



**Operating Procedures
for the
Development of American National Standards
by the
Manufacturers Standardization Society
of the Valve and Fittings Industry, Inc.**

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Table of Contents

1. GENERAL.....	2
2. THE CANVASS PROCESS AND METHODOLOGY.....	2
2.1 Development of a Consensus Committee.....	2
3. NOTIFICATION OF ANS PROJECT INITIATION AND COORDINATION (PINS).....	5
4. COMMENCEMENT OF PUBLIC REVIEW AND OFFICIAL CONSENSUS COMMITTEE BALLOTING	6
4.1 ANSI Announcement of Public Review.....	7
4.2 Initiation and Conduct of Consensus Committee Balloting	7
5. CONSIDERATION OF VIEWS AND OBJECTIONS.....	9
5.1 PINS Announcement Comments.....	9
5.2 Public Review and Consensus Committee Results	10
6. SUBMITTAL OF EVIDENCE OF CONSENSUS TO ANSI AND APPROVAL AS AN ANS.....	11
7. REAFFIRMATION OF AN AMERICAN NATIONAL STANDARD	11
8. DISCONTINUANCE OF A STANDARD OR PROJECT	12
9. FINAL NOTICE	12
10. DESIGNATION OF AMERICAN NATIONAL STANDARD	12
11. PERIODIC MAINTENANCE OF AMERICAN NATIONAL STANDARDS.....	13
12. APPEALS	13
13. RECORDS RETENTION.....	15
14. INTERPRETATIONS.....	15
15. METRIC POLICY.....	16
16. INTELLECTUAL PROPERTY, PATENTS AND COPYRIGHT	16
17. ANTI-TRUST POLICY	16
18. ADDITIONAL GUIDANCE	16
ANNEX A: Definitions	17
APPENDIX X1: ANS Development and Key Steps.....	18

Operating Procedures for the Development of American National Standards by the Manufacturers Standardization Society of the Valve and Fittings Industry, Inc.

1. GENERAL

These procedures constitute the Manufacturers Standardization Society's (MSS) method of developing evidence of consensus and due process for the approval, reaffirmation, revision, or withdrawal of American National Standards (ANS). MSS is an incorporated legal entity and fully accredited as a standards developer by the American National Standards Institute (ANSI). MSS will comply with requirements of accreditation and shall develop American National Standards (ANS) which meet and comply with the requirements found in the *ANSI Essential Requirements: Due process Requirements for American National Standards* procedure document.

MSS may develop Standard Practices internally through its Technical Committees. MSS may develop or process such Standard Practices or adopt candidate documents, including national adoption of ISO or IEC standards, for approval under the ANSI-accredited ANS process and subsequent publication. Applicable ANSI guidelines and procedures will be utilized; including national adoptions processed in accordance with the normal or expedited procedures contained in the *ANSI Procedures for the National Adoption of ISO and IEC Standards as American National Standards*.

2. THE CANVASS PROCESS AND METHODOLOGY

MSS utilizes a canvass process to identify, to the extent possible, those who are directly and materially affected by the activity in question and conducts a letter ballot or "canvass" of those interests to determine consensus on a proposed ANS. The MSS may utilize industry contacts, solicit customary users of MSS oriented Standard Practices, and other methods such as posting on the MSS and other websites or advertising in industry trade publications to solicit potential canvasees (*e.g.*, a canvass list). Such "canvasees" constitute a Consensus Committee which will include a Chairman approved by the originating MSS Technical Committee sponsoring the proposed ANS candidate. Additional interest in participating on a Consensus Committee can be sought through an announcement in ANSI's *Standards Action*, among other outlets. Although MSS, as an ANSI-accredited developer of ANSs, may provide ANSI with internal MSS procedures used in the development of the originating MSS Standard Practices, the canvass process and methodology used to determine ANS consensus and due process, and contained herein, normally commences after the candidate draft ANS has been developed or revised by a Technical Committee and approved by MSS through its internal Standard Practice developmental procedures. It is suggested that ANS candidate Standard Practices be recently revised before submission of ANSI BSR-8 form and public review.

Note that an MSS sponsored Consensus Committee (*e.g.*, the canvass body), is a consensus body or group that reviews and approves (through ballot) the content of a draft proposed ANS, and whose vote demonstrates evidence of consensus and due processes for the approval of an MSS Standard Practice as an ANSI-approved ANS.

2.1 Development of a Consensus Committee

MSS 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 proposed ANS or activity in question. This canvass list

may be initiated during internal MSS Standard Practice project development or review, or after MSS approval of said Standard Practice and during the initial phase of the ANS project. Such “canvasees” constitute a Consensus Committee and will include a Chairman approved by the originating MSS Technical Committee sponsoring the proposed ANS candidate. The Consensus Committee will strive for a “balance” of interests as per *ANSI Essential Requirements*. Additional interest in participating on a Consensus Committee, and desire for increased balance, can be sought through an announcement in ANSI’s *Standards Action*, among other outlets (Section 3 provides additional guidance).

Balance: Historically the criteria for balance are that a) no single interest category (see below) constitutes more than one-third of the membership of a consensus body dealing with “safety-related” standards or b) no single interest category constitutes a majority of the membership of a consensus body dealing with other than “safety-related” standards. The interest categories appropriate to the development of consensus in any given standards activity are a function of the nature of the standards being developed. Interest categories shall be discretely defined, cover all materially affected parties, and differentiate each category from the other categories. Such definitions shall be available upon request.

{See Annex A, Note (1) for additional internal MSS information on “safety-related” standards}

A PINS Form (See Section 3) should be submitted to ANSI after an ANS project is approved by the MSS Board and a Project Number is issued by MSS, as directed by the MSS Coordinating Committee. The PINS submission should not wait until after the canvass list or Consensus Committee is initiated. MSS shall meet the requirements of the *ANSI Essential Requirements* regarding balance and lack of dominance. No individual shall represent more than one canvasee on the Consensus Committee.

In order to determine potential Consensus Committee participation, MSS shall conduct a pre-canvass interest survey informing potential canvasees in writing about the use of the canvass method for developing evidence of consensus, and, requesting that potential canvasees indicate both their interest in participating, affiliation, and self-selected interest category classification.

Note: *“Affiliation” refers to the entity that the consensus body member represents (which may or may not be that person’s employer). If the Consensus Committee member is serving in an individual capacity, then the name of the individual, that person’s employer (or “self” indication) and interest category should be available. In addition, employer contact information is not required if consensus body member is serving in an individual capacity.*

The interest categories utilized to identify canvasees or stakeholders involve individuals and groups with material interest in standards related to valve design, production, modification, and usage; as well as pipe fittings, pipe hangers, flanges, and associated seals. Interest categories include:

- **Consultant:** An organization (specializing in consulting activity) or an individual that has a material interest in the equipment or product included within the scope of this Standard. An appropriate **Consultant** participant is a person or entity who provides professional or expert advice in a particular area of expertise included within the scope of this Standard, however is not acting as an official representative of an organization such that is already covered by another interest category.
- **Distributor:** Parties involved in the sale or supply of products or equipment included within the scope of this Standard or governed by the requirements of this Standard.

- **General Interest:** Organization or individual that has a material interest in the use of equipment or product included within the scope of this Standard, but neither produces nor uses it directly.
- **Government:** Government agency or department that has a material interest in the use of equipment or product included within the scope of this Standard. Please note that a government agency or department that uses this equipment should select the “**USER–government**” category.
- **Insurance:** Insurance agency or department that has a material interest in the use of equipment or product included within the scope of this Standard. Please note that an insurance agency or department that uses this equipment should select the “**USER–organization**” category.
- **Manufacturer/Producer:** Parties involved in the manufacture or production of equipment or product included within the scope of this Standard.
- **Testing Laboratory:** Organization that tests equipment or product included within the scope of this Standard.
- **Trade Association:** Trade Association or professional society that represents the interests of manufacturers or users of equipment or product included within the scope of this Standard.
- **User-consumer:** Where the standards activity in question deals with consumer (public)-oriented equipment or resulting product that is included within the scope of this Standard. Note that due to the commercial/industrial nature of MSS standards, this “consumer” category would rarely be used for specific MSS Consensus Committees. An appropriate consumer participant’s view is considered to be synonymous with that of the **individual user** – a directly affected person (in a non-professional capacity) using consumer goods and services rather than producing, distributing, or selling them. Additional reference: A “**Consumer**” is an individual member of the general public, purchasing or using property, products or services for private purposes (COPOLCO 2011).
- **User-government:** Where the standards activity in question is likely to result in a standard that may become the basis for government agency procurement or included within a regulation or other related document. An appropriate **User–government** participant is the representative of a government or regulatory agency.
- **User-industrial:** Where the standards activity in question deals with industrial equipment or products included within the scope of this Standard, such as steel or insulation used in transformers. An appropriate **User–industrial** participant is the industrial user of the product included within the scope of this Standard.
- **User-labor:** Where the standards activity in question deals with subjects of special interest to the American worker, such as products used in the workplace. An appropriate **User–labor** participant is a representative of labor interests.
- **User-organization:** Where the standards activity in question deals with an organization (company, contractor, association) that uses equipment or product included within the scope of this Standard.

MSS’s pre-interest survey shall include all above categories; however, the one-page *Pre-Canvass Interest Survey Response Form* need not include all categories above as long as an “Other” designation exists on the survey form and all categories are included with the “pre-survey package” for the respondent to consider. Note that all interest categories and definitions are available anytime upon written request.

MSS’s pre-interest survey, communicated in written or electronic form, shall contain the title, designation, scope, description of the proposed ANS along with the history or explanation of its development, purpose and intended application of the proposed ANS, and an explanation of the ANSI function. The time for response shall be at least 15 days from the date of the MSS letter and shall be so noted in the letter.

All those potential canvasees who have agreed to participate will be part of the MSS Consensus Committee, in accordance with the current *ANSI Essential Requirements* document. In addition, the affiliation and interest category of each member of the Consensus Committee shall be made available to interested parties upon written request.

Once an interest survey has been completed for a Consensus Committee, it need not be repeated for subsequent balloting of the proposed ANS. In addition, MSS may conduct surveys regarding a single or multiple interest categories for the Consensus Committee to utilize in broadening its respective interest category representation. A canvasee who has indicated a desire to be on MSS's Consensus Committee (i.e., canvass list) for a particular standard shall receive the draft document(s), letter ballot(s), and other information listed in Section 4.2 below. Utilization of any documents by the canvasee is only allowable within the context of the particular canvass and use of such documents are revoked by MSS, as the rights holder, after completion of said canvass, unless written permission is granted by MSS or authorized agent.

After processes described within this document are complete, MSS shall send ANSI required documentation of consensus and due process via ANSI BSR-9 Form; including final tally by interest category of the Consensus Committee and other supporting documentation. See applicable sections of this document for processes regarding the aforementioned and other procedures.

3. NOTIFICATION OF ANS PROJECT INITIATION AND COORDINATION (PINS)

Notification of ANS related standards activity initiation shall be announced as appropriate to demonstrate the opportunity for comment by all directly and materially affected persons. After the MSS Board of Directors approval and the subsequent assignment of ANS Project Number to approve, revise, reaffirm* or withdraw* an ANS, notification shall be transmitted to ANSI using the Project Initiation Notification System (PINS) Form, or its equivalent for announcement in ANSI *Standards Action*.

* A PINS form may be submitted, but is not required, at the initiation of a project to reaffirm or withdraw an ANS. Comments received in connection with a PINS announcement shall be handled in accordance with these procedures.

A PINS submission is an early coordination mechanism. Filing the PINS form with ANSI initiates a 30 day announcement in ANSI's *Standards Action* that allows interested parties to obtain more information, or to claim a conflict with an existing ANS or registered project. If comment(s) involving conflict are received by MSS, there is a mandatory meeting of the stakeholders to deliberate the issue(s) within 90 days as per *ANSI Essential Requirements*. Comments involving conflict that are received in connection with a PINS announcement shall be handled in accordance with the deliberation procedures detailed in Section 5.1 below.

Information that shall be submitted by MSS and published as part of the PINS process should include:

- a) Designation and title of proposed ANS; and
- b) An explanation of the need for the project (including any intent to submit for International consideration); and
- c) General identification of the stakeholders likely to be directly impacted or materially affected by the standard (i.e., valve fitting industry, plumbing industry, HVAC, etc). If stakeholders change substantively as the project evolves, a revised PINS shall be submitted and published in *Standards Action*. Note: If this stakeholder information changes substantively as the standard develops, a revised PINS shall be submitted and published.

- d) Request for an announcement to be published in *Standards Action* that solicits new materially interested persons to become members for the Consensus Committee. **It is suggested that this request is made during this PINS phase to elicit additional consensus body interest before the BSR-8 Form is submitted and canvass list is finalized.** An additional announcement may also be submitted with the BSR-8 submission or in its own right, if warranted, to elicit further consensus body interest. Targeted outreach should also be employed to generally solicit potential members for the Consensus Committee, and used to solicit potential members that may represent “under-represented” interest categories when there is an imbalance on the Consensus Committee. Any resulting proposals for addition to the specific Consensus Committee shall be referred directly to MSS and Consensus Committee Chairman. A PINS submission and/or announcement in *Standards Action* soliciting new materially interested consensus body members for the Consensus Committee may be requested by the chairman or approved by the chairman.

4. COMMENCEMENT OF PUBLIC REVIEW⁽¹⁾ AND OFFICIAL CONSENSUS COMMITTEE BALLOTING

Proposals for new ANSs and proposals to revise, reaffirm, or withdraw existing ANSs shall be transmitted to ANSI, via the BSR-8 form, for listing in *Standards Action*, which provides an opportunity for public review. MSS and/or the Consensus Committee Chair shall determine, as appropriate, whether such ANSI public review and listing in *Standards Action* (including additional media announcements of the proposed action in other suitable media) will be concurrent with Consensus Committee balloting. The public review notice will also indicate if the standard is to be considered for International status (i.e., ISO). MSS should transmit a copy of the new, revised, or reaffirmed ANS to the administrator(s) of any appropriate USA Technical Advisory Group(s), if identified and applicable.

Should the draft ANS being balloted contain material that is not to be considered for approval as an ANS, a clear statement shall be included within the Draft ANS or accompanying correspondence indicating those portions of the standard that are to be considered for approval by ANSI. See Section 10 for guidelines regarding any portions of a published ANS that were not balloted, publically reviewed, nor approved through the full consensus process.

All Substantive changes made to the current proposed ANS shall be re-balloted (*i.e.*, recirculated) to the Consensus Committee and subjected to additional ANSI public review via an updated submittal of the BSR-8 Form and listing in *Standards Action*. This may apply to the entire document or sections that contain the substantive changes if clearly identified as such. The Consensus Committee Chairman shall determine the substantive or editorial nature of comments, and take into account the ANSI *Essential Requirements* definition of “Substantive Change” located in Annex A.

NOTE (1): 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). Source: 2016 ANSI ER Document.

4.1 ANSI Announcement of Public Review

The ANSI required public review is announced and initiated by submittal of the BSR-8 form. MSS may submit the BSR-8 public review form any time after the 30 day PINS announcement period has closed and when the draft ANS candidate is ready for the required formal ANSI public review as announced in *Standards Action*. Note that the draft ANS is subject to change as a result of Consensus Committee balloting or public review comments. In such cases of substantive changes, a re-balloting (*i.e.*, recirculation) will occur within the Consensus Committee and an additional public review of the changes will be initiated. See the applicable sections of this document for more details.

Those not on the initial Consensus Committee, or those who did not respond to the PINS announcement for new Consensus Committee members, have an opportunity to comment on the draft ANS during this public review process, as announced in *Standards Action*. All resulting comments are to be addressed in a manner that complies with the *ANSI Essential Requirements*.

MSS shall take into account all written public review comments. Resolutions involving changes or revisions that are determined (see Section 4.0) to be substantive changes to the candidate ANS will trigger an additional public review period and may involve Consensus Committee re-balloting (*i.e.*, recirculation) if a ballot previously occurred. See Section 5.2 below.

The public review comment period, including additional reviews as a result of substantive changes to the draft ANS, 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* (See *ANSI Essential Requirements*); or
- 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 or reviewed 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. Note that 60-day review, regardless of availability options above, helps to ensure WTO compliance.

4.2 Initiation and Conduct of Consensus Committee Balloting

The Consensus Committee (*i.e.*, Canvasees), composed of solicited participants¹ and those added through the PINS or related *Standards Action* announcement, may begin to conduct the ballot, administered by MSS, at any time after the PINS review period is closed and any conflicts resolved²; however, increased coordination may be seen with concurrent Consensus Committee ballot, submission of BSR-8 form, and initiation of the public review period as announced in *Standards Action*. Commencement of Consensus Committee ballot period and public review periods may begin concurrently; however, timing is handled on a case-by-case basis with concurrence of the Consensus Committee Chairman.

Before the Consensus Committee ballot commences, MSS shall transmit, at a minimum, the following information to all canvasees on the Consensus Committee:

- a) The purpose and intended application of the ANS;

¹ Including those added as a result of outreach actions related to the sponsoring MSS committee, Consensus Committee or MSS. See Section 2.1 for additional detail.

² Note that a public review (BSR-8) may take place before, concurrently, or subsequently to Consensus Committee balloting however its review period is determined by circumstances indicated in Section 4.1.

- b) A brief history and/or explanation of how the standard was developed;
- c) An explanation of ANSI's function within the voluntary consensus standards system and MSS's use of the canvass methodology;
- d) A copy of the complete draft ANS or the relevant portion under consideration when the canvasee has previously received the complete draft standard;
- e) The official letter ballot(s) to all Consensus Committee canvasees.

Upon request, MSS shall provide to the Consensus Committee canvasee a reasonable number of copies of the document being considered, to allow for a speedy determination of position by the canvasee.

Upon request, a copy of the Consensus Committee list, consisting of the name, affiliation, and interest category of each canvasee will be sent to the requesting canvasee.

Should the draft document contain material that is not to be considered for approval as an ANS, a clear statement shall be included with the ballot indicating those portions of the draft ANS that are not to be considered for approval by the ANSI consensus process.

The ballot form used by the MSS Consensus Committee shall provide opportunity for the canvasee to indicate their position 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. Except in regard to membership and officer-related issues, each member of a Consensus Committee shall be instructed to vote one of the following positions:

- a) Affirmative;
- b) Affirmative, with Comment;
- c) Negative, with Comment (the reasons for a negative vote shall be given and include specific wording or actions that would resolve the objection);
- d) Not Voting (*i.e.*, Abstain).

At least one follow-up notice shall be sent to canvasees not responding to the ballot within approximately 10 calendar days prior to the ballot closing. Note that each Letter Ballot shall include the following text: *The reasons for a negative vote shall be given and include specific wording or actions that would resolve the objection. Votes unaccompanied by such comments will be recorded as "Negative without Comments" without further notice to the voter.*

Balloting Period: As a default, the Consensus Committee ballot or re-ballot period shall be closed at the end of 30 calendar days or sooner if all canvasees have responded. An extension of up to 15 calendar days may be granted upon request from any Consensus Committee member giving a legitimate reason. Recirculation ballots (*i.e.*, re-balloting) involving clearly identified substantive changes shall be closed at the end of 30 calendar days or sooner if all canvasees have responded (see below for additional guidance).

Approval of a draft ANS, revision, or reaffirmation of an existing standard, or a substantive addendum to part or all of an existing standard shall require:

A ballot returned by at least 50% of the Consensus Committee (counting Not Voting ballots), and approval (*i.e.*, Affirmative/Affirmative with Comment ballots) by Consensus Committee of 2/3 of those voting.

If the Consensus Committee and MSS declare the vote lost then the matter shall be referred to the Consensus Committee Chairman for determination of future action, including a recirculation ballot. The resulting action or balloting period may depend on the nature of necessary actions and/or complexity of situation, to include resolution of minor comments or substantive changes to the draft ANS. In some cases, the matter may be remanded back to originating MSS committee to revise the document before determination by the Consensus Committee Chairman.

Regarding **re-balloting or recirculation ballots**, MSS shall record the initial vote if a Consensus Committee member does not vote on recirculation/re-ballot. If said Consensus Committee member does not vote on the initial ballot but does vote on the recirculation ballot/re-ballot – that second vote counts and is considered the final vote. All members of the Consensus Committee must be issued the recirculation ballot/re-ballot – whether or not s/he voted on the original ballot. The Consensus Committee Chairman must attempt a resolution to any existing negative ballots before MSS issues a recirculation ballot/re-ballot. The recirculation ballot may also contain proposed resolutions that will be reviewed by the full Consensus Committee, including the original negative voter.

Consensus Committee vote changes will be recorded by MSS staff as a result of receiving written notification or confirmation. All votes must be numerically reconciled and the final vote reported on the ANSI BSR-9 Form. If a member does not vote at all, then that too must be reported.

Views and objections resulting from the ballot shall be deliberated in accordance with Section 5.2 below. **Substantive changes** are further addressed in Section 5.2.

5. CONSIDERATION OF VIEWS AND OBJECTIONS

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the Project Initiation Notification System (PINS) announcement or subsequent BSR-8 related public review comments due to listing in *Standards Action*.

5.1 PINS Announcement Comments

If MSS receives written comments within 30 days from the publication date of a PINS announcement in *Standards Action*, and said comments assert that a proposed ANS duplicates or conflicts with an existing 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 between MSS and the commenter. The deliberation shall be concluded before MSS may submit a draft ANS for public review (e.g., BSR-8).

If the deliberation does not take place within the 90-day period and MSS can demonstrate that it has made a good faith effort to schedule and otherwise organize it, then MSS 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 or justifiable need for the proposed ANS project. The outcome of such a deliberation (“Deliberation Report”) shall be conveyed within 30 days after the conclusion of the deliberation by MSS to the commenter and to ANSI. Upon submission of the Deliberation Report, MSS may continue with the submission of the draft standard for public review. If additional deliberations take place, they should not delay the submission of the draft 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, MSS shall include all of

the Deliberation Report(s) with the BSR-9 submittal to the ANSI Board of Standards Review (BSR) for consideration should MSS ultimately submit the related candidate ANS to ANSI for approval. Stakeholders who were involved in the PINS deliberation process may also file separate Deliberation Report(s) with ANSI and MSS within 30 days after conclusion of any deliberation for consideration by the BSR, if the standard is submitted to ANSI for approval. While the outcome is not binding, unless binding provisions are agreed to by the developer, participants are encouraged to develop a consensus on whether and how the ANS project should proceed.

5.2 Public Review and Consensus Committee Results

In connection with an objection or comment articulated during an open public comment period, an effort to resolve all expressed comments or objections accompanied by comments related to the proposal under consideration shall be made, and each such objector/negative balloter shall be advised in writing (including electronic communications) of the disposition of the negative comment or objection and the reasons therefore. If resolution is not achieved, each such objector/negative balloter shall be informed in writing that an appeals process exists within procedures used by MSS (See Section 12 below). In addition, each objection or negative comment resulting from an open public review or submitted by a member of the Consensus Committee during an open ballot, and which is not resolved (*see definitions below*) must be reported to the ANSI BSR as applicable.

When this process is completed in accordance with the written MSS procedures, MSS may consider any untimely comments, related to the proposal under consideration, that were received subsequent to the closing of the public review and/or comment period. MSS shall consider them in the same manner as a new proposal to the appropriate MSS committee, or may consider them at the current or next review of the standard in question; depending on circumstance and concurrence of the MSS Consensus Committee Chairman. Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

Unresolved, timely, objections and attempts at resolution from an open public review or Consensus Committee ballot shall be reported to the Consensus Committee in order to afford all members of this consensus body an opportunity to respond, reaffirm, or change their vote. Such specific reporting, involving unresolved objections, may be done during the ballot period if within ten working days of the end of the ballot period. If this criteria is not met or resolution is not achieved after the ballot or review period, a special reporting notice only addressing the unresolved objections is required that includes a reply period of 10 working days or longer, as set by MSS. This type of reporting and recirculation only involves the Consensus Committee, not public review. If an accepted resolution clearly involves substantive changes to a proposed ANS, then a full 30-day recirculation/re-ballot is required and involves public review (BSR-8 submittal/re-submittal). See requirements within this section and Sections 4.1 and 4.2 for additional details, as applicable.

All changes determined by the Consensus Committee Chairman to clearly be substantive in nature and incorporated into a revised draft of the subject standard shall be re-balloted to the Consensus Committee (*i.e.*, recirculation ballot) and subjected to ANSI public review via BSR-8 Form, which includes an announcement of the change in ANSI's *Standards Action*. This may apply to the entire document or individual sections or portions that contain the identified substantive changes.

For the purposes of these procedures, the term "Resolved" indicates a timely, negative vote cast by a member of the Consensus Committee or a negative comment (*i.e.*, objection) submitted as a result of an open public review period where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.

For the purposes of these procedures, the term “Unresolved” indicates either (a) a timely negative vote submitted by a Consensus Committee body member or (b) timely written comments, submitted by a person during an open public review period, expressing disagreement (objection) with some or all of the proposed ANS, that have not been satisfied and/or withdrawn after having been addressed according to the MSS’s approved procedures and ANSI requirements.

A record of each timely comment and objection from public review commenter(s) will be recorded by MSS staff and retained. Additionally, the disposition of each Consensus Committee member’s ballot shall be recorded and retained.

A record of how and by whom timely negative comments and objections were resolved or attempts at resolution for timely public review commenters and Consensus Committee ballots will be sent to commenter/voter, in addition to being recorded by MSS staff and retained.

6. SUBMITTAL OF EVIDENCE OF CONSENSUS TO ANSI AND APPROVAL AS AN ANS

Upon completion of the procedures for Consensus Committee ballot and public review, disposition of views and objections, re-balloting/recirculation, and any appeals, MSS will submit a BSR-9 Form and related documentation to ANSI as evidence of consensus, balance of interests, and due process. The ANSI BSR will then process the submittal for ANS Approval of the proposed document.

The BSR-9 Form submittal is filed after all comments from both the formal ANSI public review and from the Consensus Committee ballot(s) have been addressed in accordance with MSS procedures and ANSI requirements, and after any appeals to MSS have been completed. This includes responding to all timely comments; recirculation of any outstanding objections (e.g., negative comments) received in a timely basis (along with attempts at resolution and substantive changes back to the Consensus Committee in order to afford members the opportunity to respond, reaffirm, or change their original vote), and notifying outstanding objectors of their right to appeal to MSS; *etc.*

The BSR-9 form contains the final tally of the Consensus Committee by interest category, asks MSS to certify that it has followed its ANSI-accredited procedures, and is the “evidence of consensus and due process” upon which the ANSI BSR bases its decision to approve or not to approve a document as an ANS.

MSS shall provide all evidence required by the BSR-9 submittal and ANSI Essential Requirements document to ANSI.

7. REAFFIRMATION OF AN AMERICAN NATIONAL STANDARD

A PINS Form may be submitted, but is not required, at the initiation of a project to reaffirm an ANS. Comments received in connection with a PINS announcement in *Standards Action* shall be handled in accordance with these procedures.

The due process and consensus requirements defined herein apply to reaffirmations as they do to all approval actions related to ANSs. The procedures used for reaffirmation of an ANS by MSS shall be implemented according to MSS’s ANSI accredited operational procedures. Reaffirmations shall be balloted by a Consensus Committee and provide an opportunity for public comment via the BSR-8 Form and related public review.

Reaffirmations shall be accomplished without any substantive change to the ANS text. All non-substantive changes in the text of the standard shall be self-evident or explained (e.g., noted in foreword). An ANS undergoing an update of references to standards necessary to implement the ANS shall be processed as a revision unless the updated reference(s) is only a reaffirmation of the referenced standard. Any substantive changes in such references requires processing as a revision.

The designation of the approved ANS shall clearly indicate if the approval is a reaffirmation.

8. DISCONTINUANCE OF A STANDARD OR PROJECT

An originating MSS Technical Committee may withdraw an ANS or abandon the processing of a proposed new or revised ANS or portion thereof if it has followed its procedures. The Consensus Committee, if active, shall be so notified. A written justification for such an action shall be made available upon receipt of any written request received by MSS within 60 days of the date of the final action. See Section 12 regarding appeals.

An ANS must be supported by an ANSI-Accredited Standards Developer. If MSS and its applicable MSS Technical Committee wishes to withdraw its support of one or more of its ANSs, it may do so without a vote of the relevant ANS Consensus Committee. If MSS does withdraw one or more of its ANSs, then MSS shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in *Standards Action*.

A PINS form may be submitted, but is not required, at the initiation of a project to withdraw an ANS. Comments received in connection with a PINS announcement shall be handled in accordance with these procedures.

Notice of action shall be published in *Standards Action*.

9. FINAL NOTICE

Notice of final action on all standards shall be published in *Standards Action*.

10. DESIGNATION OF AMERICAN NATIONAL STANDARD

A standard that is approved as an ANS shall have its cover page marked with an approved logo furnished by ANSI or the words “an American National Standard.” In addition, ANSs shall be marked in such a way as to identify the version of the standard and shall be identified by a unique alphanumeric designation in accordance with MSS guidelines and consistent with ANSI requirements. MSS Standard Practices shall utilize the following version and designation convention: **ANSI/MSS SP-[MSS designated SP #]-[year of publication]**. The ANS shall include the “ANSI/MSS” designation; however, the order of MSS or ANSI placement is determined by the MSS BoD to ensure consistency.

The ANSI approval logo and the words “an American National Standard” shall not be used to identify any standard that has not received approval as an ANS by the ANSI BSR.

Portions of a published ANS that were not approved through the full consensus process but contain information that may appear to be requirements necessary for conformance with the approved ANS shall be (1) clearly identified at the beginning and end of each such portion of the document, or (2) such

information shall be overprinted on the cover page. These portions of the document shall be marked with the following, or similar, explanatory language:

“The information contained in this (portion of a document) is not part of this American National Standard (ANS) and has not been processed in accordance with ANSI’s requirements for an ANS. As such, this (portion of a document) may contain material that has not been subjected to public review or an ANSI consensus process. In addition, it does not contain requirements necessary for conformance to the standard.”

11. PERIODIC MAINTENANCE OF AMERICAN NATIONAL STANDARDS

American National Standards shall be kept current and relevant by means of timely revision, reaffirmation, or action to stabilize. Obsolete standards shall be withdrawn with originating MSS committee consent. American National Standards that have not been revised or reaffirmed within ten years from the date of their approval as American National Standards may be accordingly withdrawn as an ANS by ANSI; however, their status as an MSS standard shall be decided by the originating MSS committee and MSS procedures. In cases involving the national adoption of ISO and IEC standards as ANSs, the maintenance provisions contained in the *ANSI Procedures for the National Adoption of ISO or IEC Standards as American National Standards* shall apply and MSS shall utilize the Periodic Maintenance Option.

Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an ANS, unless an extension request is submitted.

In the event that a new PINS or BSR-8 Form has not been submitted for an ANS within five years after its approval, MSS may request an extension of time to reaffirm or revise the standard, or withdraw the standard. The request for an extension of time for ANS action should be submitted to ANSI within five years after the approval date of the ANS. Requests for extensions shall provide (1) indication that that work is proceeding, and (2) schedule of work or estimated time of completion that will lead to revision, reaffirmation, or withdrawal. The extension may be granted by the ANSI ExSC or its designee. No extension of time beyond ten years from the date of ANSI approval shall be granted for ANS action on a standard. An ANS maintained under the periodic maintenance option shall not retain its status as a current ANS beyond ten years from the date of last ANS approval. Such ANS status expires on the tenth anniversary date of approval as an ANS.

12. APPEALS

Persons who have been directly and materially affected shall have the right to appeal procedural actions or inactions of MSS (as the administrative developer) or the MSS Consensus Committee (as the canvass body) responsible for the affecting action in question with regard to the proposed ANSI/MSS Standards Practice. Attempts at resolving any issues before such appeals is encouraged and covered in Section 5.

Complaint: The appellant shall file a written complaint with the MSS Executive Director within 30 days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the clause(s) of these procedures or the standard that are at issue, action(s) 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 recorded. The Executive Director will forward the complaint with all attached data to the Chairman of the MSS Consensus Committee responsible for this Consensus Standard for resolution.

Response: Within thirty days after receipt of the written complaint, the respondent (the Consensus Committee Chairman or MSS, as applicable) shall respond in writing to the appellant, addressing each item contained in the written complaint by the appellant. A copy of the response shall also be submitted to the MSS Executive Director and retained by MSS for the record.

Hearing: If the appellant and the respondent are unable to resolve the written complaint in a manner consistent with these procedures, the MSS Executive Director, in consultation with the Consensus Committee Chairman, shall schedule a hearing with an appeals panel at the MSS headquarters, or location agreed by appeals panel, or via electronic medium, on a date agreeable to all participants; providing written notice of the date no less than 15 working days in advance of such a hearing. The Appeals Panel will be provided a written record for review at least 10 working days prior to the scheduled hearing date. The burden of proof to show adverse effect shall be on the appellant. Appeals of actions shall be made within reasonable time limits; appeals of inactions may be made at any time (as appropriate to the actionable time-table).

Appeals Panel: The Appeals Panel shall consist of three members of the MSS Board of Directors, appointed by the President of MSS, 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. The appellant and the Chairman of the Consensus Committee, or designated representative of the Consensus Committee or MSS, shall have equal amounts of time in which to present their views. Members of the Appeals Panel will have the opportunity to ask questions following each presentation. Should the appellant not be present for the hearing, the decision of the Appeals Panel shall be based on the written submission.

Conduct of the Hearing: The appellant has the burden of demonstrating that the Consensus Committee's actions were not in compliance with procedures. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. *Roberts Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing. Minutes of the proceedings shall be recorded by the MSS Executive Director and retained.

Decision: The appeals panel shall render its decision with a written ballot within thirty days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision: improper actions or inactions, and the efficacy of the requested remedial action. The decision and rationale thereof, shall be reported to the appellant, Consensus Committee and ANSI. Decisions include:

- (1) Finding for the appellant remanding the action to the Consensus Committee with a specific statement of the issues and facts in regard to the non-compliant actions of the Consensus Committee or MSS.
- (2) Finding for the respondent, with a specific statement that the burden of persuasion was not met.
- (3) Finding that new, substantive evidence has been introduced, and remanding the entire action to the Consensus Committee for appropriate reconsideration.

The notice of appeal and appeals decision are to be submitted to ANSI as part of the BSR-9 submittal.

13. RECORDS RETENTION

Records concerning new, revised or reaffirmed ANSs will be retained for one complete development cycle or until the standard is revised. Records concerning a withdrawn ANS will be retained until five years from date of withdrawal or for a duration consistent with the audit schedule.

14. INTERPRETATIONS

Technical inquiries or interpretations relating to an MSS-maintained ANS shall be directed to the MSS Executive Director.

All official inquiries shall be submitted to MSS in writing and require a written response from MSS to the requestor. Unofficial or informal questions or inquiries that may not require a written interpretation may be referred to the appropriate Committee Chairman for an oral opinion to be given directly to the inquirer. The inquirer must be explicitly informed by the Executive Director, or designee, and/or by the Committee Chairman that such an oral opinion rendered must not be considered an official MSS response and that it will not be confirmed in writing by the MSS Executive Director. Official interpretations shall be included in the MSS Annual Meeting Report and interpretations may be posted on the MSS web site.

When an official written inquiry is received by MSS, the inquiry will be forwarded to the following personnel by the MSS Executive Director:

- a) The MSS Committee Chairman responsible for the Standard Practice which is in question. This person shall normally have prime responsibility for developing the response. The Consensus Committee Chairman involved with the ANS process, if different, should also be copied and consulted as applicable.
- b) The Chairman of the MSS Coordinating Committee. Should the Chairman of the Coordinating Committee and the Committee Chairman responsible for the Standard Practice be one and the same, then the Vice Chairman of the Coordinating Committee shall also receive the inquiry and be party to any actions.
- c) A member of the Board of Directors knowledgeable of the Standard Practice in question (not the Committee Chairman responsible for the Standard Practice).

In developing responses to official inquiries, the following shall be considered:

- a) Interpret the Standard Practice as written.
- b) Answer only the question being asked.
- c) Provide the shortest response which answers the question.
- d) Do not attempt to justify the Standard Practice/ANS or provide rationale for its content.

A response may be proposed by the inquirer, the MSS Executive Director, or by one of the three designees who have been selected to receive and review the inquiry.

When agreement has been reached on an acceptable response to an inquiry, the MSS Executive Director will draft a letter in response to the inquiry and distribute the draft letter response to the designees selected to review the inquiry and response. Prior to releasing the response to the inquirer, the Executive Director shall have received responses from the selected designees signifying their approval.

Only written responses signed by the MSS Executive Director shall be considered official.

The MSS Executive Director shall be responsible for maintaining a file of all official responses to inquiries. Official inquiries/interpretations and responses shall be published in the MSS Annual Meeting Report for the time period covered by the report.

15. METRIC POLICY

The MSS acknowledges that the International System of Units (SI), the modernized metric system, are the preferred units of measurement in ANSs and acknowledges that customary units are also well established in the United States and within the valve and fittings industry. The MSS will include measurements based on U.S. customary and/or the (SI) metric system, where appropriate and applicable, as basic units or as additional referenced units, in ANSs it develops or revises under the procedures of ANSI. Other units of measurement may be used alongside, or instead of, the (SI) metric measurements to ensure the technical and scientific information conveyed in such standards is understood and accessible to the users of such documents. MSS internal procedures (*e.g.*, IS-9, Policy Statements Section 9) describe nomenclature utilized within the document.

16. INTELLECTUAL PROPERTY, PATENTS AND COPYRIGHT

Any proposed and/or approved MSS American National Standards shall comply with (1) the ANSI Patent Policy, and (2) the ANSI Commercial Terms and Conditions Policy, both located within the latest version of the *ANSI Essential Requirements*.

17. ANTI-TRUST POLICY

American National Standards shall be developed in accordance with applicable antitrust and competition laws, and meetings amongst competitors to develop American National Standards are to be conducted in accordance with these laws. MSS members shall also comply with the MSS Anti-Trust Policy.

18. ADDITIONAL GUIDANCE

The *ANSI Essential Requirements: Due process requirements for American National Standards* document will be consulted for additional guidance not covered within these Operating Procedures.

The *MSS Checklist_ANSI ANS Canvass Process* document may be used in conjunction with the MSS ANS Operating Procedures (OP) for processing and submittal of an MSS Standard Practices as a proposed ANS. This is utilized as informal guidance.

IS-12, *American National Standards Projects – Guidance for Processing and Reviewing Checklist for MSS Committee Chairs* may be used in conjunction with the MSS ANS Operating Procedures (OP) for processing and submittal of an MSS Standard Practices as a proposed ANS. This is utilized as formal guidance for MSS members.

ANNEX A: Definitions

- **ANSI Accreditation:** The approval by the ANSI Executive Standards Council (ExSC) of the written procedures submitted by a standards developer relative to the development and documentation of evidence of consensus in connection with standards that are expected to be approved as American National Standards. Accreditation by ANSI signifies that the procedures submitted by the standards developer satisfy the essential requirements contained herein.
- **Consensus:** Consensus means substantial agreement has been reached by directly and materially affected interests. 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.
- **Consensus Body:** The group (e.g., Consensus Committee) that approves the content of a standard and whose vote demonstrates evidence of consensus.
- **Periodic Maintenance:** Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval as an American National Standard.
- **Proxy:** A written and signed document by which a voting member of a consensus body authorizes another person to vote in the member's stead, if allowed by the developer's procedures.
- **Resolved:** A negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.
- **Stakeholder:** Individual, or group of individuals, with interests that may affect, or be affected by, an organization or a specific standard (based on ISO 26000: 2010, definition 2.20).
- **Substantive Change:** A substantive change in a proposed American National Standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:
 - "shall" to "should" or "should" to "shall";
 - addition, deletion or revision of critical requirements, regardless of the number of changes;
 - addition of mandatory compliance with referenced standards.⁽¹⁾
- **Unresolved:** Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a person during public review expressing disagreement with some or all of the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer's approved procedures.

(1) INTERNAL MSS NOTE (NOT APPROVED BY ANSI): The ANSI *Essential Requirements* document does not provide a definition of "safety-related" standards (i.e., Section 2.1) nor is it ANSI's intent to address this matter. MSS interprets "safety-related" standards, as it relates specifically to the references in the ANSI ER, to imply those safety standards that involve products intended for safe usage by or for the general "public" or "consumer". The American Management Association defines product safety standards as "standards relating to the design and manufacturing of consumer products to ensure they do not represent harm or hazards to consumers." The term "Safety", as related to industrial, pipeline, transportation, etc., are not considered applicable to the term usage specifically within the ANSI ER. The ISO defines "Consumer" an individual member of the general public, purchasing or using property, products or services for private purposes (COPOLCO 2011).

APPENDIX X1: ANS Development and Key Steps

American National Standard (ANS) Development: Key Steps
Governing document: “ANSI Essential Requirements” (current version)



American National Standard (ANS) Development: Key Steps

Governing document: “ANSI Essential Requirements: Due process requirements for American National Standards”

NOTE: Some steps may take place concurrently

www.ansi.org/essentialrequirements

Standards developer’s procedures are accredited by the ANSI Executive Standards Council (ExSC) – upon accreditation, which includes a public review of procedures, a developer may be referred to as an ANSI-Accredited Standards Developer

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Accreditation may be appealed to the ANSI ExSC and then to the ANSI Appeals Board – appeal right exists thereafter as well

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Consensus body established; discretely defined interest categories assigned or selected

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Preliminary development stage of document as an ANS in accordance with developer’s procedures (Filing of ANSI PINS form online [psawebforms.ansi.org] for draft new, national adoptions and revised ANS; publication of PINS in ANSI Standards Action; deliberation among stakeholders if claim of conflict or duplication is lodged)

↓

Draft document is announced in ANSI Standards Action (www.ansi.org/standardsaction) for ANSI public review (Filing of ANSI BSR-8 form online [psawebforms.ansi.org] by developer; subsequent substantive changes require additional public review; developer must make document available for review)

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Draft document balloted to consensus body (If vote to approve a document as an ANS is taken at a meeting, members who are absent shall have the opportunity to vote before or after the meeting; balloting and public review can be concurrent)

↓

Attempt to resolve and respond to comments resulting from public review and consensus body ballot (Written responses required; comments not related to the proposal at hand must be processed as a new proposal)

↓

Recirculation of unresolved public review comments and unresolved votes from consensus body members along with attempts at resolution and substantive changes to the full consensus body (in order to afford all consensus body members the opportunity to respond, reaffirm, or change their vote – typically via ballot)

↓

Written notification of right to appeal at the standards developer level sent to unresolved¹ objectors (public review and consensus body members)

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Appeals process concluded or appeals filing period expires at the standards developer level

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Documentation submitted to ANSI via BSR-9 form, which includes final tally by interest category of consensus body vote and other supporting documentation demonstrating evidence of consensus and due process; approval of document by ANSI Board of Standards Review (BSR) (ANSI Audited Designator reviews evidence of consensus, approves ANS, and notifies ANSI)

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Notification by ANSI of the right to appeal procedural, not technical, issues to the ANSI BSR (In the case of an Audited Designator, there is no notification by ANSI and any related appeals are filed with the ANSI ExSC)

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Notification by ANSI of right to appeal an ANS BSR or ANSI ExSC appeals decision to the ANSI Appeals Board

¹ As defined in the ANSI Essential Requirements: “Unresolved: Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a person during public review expressing disagreement with some or all of the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer’s approved procedures.”

MORE INFORMATION

www.ansi.org/asd

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Note: APPENDIX X1 is not normative, it is intended for guidance.