

**Proposed revisions to the *ANSI Essential Requirements*
(www.ansi.org/essentialrequirements)**

1 **1.3 Balance**

2 The standards development process should have a balance of interests. Participants from diverse
3 interest categories shall be sought with the objective of achieving balance. If a consensus body
4 lacks balance in accordance with the historical criteria for balance, and no specific alternative
5 formulation of balance was approved by the ANSI Executive Standards Council, outreach to
6 achieve balance shall be undertaken.

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8 **2.1 Openness**

9 Timely and adequate notice of any action to create, revise, reaffirm, or withdraw a standard, and
10 the establishment of a new consensus body shall be provided to all known directly and materially
11 interested parties. Notice should include a clear and meaningful description of the purpose of the
12 proposed activity and shall identify a readily available source for further information. In addition,
13 the member's name (or if membership is by organization, the name of the organization with a
14 point of contact), affiliation⁴ and interest category of each member of the consensus body shall
15 be made available to interested parties upon request. The affiliation of a consensus body member
16 refers to the entity that the consensus body member represents, which may or may not be that
17 person's employer. If the consensus body member is serving in an individual capacity, then the
18 name of the individual, their sponsors¹ (if any) and interest category shall be made available upon
19 request. Contact information is not required.

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21 **2.2 Lack of dominance**

22 Unless it is claimed in writing (including electronic communications) by a directly and materially
23 interested party that a single interest category, individual or organization dominated the standards
24 development process, no test for dominance is required.

25

26 **2.3 Balance**

27 Historically the criteria for balance are that a) no single interest category constitutes more than
28 one-third of the membership of a consensus body dealing with safety-related standards or b) no
29 single interest category constitutes a majority of the membership of a consensus body dealing
30 with other than safety-related standards.

31 The interest categories appropriate to the development of consensus in any given standards
32 activity are a function of the nature of the standards being developed. Interest categories shall
33 be discretely defined, cover directly and all materially interested parties and differentiate each

⁴“Affiliation” refers to the entity that the consensus body member represents (which may or may not be that person's employer). If the consensus body member is serving in an individual capacity, then the name of the individual, that person's employer, sponsor and interest category should be available. Contact information is not required.

¹ A sponsor is defined as an organization that provides funds specifically to support the individual's participation in the standards activities of the consensus body.

34 category from the other categories. Such definitions shall be available upon request.

35
36 Consensus body members, including consultants², typically are classified in accordance with the
37 business or other interests of their employers or the sponsors they represent in connection with
38 the standards development activity. In cases where a consensus body member receives funding
39 from the sponsoring ANSI-Accredited Standards Developer (ASD) or other entities, that
40 information shall be disclosed to determine if it will impact the member's interest classification.

41
42 In ~~determining~~ ~~defining~~ the interest categories appropriate to a standards development activity,
43 an ASD shall give consideration ~~consideration shall be given to~~ at least the following three
44 categories:

- 45
46 a) producer;
47 b) user;
48 c) general interest.

49
50 If, after consideration, a "General Interest" category is deemed appropriate, that interest category
51 should include only those whose business or other interests are not covered by another discretely
52 defined interest category.

53
54 Where appropriate, additional interest categories should be considered.³ However, interest
55 categories shall not be created for the purpose of avoiding balance requirements.

56 Appropriate, representative user views shall be actively sought and fully considered in standards
57 activities.

58 Whenever possible, user participants shall be those with the requisite technical knowledge, but
59 other users may also participate. User participation should come from both individuals and
60 representatives of organized groups. There are several user categories:

- 61
62 1. User-consumer: Where the standards activity in question deals with a consumer product,
63 such as lawn mowers or aerosol sprays, an appropriate consumer participant's view is
64 considered to be synonymous with that of the individual user – a person using goods and
65 services rather than producing or selling them.
66 2. User-industrial: Where the standards activity in question deals with an industrial product,
67 such as steel or insulation used in transformers, an appropriate user participant is the
68 industrial user of the product.
69 3. User-government: Where the standards activity in question is likely to result in a standard
70 that may become the basis for government agency procurement, an appropriate user
71 participant is the representative of that government agency.
72 4. User-labor: Where the standards activity in question deals with subjects of special interest
73 to the American worker, such as products used in the workplace, an appropriate user
74 participant is a representative of labor.

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² For purposes of this section, a "consultant" is someone who agrees to provide professional service in exchange for compensation, financial or otherwise.

³ Further interest categories that may be used to categorize directly and materially interested parties consist of, but are not limited to, the following: a) Consumer; b) Directly affected public; c) Distributor and retailer; d) Industrial/commercial; e) Insurance; f) Labor; g) Manufacturer; ~~h) Professional society; i) Regulatory agency; j) Testing laboratory; k) Trade association.~~

76 **1.5 Notification of standards development**

77 Timely and adequate notice notification of standards development activity shall be announced in
78 media suitable to demonstrate that a meaningful opportunity for participation, debate and
79 deliberation by all directly and materially interested parties in a fair and equitable manner was
80 provided.

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82 **2.5 Notification of standards development and coordination**

83 Timely and adequate notice of standards development activity, including formation of a
84 consensus body or a consensus body meeting, shall be announced in media suitable to
85 demonstrate that a meaningful opportunity for participation by all directly and materially
86 interested parties in a fair and equitable manner was provided.

87
88 Developers are encouraged to consult any relevant international or regional guides that may
89 impact the proposed standard and shall advise the relevant ANSI-Accredited U.S. TAG(s) if the
90 standard is intended to be submitted for consideration as an ISO, IEC or ISO/IEC JTC-1 standard.

91 **2.5.1 Project Initiation Notification System (PINS)**

92 At the initiation of a project to develop or revise an American National
93 Standard⁴, notification shall be transmitted to ANSI using the Project Initiation
94 Notification System (PINS) form, or its equivalent, for announcement in *Standards*
95 *Action*. Comments received in connection with a PINS announcement shall be
96 handled in accordance with these procedures.

97 A statement shall be submitted and published as part of the PINS announcement that shall
98 include:

- 99 (a) an explanation of the need for the project, including, if it is the case, a statement of
100 intent to submit the standard for consideration as an ISO, IEC or ISO/IEC JTC-1
101 standard;
- 102 (b) identification of the stakeholders (e.g., telecom, consumer, medical, environmental,
103 etc.) likely to be directly impacted by the standard; and
- 104 (c) the interest categories that will or are expected to comprise the consensus body.

105 If the response to sub-section (b) changes substantively as the standard is developed, a
106 revised PINS shall be submitted and published.

107 If a developer receives a written request for additional information or for the opportunity to
108 discuss the proposal from a directly and materially interested outside party or current
109 consensus body member, during the 30-day PINS comment period, the ASD shall respond
110 in writing within 30 days of the comment deadline.

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112 **2.8 Appeals**

113 The provision for appeals is an important element of due process. This section gives general
114 criteria regarding the right to appeal, to whom appeals are made and what may be appealed.

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116 **2.8.1 Right to Appeal: Appeals at the standards developer level**

117 The written procedures of an ANSI-Accredited Standards Developer (ASD) shall contain
118 an identifiable, realistic, and readily available mechanism for the impartial handling of

⁴ Including the national adoption of ISO and IEC standards as American National Standards, but excluding actions set forth in 2.5.1.1.

119 procedural appeals regarding any action or inaction. Appeals shall be addressed promptly
120 and a decision made expeditiously and issued in writing. A standards developer may
121 choose to offer an appeals process to address appeals on other than procedural issues.
122 Procedural appeals include whether a technical issue was afforded due process. Appeals
123 procedures shall provide for participation by all parties concerned without imposing an
124 undue burden on them. Consideration of appeals shall be fair and unbiased and shall fully
125 address the concerns expressed.

126
127 Parties who are directly and materially interested in and who have been or will be
128 adversely affected by any procedural action or inaction by a standards developer with
129 regard to the development of a proposed American National Standard or the revision,
130 reaffirmation, or withdrawal of an existing American National Standard, have the right to
131 appeal. The burden of proof to show adverse effect shall be on the appellant. Appeals of
132 actions shall be made within reasonable time limits; appeals of inactions may be made at
133 any time. Appeals shall be directed to the standards developer responsible for the action
134 or inaction in accordance with the appeals procedures of the standards developer. If a
135 fee for a procedural appeal is charged, then it shall be predetermined, fixed and
136 reasonable. A procedure for requesting a fee waiver or fee reduction shall be available.
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138 **2.8.2 Right to Appeal: Appeals at ANSI**

139 Parties who are directly and materially interested in and who have been or will be
140 adversely affected by any procedural action or inaction by ANSI or by any ANS-related
141 process have the right to appeal. ANSI will not normally hear an appeal of an action or
142 inaction by a standards developer relative to the development of an American National
143 Standard until the appeals procedures provided by the standards developer have been
144 completed. As required in paragraph 2.8.1, appeals at the ASD shall be addressed
145 promptly and a decision made expeditiously and issued in writing. However, conclusion of
146 the appeals process at the standards developer level is not a precondition for filing an
147 appeal of an organization's continuing accreditation status with the ANSI Executive
148 Standards Council (ExSC).

149
150 Claims of procedural non-compliance raised during the course of an active standards
151 development process are to be addressed in accordance with the standards developer's
152 appeals process. The standards developer's appeals process shall conclude before final
153 submittal of evidence of consensus is made to ANSI in support of the approval of a
154 standard as an American National Standard.

155
156 Except in the case of an Audited Designator, an appeal of the approval of a standard as
157 an American National Standard is to be filed in accordance with the *Operating Procedures*
158 *of the ANSI Board of Standards Review (BSR)*. Complaints concerning ANSI Audited
159 Designators, including the approval of a standard as an American National Standard, are
160 governed by the *Operating Procedures of the ANSI Executive Standards Council (ExSC)*.

161
162 Appeals of actions shall be made within ~~reasonable~~ the time limits specified in applicable
163 procedures; appeals of inactions may be made at any time. Such appeals shall be directed to
164 ANSI in accordance with the procedures of the appropriate ANSI Committee ~~board or council~~
165 (e.g., Board of Standards Review, Executive Standards Council).