

Listing and Technical Evaluation Report

Report No: 2208-01



Issue Date: October 3, 2022

Revision Date: November 28, 2023

Subject to Renewal: July 1, 2024

NOVA™ #16 Fasteners for Use in Ledger Board to Stud Applications

Trade Secret Report Holder:

Screw Products, Inc.

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CSI Designations:

DIVISION: 06 00 00 - WOOD, PLASTICS AND COMPOSITES

Section: 06 05 23 - Wood, Plastic, and Composite Fastenings

Section: 06 11 00 - Wood Framing

Section: 06 15 00 - Wood Decking

1 Innovative Product Evaluated¹

1.1 NOVA™ #16 Fasteners

2 Product Description and Materials

2.1 The innovative product evaluated in this report is shown in **Figure 1**.



Figure 1. #16 NOVA™ Fastener

2.2 NOVA™ #16 Fasteners are partially threaded screws with a coin head and star drive.

2.3 NOVA™ #16 Fasteners are construction lag screws intended for structural use in timber construction.

- 2.4 NOVA™ #16 Fasteners are construction lag screws coated with a proprietary Zytec™ GX coating that is equivalent to the protection provided by code-approved hot dipped galvanized coatings meeting ASTM A153, Class D (IBC Section 2304.10.6ⁱⁱ and IRC Section R317.3).
- 2.4.1 Zytec™ GX coating is tested and recognized for use in ground contact pressure treated lumber (MCA), exterior, freshwater, general construction applications (i.e., Ground Contact AWPAC UC1-UC4A MCA).
- 2.4.2 Zytec™ GX coated fasteners are approved for use in FRT lumber, provided the conditions set forth by the FRT lumber manufacturer are met, including appropriate strength reductions.
- 2.5 The fasteners evaluated in this report are set forth in **Table 1**.

Table 1. Fastener Specifications – NOVA™

Fastener Name	Designation	Head (in)		Nominal Length ¹ (in)	Thread Length ² (in)	Shank Diameter ³ (in)	Thread Diameter (in)		Nominal Bending Yield, f_{yb} (psi)	Allowable Fastener Strength (lb)	
		Diameter	Drive Type				Minor	Major		Tensile	Shear ⁴
#16 NOVA™	16 x 3"	0.630	TX30	3	1½	0.205	0.177	0.283	178,200	1,520	1,105
	16 x 4"			4	2						

SI: 1 in = 25.4 mm, 1 lb = 4.45 N, 1 psi = 0.00689 MPa

1. Fastener length is measured from the top of the head to the tip.

2. Thread length excludes the knurl.

3. Shank diameter based on manufactured thickness with coating.

4. Shear determined at thread diameter.

- 2.6 As needed, review material properties for design in Section 6 and to regulatory evaluation in Section 8.

3 Definitions

- 3.1 New Materialsⁱⁱⁱ are defined as building materials, equipment, appliances, systems or methods of construction not provided for by prescriptive and/or legislatively adopted regulations, known as alternative materials.^{iv} The design strengths and permissible stresses shall be established by tests^v and/or engineering analysis.^{vi}
- 3.2 Duly Authenticated Reports^{vii} and Research Reports^{viii} are test reports and related engineering evaluations, which are written by an approved agency^{ix} and/or an approved source.^x
- 3.2.1 These reports contain intellectual property and/or trade secrets, which are protected by the Defend Trade Secrets Act (DTSA).^{xi}
- 3.3 An approved agency is "approved" when it is ANAB ISO/IEC 17065 accredited. DrJ Engineering, LLC (DrJ) is listed in the ANAB directory.
- 3.4 An approved source is "approved" when a professional engineer (i.e., Registered Design Professional [RDP]) is properly licensed to transact engineering commerce. The regulatory authority governing approved sources is the state legislature via its professional engineering regulations.^{xii}
- 3.5 Testing and/or inspections conducted for this Duly Authenticated Report were performed by an ISO/IEC 17025 accredited testing laboratory, an ISO/IEC 17020 accredited inspection body and/or a licensed RDP.
- 3.5.1 The Center for Building Innovation (CBI) is ANAB^{xiii} ISO/IEC 17025 and ISO/IEC 17020 accredited.
- 3.6 The regulatory authority shall enforce^{xiv} the specific provisions of each legislatively adopted regulation. If there is a non-conformance, the specific regulatory section and language of the non-conformance shall be provided in writing^{xv} stating the nonconformance and the path to its cure.
- 3.7 The regulatory authority shall accept Duly Authenticated Reports from an approved agency and/or an approved source with respect to the quality and manner of use of new materials or assemblies as provided for in regulations regarding the use of alternative materials, designs or methods of construction.^{xvi}



- 3.8 ANAB is an International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA) signatory where recognition of certificates, validation and verification statements issued by conformity assessment bodies accredited by all other signatories of the IAF MLA with the appropriate scope, shall be approved.^{xvii} Therefore, all ANAB ISO/IEC 17065 Duly Authenticated Reports are approval equivalent.^{xviii}
- 3.9 Approval equity is a fundamental commercial and legal principle.^{xix}

4 Applicable Standards for the Listing; Regulations for the Regulatory Evaluation^{xx}

4.1 Standards

- 4.1.1 *AISI S904: Standard Test Methods for Determining the Tensile and Shear Strength of Screws*
- 4.1.2 *ANSI/AWC NDS: National Design Specification (NDS) for Wood Construction*
- 4.1.3 *ASTM B117: Standard Practice for Operating Salt Spray (Fog) Apparatus*
- 4.1.4 *ASTM D1761: Standard Test Methods for Mechanical Fasteners in Wood*
- 4.1.5 *ASTM D2395: Standard Test Methods for Density and Specific Gravity (Relative Density) of Wood and Wood-Based Materials*
- 4.1.6 *ASTM D4442: Standard Test Methods for Direct moisture Content Measurement of Wood and Wood-Based Materials*
- 4.1.7 *ASTM F1575: Standard Test Method for Determining Bending Yield Moment of Nails*

4.2 Regulations

- 4.2.1 *IBC – 15, 18, 21: International Building Code®*
- 4.2.2 *IRC – 15, 18, 21: International Residential Code®*

5 Listed^{xxi}

- 5.1 A nationally recognized testing laboratory such as CBI, states that the materials, designs, methods of construction and/or equipment have met nationally recognized standards and/or have been tested and found suitable for use in a specified manner.

6 Tabulated Properties Generated from Nationally Recognized Standards

- 6.1 NOVA™ #16 Wood Screws can be used for attaching ledger boards to wall studs with zero, one, or two layers of Gypsum Wallboard (GWB) between the ledger and the wall studs.
- 6.2 Where the application exceeds the limitations set forth herein, design shall be permitted in accordance with accepted engineering procedures, experience, and technical judgment.
- 6.3 *General*
- 6.3.1 NOVA™ #16 Fasteners are installed without lead holes, as prescribed in NDS.
 - 6.3.2 NOVA™ #16 Fasteners are governed by the applicable code and the provisions for dowel type fasteners in NDS.
 - 6.3.3 NOVA™ #16 Fasteners may be used where screws are required to exhibit corrosion resistance when exposed to adverse environmental conditions and/or in chemically treated wood.
 - 6.3.4 NOVA™ #16 Fasteners are subject to the limitations of this report and are approved as alternatives to hot dipped galvanized screws with a coating weight in compliance with ASTM A153, Class D.
 - 6.3.5 Unless otherwise noted, adjustment of the design stresses for duration of load shall be in accordance with the applicable code.

6.4 Reference Lateral Design Values for Deck Ledger to Stud Attachment

6.4.1 Without GWB Interlayer:

6.4.1.1 Installation details for ledger to stud connections without GWB for 2"x6", 2"x8", and 2"x10" ledgers are shown in **Figure 2**, **Figure 3**, and **Figure 4**, respectively.

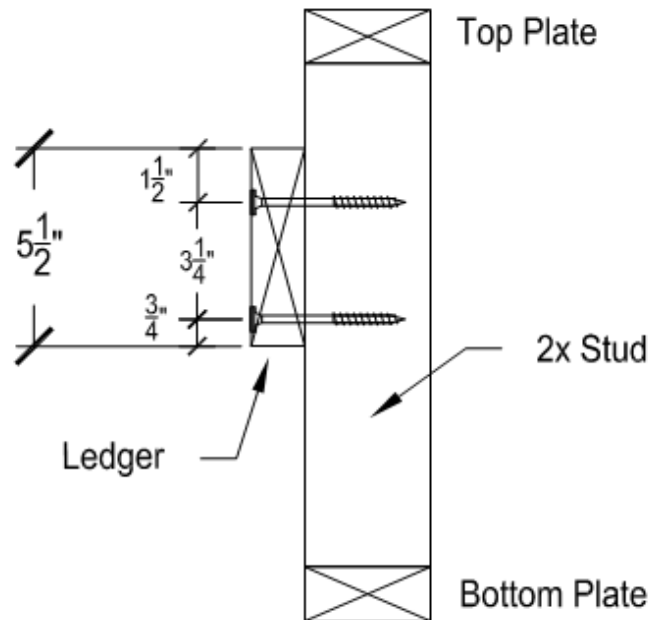


Figure 2. 2"x6" Ledger Directly Attached to Stud

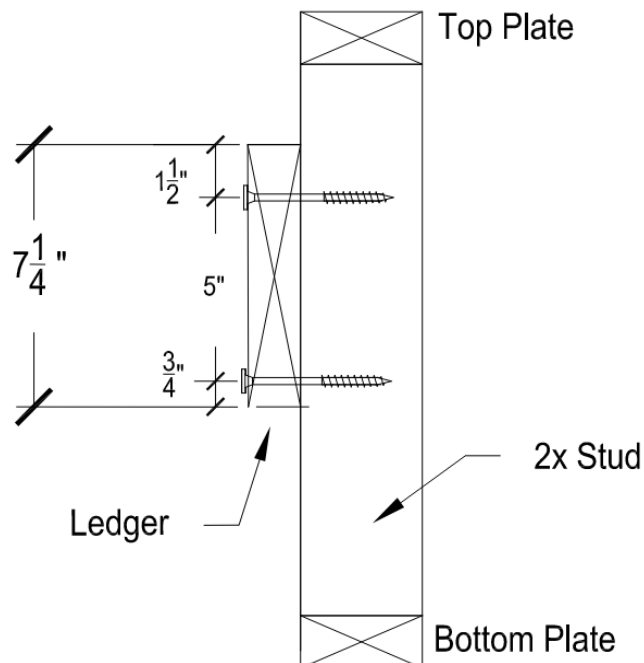


Figure 3. 2"x8" Ledger Directly Attached to Stud

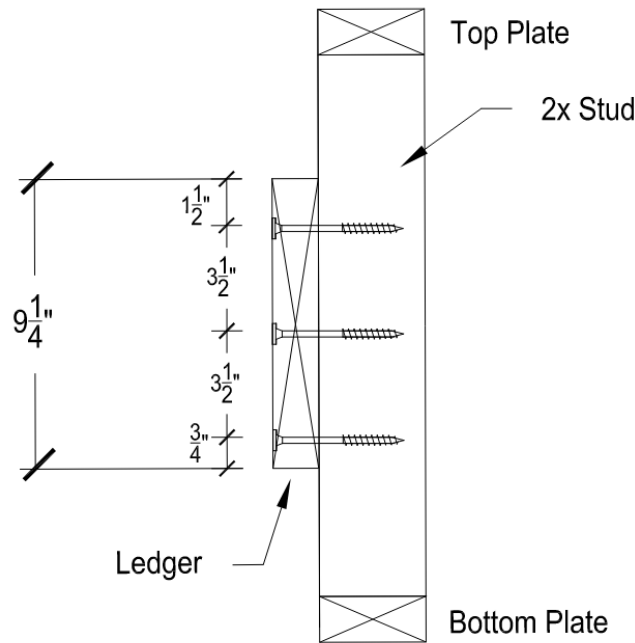


Figure 4. 2"x10" Ledger Directly Attached to Stud

6.4.2 With One Layer GWB Interlayer:

- 6.4.2.1 Installation details for ledger to stud connections with a single layer of GWB for 2"x6", 2"x8", and 2"x10" ledgers are shown in **Figure 5**, **Figure 6**, and **Figure 7**, respectively.

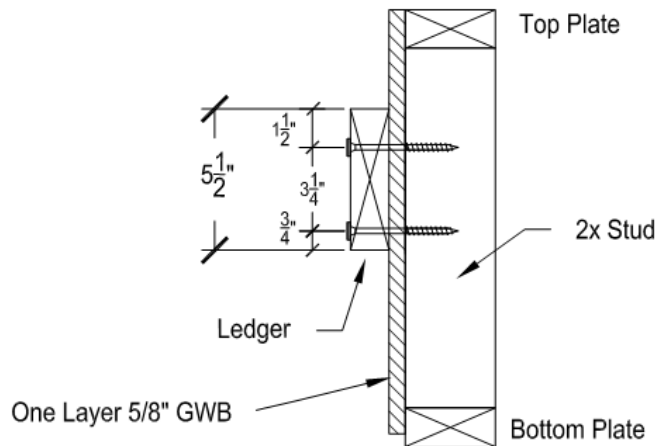


Figure 5. 2"x6" Ledger Attached to Stud through One Layer of GWB

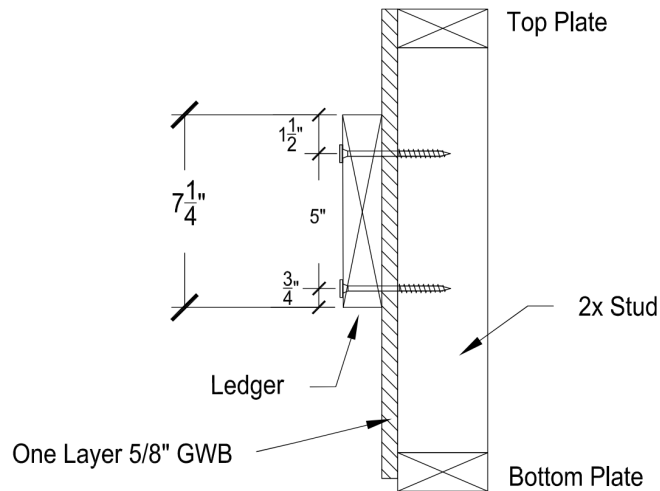


Figure 6. 2"x8" Ledger Attached to Stud through One Layer of GWB

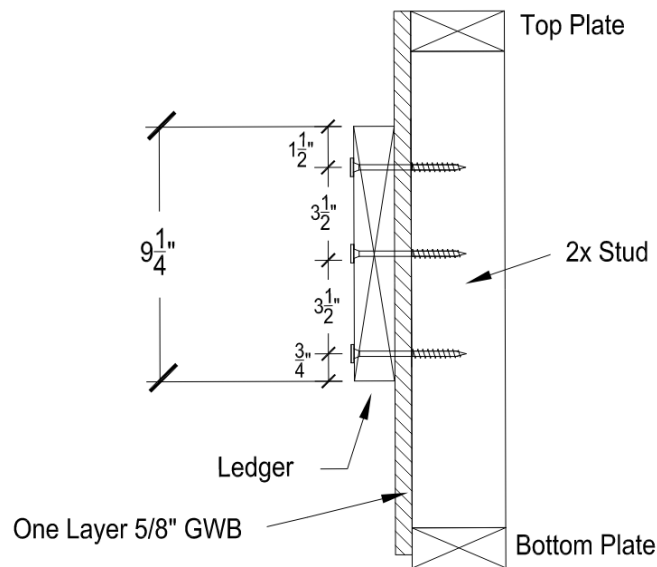


Figure 7. 2"x10" Ledger Attached to Stud through One Layer of GWB

6.4.3 With Two Layers GWB Interlayer:

- 6.4.3.1 Installation details for ledger to stud connections with a double layer of GWB for 2"x6", 2"x8", and 2"x10" ledgers are shown in **Figure 8**, **Figure 9**, and **Figure 10**, respectively.

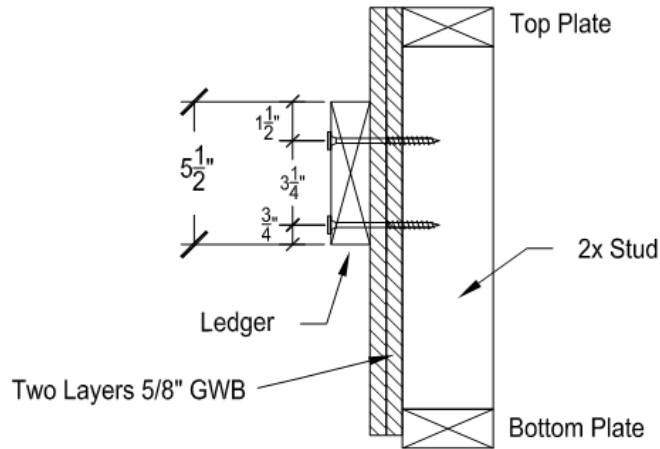


Figure 8. 2"x6" Ledger Attached to Stud through Two Layers of GWB

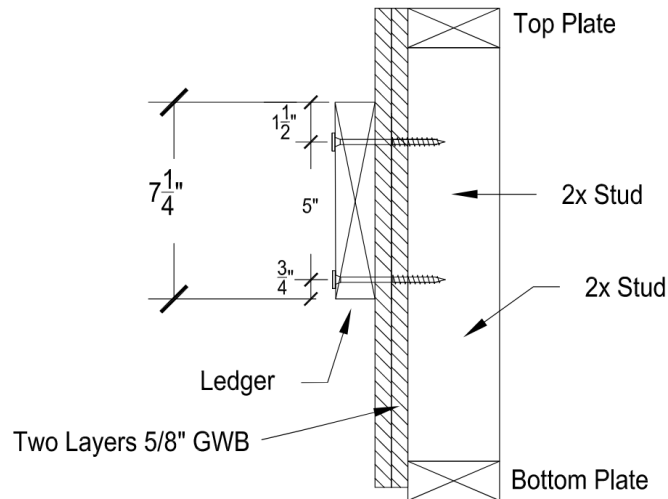


Figure 9. 2"x8" Ledger Attached to Stud through Two Layers of GWB

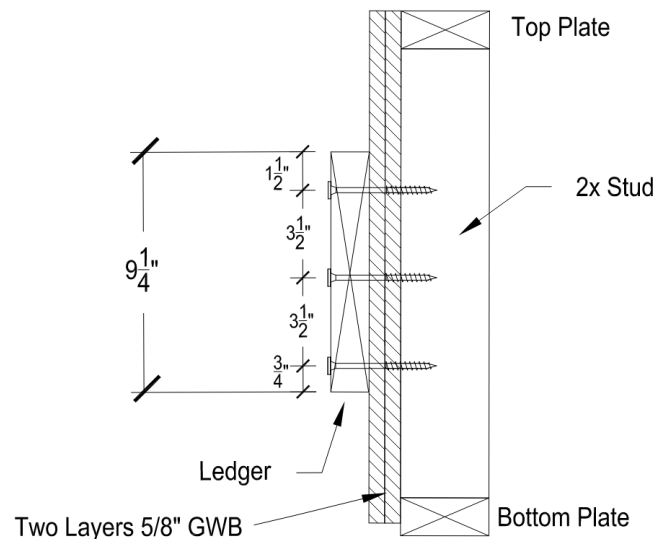


Figure 10. 2"x10" Ledger Attached to Stud through Two Layers of GWB

- 6.4.4 Reference lateral design values for the deck ledger to stud connections detailed in **Figure 2** through **Figure 10** are provided in **Table 2**. The values in **Table 2** apply where the ledger is applied either directly over the studs or with up to two layers of $\frac{5}{8}$ " GWB between the ledger and studs.

Table 2. Design Values for Ledger to Stud Attachment

Fastener Designation	Minimum Thread Penetration into Main Member (in)	Layers of GWB ⁸	Allowable Load per Stud Connection ^{3,4,5,6,7} (lb)		
			Ledger Size ^{1,2}		
			2x6	2x8	2x10
#16 x 3"	1½	0	615	615	1025
#16 x 4"	1⅞	1	570	570	865
	1¼	2	415	415	570

SI: 1 in = 25.4 mm, 1 lb = 4.45 N

- Two fasteners are required for 2x6 and 2x8 ledger connections. Three fasteners are required for 2x10 ledger connections. Additional fasteners prohibited.
- SPF ledger with minimum specific gravity of 0.42.
- The tabulated values apply where the ledger is installed either directly over the studs or with up to two layers of $\frac{5}{8}$ " gypsum between the ledger and studs.
- Allowable loads shall be limited to parallel-to-grain loaded solid sawn main members (minimum 2" nominal). Wood side members shall be loaded perpendicular to grain.
- Allowable loads are shown at the wood load duration factor of CD = 1.00. Loads may be increased for load duration as permitted by the building code up to a CD = 1.60. All adjustment factors shall be applied per NDS. For in-service moisture content greater than nineteen percent (19%), use Wet Service Factor (CM) = 0.70.
- For LRFD values, the reference connection design values shall be adjusted in accordance with NDS Section 11.3.
- Fasteners shall be centered in the stud and spaced as shown in **Figure 2** through **Figure 10**. The stud minimum end distance is $6\frac{3}{4}$ " when loaded toward the end and 4" when loaded away from the end. The ledger end distance is 6" for full values. For ledger end distances under 6", the reference connection design values shall be adjusted in accordance with NDS Section 12.5.
- GWB must be attached as required per the building code.

- 6.5 Where the application falls outside of the performance evaluation, conditions of use and/or installation requirements set forth herein, alternative techniques shall be permitted in accordance with accepted engineering practice and experience. This includes but is not limited to the following areas of engineering: mechanics or materials, structural, building science and fire science.

7 Certified Performance^{xxii}

- 7.1 All construction methods shall conform to accepted engineering practices to ensure durable, livable and safe construction and shall demonstrate acceptable workmanship reflecting journeyman quality of work of the various trades.^{xxiii}
- 7.2 The strength and rigidity of the component parts and/or the integrated structure shall be determined by engineering analysis or by suitable load tests to simulate the actual loads and conditions of application that occur.^{xxiv}

8 Regulatory Evaluation and Accepted Engineering Practice

- 8.1 NOVA™ #16 Fasteners were evaluated to determine:
- 8.1.1 Lateral strength of ledger connections to wood-framed walls. This application includes zero, one, or two layers of $\frac{5}{8}$ " gypsum wallboard (GWB) between the ledger and the wall studs.
 - 8.1.2 Corrosion resistance of fasteners meeting or exceeding the protection afforded hot-dipped galvanized fasteners in accordance with ASTM A153, Class D.
- 8.2 Use of fasteners in locations exposed to saltwater or saltwater spray is outside the scope of this report.



- 8.3 Any building code, regulation and/or accepted engineering evaluations (i.e., research reports, duly authenticated reports, etc.) that are conducted for this Listing were performed by DrJ Engineering, LLC (DrJ), an ISO/IEC 17065 accredited certification body and a professional engineering company operated by RDP/approved sources. DrJ is qualified^{xxv} to practice product and regulatory compliance services within its scope of accreditation and engineering expertise, respectively.
- 8.4 Engineering evaluations are conducted with DrJ's ANAB accredited ICS code scope of expertise, which are also its areas of professional engineering competence.
- 8.5 Any regulation specific issues not addressed in this section are outside the scope of this report.

9 Installation

- 9.1 Installation shall comply with the approved construction documents, the manufacturer installation instructions, this report and the applicable building code.
- 9.2 In the event of a conflict between the manufacturer installation instructions and this report, the more restrictive shall govern.
- 9.3 *Installation Procedure*
 - 9.3.1 Fasteners shall be installed with an appropriate rotating powered driver.
 - 9.3.2 Fasteners shall not be struck with a hammer during installation.
 - 9.3.3 Lead holes are not required but may be used where lumber is prone to splitting.
 - 9.3.4 For ledger to stud connections, fasteners shall be centered in the stud and spaced as shown in **Figure 2** through **Figure 10**.
 - 9.3.4.1 The stud minimum end distance is 6³/₄" when loaded toward the end and 4" when loaded away from the end.
 - 9.3.4.2 The fasteners shall be installed with a minimum 6" end distance on the ledger.

10 Substantiating Data

- 10.1 Testing has been performed under the supervision of a professional engineer and/or under the requirements of ISO/IEC 17025 as follows:
 - 10.1.1 Ledger assembly testing in accordance with ASTM D1761
 - 10.1.2 Corrosion resistance testing in accordance with ASTM B117
- 10.2 Properties of NOVA™ #16 Fasteners are from Report Number 2010-03.
- 10.3 Information contained herein may include the result of testing and/or data analysis by sources that are approved agencies, approved sources and/or RDPs. Accuracy of external test data and resulting analysis is relied upon.
- 10.4 Where pertinent, testing and/or engineering analysis are based upon provisions that have been codified into law through state or local adoption of regulations and standards. The developers of these regulations and standards are responsible for the reliability of published content. DrJ's engineering practice may use a regulation-adopted provision as the control. A regulation-endorsed control versus a simulation of the conditions of application to occur establishes a new material as being equivalent to the regulatory provision in terms of quality, strength, effectiveness, fire resistance, durability and safety.
- 10.5 The accuracy of the provisions provided herein may be reliant upon the published properties of raw materials, which are defined by the grade mark, grade stamp, mill certificate, or duly authenticated reports from approved agencies and/or approved sources provided by the supplier. These are presumed to be minimum properties and relied upon to be accurate. The reliability of DrJ's engineering practice, as contained in this duly authenticated report, may be dependent upon published design properties by others.



- 10.6 Testing and engineering analysis: The strength, rigidity and/or general performance of component parts and/or the integrated structure are determined by suitable tests that simulate the actual conditions of application that occur and/or by accepted engineering practice and experience.^{xxvi}
- 10.7 Where additional condition of use and/or regulatory compliance information is required, please search for NOVA™ #16 Fasteners on the [DrJ Certification](#) website.

11 Findings

- 11.1 As outlined in Section 6, NOVA™ #16 Fasteners have performance characteristics that were tested and/or meet applicable regulations and are suitable for use pursuant to its specified purpose.
- 11.2 When used and installed in accordance with this [duly authenticated report](#) and the manufacturer installation instructions, NOVA™ #16 Fasteners shall be approved for the following applications:
- 11.2.1 To connect ledger boards to studs through zero, one, or two layers of gypsum.
- 11.3 Any application specific issues not addressed herein can be engineered by an [RDP](#). Assistance with engineering is available from Screw Products, Inc..
- 11.4 [IBC Section 104.11](#) ([IRC Section R104.11](#) and [IFC Section 104.10](#)^{xxvii} are similar) in pertinent part states:
- 104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons the alternative was not approved.
- 11.5 **Approved:**^{xxviii} Building regulations require that the [building official](#) shall accept [duly authenticated reports](#).^{xxix}
- 11.5.1 An [approved agency](#) is “approved” when it is [ANAB ISO/IEC 17065 accredited](#).
- 11.5.2 An [approved source](#) is “approved” when an [RDP](#) is properly licensed to transact engineering commerce.
- 11.5.3 Federal law, [Title 18 US Code Section 242](#), requires that where the alternative product, material, service, design, assembly and/or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved. Denial without written reason deprives a protected right to free and fair competition in the marketplace.
- 11.6 DrJ is a licensed engineering company, employs licensed RDPs and is an [ANAB-Accredited Product Certification Body – Accreditation #1131](#).
- 11.7 Through the [IAF Multilateral Agreements](#) (MLA), this [Duly Authenticated Report](#) can be used to obtain product approval in any [jurisdiction](#) or [country](#) because all ANAB ISO/IEC 17065 [Duly Authenticated Reports](#) are equivalent.^{xxx}

12 Conditions of Use

- 12.1 Material properties shall not fall outside the boundaries defined in Section 6.
- 12.2 As defined in Section 6, where material and/or engineering mechanics properties are created for load resisting design purposes, the resistance to the applied load shall not exceed the ability of the defined properties to resist those loads using the principles of accepted engineering practice.
- 12.3 NOVA™ #16 Fasteners covered by Report Number 2208-01 shall be installed in accordance with this report and the manufacturer installation instructions.
- 12.4 NOVA™ #16 Fasteners loading in ledger to stud applications shall not exceed those listed in **Table 2**.
- 12.5 Use of fasteners in locations exposed to saltwater or saltwater spray is outside the scope of this evaluation report.
- 12.6 Design properties shall not exceed those described in Section 6.



- 12.7 When required by adopted legislation and enforced by the building official, also known as the authority having jurisdiction (AHJ) in which the project is to be constructed:
- 12.7.1 Any calculations incorporated into the construction documents shall conform to accepted engineering practice and, when prepared by an approved source, shall be approved when signed and sealed.
 - 12.7.2 This report and the installation instructions shall be submitted at the time of permit application.
 - 12.7.3 This innovative product has an internal quality control program and a third-party quality assurance program.
 - 12.7.4 At a minimum, this innovative product shall be installed per Section 9 of this report.
 - 12.7.5 The review of this report by the AHJ shall comply with IBC Section 104 and IBC Section 105.4.
 - 12.7.6 This innovative product has an internal quality control program and a third party quality assurance program in accordance with IBC Section 104.4, IBC Section 110.4, IBC Section 1703, IRC Section R104.4 and IRC Section R109.2.
 - 12.7.7 The application of this innovative product in the context of this report, is dependent upon the accuracy of the construction documents, implementation of installation instructions, inspection as required by IBC Section 110.3, IRC Section R109.2 and any other regulatory requirements that may apply.
- 12.8 The approval of this report by the AHJ shall comply with IBC Section 1707.1, where legislation states in part, *"the building official shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new material or assemblies as provided for in Section 104.11"*, all of IBC Section 104 and IBC Section 105.4.
- 12.9 Design loads shall be determined in accordance with the regulations adopted by the jurisdiction in which the project is to be constructed and/or by the building designer (i.e., owner or RDP).
- 12.10 The actual design, suitability and use of this report for any particular building, is the responsibility of the owner or the authorized agent of the owner.

13 Identification

- 13.1 The innovative product listed in Section 1.1 is identified by a label on the board or packaging material bearing the manufacturer name, product name, this report number and other information to confirm code compliance.
- 13.2 Additional technical information can be found at www.screw-products.com.

14 Review Schedule

- 14.1 This report is subject to periodic review and revision. For the latest version, visit drjcertification.org.
- 14.2 For information on the status of this report, please contact [DrJ Certification](#).

15 Approved for Use Pursuant to U.S. and International Legislation Defined in Appendix A

- 15.1 NOVA™ #16 Fasteners are included in this report published by an approved agency that is concerned with evaluation of products or services, maintains periodic inspection of the production of listed materials or periodic evaluation of services. This report states either that the material, product, or service meets recognized standards or has been tested and found suitable for a specified purpose. This report meets the legislative intent and definition of being acceptable to the AHJ.



Appendix A

1 Legislation that Authorizes AHJ Approval

- 1.1 **Fair Competition:** State legislatures have adopted Federal regulations for the examination and approval of building code referenced and alternative products, materials, designs, services, assemblies and/or methods of construction that:
 - 1.1.1 Advance Innovation,
 - 1.1.2 Promote competition so all businesses have the opportunity to compete on price and quality in an open market on a level playing field unhampered by anticompetitive constraints, and
 - 1.1.3 Benefit consumers through lower prices, better quality and greater choice.
- 1.2 **Adopted Legislation:** The following local, state and federal regulations affirmatively authorize this innovative product to be approved by AHJs, delegates of building departments and/or delegates of an agency of the federal government:
 - 1.2.1 Interstate commerce is governed by the Federal Department of Justice to encourage the use of innovative products, materials, designs, services, assemblies and/or methods of construction. The goal is to “protect economic freedom and opportunity by promoting free and fair competition in the marketplace.”
 - 1.2.2 Title 18 US Code Section 242 affirms and regulates the right of individuals and businesses to freely and fairly have new products, materials, designs, services, assemblies and/or methods of construction approved for use in commerce. Disapproval of alternatives shall be based upon non-conformance with respect to specific provisions of adopted legislation and shall be provided in writing stating the reasons why the alternative was not approved, with reference to the specific legislation violated.
 - 1.2.3 The federal government and each state have a public records act. In addition, each state also has legislation that mimics the federal Defend Trade Secrets Act 2016 (DTSA),^{xxx} where providing test reports, engineering analysis and/or other related IP/TS is subject to prison of not more than ten years^{xxxii} and/or a \$5,000,000 fine or 3 times the value of^{xxxiii} the Intellectual Property (IP) and Trade Secrets (TS).
 - 1.2.3.1 Compliance with public records and trade secret legislation requires approval through the use of Listings, certified reports, Technical Evaluation Reports, duly authenticated reports and/or research reports prepared by approved agencies and/or approved sources.
 - 1.2.4 For new materials^{xxxiv} that are not specifically provided for in any regulation, the design strengths and permissible stresses shall be established by tests, where suitable load tests simulate the actual loads and conditions of application that occur.
 - 1.2.5 The design strengths and permissible stresses of any structural material shall conform to the specifications and methods of design using accepted engineering practice.^{xxxv}
 - 1.2.6 The commerce of approved sources (i.e., registered PEs) is regulated by professional engineering legislation. Professional engineering commerce shall always be approved by AHJs, except where there is evidence provided in writing, that specific legislation has been violated by an individual registered PE.
 - 1.2.7 The AHJ shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in IBC Section 104.11.^{xxxvi}



- 1.3 **Approved^{xxxvii} by Los Angeles:** The Los Angeles Municipal Code (LAMC) states in pertinent part that the provisions of LAMC are not intended to prevent the use of any material, device, or method of construction not specifically prescribed by LAMC. The Department shall use Part III, Recognized Standards in addition to Part II, Uniform Building Code Standards of Division 35, Article 1, Chapter IX of the LAMC in evaluation of products for approval where such standard exists for the product or the material and may use other approved standards that apply. Whenever tests or certificates of any material or fabricated assembly are required by Chapter IX of the LAMC, such tests or certification shall be made by a testing agency approved by the Superintendent of Building to conduct such tests or provide such certifications. The testing agency shall publish the scope and limitation(s) of the listed material or fabricated assembly.^{xxxviii} The Superintendent of Building Approved Testing Agency Roster is provided by the Los Angeles Department of Building and Safety (LADBS). The Center for Building Innovation (CBI) Certificate of Approval License is TA24945. Tests and certifications found in a DrJ Listing are LAMC approved. In addition, the Superintendent of Building shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in the California Building Code (CBC) Section 1707.1.^{xxxix}
- 1.4 **Approved by Chicago:** The Municipal Code of Chicago (MCC) states in pertinent part that an Approved Agency is a Nationally Recognized Testing Laboratory (NRTL) acting within its recognized scope and/or a certification body accredited by the American National Standards Institute (ANSI) acting within its accredited scope. Construction materials and test procedures shall conform to the applicable standards listed in the MCC. Sufficient technical data shall be submitted to the building official to substantiate the proposed use of any product, material, service, design, assembly and/or method of construction not specifically provided for in the MCC. This technical data shall consist of research reports from approved sources (i.e., MCC defined Approved Agencies).
- 1.5 **Approved by New York City:** The 2022 NYC Building Code (NYCBC) states in part that an approved agency shall be deemed^{xl} an approved testing agency via ISO/IEC 17025 accreditation, an approved inspection agency via ISO/IEC 17020 accreditation and an approved product evaluation agency via ISO/IEC 17065 accreditation. Accrediting agencies, other than federal agencies, must be members of an internationally recognized cooperation of laboratory and inspection accreditation bodies subject to a mutual recognition agreement^{xli} (i.e., ANAB, International Accreditation Forum (IAF), etc.).
- 1.6 **Approved by Florida:** Statewide approval of products, methods, or systems of construction shall be approved, without further evaluation by:
- 1.6.1 A certification mark or listing of an approved certification agency,
 - 1.6.2 A test report from an approved testing laboratory,
 - 1.6.3 A product evaluation report based upon testing or comparative or rational analysis, or a combination thereof, from an approved product evaluation entity, or
 - 1.6.4 A product evaluation report based upon testing, comparative or rational analysis, or a combination thereof, developed, signed and sealed by a professional engineer or architect, licensed in Florida.
- 1.7 For local product approval, products or systems of construction shall demonstrate compliance with the structural wind load requirements of the Florida Building Code (FBC) through one of the following methods;
- 1.7.1 A certification mark, listing or label from a commission-approved certification agency indicating that the product complies with the code,
 - 1.7.2 A test report from a commission-approved testing laboratory indicating that the product tested complies with the code,
 - 1.7.3 A product-evaluation report based upon testing, comparative or rational analysis, or a combination thereof, from a commission-approved product evaluation entity which indicates that the product evaluated complies with the code,
 - 1.7.4 A product-evaluation report or certification based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a Florida professional engineer or Florida registered architect, which indicates that the product complies with the code, or
 - 1.7.5 A statewide product approval issued by the Florida Building Commission.



- 1.8 The Florida Department of Business and Professional Regulation (DBPR) website provides a listing of companies certified as a Product Evaluation Agency (i.e., EVLMiami 13692), a Product Certification Agency (i.e., CER10642) and as a Florida Registered Engineer (i.e., ANE13741).
- 1.9 **Approved by Miami-Dade County (i.e., Notice of Acceptance [NOA]):** A Florida statewide approval is an NOA. An NOA is a Florida local product approval. By Florida law, Miami-Dade County shall accept the statewide and local Florida Product Approval as provided for in Florida legislation 553.842 and 553.8425.
- 1.10 **Approved by New Jersey:** Pursuant to the 2018 Building Code of New Jersey in IBC Section 1707.1 General,^{xlii} it states: *"In the absence of approved rules or other approved standards, the building official shall accept duly authenticated reports from approved agencies in respect to the quality and manner of use of new materials or assemblies as provided for in the administrative provisions of the Uniform Construction Code (N.J.A.C. 5:23)"*.^{xliii} Furthermore N.J.A.C 5:23-3.7 states: *"Municipal approvals of alternative materials, equipment, or methods of construction."*
- 1.10.1 **Approvals:** Alternative materials, equipment, or methods of construction shall be approved by the appropriate subcode official provided the proposed design is satisfactory and that the materials, equipment, or methods of construction are suitable for the intended use and are at least the equivalent in quality, strength, effectiveness, fire resistance, durability and safety of those conforming with the requirements of the regulations.
- 1.10.1.1 A field evaluation label and report or letter issued by a nationally recognized testing laboratory verifying that the specific material, equipment, or method of construction meets the identified standards or has been tested and found to be suitable for the intended use, shall be accepted by the appropriate subcode official as meeting the requirements of the above.
- 1.10.1.2 Reports of engineering findings issued by nationally recognized evaluation service programs such as but not limited to, the Building Officials and Code Administrators (BOCA), the International Conference of Building Officials (ICBO), the Southern Building Code Congress International (SBCCI), the International Code Council (ICC) and the National Evaluation Service, Inc., shall be accepted by the appropriate subcode official as meeting the requirements of the above.
- 1.10.2 The New Jersey Department of Community Affairs has confirmed that technical evaluation reports, from any accredited entity listed by ANAB, meets the requirements of item the previous paragraph, given that the listed entities are no longer in existence and/or do not provide *"reports of engineering findings"*.
- 1.11 **Approved by the Code of Federal Regulations Manufactured Home Construction and Safety Standards:** Pursuant to Title 24, Subtitle B, Chapter XX, Part 3282.14^{xliv} and Part 3280,^{xlv} the Department encourages innovation and the use of new technology in manufactured homes. The design and construction of a manufactured home shall conform to the provisions of Part 3282 and Part 3280 where key approval provisions in mandatory language follow:
- 1.11.1 *"All construction methods shall be in conformance with accepted engineering practices"*
- 1.11.2 *"The strength and rigidity of the component parts and/or the integrated structure shall be determined by engineering analysis or by suitable load tests to simulate the actual loads and conditions of application that occur."*
- 1.11.3 *"The design stresses of all materials shall conform to accepted engineering practice."*



- 1.12 **Approval by US, Local and State Jurisdictions in General:** In all other local and state jurisdictions, the adopted building code legislation states in pertinent part that:
- 1.12.1 For new materials that are not specifically provided for in this code, the design strengths and permissible stresses shall be established by tests.^{xvi}
 - 1.12.2 For innovative alternatives and/or methods of construction, the building official shall accept duly authenticated reports from approved agencies with respect to the quality and manner of use of new materials or assemblies.^{xvii}
 - 1.12.2.1 An approved agency is “approved” when it is ANAB ISO/IEC 17065 accredited. DrJ Engineering, LLC (DrJ) is in the ANAB directory.
 - 1.12.2.2 An approved source is “approved” when an RDP is properly licensed to transact engineering commerce. The regulatory authority governing approved sources is the state legislature via its professional engineering regulations.^{xlviii}
 - 1.12.3 The design strengths and permissible stresses of any structural material...shall conform to the specifications and methods of design of accepted engineering practice performed by an approved source.^{xlix}
- 1.13 **Approval by International Jurisdictions:** The USMCA and GATT agreements provide for approval of innovative materials, designs, services and/or methods of construction through the Agreement on Technical Barriers to Trade and the IAF Multilateral Recognition Arrangement (MLA), where these agreements:
- 1.13.1 State that conformity assessment procedures (i.e., ISO/IEC 17020, 17025, 17065, etc.) are prepared, adopted and applied so as to grant access for suppliers of like products originating in the territories of other Members under conditions no less favourable than those accorded to suppliers of like products of national origin or originating in any other country, in a comparable situation.
 - 1.13.2 **Approved:** The purpose of the MLA is to ensure mutual recognition of accredited certification and validation/verification statements between signatories to the MLA and subsequently, acceptance of accredited certification and validation/verification statements in many markets based on one accreditation for the timely approval of innovative materials, designs, services and/or methods of construction.
 - 1.13.3 ANAB is an IAF-MLA signatory where recognition of certificates, validation and verification statements issued by conformity assessment bodies accredited by all other signatories of the IAF MLA, with the appropriate scope, shall be approved.ⁱ
 - 1.13.4 Therefore, all ANAB ISO/IEC 17065 Duly Authenticated Reports are approval equivalent.ⁱⁱ
- 1.14 Approval equity is a fundamental commercial and legal principle.ⁱⁱⁱ



Notes

- i** For more information, visit drjcertification.org or call us at 608-310-6748.
- ii** [2018 IBC Section 2304.10.5](#)
- iii** <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1702>
- iv** Alternative Materials, Design and Methods of Construction and Equipment: The provisions of any regulation code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by a regulation. Please review <https://www.justice.gov/atr/mission> and <https://up.codes/viewer/colorado/ibc-2021/chapter/1/scope-and-administration#104.11>.
- v** <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1706~:text=the%20design%20strengths%20and%20permissible%20stresses%20shall%20be%20established%20by%20tests%20as>
- vi** The design strengths and permissible stresses of any structural material shall conform to the specifications and methods of design of accepted engineering practice. <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1706~:text=shall%20conform%20to%20the%20specifications%20and%20methods%20of%20design%20of%20accepted%20engineering%20practice>
- vii** <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1707.1~:text=the%20building%20official%20shall%20accept%20duly%20authenticated%20reports%20from%20approved%20agencies>
- viii** <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1703.4.2>
- ix** https://up.codes/viewer/wyoming/ibc-2021/chapter/2/definitions#approved_agency
- x** https://up.codes/viewer/wyoming/ibc-2021/chapter/2/definitions#approved_source
- xi** <https://www.law.cornell.edu/uscode/text/18/1832> (b) Any organization that commits any offense described in subsection (a) shall be fined not more than the greater of \$5,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided. The federal government and each state have a public records act. To follow DTSA and comply state public records and trade secret legislation requires approval through ANAB ISO/IEC 17065 accredited certification bodies or approved sources. For more information, please review this website: Intellectual Property and Trade Secrets.
- xii** <https://www.nspe.org/resources/issues-and-advocacy/professional-policies-and-position-statements/regulation-professional> AND <https://apassociation.org/list-of-engineering-boards-in-each-state-archive/>
- xiii** <https://www.cbtest.com/accreditation/>
- xiv** <https://up.codes/viewer/colorado/ibc-2021/chapter/1/scope-and-administration#104~:text=to%20enforce%20the%20provisions%20of%20this%20code>
- xv** <https://up.codes/viewer/colorado/ibc-2021/chapter/1/scope-and-administration#104.11~:text=Where%20the%20alternative%20material%2C%20design%20or%20method%20of%20construction%20is%20not%20approved%2C%20the%20building%20official%20shall%20respond%20in%20writing%2C%20stating%20the%20reasons%20why%20the%20alternative%20was%20not%20approved> AND <https://up.codes/viewer/colorado/ibc-2021/chapter/1/scope-and-administration#105.3.1~:text=If%20the%20application%20or%20the%20construction%20documents%20do%20not%20conform%20to%20the%20requirements%20of%20pertinent%20laws%2C%20the%20building%20official%20shall%20reject%20such%20application%20in%20writing%2C%20stating%20the%20reasons%20therefore>
- xvi** <https://up.codes/viewer/colorado/ibc-2021/chapter/17/special-inspections-and-tests#1707.1~:text=the%20building%20official%20shall%20accept%20duly%20authenticated%20reports%20from%20approved%20agencies%20in%20respect%20to%20the%20quality%20and%20manner%20of%20use%20of%20new%20materials%20or%20assemblies%20as%20provided%20for%20in%20Section%20104.11>
- xvii** <https://iaf.nu/en/about-iaf-mla/#~:text=it%20is%20required%20to%20recognise%20certificates%20and%20validation%20and%20verification%20statements%20issued%20by%20conformity%20assessment%20bodies%20accredited%20by%20all%20other%20signatories%20of%20the%20IAF%20MLA%2C%20with%20the%20appropriate%20scope>
- xviii** True for all ANAB accredited product evaluation agencies and all International Trade Agreements.
- xix** <https://www.justice.gov/crt/deprivation-rights-under-color-law> AND <https://www.justice.gov/atr/mission>
- xx** Unless otherwise noted, all references in this Listing are from the 2021 version of the codes and the standards referenced therein. This material, product, design, service and/or method of construction also complies with the 2000-2021 versions of the referenced codes and the standards referenced therein.
- xxi** [https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280#p-3280.2\(Listed%20or%20certified\)](https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280#p-3280.2(Listed%20or%20certified)); <https://up.codes/viewer/colorado/ibc-2021/chapter/2/definitions#listed> AND <https://up.codes/viewer/colorado/ibc-2021/chapter/2/definitions#labeled>
- xxii** <https://up.codes/viewer/colorado/ibc-2021/chapter/17/special-inspections-and-tests#1703.4>
- xxiii** <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280#~:text=All%20construction%20methods%20shall%20be%20in%20conformance%20with%20accepted%20engineering%20practices%20to%20insure%20durable%2C%20livable%2C%20and%20safe%20housing%20and%20shall%20demonstrate%20acceptable%20workmanship%20reflecting%20journeyman%20quality%20of%20work%20of%20the%20various%20trades>
- xxiv** [https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280#~:text=The%20strength%20and%20rigidity%20of%20the%20component%20parts%20and/or%20the%20integrated%20structure%20shall%20be%20determined%20by%20engineering%20analysis%20or%20by%20suitable%](https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280#~:text=The%20strength%20and%20rigidity%20of%20the%20component%20parts%20and/or%20the%20integrated%20structure%20shall%20be%20determined%20by%20engineering%20analysis%20or%20by%20suitable%20load%20tests%20to%20simulate%20the%20actual%20loads%20and%20conditions%20of%20application%20that%20occur)



- xxxix <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1707.1>
- xxx Multilateral approval is true for all ANAB accredited product evaluation agencies and all International Trade Agreements.
- xxxi <http://www.drjengineering.org/AppendixC> AND <https://www.drjcertification.org/comell-2016-protection-trade-secrets>
- xxxii <https://www.law.cornell.edu/uscode/text/18/1832#:~:text=imprisoned%20not%20more%20than%2010%20years>
- xxxiii <https://www.law.cornell.edu/uscode/text/18/1832#:~:text=Any%20organization%20that,has%20thereby%20avoided>
- xxxiv <https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1706.2>
- xxxv [IBC 2021, Section 1706.1 Conformance to Standards](#)
- xxxvi [IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General](#)
- xxxvii See Section 11 for the distilled building code definition of Approved
- xxxviii Los Angeles Municipal Code, SEC. 98.0503. TESTING AGENCIES
- xxxix <https://up.codes/viewer/california/ca-building-code-2022/chapter/17/special-inspections-and-tests#1707.1>
- xl [New York City, The Rules of the City of New York, § 101-07 Approved Agencies](#)
- xli [New York City, The Rules of the City of New York, § 101-07 Approved Agencies](#)
- xlii https://up.codes/viewer/new_jersey/ibc-2018/chapter/17/special-inspections-and-tests#1707.1
- xliii <https://www.nj.gov/dca/divisions/codes/codreg/ucc.html>
- xliv <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3282/subpart-A/section-3282.14>
- xlv <https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280>
- xlvi [IBC 2021, Section 1706 Design Strengths of Materials, 1706.2 New Materials.](#) Adopted law pursuant to IBC model code language 1706.2.
- xlvii [IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General.](#) Adopted law pursuant to IBC model code language 1707.1.
- xlviii <https://www.nspe.org/resources/issues-and-advocacy/professional-policies-and-position-statements/regulation-professional> AND <https://apassociation.org/list-of-engineering-boards-in-each-state-archive/>
- xliv [IBC 2021, Section 1706 Design Strengths of Materials, Section 1706.1 Conformance to Standards](#) Adopted law pursuant to IBC model code language 1706.1.
- i <https://iaf.nu/en/about-iaf-mla/#:~:text=it%20is%20required%20to%20recognise%20certificates%20and%20validation%20and%20verification%20statements%20issued%20by%20conformity%20assessment%20bodies%20accredited%20by%20all%20other%20signatories%20of%20the%20IAF%20MLA%2C%20with%20the%20appropriate%20scope>
- ii True for all ANAB accredited product evaluation agencies and all International Trade Agreements.
- iii <https://www.justice.gov/crt/deprivation-rights-under-color-law> AND <https://www.justice.gov/atr/mission>