



Office of Environment, Safety, and Health

Manufacturer's Markings, Grademarks, Foreign Manufacturers

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**Suspect/Counterfeit-Defective Items
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S/CI Manufacturer Markings/Grademarks

- ◆ **“J”, “KS,” and “K” manufacturer markings still popping up on fasteners**
- ◆ **Item still remains S/CI regardless of position of suspect manufacturer markings (e.g., centered vs. off to the side)**
- ◆ **If you cannot trace the item back to its origins, item remains, at a minimum, suspect**





S/CI Manufacturer Markings/Grademarks

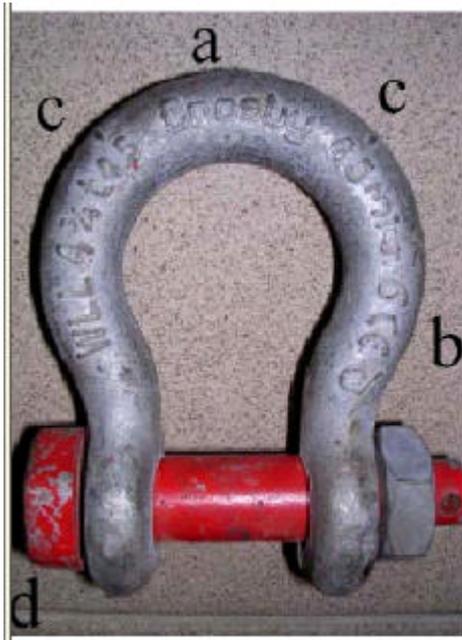
- ◆ **“K” manufacturer markings on shackle – found at ORNL, unknown manufacturer**





S/CI Manufacturer Markings/Grademarks

- ◆ Crosby Shackle counterfeit – circulating in Europe and Africa (authentic Crosby on left)
 - a) Crosby name embossed per Crosby logo, b) should see CE mark,
 - c) 45-degree angle markings, d) pin stamped on head with traceable ID number (www.imca-int.com/safetyflashes)





Fastener Grademarks

- ◆ **15 USC 80 (Fasteners) does not discuss grademarks, but does discuss consensus standards**
- ◆ **Check against consensus standards for grademark requirements**
 - **e.g., J429 standard for automotive and related industries up to 1½” steel bolts, screws, screw and washer assemblies, studs, and U-bolts. Below grade 5 (plus grade 8.1 studs), no grademark required. However, all bolts and screws shall bear the manufacturer identification symbol.**





Basis for being more restrictive than Fastener Quality Act

- ◆ **Fastener Quality Act sets the minimum acceptable national set of requirements**
- ◆ **Due to the variability and oftentimes unique hazards posed by DOE operations, engineering specifications for items in purchase orders may be more stringent than regulatory requirements or standards**





OK to Buy Foreign?

- ◆ **Need to evaluate whether foreign or domestic items meet specifications (i.e., acquisition and inspection)**
- ◆ **China tops the list of countries that present us with manufacturer/supplier S/C-DI-related problems**





Marking Installed S/CI Bolts to Prevent Reuse

- ◆ **Good Practice - Some sites (e.g., Y-12) are taking a “use-as-is” approach; i.e., items are painted to prevent reuse by others and are considered to be acceptable by the site for use in the current application**
- ◆ **However, some sites are transporting these items (e.g., grade 5 “KS” locking bolts) to other sites without notifying the receiving site. Each site determines whether the item is acceptable under its own requirements**





Distinction among Nonconforming FAA items, PAAA NCRs, and DOE S/CI

- ◆ **DOE S/CI are items suspected of an intent to defraud or clearly supported by evidence to indicate an intent to defraud. Also, they can be the result of regulatory noncompliance**
 - **Under Fed. Aviation Admin., nonconforming items are equivalent to DOE S/CI. Example - falsely certifying that aircraft parts meet specifications**
 - **Under Price Anderson Amend. Act, nonconforming items can be out of compliance with requirements such as those in the QA rule (10 CFR 830). Example - falsely certifying that welders are qualified per specifications, hence the welded item may not meet specifications. However, PAAA only addresses the civil perspective of regulatory noncompliance. Therefore, if there are indications of criminal activity (e.g., intent to defraud), the PAAA staff can refer the issue to the Department of Justice for action**





Contract Language

- ◆ **Sites are incorporating new language with teeth to weed out problem suppliers, distributors, and manufacturers**
- ◆ **Example language - “If suspect/counterfeit parts are furnished under this agreement and are found on the site, the site shall impound the items. The Seller shall promptly replace such items with items acceptable to the site and the Seller shall be liable for all costs relating to impoundment, removal, and replacement. The site may turn such items over to the U. S. Office of the Inspector General for investigation and reserves the right to withhold payment for the suspect items pending the results of the investigation.”**

