for Section discussion and appropriate revision of the Standard.

12) No company member of BHMA, or any individual representative of such member, shall have the authority to issue an interpretation of a BHMA standard in the name of BHMA, and no company member or any individual representative of such member, shall represent to any person that he has the approval of BHMA to issue such an interpretation.

BHMA will, in appropriate cases, render interpretations. These may be formal or informal. Formal interpretations shall be given in writing and the request for them shall also be in writing. Informal interpretations shall be given orally, and may be requested orally or in writing.

Requests for interpretations shall be made to the BHMA Product Standards Coordinator. If, in his judgment, a formal interpretation is required, he shall promptly draft a response and circulate it among all BHMA members who manufacture the product or participated in writing the Standard to which the interpretation relates. If a

75% approval in accordance with 2) of these procedures is not obtained, the BHMA Coordinator shall decline to issue the interpretation. If such approval is obtained, he shall issue the interpretations and send copies to all affected BHMA members and all known government bodies and organizations that have adopted the interpreted Standard.

Complete records of matters pertaining to formal interpretations shall be maintained by BHMA for a period of five years.

Rendering of formal interpretations shall in no way be used to supplant the normal BHMA standard development activities.

- 13) BHMA shall use the U.S. system of weights and measures with a soft conversion to approximate SI units shown in parenthesis.
- 14) Any standard developed and adopted by BHMA shall be the exclusive property of BHMA. BHMA shall copyright such standards as the same may be revised from time to time and thereafter distribute and sell copies of the standard for its own account. Representatives of member companies who serve on BHMA standards writing committees, as well as their employs, shall be deemed hereafter to have irrevocably assigned to BHMA any rights they might otherwise possess under the Copyright Revision Act of 1976, whether as joint authors or otherwise.
- 15) In the event that a member of BHMA or any other party shall object to, or otherwise comment negatively upon, a BHMA proposed ANSI standard, the following procedures shall be employed in an effort to resolve the dispute:
 - a) In the first instance, the BHMA Product Standards Coordinator shall attempt informally to resolve the dispute in a manner satisfactory to the objecting party and the members of the concerned BHMA Section. This process shall be conducted in an expeditious fashion such that the ANSI canvass procedures are not unduly delayed, and shall in no event extend beyond a period of sixty (60) days.
 - b) It is expected that most disputes will prove capable of resolution through the process described in (a) above. If, however, an objecting party believes that a satisfactory result has not been achieved, then such objecting party shall, upon request, have a right to a formal appeal, as herein after provided.
 - c) Upon receipt of a request for a formal appeal, the Executive Committee of BHMA shall establish an appeal board whose purpose shall be to adjudicate the dispute. The appeal board shall be composed of at least five individuals, each of whom shall recognize the importance of according a fair and complete hearing and shall, in the opinion of the Executive Committee, possess the expertise required to participate meaningfully. To the extent practicable, the individuals selected to serve on the appeal board shall not have commercial interests implicated in the issues being appealed and each panel member shall certify that he or she is able to adjudicate impartially.
 - d) The appeal board shall accept and consider all written materials submitted by any interested party, and an opportunity for oral argument shall be provided

upon request. The appealing party shall submit written materials in support of its position, including a proposal for resolving the dispute, within twenty (20) days after serving the request for appeal. Responsive materials from any interested party shall be submitted within twenty (20) days thereafter. Any additional materials relevant to the appeal will be accepted only in the discretion of the appeal board. Oral argument, if requested, shall occur within thirty (30) days of receipt of all written materials relating to the appeal.

- e) The burden of persuasion in the appeal shall rest with the party initiating the appeal. The decision of the appeal board shall be in writing, with a copy sent to all interested parties, and must be subscribed to by at least a majority of its members. If the appeal board rules in favor of the appealing party, the BHMA proposed ANSI standard at issue shall be returned to the appropriate BHMA section for revisions consistent with the appeal board's decision. Thereafter, the standard, as revised, shall within sixty (60) days be voted upon as provided in Section 2 of these procedures. In the event that the consensus required by Section 2 is not achieved, the standard will be withdrawn from consideration by ANSI. If the appeal board rules against the appealing party, such party will be advised of the right to take further appeal pursuant to the provisions of ANSI's Procedures for the Development and Coordination of American National Standards.
 - f) It is the express policy of BHMA to encourage the satisfactory resolution of disputes pursuant to these procedures so that invocation of the ANSI appeal mechanism is not required.
- 16) A copy of these Procedures shall be made available to anyone requesting it and without cost.
- 17) 17. Records concerning new, revised or reaffirmed American National Standards shall be retained for one complete standards cycle, or until the standard is revised. Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal.

Adopted by the Board of Directors of BHMA
8 May 1980

1st Revision adopted 2 April 1981
2nd Revision adopted 2 October 1981
3rd Revision adopted 30 September 1982
4th Revision adopted 11 April 1985
5th Revision adopted 18 April 1989
6th Revision 2 May 1995
7th Revision 26 January 1996
8th Revision 6 January 1996
9th Revision 7 April 1997
10th Revision 21 April 2004

American National Standard (ANS) Formal Submittal Checklist

PLEASE NOTE: This document is used to transmit the final submittal of a candidate American National Standard to ANSI. A standard should only be submitted to ANSI for approval if all of the appropriate evidence of consensus accompanies it in accordance with the *ANSI Essential Requirements: Due process requirements for American National Standards (ANSI Essential Requirements.)* *NOTE: Adoptions of ISO or IEC standards require compliance with the *ANSI Policy Regarding Rights to Nationally Adopt IEC and ISO Standards or Otherwise Use IEC and ISO Material* and the *ANSI Procedures for the Adoption of ISO and IEC Standards as American National Standards*. Submittal of a standard for approval under the *Stabilized Maintenance* option requires use of a different form. When a BSR-9 is successfully received by ANSI, an acknowledgement is sent to the submitter. If you do not receive one, please contact psa@ansi.org.

1. Designation of Standard: BHMA A156.27
Year that should be included in the designation, if other than the year of approval as an ANS: _____
2. Title of Standard: Power and Manual Operated Revolving Pedestrian Doors
3. Project Intent (relates to the status of the standard in terms of ANSI only, e.g., any standard that is not an approved ANS, is a new standard):
 - Create new ANS
 - *Adopt identical ISO or IEC standard
 - *Adopt modified ISO or IEC standard
 - *AND this adoption revises this current ANS
 - Revise current ANS
 - Revise and Redesignate current ANS
 - Revise, Redesignate and Consolidate current ANS
 - Revise and Partition current ANS
 - Reaffirm current ANS
 - Reaffirm and Redesignate current ANS
 - Supplement to a current ANS
 - Addenda to a current ANS under Continuous Maintenance: (this document relates to/updates the following base document that is registered under Continuous Maintenance)
 - Withdraw current ANS
4. Attach consensus body roster including interest category of each member and vote. (See *ANSI Essential Requirements 4.2.1.1.*) Check here to indicate roster is attached.
5. Identify the group that is considered to be the consensus body and whose vote is included in item 13 below:
Accredited Canvass
6. Balance: The *ANSI Essential Requirements (see 1.3, 2.3)* state that participants from diverse interest categories *shall be sought* with the objective of achieving balance on a consensus body. If the consensus body associated with this submittal appears to lack balance as described in the *Essential Requirements*, please attach evidence or an explanation of outreach efforts undertaken to achieve balance. Note that if the consensus body appears to lack balance, the ANSI BSR will request evidence of outreach if it is not provided with the BSR-9, and thus, the approval process will be delayed.
Evidence attached? Yes No N/A
7. Did a PINS deliberation take place in connection with this standard (See *ANSI Essential Requirements 2.5*)?
 Yes No N/A If yes, then attach a copy of the required PINS deliberation report(s).
8. Indicate the total number of unresolved objections to the proposed action on the standard resulting from all public review period(s) **only**, including ANSI Standards Action . Attach evidence of attempted resolution. (See *ANSI Essential Requirements 2.6.*) *Note: do not include unresolved votes of consensus body members here unless the member also submitted public review comments. Use item 13 to report consensus body votes.*
9. Date(s) on which unresolved objections (public review/consensus body), attempts at resolution and substantive changes, were provided to the consensus body for consideration. Attach evidence of compliance with this requirement (also referred to as "recirculation" or "reconsideration".) (See *ANSI Essential Requirements 2.6.*)
Date(s): _____ Not applicable:
10. Were all unresolved objectors informed in writing of their right to appeal to the standards developer?
Yes No (See *ANSI Essential Requirements 2.6.*) Not Applicable, because: Were Attach documentation of written notification of the right to appeal to standards developer.
11. Did any unresolved objectors complete the appeals process available through the standards developer? (See *ANSI Essential Requirements 2.8.*)
 Yes (Attach name and contact information for each) No Not Applicable

12. Date of Final Consensus Body Vote (i.e., date the final vote was closed): March 4, 2019

13. Evidence of Consensus, i.e., the FINAL consensus body vote tally (See ANSI Essential Requirements 2.7.)

SUMMARY OF CONSENSUS BODY VOTE BY INTEREST CATEGORY

Interest Category	Affirmative(s)	Negative(s)	Negative(s) without comment	Abstention(s)	Not Returned	Total
User	2					2
General Interest	5					5
Testing Laboratory	1					1
Producer	2					2
TOTALS	10					10

14. State the applicable numerical requirements for consensus as established in your organization's ANSI-accredited procedures: **Based on BHMA/ANSI procedures; approval of a new standard, revision or reaffirmation of an existing standard, or an addendum to part or all of an existing standard shall require approval by at least a majority of the canvass list and at least two-thirds of those voting, excluding abstentions.**

x Check here to certify that these requirements have been satisfied.

15. Publication: Publication of an ANS is required within 6 months of the date of its approval as such. To request ANSI to provide publication services, please contact the ANSI Publications Department.

16. _____ Check here if statements from patent holders (patent letters of assurance) have been received regarding this proposed ANS. Please attach a copy of all such statements.

17. **Certification Statement: Please read and confirm compliance before signing and submitting to ANSI.**

I hereby declare the ANSI criteria for approval/withdrawal have been met and that the draft standard was acted on in accordance with section 4.2, Criteria for Approval and Withdrawal of American National Standards of the *ANSI Essential Requirements* and the following criteria and that evidence to this effect is enclosed or otherwise available for inspection:

- That due process requirements were met.
- That the standard is within the scope previously registered with ANSI.
- That any identified significant conflict with another American National Standard was addressed in accordance with the requirements set-forth in the *ANSI Essential Requirements*.
- That other known national standards were examined with regard to harmonization and duplication of content; if duplication exists, there is a compelling need for the standard.
- That objectors have been notified in writing of their right to appeal to the standards developer and that all appeals to the standards developer were completed.
- That any known unresolved objection as defined in the *ANSI Essential Requirements* to the approval/withdrawal of this standard as an American National Standard is documented herein.
- That no substantive changes have been made in the draft standard as listed in *Standards Action*.
- That we agree to comply fully with the *ANSI Patent Policy*.
- That we agree to comply with the *Commercial Terms and Conditions* provision contained in the *ANSI Essential Requirements*.

I agree that the evidence supporting any statement in this submittal or its attachments may be verified at any time through inspection or audit by the American National Standards Institute, either on its own initiative or upon appeal or request by any substantially concerned party. Reasonable requests for specific information that we receive directly from substantially concerned parties will be honored.

If it develops that misstatements of fact have been made in connection with this submittal, I understand that the standard in question is subject to withdrawal with appropriate public notice with reasons therefor. Furthermore, I understand that our organization may be subject to disqualification for a period of time or withdrawal of accreditation for improper submission of a standard to the Board of Standards Review.

Our organization agrees to maintain the American National Standard by reaffirmation, revision, or withdrawal within five years of the date of ANSI approval.

Submitter's Name: Michael Tierney Title: Standards Coordinator

Accredited Standards Developer: The Builders Hardware Manufacturers Association

Address: 17 Faulkner Drive Niantic, CT 06357

E-mail/Signature: mtierney@kellenccompany.com