



REQUEST FOR INTERPRETATION OF 3-A SANITARY STANDARDS OR 3-A ACCEPTED PRACTICE CRITERIA

Requester(s) Name and Address: Allen R. Saylor, Senior Director, IDFA 1250 H. St. NW, Suite 900 Washington, DC 20005 AND Greg Sturicz United Industries, Inc. 1546 Henry Avenue Beloit, WI 53511	Standard/Practice Name and Number: <i>3-A Sanitary Standards for Centrifugal & Positive Rotary Pumps, # 02-10</i>
Requester(s) Telephone No.: 202-220-3544 (Allen Saylor) 608-368-4606 (Greg Sturicz)	Criteria Paragraph Number: D9.1.1

Specific wording requested for interpretation:

Allen Saylor states that it is imperative that the TPV Subcommittee have an interpretation of the "such as" language in the pump standard for exemptions from the 1/8 inch radii requirement as soon as possible. With the placement of the pump standard back into the TPV rotation, CCEs will be very soon going into the field to review pumps for conformance to the 3-A pump standard. As a representative of the 3-A User Task Force, Mr. Saylor wants pumps to meet the 3-A Sanitary Standards so they are hygienic and cleanable. He says, "We have used pumps that meet all criteria except for the 1/8 inch radii for many years without any documented cleaning problems. As a result, we believe that the "such as" language in this standard is meant to list a few of many examples, and not to establish an exclusionary list."

Greg Sturicz is requesting clarification as to the meaning of the term "such as" appearing in paragraph D 9.1.1 as it relates to specific pump parts. Is the list of items following the "such as" a list of examples, where other similar items would qualify for the down to 1/32 inch radii, or is this a definitive list and any item not on the list subject to the 1/8 inch radius requirement?

Supporting Comments:

(From Allen Saylor)

“We believe that in this case, the use of "such as" was intended by the authors to identify a few of many possible circumstances where radii of less than 1/8 inch might be allowed. It is clear that the original authors understood that pump design would change, new materials would become preferable to old, and new technology would result in the interior design of pumps having different configurations than were common when the original standard was written. As a result, the use of "such as" was not intended to be exclusionary, but to illustrate examples that would provide some guidance as to what other radii exemptions would be considered acceptable.

In a standard that covers a wide variety of pumps and pump designs, a list of possible exemptions to the 1/8 inch radii requirement could be extensive, yet the current standard only lists three (3). The current 3-A Pump Working Group had attempted to develop such a list, but stopped after getting over 20 possible items where an exemption from the 1/8 inch needed to be identified. It would be a better approach for the sake of the standard, the pump manufacturers, the equipment users and the sanitarians, if "such as" in this standard was interpreted to mean some of many possible examples otherwise a positive list of all exceptions would have to be developed. The 3-A Pump Working Group has already tried to do that without success.

When the number of exceptions is limited, it may make sense to list them and use "such as" in an exclusionary fashion; however, when the possible exceptions are many (over 20), then "such as" should be interpreted as a few of many possible and acceptable alternatives.”

(From Greg Sturicz)

“To define a definitive list and include in the standard, will require every current or possible pump manufacturer to identify each and every part with the radii in question, and ensure the list is accurate and up to date. If a new design is developed, this list could be seen as a hindrance as only items on the list are in the standard.

A definitive list might cause other problems relating to the name and/or description of the part. Manufacturers may call a part by different names and thus cause more confusion.

Further, the specific issue relates to the ability to clean a particular part due to the radius. This standard is not written to be a cleaning standard, but rather a manufacturing standard. Cleaning protocols fall under other guidelines.”

Interpretation Committee Response:

In Section D9.1.1 of *3-A Sanitary Standards for Centrifugal & Positive Rotary Pumps*, Number 02-10, the meaning of the words “such as” should be understood as “for example.” Items not included in the listing that follows “such as” may have radii that deviate from the standard (listed) radii, but in no circumstance be less than 1/32 inch.

Justification:

The term “such as” is used in almost every 3-A Sanitary Standard, and in many cases, more than once (and sometimes multiple times) in a 3-A Sanitary Standard. It is only logical that the standard dictionary definition be followed, which means “for example” or “not limited to.” In reaching its decision, the Interpretation Committee (IC) noted the following:

- The definition, as determined by the IC, is consistent with the nine other uses of “such as” appearing in Standard 02-10 (Sections B5, C3.5, D1.1, D2.1, D2.1.1, D2.1.3, D6.2, D16.1.1.3, and E5.1).
- The IC’s previous ruling on *3-A Sanitary Standards for Sensors and Sensor Fittings and Connections Used on Milk and Milk Products Equipment*, Number 74-02, Clause C2.2 concluded that the words “such as” could be interpreted as not being exclusionary or not limiting in application.
- If “such as” meant “may be limited only to the following,” the interpretation may be exclusionary and not consistent with previous uses of this term. This presents a change in the meaning of the standard. Substantive changes to a 3-A Standard must be subject to public review and comment.

Therefore, because of the above items, the IC has determined that “such as” as used in Section D9.1.1 in 3-A Sanitary Standard 02-10, means “for example” (“not limited to”).

Date Received by 3-A SSI: January 26, 2006	IC Chair Signature: Randy Elsberry
Date Reviewed: February 10, 2006	
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