

Listing

A Duly Authenticated Report from an Approved Agency

Report No: 2311-03



Issue Date: February 14, 2024

Revision Date: March 18, 2025

Subject to Renewal: April 1, 2026

Owens Corning® WEARDECK™ Composite Lumber Decking

Trade Secret Report Holder:

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CSI Designations:

DIVISION: 06 00 00 - WOOD, PLASTICS AND COMPOSITES

Section: 06 73 00 - Composite Decking

Section: 06 73 13 - Composite Structural Decking

1 Innovative Product Evaluated¹

1.1 WEARDECK Composite Lumber Decking

2 Product Description and Materials

2.1 The innovative product evaluated in this report is shown in **Figure 1**, and is described in **Table 1**.



Figure 1. WEARDECK Composite Lumber Decking

Table 1. WEARDECK Composite Lumber Decking Product Information

WEARDECK Profile ID	Description	Material	Standard Length ²	Actual Width	Actual Thickness	Available Colors ¹
5/4" x 6"	Wood-Free Composite Lumber for Decking Applications	High-Density Polyethylene (HDPE) Reinforced with Advantex® Fiberglas™	12', 16', 20' (3,660 mm, 4,880 mm, 6,100 mm)	5½" (140 mm)	1.02" (26 mm)	Barefoot Gray, Barefoot Sand, Black, Cedar, Driftwood, Gray, Saddle, Sand, Weatherwood, White
5/4" x 8"				7¼" (184 mm)	1.02" (26 mm)	
Scant 2" x 6"				5½" (140 mm)	1.35" (34 mm)	
SI: 1 in = 25.4 mm, 1 ft = 305 mm						
1. Refer to Figure 2 for additional details.						
2. Custom lengths up to 28' (8,540 mm) are available.						



Figure 2. WEARDECK Composite Lumber Decking – Available Colors

2.2 As needed, review material properties for design in **Section 6**.

3 Definitions

- 3.1 New Materials² 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.³ The design strengths and permissible stresses shall be established by tests⁴ and/or engineering analysis.⁵
- 3.2 Duly Authenticated Reports⁶ and Research Reports⁷ are test reports and related engineering evaluations, which are written by an approved agency⁸ and/or an approved source.⁹
 - 3.2.1 These reports contain intellectual property and/or trade secrets, which are protected by the Defend Trade Secrets Act (DTSA).¹⁰
- 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) is properly licensed to transact engineering commerce. The regulatory authority governing approved sources is the state legislature via its professional engineering regulations.¹¹
- 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 Registered Design Professional (RDP).
 - 3.5.1 The Center for Building Innovation (CBI) is ANAB¹² ISO/IEC 17025 and ISO/IEC 17020 accredited.



- 3.6 The regulatory authority shall enforce¹³ 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 writing¹⁴ 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.¹⁵
- 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.¹⁶ Therefore, all ANAB ISO/IEC 17065 Duly Authenticated Reports are approval equivalent.¹⁷
- 3.9 Approval equity is a fundamental commercial and legal principle.¹⁸

4 Applicable Standards for the Listing; Regulations for the Regulatory Evaluation¹⁹

4.1 Standards

- 4.1.1 *ASTM D1761: Standard Test Methods for Mechanical Fasteners in Wood and Wood-Based Materials*
- 4.1.2 *ASTM D2394: Standard Test Methods for Simulated Service Testing of Wood and Wood-Based Finish Flooring*
- 4.1.3 *ASTM D6109: Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastic Lumber and Related Products*
- 4.1.4 *ASTM D7032: Standard Specification for Establishing Performance Ratings for Wood-Plastic Composite and Plastic Lumber Deck Boards, Stair Treads, Guards, and Handrails*
- 4.1.5 *ASTM E84: Standard Test Method for Surface Burning Characteristics of Building Materials*

5 Listed²⁰

- 5.1 Equipment, materials, products or services included in a List published by a nationally recognized testing laboratory (i.e., CBI), approved agency (i.e., CBI and DrJ), and/or approved source (i.e., DrJ) or other organization concerned with product evaluation (i.e., DrJ) that maintains periodic inspection (i.e., CBI) of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

6 Tabulated Properties Generated from Nationally Recognized Standards

6.1 Structural Properties

- 6.1.1 Flexural properties of the WEARDECK profiles listed in **Table 2** were evaluated in accordance with ASTM D7032.
- 6.1.1.1 Flexural properties at ambient conditions (as defined in ASTM D7032: 68° F ±4° F and 50 ±5% RH) are provided in **Table 2**.

Table 2. Owens Corning WEARDECK Flatwise Orientation Flexural Design Values¹

WEARDECK Profile ID	F _b (psi)	EI (lb-in ²)	MOE (psi)	Nominal I _x (in ⁴)	Nominal S _x (in ³)
5/4" x 6"	1,800	250,000	510,000	0.49	0.95
5/4" x 8"	1,800	310,000	490,000	0.64	1.26
Scant 2" x 6"	1,600	480,000	430,000	1.13	1.67

SI: 1 psi = 6.9 kPa, 1 lb-in² = 2.87 kN-mm², 1 in⁴ = 41.6 cm⁴, 1 in³ = 16.4 cm³

1. Flexural properties based on a temperature factor of 1.0.



6.1.2 Span ratings for the listed WEARDECK profiles are presented in **Table 3**.

- 6.1.2.1 The effects of temperature (-20° F and 125° F) and freeze-thaw cycles on WEARDECK were evaluated.
- 6.1.2.2 Allowable loads in **Table 3** have been adjusted for high temperature and freeze-thaw effects in accordance with ASTM D7032 Section 5.1.1.
- 6.1.2.3 The maximum allowable total load at various deflection points per joist spacing is provided in **Table 4**.

Table 3. Span Ratings for WEARDECK^{1,2}

WEARDECK Profile ID	Maximum Deck Board Span (in)	Allowable Load Capacity (psf)
5/4" x 6"	24	100
5/4" x 8"		
Scant 2" x 6"		
SI 1 in = 25.4 mm, 1 psf = 47.9 Pa 1. Span ratings do not account for UV or moisture. 2. Allowable load capacity based on ASTM D7032 requirements, load at $\frac{L}{180}$.		

Table 4. Maximum Allowable Total Uniform Load (psf) at Various Deflection Points¹

WEARDECK Profile ID	Span (Joist Spacing)								
	12" o.c.			16" o.c.			24" o.c.		
	L/180	L/240	L/360	L/180	L/240	L/360	L/180	L/240	L/360
5/4" x 6"	1,570	1,180	785	665	495	330	195	145	100
5/4" x 8"	1,570	1,180	785	665	495	330	195	145	100
Scant 2" x 6"	3,135	2,350	1,565	1,320	990	660	390	295	195
SI 1 in = 25.4 mm, 1 psf = 47.9 Pa 1. Allowable loads based on a temperature factor of 1.0.									

6.1.3 *Stair Tread Performance:*

- 6.1.3.1 WEARDECK profiles, listed in **Table 5**, were evaluated to assess performance for use as stair treads in accordance with ASTM D7032 Section 5.3.2.
- 6.1.3.1.1 See **Table 5** for assessment of stair tread performance.

Table 5. Stair Tread Performance

WEARDECK Profile ID	Span (in)	Deflection ¹ (in)	Pass/Fail Criteria ¹	Support ²
5/4" x 6"	14	<0.125	Meets Criteria	Maximum 14" span
5/4" x 8"				
Scant 2" x 6"				
SI: 1 in = 25.4 mm				
1. Deflection at 354 lb (300 lb + 18% adjustment). The deflection at the adjusted load shall not be greater than 1/8".				
2. Minimum concentrated load of 1,037 lb (750 lb + 38% adjustment).				



6.1.4 Creep Resistance:

6.1.4.1 WEARDECK was evaluated for creep-recovery in accordance with ASTM D7032 Section 5.4.

6.1.4.1.1 See **Table 6** for assessment of creep-recovery.

Table 6. Creep Recovery

Product	Span (in)	Avg. Percent Recovery (%)	Pass/Fail ¹ Criteria
WEARDECK	24	>75%	Meets Criteria

SI: 1 in = 25.4 mm
1. Based on requirements specified in ASTM D7032 Section 5.4.

6.2 Mechanical Fasteners

6.2.1 Head pull-through resistance of WEARDECK installed with the fasteners stated in **Table 7** were evaluated.

6.2.1.1 Allowable pull-through values are presented in **Table 7**.

Table 7. Allowable Fastener Head-Pull-Through Values

WEARDECK Profile ID	Fastener		
	Deckmate® Composite Screw, #9 x 2 1/2" ¹	CAMO Premium 316 Stainless Steel Deck Screw, #10 x 2 1/2" ²	Starborn CAP-TOR xd 305 Stainless Steel Composite/PVC Screw, #10 x 2 3/4" ³
5/4" x 6"	235	265	280
5/4" x 8"	235	260	320
Scant 2" x 6"	235	370	370

SI: 1 lbf = 4.45 N
1. Average measured head diameter of 0.261".
2. Nominal head diameter of 0.354".
3. Average measured head diameter of 0.265".

6.3 Protection Against Decay

6.3.1 WEARDECK contains no wood or cellulosic materials, and therefore, meets the requirements of the IBC and IRC where protection against biodegradation and decay is required.

6.4 Protection Against Termites

6.4.1 WEARDECK contains no wood or cellulosic materials, and therefore, meets the requirements of the IBC and IRC where protection against termite attack is required.

6.5 Surface-Burning Characteristics

6.5.1 WEARDECK was evaluated to assess flame spread in accordance with ASTM E84.

6.5.1.1 The flame spread index is presented in **Table 8**.

Table 8. Flame Spread Index¹

Product	Flame Spread Index (FSI)
WEARDECK	≤75

1. Tested in accordance with ASTM E84.



6.6 Slip Resistance

- 6.6.1 Slip resistance of WEARDECK was evaluated in accordance with ASTM D2394. Results are in shown **Table 9**.

Table 9. Slip Resistance – Coefficient of Friction

Product	Surface	Direction of Test ¹			
		A		B	
		Coefficient of Static Friction, μ_s	Coefficient of Kinetic Friction, μ_k	Coefficient of Static Friction, μ_s	Coefficient of Kinetic Friction, μ_k
WEARDECK	Dry	0.38	0.23	0.33	0.23
	Wet	0.43	0.26	0.42	0.32
1. Direction of tests are as follows: a. Parallel to the direction of manufacture (along the length). b. Perpendicular to the direction of manufacture (along the width).					

- 6.7 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 Performance²¹

- 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.²²
- 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.²³

8 Installation

- 8.1 Installation shall comply with the approved construction documents, the manufacturer installation instructions, this report and the applicable building code.
- 8.2 In the event of a conflict between the manufacturer installation instructions and this report, the more restrictive shall govern.
- 8.3 *General*
- 8.3.1 The installation guide detailing the installation process can be found on the Owens Corning website: [OC-Lumber-Installation-Guide-for-Residential-Deck-Construction](#).²⁴
- 8.3.2 Pencils shall not be used on WEARDECK products.
- 8.3.2.1 Use a blue chalk line or a blue wax-coated carpenter pencil.
- 8.3.2.2 Red chalk is not recommended, as it is difficult to remove.
- 8.3.2.3 Stainless steel composite deck screws are recommended for their corrosion-resistant properties.



8.3.3 Minimum Screw Lengths:

- 8.3.3.1 3" long screws for WEARDECK profiles: Scant 2" x 6"
- 8.3.3.2 2 1/2" long screws for WEARDECK profiles: 5/4" x 6" and 5/4" x 8"
- 8.3.3.3 1 1/2" long screws for WEARDECK profiles: 1/2" x 6" and 1/2" x 10"

8.3.4 When cutting WEARDECK products, use a 40T blade for miter saws and a 14 TPI carbide blade for jig-saws.

8.4 Installation Procedure

8.4.1 Install a ledger board to the desired structure per building code requirements.

8.4.1.1 For fasteners not specified in building codes, fastener spacing provisions from other approved sources may be permitted for the installation of the ledger board.

8.4.1.2 Ledger board shall be greater than or equal to the joist size.

8.4.2 Assemble 3-ply posts using 2 x 6 Owens Corning (OC™) lumber and #10 x 4" screws.

8.4.2.1 Screws shall be staggered and place 8" o.c.

8.4.2.2 Posts shall be anchored to footings in compliance with the applicable building codes.

8.4.3 Maximum allowable post spacing for specific projects may be found by using the [installation guide](#) or Report Number [2302-42](#).

8.4.4 Install drop beams (2-ply or 3-ply) onto the posts per building code requirements and manufacturer instructions.

8.4.4.1 Overhangs up to 2' over the sides of the joists may be permitted.

8.4.4.2 Overhangs are limited to the lesser of 2' or twenty-five percent (25%) of the length of the beam span between posts.

8.4.5 Install OC lumber band joists, comprised of two 2x OC lumber, using #10 x 3" composite deck screws.

8.4.5.1 Use "Table 1: Max. Allowable Joist Spans" in the installation guide, or Table 2 through Table 5 in Report Number [2302-42](#) to determine spacing and allowable joist span for specific projects.

8.4.5.2 Screws shall be staggered and placed 12" o.c.

8.4.5.3 Secure the band joists and subsequent single 2x joists using the appropriate joist hangers and fasteners.

8.4.6 Install blocking between each joist every 4' to 5' using #10 x 3" composite deck screws.

8.4.7 Install front rim joist using #10 x 3" composite deck screws.

8.4.8 Install WEARDECK boards perpendicular to each joist using two #9 x 2 1/2" composite deck screws.

8.4.8.1 Minimum end-to-end and side-to-side spacing between each board shall be at least a 1/16".
3/16" spacing is recommended.

8.5 Stair Tread

8.5.1 Minimum of a two span configuration shall be installed when deck boards are used for stair tread applications.

8.5.2 Stringers shall be reinforced with blocking.



9 Substantiating Data

- 9.1 Testing has been performed under the supervision of a professional engineer and/or under the requirements of ISO/IEC 17025 as follows:
- 9.1.1 Flexural testing in accordance with ASTM D6109 per ASTM D7032 with additional conditioning requirements specified in ASTM D7032 Section 4.5 and 4.7.
 - 9.1.1.1 Conditioning requirements to assess the effects of the following on the flexural properties of WEARDECK:
 - 9.1.1.1.1 High temperature (125° F)
 - 9.1.1.1.2 Low temperature (-20° F)
 - 9.1.1.1.3 Freeze/thaw cycles
 - 9.1.2 Creep-recovery in accordance with ASTM D7032
 - 9.1.3 Fastener head pull-through in accordance with ASTM D1761
 - 9.1.4 Surface burning characteristics in accordance with ASTM E84
 - 9.1.5 Slip resistance in accordance with ASTM D2394
- 9.2 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.
- 9.3 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.
- 9.4 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.
- 9.5 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.²⁵
- 9.6 Where additional condition of use and/or regulatory compliance information is required, please search for WEARDECK on the DrJ Certification website.

10 Findings

- 10.1 As outlined in **Section 6**, WEARDECK has performance characteristics that were tested and/or meet applicable regulations and is suitable for use pursuant to its specified purpose.
- 10.2 When used and installed in accordance with this Duly Authenticated Report and the manufacturer installation instructions, WEARDECK shall be approved for the following applications:
- 10.2.1 Use as decking material for balconies, porches, decks, stair treads, and other exterior walking surfaces in accordance with the IBC and IRC.
- 10.3 Unless exempt by state statute, when WEARDECK is to be used as a structural and/or building envelope component in the design of a specific building, the design shall be performed by an RDP.
- 10.4 Any application specific issues not addressed herein can be engineered by an RDP. Assistance with engineering is available from Owens Corning.



10.5 IBC Section 104.11 (IRC Section R104.11 and IFC Section 104.10²⁶ 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.

10.6 **Approved:**²⁷ Building regulations require that the building official shall accept Duly Authenticated Reports.²⁸

10.6.1 An approved agency is “*approved*” when it is ANAB ISO/IEC 17065 accredited.

10.6.2 An approved source is “*approved*” when an RDP is properly licensed to transact engineering commerce.

10.6.3 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.

10.7 DrJ is a licensed engineering company, employs licensed RDPs and is an ANAB-Accredited Product Certification Body – Accreditation #1131.

10.8 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.²⁹

11 Conditions of Use

11.1 Material properties shall not fall outside the boundaries defined in **Section 6**.

11.2 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.

11.3 As listed herein, WEARDECK shall:

11.3.1 Be limited to use as decking for balconies, porches, decks, stair treads, and other walking surfaces in accordance with the IBC provisions for Type V-B construction and the IRC.

11.3.2 Bear a label on its packaging that indicates compliance with ASTM D7032 and include the allowable load and maximum allowable span in accordance with ASTM 7032, IBC Section 2612.2, and IRC Section R507.2.2.1.

11.4 Use of WEARDECK as a component of a fire resistance rated assembly is outside the scope of this report.

11.5 Compatibility of the specified fasteners in **Section 6.2** and **Section 8** with other hardware components used in the construction of the deck and the supporting structure are outside the scope of this report.

11.6 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:

11.6.1 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.

11.6.2 This report and the installation instructions shall be submitted at the time of permit application.

11.6.3 This innovative product has an internal quality control program and a third-party quality assurance program.

11.6.4 At a minimum, this innovative product shall be installed per **Section 8** of this report.

11.6.5 The review of this report by the AHJ shall comply with IBC Section 104 and IBC Section 105.4.



- 11.6.6 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.
- 11.6.7 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.
- 11.7 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.
- 11.8 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).
- 11.9 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.

12 Identification

- 12.1 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.
- 12.2 Additional technical information can be found at www.owenscorning.com.

13 Review Schedule

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

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

- 14.1 WEARDECK Composite Lumber Decking is 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 these products 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),³⁰ where providing test reports, engineering analysis and/or other related IP/TS is subject to prison of not more than ten years³¹ and/or a \$5,000,000 fine or 3 times the value of³² 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 materials³³ 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.³⁴
 - 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 have 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 104.11.³⁵



- 1.3 **Approved³⁶ 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.³⁷ 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 1707.1.³⁸
- 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 deemed³⁹ 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 agreement⁴⁰ (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](#),⁴¹ 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)"*.⁴² 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](#)⁴³ and [Part 3280](#),⁴⁴ 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.⁴⁵
 - 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.⁴⁶
 - 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.⁴⁷
 - 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.⁴⁸
- 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.⁴⁹
 - 1.13.4 Therefore, all ANAB ISO/IEC 17065 Duly Authenticated Reports are approval equivalent.⁵⁰
- 1.14 Approval equity is a fundamental commercial and legal principle.⁵¹



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<https://up.codes/viewer/wyoming/ibc-2021/chapter/17/special-inspections-and-tests#1706.2>

IBC 2021, Section 1706.1 Conformance to Standards

IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General

See Section 10 for the distilled building code definition of **Approved**

Los Angeles Municipal Code, SEC. 98.0503. TESTING AGENCIES

<https://up.codes/viewer/california/ca-building-code-2022/chapter/17/special-inspections-and-tests#1707.1>

New York City, The Rules of the City of New York, § 101-07 Approved Agencies

New York City, The Rules of the City of New York, § 101-07 Approved Agencies

<https://up.codes/viewer/new-jersey/ibc-2018/chapter/17/special-inspections-and-tests#1707.1>

<https://www.nj.gov/dca/divisions/codes/codreg/ucc.html>

<https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3282/subpart-A/section-3282.14>

<https://www.ecfr.gov/current/title-24/subtitle-B/chapter-XX/part-3280>

IBC 2021, Section 1706 Design Strengths of Materials, 1706.2 New Materials. Adopted law pursuant to IBC model code language 1706.2.

IBC 2021, Section 1707 Alternative Test Procedure, 1707.1 General. Adopted law pursuant to IBC model code language 1707.1.

<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/>

IBC 2021, Section 1706 Design Strengths of Materials, Section 1706.1 Conformance to Standards Adopted law pursuant to IBC model code language 1706.1.

<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>

True for all ANAB accredited product evaluation agencies and all International Trade Agreements.

<https://www.justice.gov/crt/deprivation-rights-under-color-law> AND <https://www.justice.gov/atr/mission>