

CHAPTER 14
WATER TREATMENT SYSTEMS

641—14.1(714) Purpose. The purpose of these rules is to establish the requirements and procedures for the registration and sale of water treatment systems. These rules are established pursuant to Iowa Code section 714.16, which prohibits a person selling, leasing or renting, or advertising the sale, lease or rental of a water treatment system in Iowa from making false or deceptive representations that the water treatment system will reduce the concentration of one or more contaminants in drinking water.

641—14.2(714) Applicability. The provisions of this chapter apply to the seller and manufacturer of a water treatment system offered for sale, lease, or rent in Iowa for which representations are made that the water treatment system will reduce the concentration of one or more contaminants in drinking water. Individual water treatment systems installed as central treatment for a public water system under the rules of the Iowa department of natural resources are not required to comply with these rules.

641—14.3(714) Definitions.

“*Annual registration*” means the renewal of registration of a water treatment system for years subsequent to the initial registration.

“*ANSI*” means the American National Standards Institute, 25 W. 43rd Street, New York, New York 10036. ANSI reviews and accredits testing agencies and the standards processes of agencies that generate and maintain product standards.

“*Buyer*” means the person to whom a water treatment system is being sold, leased, or rented.

“*Consumer information pamphlet*” means a publication which explains water quality, health effects, quality expectations for drinking water, and the effectiveness and functions of water treatment systems.

“*Consummation of sale*” means the completion of the act of selling, leasing, or renting. Where the water treatment system is ordered by telephone, mail, or Internet, “consummation of sale” means delivery.

“*Contaminant*” means any particulate, chemical, microbiological, or radiological substance or parameter in drinking water which has a potentially adverse health effect and for which a maximum contaminant level (MCL) has been established. “Contaminant” does not include chlorine, chloramine, or chlorine dioxide. A substance or parameter becomes a contaminant on the effective date of the United States Environmental Protection Agency (USEPA) rule establishing the MCL in the national primary drinking water regulations.

“*Department*” means the Iowa Department of Public Health, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319-0075.

“*Drinking water*” means water intended for human consumption.

“*Initial registration*” means the first registration of a water treatment system after performance testing.

“*Label*” means the written, printed, or graphic matter attached to or printed on the water treatment system so it is not likely to be separated during normal shipping and handling and that can only be removed with a purposeful effort by the owner.

“*Manufacturer’s performance data sheet*” or “*PDS*” means a booklet, document, or other printed material that contains, at a minimum, the information required pursuant to Iowa Code section 714.16 and that meets the requirements of 641—14.7(714).

“*Maximum contaminant level*” or “*MCL*,” as used in these rules, means a maximum contaminant level, or an action level, or a treatment technique requirement established in lieu of a maximum contaminant level, as specified in the national primary drinking water regulations (40 CFR 141).

“*NSF*” means NSF International, 789 Dixboro Road, P.O. Box 130140, Ann Arbor, Michigan 48113-0140. NSF maintains performance and testing standards for water treatment systems.

“*Performance indication device*” or “*PID*” means an automatic, effective means to warn the user when a water treatment system requires service, typically after a fixed time or volume of water.

“*Performance testing*” means:

1. The third-party laboratory testing of a water treatment system in accordance with an approved performance testing protocol; or

2. The testing of a water treatment system by the manufacturer in accordance with an approved performance testing protocol followed by an audit of the manufacturer's performance testing facilities and data by a third-party testing agency.

"*Seller*" means the person offering a water treatment system for sale, lease, or rent.

"*State hygienic laboratory*" means the University Hygienic Laboratory, University of Iowa, Oakdale Campus, Iowa City, Iowa 52242.

"*Surrogate*" means a substance or parameter that is reduced in concentration by a water treatment system and for which the reduction has been shown to reliably represent the reduction in concentration of one or more contaminants.

"*Third-party testing agency*" means an independent laboratory that is approved by the department to conduct performance testing of water treatment systems or to conduct audits of manufacturers' performance testing facilities and data.

"*Water treatment system*" means a device or assembly for which a claim is made that it will improve the quality of public or private drinking water by reducing the concentration of one or more contaminants through mechanical, physical, chemical, or biological processes or a combination of processes. Each model of a water treatment system shall be deemed a distinct water treatment system.

1. Products that are given different model numbers by the manufacturer will be considered to be separate models unless the manufacturer can demonstrate that the products are identical.

2. Products that are similar but have different capacities, flow rates, or daily production rates will be considered to be separate models.

3. Products that are similar but make different contaminant reduction claims will be considered separate models.

4. Replacement components that are part of a registered water treatment system will not be considered separate models.

641—14.4(714) Performance testing. A water treatment system shall be tested for performance by a third-party testing agency or by the manufacturer. If the manufacturer does the performance testing, the provisions of 14.4(3) shall apply.

14.4(1) Standards. The performance testing shall be conducted in accordance with the applicable standard(s) from Table 1 or in accordance with a protocol approved by the state hygienic laboratory. Performance testing shall include an evaluation of structural integrity and of the water contact materials of the water treatment system in accordance with the applicable standard(s) listed in Table 1 or methods approved by the state hygienic laboratory.

Table 1

Treatment Process	NSF/ANSI Standard
Mechanical filtration	53 ¹
Carbon adsorption/filtration	53 ¹
Reverse osmosis	58 ²
Cation exchange softening	44 ³
Ion exchange except softening	53 ¹
UV disinfection, Class A	55 ⁴
Distillation	62 ⁵

¹Drinking Water Treatment Units-Health Effects, 2007

²Reverse Osmosis Drinking Water Systems, 2007

³Residential Cation Exchange Water Softeners, 2007

⁴Ultraviolet Microbiological Water Treatment Systems, 2007

⁵Drinking Water Distillation Systems, 2007

14.4(2) Alternate performance testing protocols. If a water treatment system is not tested in accordance with a standard(s) in Table 1, the manufacturer of the water treatment system shall submit an alternate performance testing protocol for the water treatment system to the department.

a. The submission shall include, but may not be limited to, the following information:

(1) The name and address of the manufacturer and the name, address, telephone number, and E-mail address of the manufacturer's representative.

(2) The brand name, model number, and trade names of each water treatment system requiring performance testing. The manufacturer shall state whether each water treatment system will be performance tested or if one water treatment system will be performance tested and the results used to represent the performance of other water treatment systems. The manufacturer shall provide justification that the performance testing of one water treatment system will reliably represent the performance of other water treatment systems.

(3) A detailed drawing with part numbers identifying each component of the water treatment system. Where applicable, this includes, but may not be limited to, pre- and post-filters, storage tank, dispensing unit (faucet), booster pump, and the main treatment module. Replaceable components shall be specifically identified and the approximate treatment capacity or replacement frequency shall be stated.

(4) Identification of the water treatment system materials that are in contact with the water and of any chemical added to the drinking water by the water treatment system.

(5) Specification of the pressure, flow and temperature requirements and limits for the water treatment system.

(6) A list of the contaminants claimed to be reduced by the water treatment system.

(7) A statement indicating whether the water treatment system will be advertised and sold to treat water that is microbiologically unsafe as defined in NSF/ANSI standard 53.

(8) A detailed description of the performance testing protocol including, but not necessarily limited to:

1. A schematic of the test rig with specifications for the critical components and instrumentation.
2. Characterization of the general test water and the challenge water, including the level of the challenge parameter(s) in the water. A justification for the level of the challenge parameter(s) shall be provided.

3. Details of how the general test water and the challenge water are prepared.

4. Water pressure, flow rate and temperature during the test.

5. Sample schedule for influent and effluent water.

6. Analytical methods for the challenge parameter(s).

7. Performance standard for the challenge parameter(s).

b. The performance testing protocol shall include the following provisions:

(1) At least two units shall be tested.

(2) The flow rate and water pressure shall be typical of the end use for the water treatment system.

(3) Where applicable, a water treatment system with a PID shall be tested to at least 120 percent of the capacity listed on the PDS. A water treatment system without a PID shall be tested to at least 200 percent of the capacity listed on the PDS.

(4) The structural integrity of the water treatment system shall be tested in accordance with the method in the applicable standard in Table 1.

(5) The materials shall be evaluated for safety in accordance with one of the standards in Table 1 or in accordance with NSF/ANSI standard 61-2007a, "Drinking Water System Components - Health Effects."

c. The state hygienic laboratory shall review the performance testing protocol and shall report the approval, conditional approval or disapproval of the protocol in writing to the department. The conditions of approval or the reasons for disapproval shall be in the report.

d. The manufacturer shall pay a fee not to exceed \$200 to the state hygienic laboratory for each performance testing protocol review done in accordance with these rules.

14.4(3) *Manufacturer testing and audit.* A manufacturer may do performance testing of a water treatment system at its own facilities provided that a performance testing protocol from a standard in Table 1 or a performance testing protocol approved in accordance with 14.4(2) is used and the manufacturer's personnel, facilities and data are found to be adequate when audited by a third-party testing agency.

a. The manufacturer shall submit to the department information including, but not necessarily limited to, the following:

(1) The applicable standard(s) from Table 1 or the information required by 14.4(2).

(2) The name and address of the third-party testing agency performing the audit, and the name, address, telephone number, and E-mail address of an authorized representative of the third-party testing agency.

b. The third-party testing agency responsible for the audit of the manufacturer's facilities and data shall submit to the department information including, but not necessarily limited to, the following:

(1) A detailed description of the manufacturer's testing facilities and equipment.

(2) Résumés of the management, scientific, and technical personnel responsible for conducting the performance testing.

(3) A copy of the manufacturer's state drinking water laboratory certification for the contaminants treated by the water treatment system, or verification that the manufacturer has the capability to perform USEPA-approved analytical methods for the contaminants treated by the water treatment system. If the analyses are performed by another agency, a copy of that agency's certificate and documentation of the business relationship between the manufacturer and the agency shall be submitted.

(4) An evaluation of the manufacturer's laboratory quality assurance program.

(5) The number of water treatment systems tested at the manufacturer's testing facilities, if applicable, listed by the standard(s) used as the basis for testing and including the contaminants for which testing was done.

(6) An evaluation of the capability of the facility to conduct performance testing in accordance with the approved performance testing protocol.

c. Upon receipt of the report of the audit, the department shall transmit a letter of approval, conditional approval, or disapproval to the manufacturer within 30 days. The conditions of approval or the reasons for disapproval shall be in writing and shall be provided to the manufacturer's representative.

14.4(4) *Performance requirements.* A water treatment system shall meet or exceed the performance requirements of the standard(s) in Table 1 applicable to the water treatment system. If a contaminant treated by the water treatment system is not addressed by a standard in Table 1, the water treatment system shall reduce the level of the contaminant to or below the MCL when the water treatment system is tested in accordance with a performance testing protocol approved according to 14.4(2).

14.4(5) *Retesting.*

a. If a water treatment system is listed by an ANSI-accredited third-party testing agency, the manufacturer shall have the water treatment system retested for performance in accordance with the policies of the third-party testing agency, but no less frequently than every five years. Other water treatment systems shall be retested by a third-party testing agency at least every five years.

b. After a water treatment system is retested, the manufacturer shall submit the test data in accordance with 14.6(1). The manufacturer shall submit a PDS modified to include the results of the retesting at the time of the next annual registration.

c. A change in the capacity of the water treatment system or to the contaminant claims shall be reported in accordance with 14.6(3).

d. Water treatment systems registered prior to January 1, 2009, shall be retested, and the test data and PDS submitted prior to January 1, 2014.

641—14.5(714) *Third-party testing agencies.* The department shall review and approve the facilities and capabilities of an agency before the agency is authorized as a third-party testing agency for the purposes of these rules.

14.5(1) *Submission of information.* An agency applying for authorization as a third-party testing agency shall submit to the department information including, but not necessarily limited to, the following:

- a. The name, address, telephone number, and E-mail address of the agency representative.
- b. Verification that the agency is not owned, fully or partially, or managed by a company engaged in the manufacture or sales of water treatment systems.
- c. A copy of the agency's laboratory certification under the Safe Drinking Water Act for the contaminants for which the agency will do performance testing (if the analyses are performed by another agency, a copy of that agency's certificate and documentation of the business relationship between the applicant and the agency shall be submitted); or
- d. Written verification to the department that the agency has the capability to perform the USEPA-approved methods of analysis for the contaminants for which the agency will do performance testing.
- e. A copy of the agency laboratory quality assurance plan.
- f. A detailed description of the agency's testing facilities and equipment.
- g. Résumés of the management, scientific, and technical personnel responsible for conducting the performance testing.
- h. The number of water treatment systems tested by the agency, if applicable, listed by the standards used as the basis for testing and including the contaminants for which testing was done.
- i. A copy of a test protocol that the agency has developed for a client or a copy of the report of the test of a water treatment system prepared for a client, if applicable.
- j. A nonrefundable \$200 review fee.
- k. If product testing is subcontracted to another testing agency, the name of the agency and the name, address, telephone number, and E-mail address of an authorized representative of the agency; the standard(s) used; and the contaminant(s) tested by the agency.
- l. An agency that is accredited by ANSI for product testing and certification in accordance with one or more of the standards in Table 1 shall submit the following:
 - (1) The information required in 14.5(1) "a" and "b" and the fee required in 14.5(1) "j."
 - (2) The ANSI certificate and scope of accreditation.
 - (3) The method by which the department can access information about a water treatment system tested and certified by the agency. The information shall include:
 1. Manufacturer's name.
 2. Model number of the water treatment system.
 3. Replacement element(s) designation.
 4. Rated capacity, if applicable.
 5. Service flow rate, if applicable.
 6. Daily production rate, if applicable.
 7. List of the contaminants for which the water treatment system has been tested.

14.5(2) *Testing auditor.* An agency applying for authorization to audit a manufacturer's data and facilities shall submit to the department information including, but not necessarily limited to, the following:

- a. The information and fee required by 14.5(1).
- b. A written description of the agency's qualifications and experience in performing laboratory audits and laboratory analysis.
- c. Written verification that USEPA or equivalent procedures for auditing quality control of laboratories are followed in performing an audit of a manufacturer's testing of a water treatment system.

14.5(3) *Approval of third-party testing agencies.* The department shall review the information submitted by an agency applying for third-party testing agency status.

- a. The department shall consider:
 - (1) The independence of the agency ownership and management.
 - (2) The adequacy of the agency's facilities and equipment for water treatment system testing.

(3) The experience and training of the management, scientific, and technical staff directly responsible for testing water treatment systems.

(4) The adequacy of the equipment, facilities and personnel for analysis of the contaminants for which the agency will do performance testing.

(5) The adequacy of quality assurance systems at the testing facility.

b. The department shall transmit a letter of approval, conditional approval, or disapproval to the agency representative. The conditions of approval or the reasons for disapproval shall be in writing and shall be provided to the agency representative.

c. An appeal of disapproval or a condition of approval shall be submitted by the agency to the department by certified mail, return receipt requested, within 30 days of receipt of the department's letter. The address is Iowa Department of Public Health, Water Treatment System Registration, 321 E. 12th Street, Des Moines, Iowa 50319-0075. If no appeal is received within the 30 days, the disapproval or conditional approval becomes the department's final agency action. An appeal shall be forwarded to the department of inspections and appeals within 5 working days of its receipt. The department shall provide the information upon which the disapproval or conditional approval was based and any additional information provided by the agency to the department of inspections and appeals.

14.5(4) Resubmission. The department may require that an agency resubmit the information required in 14.5(1) and 14.5(2) if:

a. The testing facilities are relocated.

b. The corporate identity of the agency changes.

c. The agency has not tested a water treatment system submitted to the department for registration or has not audited a manufacturer for a period of three years or longer.

14.5(5) Revocation of authorization. The department may revoke authorization for an agency to be a third-party testing agency or a test auditor if:

a. The agency loses ANSI accreditation.

b. The agency submits false information in support of the registration of a product.

c. Information submitted to support authorization is found to be false.

d. The agency, in the judgment of the department, is incompetent to conduct or incapable of conducting testing in accordance with the standards in Table 1 or in accordance with approved protocols.

14.5(6) Notice of revocation. Notice of revocation shall be sent to the agency by restricted certified mail, return receipt requested, or by personal service. The agency shall have a right to appeal the revocation.

a. An appeal of a revocation shall be submitted by certified mail, return receipt requested, within 30 days of receipt of the department's notice. The appeal shall be sent to the Iowa Department of Public Health, Division of Environmental Health, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0075. If such a request is made within the 30-day time period, the revocation shall be deemed to be suspended. Prior to or at the hearing, the department may rescind the revocation upon satisfaction that the reason for the revocation has been or will be removed. After the hearing, or upon default of the agency, the administrative law judge shall affirm, modify or set aside the revocation. If no appeal is submitted within 30 days, the revocation shall become the department's final agency action.

b. Upon receipt of an appeal that meets contested case status, the appeal shall be transmitted to the department of inspections and appeals within five working days of receipt pursuant to the rules adopted by that agency regarding the transmission of contested cases. The information upon which the revocation is based shall be provided to the department of inspections and appeals.

c. The hearing shall be conducted in accordance with 481—Chapter 10.

d. When the administrative law judge makes a proposed decision and order, it shall be served by restricted certified mail, return receipt requested, or delivered by personal service. The proposed decision and order then becomes the department's final agency action without further proceedings ten days after it is received by the agency unless an appeal to the director is taken as provided in paragraph "e."

e. Any appeal to the director of the department for review of the proposed decision and order of the administrative law judge shall be filed in writing and mailed to the director by certified mail, return

receipt requested, or delivered by personal service within ten days after the receipt of the administrative law judge's proposed decision and order by the aggrieved party. A copy of the appeal shall also be mailed to the administrative law judge. Any request for appeal shall state the reason for appeal.

f. Upon receipt of an appeal request, the administrative law judge shall prepare the record of the hearing for submission to the director. The record shall include the following:

- (1) All pleadings, motions and rules.
- (2) All evidence received or considered and all other submissions by recording or transcript.
- (3) A statement of all matters officially noticed.
- (4) All questions and offers of proof, objections, and rulings thereon.
- (5) All proposed findings and exceptions.
- (6) The proposed findings and order of the administrative law judge.

g. The decision and order of the director becomes the department's final agency action upon receipt by the agency and shall be delivered by restricted certified mail, return receipt requested.

h. It is not necessary to file an application for a rehearing to exhaust administrative remedies when appealing to the director or the district court as provided in Iowa Code section 17A.19. The agency may petition for judicial review pursuant to Iowa Code chapter 17A.

i. Any petition for judicial review of a decision and order shall be filed in the district court within 30 days after the decision and order becomes final. A copy of the notice of appeal shall be sent by certified mail, return receipt requested, or by personal service to the department at Iowa Department of Public Health, Division of Environmental Health, 321 East 12th Street, Des Moines, Iowa 50319-0075.

j. An agency that appeals a final department action to the district court shall pay the cost of the preparation of a transcript of the contested case hearing for the district court.

641—14.6(714) Registration. A water treatment system that has been performance tested in accordance with 14.4(714) and that meets the performance requirement of 14.4(4) may be registered with the department. A water treatment system shall be registered with the department before it is sold, leased or rented and before it is advertised for sale, lease or rent in Iowa.

14.6(1) Initial registration.

a. The manufacturer of a water treatment system or the manufacturer's authorized representative shall submit the following information to the department on forms supplied by the department:

- (1) The name and address of the manufacturer and the name, address, telephone number, and E-mail address of the manufacturer's representative.
- (2) The brand name, model number, and trade name(s) of the water treatment system.
- (3) A detailed drawing with part numbers identifying each component of the water treatment system. Where applicable, this includes, but may not be limited to, pre- and post-filters, storage tank, dispensing unit (faucet), booster pump, and the main treatment module. Replaceable components shall be specifically identified and the approximate treatment capacity or replacement frequency shall be stated.
- (4) Verification by a third-party testing agency that the water treatment system performed in accordance with 14.4(4) when tested with an approved performance testing protocol. If the third-party testing agency is ANSI-accredited and the water treatment system was tested in accordance with a standard(s) in Table 1, documentation of a listing by the ANSI-accredited agency is sufficient.
- (5) The test data generated by the third-party testing agency. Submission of the test data is not required if the testing agency is an ANSI-accredited third-party testing agency and the water treatment system was tested for performance in accordance with a standard in Table 1.
- (6) The PDS.
- (7) Copies of the labels for the water treatment system and for any replaceable components.
- (8) Copies of product packaging, product promotional materials, and sales training materials.
- (9) A copy of installation and operation guides with identification of replaceable components and replacement frequencies, where applicable.
- (10) A nonrefundable initial registration fee of \$800 for each water treatment system.

b. A registration issued between July 1 and March 31, inclusive, shall expire on the next June 30. A registration issued between April 1 and June 30, inclusive, shall expire on June 30 of the year after the year in which the registration is issued.

14.6(2) Annual registration. Each calendar year on or before March 1, the department shall notify each manufacturer or the manufacturer's designated agent of the water treatment systems registered in Iowa and the requirement for renewal of the registration. For each water treatment system that a manufacturer wishes to continue to sell in Iowa, the manufacturer or the manufacturer's designated agent shall submit the following information to the department on or before May 31 of each calendar year.

a. Certification that there has been no change in the water treatment system's design since the system was tested during the initial registration process.

b. A copy of the current PDS.

(1) A statement that the PDS has not changed since the initial registration or the previous annual registration may be submitted in lieu of the PDS.

(2) Changes on the PDS must be explained and supported by third-party testing results. If the testing was done by an ANSI-accredited third-party testing agency in accordance with a standard(s) in Table 1, documentation of listing by the testing agency is sufficient.

c. A nonrefundable annual registration fee of \$400 for each water treatment system.

d. If the annual registration information is sent after May 31, the manufacturer shall pay for each water treatment system a penalty of \$50 per month or fraction thereof that the information is late to a maximum of \$200 for each water treatment system.

14.6(3) Changes to registration.

a. Modifying one or more contaminant claims, capacity claims, or treatment components of a registered water treatment system without the written approval of the department shall void the registration.

b. The manufacturer shall apply to the department for approval of a change in contaminant claims or capacity claims for a water treatment system, or of changes to the treatment components. The application shall be on a form supplied by the department. The application shall include, but may not be limited to:

(1) The name and address of the manufacturer and the name, address, telephone number, and E-mail address of the manufacturer's representative.

(2) The brand name, model number, and trade name(s) of the water treatment system.

(3) A description of the changes in claims, capacity, or components.

(4) The third-party testing agency report and data supporting the change in contaminant claims or capacity, or showing equivalent performance for a new treatment component. If the third-party testing agency is ANSI-accredited, a copy of the listing for the water treatment system showing the changes in contaminant claims or capacity, or a statement of equivalent performance by the new treatment component(s) from the testing agency is sufficient.

(5) A revised PDS that meets the requirements of 14.7(2).

(6) Copies of labels, packaging and promotional material that have been revised to reflect the changed claims.

(7) A nonrefundable \$100 fee for each water treatment system for which the registration is changed.

c. The manufacturer shall notify the department of any changes to the trade name(s) for a water treatment system. The notification shall include, but may not be limited to:

(1) The original model number(s) and trade name(s) of the water treatment system.

(2) The changed or added model number(s) and trade name(s) for the water treatment system.

(3) A statement that the treatment components and claims are the same between the original and the changed or added trade names.

(4) Copies of the PDS, labels, packaging, and promotional materials showing the changed or added trade name(s).

641—14.7(714) Label and manufacturer's performance data sheet. A label and a PDS shall be provided with a water treatment system to provide the consumer with information on the effectiveness of the water treatment system in reducing the concentration of contaminants from drinking water.

14.7(1) Label. Each water treatment system must bear a conspicuous and legible label stating, "IMPORTANT NOTICE - Read the manufacturer's performance data sheet."

14.7(2) Manufacturer's performance data sheet. A PDS for a water treatment system listed by an ANSI-accredited third-party testing agency and tested in accordance with a standard in Table 1 shall comply with the requirements of the applicable standard(s) in Table 1 and the policies of the third-party testing agency. The PDS for other water treatment systems shall include, but may not be limited to:

- a. The name, address, and telephone number of the seller.
- b. The name, brand, or trademark under which the water treatment system is sold, and its model number.
- c. Performance and test data including, but not necessarily limited to:
 - (1) The list of contaminants found to be reduced by the water treatment system.
 - (2) The average test influent concentration level of each contaminant or surrogate.
 - (3) The average effluent concentration and the percentage reduction of each contaminant or surrogate.
 - (4) When the reduction of a contaminant is verified using a surrogate, the equivalent influent concentration, effluent concentration, and percent reduction for the contaminant.
 - (5) The MCL for each contaminant.
 - (6) The approximate capacity in gallons or the period of time during which the water treatment system is effective in reducing the concentration of contaminants based upon the contaminant influent concentrations used for the performance tests. The claimed volume capacity of a water treatment system shall be based upon the contaminant most likely to break through into the effluent during the test period.
 - (7) Where applicable, the flow rate, pressure, and temperature of the water during the performance tests.
- d. Substances or parameters that are not contaminants as defined in 14.3(714) may be listed on the PDS, but the substances may not be referred to as contaminants.
- e. The following information shall be on the PDS or in the owner's manual. If the information is in the owner's manual, there shall be a statement on the performance data sheet referring the buyer to the owner's manual.
 - (1) Installation instructions.
 - (2) Procedures and requirements necessary for the proper operation of the water treatment system including, but not limited to, electrical requirements; maximum and minimum pressure; flow rate; temperature limitations; maintenance requirements; and expected replacement frequencies.
 - (3) The seller's warranty.

641—14.8(714) Consumer information pamphlet. A consumer information pamphlet prepared by the department shall be given to the buyer by the seller along with the manufacturer's performance data sheet prior to the consummation of the sale of a water treatment system. The consumer information pamphlet may be printed in detail by the manufacturer.

641—14.9(714) Sales of water treatment systems. No water treatment system may be sold in Iowa unless it is first registered with the department.

14.9(1) Prior to the consummation of sale, the seller shall provide to the buyer:

- a. The PDS.
- b. A copy of the consumer information pamphlet.

14.9(2) Prior to the consummation of sale, the seller and the buyer shall sign and date a copy of the PDS. The seller shall retain the signed PDS on file at the seller's place of business for at least two years.

14.9(3) The seller shall make no false or deceptive claims or representations regarding the contaminant removal capability of a water treatment system.

14.9(4) The seller shall not make any representation or claim that a water treatment system is approved or endorsed by any agency of the state.

641—14.10(714) Treatment of records. Information submitted by a manufacturer to support registration of a water treatment system is subject to the provisions of 641—Chapter 175, Fair Information Practices and Public Records. A manufacturer may request that information submitted for the purposes of these rules be considered confidential by reference to the appropriate subsection of Iowa Code section 22.7.

641—14.11(714) Penalties. A seller of a water treatment system or unit violating any provision of these rules shall be subject to civil or criminal penalties pursuant to the authority of Iowa Code chapter 714.

These rules are intended to implement Iowa Code chapter 714.

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