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November 24, 2019

American National Standards Institute
11 West 42nd Street
New York, NY 10036

RE: Public Comments – *ANSI Essential Requirements*, section 3.2 Commercial Terms and Conditions

Dear Sir or Madam;

I have reviewed the proposed changes referenced above that would eliminate requirements in ANSI standards (ANSs) requiring an entity complying with the standard to purchase and/or use “brand-name tools or components, copyrighted user manuals, labels or licenses, manufacturer lists or service provider lists”. I would like to caution the ANSI Executive Standards Council on what I feel are significant factors that should be considered while assessing these proposed changes:

1. Proposed Revision of section 3.2.1:

- a. In order to comply with an ANS, one must have access to the ANS in question. It appears that the current market for copyrighted ANSs is broad but similarly priced from each potential supplier. To fully comply with the proposed revision, ANSI should stipulate that ANSs be open-sourced, without copyright, and available to anyone needing one for free via the Internet. An alternate, would be to encourage competition among resellers of ANSs – providing cost savings to those needing access to ANSs.
- b. Certain ANSs contain reference to other ANS or ISO standards – necessitating the entity wishing to comply with an ANS to acquire or access the referenced standard(s). For example, ANSI/SAIA A92.20 – 2018 references thirteen (13) standards that one would need to acquire and update at substantial cost in order to ensure compliance with this single standard.

2. Proposed Revision of section 3.2.2:

- a. Many products covered by ANSs are produced using proprietary engineering and design factors that, while compliant with a applicable ANS, may contain components or design values that are critical for the safe use of the covered product that exceed the specified minimum factors in the applicable ANS. Without knowing these proprietary factors, an entity attempting to comply with an ANS could find itself lessening the manufacturer’s design safety factors by using non-OEM produced or approved components. This is extremely important to me

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when considering the use of “or the equivalent” in referencing what I consider critical OEM information conveyed to the user through identification plates, placards, copyrighted manuals or other means of transmitting information known best by the manufacturer and needed by the user of their product.

- b. To accurately provide an “or the equivalent” component, manual, or other information, the “equivalent” source will need access to a manufacturer’s proprietary information – not something an ANS can enforce and unlikely to happen on a voluntary basis.
3. Proposed Revision of Section 3.2.3:
- a. Regarding testing or training, the best source of knowledge regarding a product covered by an ANS is the manufacturer. They are privy to proprietary design information and may limit the uses of their product based on their research or past experience.
 - b. To allow an equivalent entity to set maintenance, testing or training requirements necessitates that the equivalent entity know all the information used by the manufacturer in setting its recommendations or requirements. It is not realistic to expect such cooperation, leading the equivalent entity to surmise, guess, or take a chance on what is appropriate for the product in question. Having a user’s safety depend on such a process is untenable in my opinion.

Thank you for allowing me to express my concerns regarding the changes proposed to the sections referenced above.

Please feel free to contact me with any questions regarding these comments.

Sincerely yours,



John J. Brewington, Jr., CAFM, CEM

Chair: ASC A10.31

Member: ASC A92

ASC A92.2

ASC A92.20

ASC A92.22

ASC A92.24

ASC Z15.1