



EVAN R. GADDIS

President and Chief Executive Officer

February 22, 2010

Ms. Sandy Kennedy
President
Retail Industry Leaders Association
1700 North Moore Street, Suite 2250
Arlington, VA 22209

Dear Ms. Kennedy:

The purpose of my letter is to inform you that NEMA will not be supporting the proposed RILA/BRC Factory Audit standard for consumer/electrical products.

NEMA has been communicating with RILA staff and members since last July and has been collaborating with a number of affected organizations to find a reasonable and safety-minded way forward for this proposal. Despite our best efforts, we continue to see major flaws in the RILA/BRC process for developing your factory audit standard and proposed electrical guidelines that threaten to take attention away from maintaining a U.S. electrical safety system that is second to none in the world.

We have taken this position for a number of reasons conveyed in writing and verbally to your organization and BRC, as recently as in a face to face meeting on February 1. Of particular concern to NEMA are:

1. The document continues to be too general to be of precise value for enhancing electrical safety. It prescribes an exhaustive review of management system practices that gets into far too much detail, is far too prescriptive, and assumes, without clearly defining the problems, that the audit will fix product manufacturing and performance issues.
2. The document has been produced in a relative vacuum. While NEMA and other organizations have been periodically invited to provide input, which we have done, few if any of our recommendations have found their way into the base factory audit standard and we are not hopeful for the anticipated electrical guidelines. While February 1 discussions with RILA and BRC seemed promising at first, we were finally told that RILA and BRC would ultimately decide on the content of the electrical applications guide and that they would like to finalize these guidelines in 5-6 months.

**National Electrical
Manufacturers Association**
www.nema.org

1300 North 17th Street, Suite 1752
Rosslyn, VA 22209
703. 841.3210
Fax 703.841.3310
evan_gaddis@nema.org

Ms. Sandy Kennedy, President
February 22, 2010
Page 2

3. You should be aware that electrical products sold in the U.S. are typically manufactured, tested and certified to standards developed in accordance with ANSI Essential Requirements. These requirements ensure openness, lack of dominance, balance, consideration of views and objectives, etc. There is nothing about the RILA/BRC process that is consistent with the ANSI Essential Requirements.
4. The document does not recognize existing U.S. product safety certification systems. Electrical and electronic product manufacturers in the U.S. already have factory audit requirements tied to product testing and certification by organizations accredited under the OSHA NRTL program, and a similar process by the Standards Council of Canada for the Canadian market. Rather than creating a new set of audit requirements, the RILA standard should fully incorporate existing requirements and fill in the gaps if any gaps exist. This has been proposed repeatedly to RILA by NEMA and other organizations, to no avail.

I want to reaffirm NEMA's commitment to electrical safety and product quality. We do not disagree with RILA/BRC stated objectives in this regard. However, NEMA believes that the existing U.S. system—a combination of voluntary standards, third party certification of electrical infrastructure components, and rigorous enforcement of local building and electrical codes by qualified inspectors, ensures that electrical manufacturers and the management of these companies focus on product quality and safety. There is simply no consumer safety reason for NEMA to support the RILA/BRC proposal in its present form.

I am available for further discussion.

Respectfully,



Evan R. Gaddis
President and CEO

**National Electrical
Manufacturers Association**
www.nema.org

1300 North 17th Street, Suite 1752
Rosslyn, VA 22209
(703) 841-3200
FAX (703) 841-5900