

CHAPTER 4. USE OF MATERIALS BULLETINS

- 4-1 GENERAL: A Use of Materials Bulletin (UM) is issued by HUD Headquarters to establish a generic level of acceptability for an individual product or system, or a group of similar products or systems. (e.g. Pressure Treated Lumber and Plywood, Plastic Bathroom Fixtures).

Where justified, a third party certification procedure, through which acceptable administrators are made responsible for validating a manufacturer's certification of compliance with required standards, is established in a UM. See 24 CFR 200.935

- 4-2. FIELD OFFICE OR HOMEOWNERSHIP CENTER RESPONSIBILITIES:

- A. Accept Products that receive a UM
- B. Report on Poor Performance or failures of materials covered by a UM Bulletin.

- 4-3. INITIATION OF A USE OF MATERIALS BULLETIN: One or more of the following factors must exist for HUD to issue a UM:

- A. The Existence of Three or More Materials Releases for generally similar products.
- B. Absence of An Acceptable National Standard: or the need for promulgating a certification program.
- C. A Request for a UM received from a qualified sponsor such as a trade association, technical society, or other organization of national scope having a justified need for such a bulletin.

- 4-4. UM DEVELOPMENT PROCESS BY HUD:

- A. Contact National Standards Generating Organizations (See 1-5-B) to determine whether they are developing a similar standard and will be able to complete such a standard within a time span acceptable to HUD.
- B. Solicit Producers, consumer organizations, trade associations, and others such as Governmental Agencies and HUD Field Offices of Homeownership Centers known to have an interest in the development process.

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- C. Prepare an Initial Draft and place it into Departmental Clearance
- D. Prepare a Revised Draft and publish it in the Federal Register, or publish a Notice in the Federal Register

indicating that the proposed draft is available at specified locations for inspection and comment.

- E. Prepare a Final UM and publish it in the Federal Register, indicating the date it becomes effective, or publish a Federal Register Notice announcing its effective date and the locations where it may be inspected.
- F. Print and Transmit copies of the UM to all HUD Field Offices or Homeownership Centers, and the sponsor(s). Forward a copy to Management Services Division, HUD Headquarters.

4-5. PRIME SPONSOR SUBMISSIONS:

- A. Initial Information:
  - 1. Statement and supporting data identifying the need for a UM.
  - 2. Standards for certification criteria, as follows:
    - a. If the UM is to be a Standard, submit the proposed standard with appropriate supporting technical data, such as tests and specifications; or
    - b. If the UM is to promulgate a third-party certification program, submit a request for HUD guidelines for developing it; or
    - c. Both a. and b., apply.
  - 3. Evidence of compliance with the User Fee Schedule, See 1-4.
- B. Additional Information - HUD may request additional information including test data if necessary. Sponsor should be prepared to submit information on the following, as appropriate:

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- Quality control
- Certification and labeling
- Recordkeeping requirements
- Warranty policy
- Engineering specifications
- Description of chemical and physical properties

- Field and/or laboratory test data
- Locations of installations of existing products so that HUD may, as appropriate, view the product's performance under a variety of conditions
- Recommended uses and limitations
- Estimated service life of the product
- Installation data and/or recommendations, and
- Any other special concerns or pertinent data.

C. Address for Submission: Send request for UMs, and all other related correspondence, to Headquarters (see 1-3.C).

4-6. REVISIONS, ADDENDA, AND SUPPLEMENTS: A UM Bulletin shall be revised, added to or supplemented, as necessary, to assure that the document is current with the latest HUD criteria and the latest recognized certification agency listing, where applicable.

Substantial changes will be developed in the manner outlined in paragraph 4-4.

For guidelines on information supporting requests for changes,, see Paragraph 4-5.

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4-7. MANUFACTURER COMPLIANCE RESPONSIBILITIES: To participate in HUD housing construction programs, manufacturers of products which receive a UM Bulletin shall comply with the following:

- A. Production Compliance: Producers shall manufacture, certify and label their materials, products or systems as meeting the requirements of a specific Use of Materials Bulletin.
- B. Certification: Producers who are self-certifying shall retain the details of their certification, labeling and quality control program in their files for five years. Such records shall be made available for examination by HUD upon request.
- C. Suspension for Noncompliance: When noncompliance is determined by HUD, the labeling of a product as complying with the UM shall be suspended until noncompliance is corrected.
- D. Corrective Action: Shall be timely for all justified complaints of poor performance or failure reported by HUD.

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