



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

Requester Name and Address: Robert J. Elbich, CCE 3153 Masters Hill Rd. Fogelsville, PA 18051	Standard/Practice Name and Number: 3-A Sanitary Standards for Sensors and Sensor Fittings and Connections Used on Milk and Milk Products Equipment, Number 74-02
Requester Telephone No.: 610-837-4490	Criteria Paragraph Number: C2.2

Specific wording requested for interpretation:

The initiator is requesting that the language of paragraph C2.2 be interpreted in accordance with the definition in Webster's and accordingly, permit the use of ceramics in pressure sensors.

Supporting Comments:

Reading paragraph C2.2, the phrase "Where materials having certain inherent functional purposes are required for specific applications", I read this as a very general and inclusive statement. The next part of the sentence starts with the words "such as", which really means "for example" or "like or similar to" and is demonstrative in nature. It in no way excludes other applications, only gives examples. If it was meant to be exclusive, the wording should have been something similar to: "are required for only the following specific applications". Therefore, strict English interpretation of the wording doesn't exclude any applications.

Further, there is no sanitary or other technical reason to exclude applications other than those examples listed. The remainder of paragraph C2.2 satisfactorily addresses other potential issues with ceramic use, such that other applications may be judged on these criteria.

Also, I believe that 3-A has not disseminated the above mentioned definition of "such as" to mean "exclusively" to all certificate holders whose business could be detrimentally affected by this interpretation. Accordingly, 3-A cannot hold certificate holders accountable for compliance to this interpretation.

Finally, if the intent is to create an exclusive listing of applications, the Standard will lose any general applicability and will require constant revisions for each new application developed, much as what had happened with the Plastics lists. Further, this same language is utilized in other current Standards to the same effect.

Interpretation Committee Response:

Section C2.2 of 3-A Sanitary Standard for Sensors and Sensor Fittings and Connections Used on Milk and Milk Products Equipment, Number 74-02 does not prohibit the use of ceramics in pressure sensors.

Justification:

The following sentence which currently exists in the *Model Document for preparing 3-A Sanitary Standards and 3-A Accepted Practices (Model Document)*, clearly implies that the words “such as” are to be interpreted as meaning exclusionary and limiting applications to those specifically listed after the words “such as”.

“Where materials having certain inherent functional purposes are required for specific applications, such as **{all required applications(s)}**, carbon, or ceramic materials, including tungsten carbide may be used.”

The Interpretations Committee recognizes that the *Model Document* may not have been readily available to all users and that the recommended language contained in this document may not have been followed when 3-A Sanitary Standard for Sensors and Sensor Fittings and Connections Used on Milk and Milk Products Equipment, Number 74-02 was developed. Based on this premise, the decision was based solely on the use and implied intent of the words “such as” in paragraph C2.2, comparing this usage to the usage of these words within paragraphs D1.1, D6.1.1, and D12.1.

After a thorough review of these four paragraphs, the determination was made that the words “such as” has been used with different meanings in other sections of the Standard. As a result of this deviation, the words “such as” could be interpreted as not being exclusionary or limiting in application and therefore paragraph C2.2 would not prohibit the use of ceramic material in pressure sensors.

Date Received by 3-A SSI:	VCR Chairperson Signature:
Date Reviewed: March 28, 2005	Randy Elsberry
Date of Response:	Date: