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### Success Permeates 2010; More In Store For 2011

While 2009 marked a year of significant change for ACIL, 2010 saw its reincarnation come to fruition. Rising membership, well attended meetings, major wins in advocacy and reinvigorated sections fueled the positive momentum in 2010 with more improvements in store in 2011.

Record attendance for the ACIL Mid-Winter Meeting marked a quick and successful start to 2010 with speakers from government regulators impacting ACIL member laboratories, including FDA, NIST, Commerce, EPA, USDA, DOE, DOT and others. Staff heard your request for more time at section breakouts, so the 2011 meeting will have only two general sessions, a kick-off speech from a Member of Congress and a regulator that impacts all testing laboratories in the US, with the remaining time devoted to section-specific public policy activities and a concurrent business practices track applicable to all sections, including CMET.

Membership grew 15.7% with the major additions of CSA, Silliker and Lancaster Laboratories, all returning to the reinvigorated ACIL. Outreach to major member CEOs included Intertek and Test America. Major targets for 2011 include STR, National Sanitation Foundation (NSF), Southwest Research (SWRI) and Factory Mutual (FM). All sections became actively engaged in soliciting prospects with 148 current prospects across all sections for staff follow up and close.

Advocacy in 2010 also included wins on self-declaration at OSHA, food safety, drop testing for environmental sample bottles and Smart Grid. While not official, ACIL has learned that OSHA plans to continue the NRTL program as currently run, not considering self-declaration of conformity as an option for product approval. ACIL succeeded in getting language in both the Senate and House food safety bills on the use of private laboratories for food safety testing, just signed into law by President Obama. On the sample bottle issue, the Department of Transportation (DOT) plans to exempt ACIL members from meeting volume level and drop test height requirements to enable ACIL members to maintain current shipping practices. In December, the Smart Grid Testing and

## ACIL Members Unite

ACIL once again served as an incubator for business opportunities with the just announced strategic alliance between Acme and Retlif Testing. Both Walter Poggi (Retlif) and Harry Hodes (Acme) have been actively involved in ACIL for decades, establishing a connection leading to this expansion in geographic reach and combined capacity/capabilities to enable the two laboratories to service the rising demand from commercial maritime, commercial aviation, homeland security and defense industry sectors.

## Save The Date!

**ACIL Mid-Winter Meeting  
March 29, 2011  
Marriott Crystal City  
Arlington, VA**

This meeting blends public

Certification Committee gave ACIL a long awaited seat on the committee.

ACIL produced and unveiled the 3-minute "Value of Independent Testing" video at a number of government and industry fora during the year to rave reviews. Now many member company websites proudly display the video as well. (For information on how to get an electronic copy of the video, contact [Richard Bright](#).) In 2011, ACIL plans to launch a companion website, [independenttesting.net](#), with this video and four others covering food safety, product safety, environmental safety and construction safety to be filmed during the Mid-Winter Meeting. A Congressional briefing is planned once complete.

Advocacy in 2011 includes working with the FDA on regulations to implement the food safety bill, launching an initiative through the ESS to convince the States to leave accreditation to the private sector, combating an FCC proposed rule that gives monopoly rights to universities to compete with private sector radio manufacturers and testing laboratories and working with Commerce on regulations affecting the competitiveness of US service providers, specifically testing laboratories.

Again underscoring the importance of section activity, the Board increased the budget for the FSS and ESS from 2010 levels, and for the first time budgeted monies for specialized consultants for CAS and CMET. In addition, ACIL will attend ILAC meetings again, in person, with direct feedback to the Board and membership on this important organization. ACIL's international reach continued with co-sponsorship of a delegation to Vietnam. The Board will consider an ACIL Asia Platform in 2011.

The ACIL-NACLA Memorandum of Understanding continues to produce major returns. Both L-A-B and CMEC will receive NACLA recognition in 2011 under the DOT program for construction materials. Former members like Cummings Engine are returning to NACLA. In addition, a major specifier-regulator plans to join NACLA shortly. In addition, ACIL and NACLA continue to integrate administrative activities to reduce costs for both organizations.

Internally, ACIL launched its new database seamlessly (no one noticed, did they?) providing the power behind the ACIL website. In 2011, ACIL will redesign the website under Phases II and III of that project.

ACIL's profitable 73<sup>rd</sup> Annual Meeting was a huge success highlighted by Jack Linn's (NTS) presentation that launched a "rebranding" of the ACIL Annual Meeting. The 2011 Annual Meeting will be a CEO and future leaders event with subject matter determined through the Annual Meeting Program Committee's CEO member survey.

Building on the momentum generated in 2010, 2011 will be an exciting time for ACIL, leading to a new era of prosperity. Look for continued strength in advocacy, retooled meetings to further

policy and business practices, offering something for everyone, from current and future leaders to operational personnel.

Make plans for relevant company personnel to attend now!

### ACIL Investigates Reselling Standards

Based on the initial response to the survey e-mailed to members on December 9th, 88.9% see a market for ACIL to become a one-stop shop for standards purchases. Only 12.5% currently have special pricing arrangements, which would be part of the ACIL program.

The ACIL Board asked Techstreet, a division of ThompsonReuters, to present a proposal tailored to ACIL survey responses to offer standards used by ACIL members via an online system that provides members with current versions in electronic and/or hard copy at discounted rates.

To provide your input and ensure that this program meets your needs, we encourage you to complete the survey. [Click here to begin survey.](#)

### Dues Payments

increase relevance and participation and additional emphasis on membership retention and development.

### **ACIL Membership Brings Business Opportunity**

*by Trevor Boyce*

A laboratory wanted to sell his business to someone who would care for his employees and customers. Not knowing who to approach, he turned to a friend in the laboratory business that belonged to ACIL. His friend referred him to a few ACIL members who he knew well from attending many ACIL gatherings, vouching for their abilities to bring an acquisition together and handle it well.

Hoping to find someone to buy both his business and his building, which was currently too large for his operation, he called me. Not only was I interested in his business, but one of our divisions had outgrown its existing facility, so his building provided the perfect solution to this business problem adversely impacting Microbac's ability to service its customers. It was a perfect fit.

Last month, we finalized the acquisition, just one of the many examples of the importance of ACIL in the growth of Microbac Laboratories, Inc. I know that Microbac is not alone in the use of ACIL as a vehicle for development as you will note elsewhere in this newsletter regarding the alliance between Acme and Retlif Testing, both long time ACIL members. Thank you to ACIL for this and many other opportunities. To the ACIL member who forwarded our name . . . well . . . I owe you one.

### **Government Relations Takes New Tact**

After many years of dedicated ACIL service as Government Relations Committee (GRC) Chair, Walter Poggi (Retlif) hands the reins of the chairmanship to Cabot Earle (Microbac), who plans to further increase the value of ACIL's government relations program, elevating it to a strategic and policy level, cultivating relationships with industry leaders and seeking to expand government's use of private laboratories.

To shift operations to a strategic and policy level, sections need to assume a stronger role in addressing specific issues, using the GRC for support and guidance, but pulling technical expertise from among section members, according to Cabot. The GRC serves to establish a common ground among laboratories across all testing disciplines, while the sections provide the nuts and bolts to tackle each issue, from unfair competition to redundant accreditation.

It's that time again . . . As we begin 2011, remember that to continue enjoying the benefits of ACIL membership we need your dues dollars. This year we offer more member benefits than ever with both new issues to face and unfinished ACIL business to complete. We look forward to your support of laboratory community through your participation in ACIL. For your convenience, we now offer online renewal. Please click [here](#) to renew for 2011. You will have the option to pay via credit or by invoice.

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#### **ACIL Members Eligible for FedEx Savings**

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Ways to expand government use of private laboratories range from targeted responses to potential unfair competition issues to advocating for a fundamental change in the way government procures laboratory services. The GRC plans to remain active in these areas to improve member positioning and increase business prospects.

Lastly, close coordination and cultivation of relationships with laboratory industry leaders, give the GRC the tools to craft informed strategic positions and policies that meet current challenges facing industry leaders. The GRC plans to experiment with this outreach to add value to ACIL membership and hone government relations activities.

As the political landscape changes, ACIL continues making strong contributions to the legislative and regulatory discussions that best serve ACIL interests and the public, offering solutions to advance agendas while fostering bipartisanship. "The challenge we must embrace," noted Cabot, "is how to coordinate our voices, collaborate and think creatively to advance our industry."

### **ACIL Promotes Competition in Accreditation**

To promote competition in accreditation of laboratories and product certifiers and support member business interests, ACIL notified ANSI in June of its intention to submit separate comments to the National Science and Technology Committee (NSTC) Subcommittee on Standards, as requested in December 8, 2010 Federal Register notice, stating the case for multiple accreditation bodies and other issues.

ACIL supports ANSI as the coordinator for the US standards system, but not for US conformity assessment activities, which lies with NIST under the National Technology Transfer and Advancement Act (NTTAA). ACIL elected not to participate in ANSI's final report to the NSTC to ensure that our position is clearly communicated to the NSTC in comments due February 7, 2011.

The ACIL position supports a private sector coordinator of conformity assessment like ACIL, which doesn't have a conflict of interest related to the business of conformity assessment as well as a system of robust competition in accreditation that offers a choice of service providers with a method-neutral, sector-specific approach. To provide input on ACIL's comments to NSTC, contact [Milton Bush](#) to be included in the conference call at the end of January.

Part of the White House Office of Science and Technology Policy (OSTP), NSTC seeks input to help the Federal government set the stage for standards development that addresses technology's

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complexity and increasingly rapid pace of development, particularly with technologies such as Smart Grid, health information, cyber security, emergency communications interoperability and radioactivity detectors and radiation monitors that cross disciplines or span multiple Federal agencies.

## **Committees and Sections**

*If you'd like to get involved in any of the sections noted below, contact [Tony Anderson](#) for the call-in information to join the section's monthly teleconference.*

### *Construction Materials & Engineering Testing (CMET) Section*

The CMET Section continues to work on issues such as showing FHWA how laboratories can work on the design and construction sides of the same project without a conflict of interest and increasing the acceptance of third party laboratory accreditation by federal agencies. A draft brochure is under development to promote the value of the CMET section along with the update of ACIL documents pertinent to the work of the section. As previously reported, the section continues its outreach to federal agencies, including the Federal Aviation Administration (FAA) and the Army Corp of Engineers, and with the National Institute for Certification in Engineering Technologies (NICET). The section is currently considering topics and presenters for the ACIL Mid-Winter meeting, encouraging all CMET members to join the monthly section teleconferences to provide input. The next scheduled teleconferences are January 13, 2011 and February 10, 2011 at 2:00 p.m. EST.

### *Food Sciences Section (FSS) formerly Microbiology and Analytical Chemistry (MAC)*

After much time and effort spent on the new food safety legislation, most of the language that the FSS prepared for both house bills was included in the new legislation recently signed into law by the President to the benefit of the laboratory community. This great success shows the benefit of ACIL membership and participation in the FSS. At the San Diego meeting, the section planned a follow-up meeting with the FDA now scheduled to take place at the end of January. As with all section activities at the moment, the section is considering topics and presenters for the ACIL Mid-Winter Meeting. The next FSS teleconferences will be January 19, 2011 at 3:00 p.m. EST and February 16, 2011 at 3:00 p.m. EST.

### *Conformity Assessment (CAS) Section*

Considerable Smart Grid activity continues within the CAS Smart

Grid Task Force. Recently the NIST Smart Grid Testing & Certification Committee invited Don Heirman, who leads the ACIL Smart Grid Task Force, to represent ACIL member laboratories on the committee. The PT Program is undergoing a complete review to update methods of data collection and results reporting and revise the final report and conclusions with work slated for completion in March. The section is developing a marketing plan to improve participation in the PT Program to be launched upon completion. Find further PT Program information on the ACIL web site at [www.acil.org](http://www.acil.org) or by contacting ACIL Section Executive Officer, [Tony Anderson](#). The next CAS teleconferences will be January 26, 2011 and February 23, 2011 at 11:00 a.m. EST.

### *Environmental Sciences Section*

The ESS focused on the program topics for the ACIL Mid-Winter Meeting at a special meeting held in December. High on the agenda is promoting the advantages of privatized accreditation to state government, the EPA and the laboratory community. A white paper on this topic will be distributed shortly. At the meeting, members will also meet with EPA officials to discuss green laboratories and the impact of changes in Federal contracting. Other topics slated for the Mid-Winter Meeting include a progress report from TNI on the switch from NELAC to TNI standards and a discussion of potential ACIL training courses. In other news, the ESS has reviewed the EPA proposed rule changes to 40CFR parts 136, 260, 423, 430 and 435 recently published in the Federal Register and submitted the prepared response reported in the last newsletter. The next monthly teleconferences will be on January 20, 2011 and February 17, 2011 at 11:00 a.m. EST.

### **Here We Grow Again!**

Welcome new ACIL members. To learn more, click on the company name to visit their website or on the contact name to send an e-mail.

#### **Associate Members:**

[Jay Fredkin](#), [CABEM Technologies](#), Franklin, MA 02038  
CABEM Technologies develops, implements and maintains technology solutions for the academic, government and business communities ranging from sophisticated web-based applications to legacy/custom systems and prototype military fielded systems. Specializing in the testing industry, CABEM offers solutions for data automation initiatives, laboratory system software, and custom software and business applications. Leaders in the testing industry use several CABEM web-based products, including Livia\_vLab, our on-site test witnessing and project collaboration application that

features live witnessing and enables test laboratories to network,  
monitor, record, search, publish and backup test results.

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