

Claims of Conformance to 3A Standards by Non-Symbol Holders

3-A Sanitary Standards, Inc.
Annual Meeting

May 18, 2016
Milwaukee, WI



Examples of Claims

Quick Start Tri-Lane Model 1000

- Patented design for immediate flow for smaller bottles
- Significantly increase fill speed of all bottles less than 32 oz.
- Cold, ambient, hot, or pulpy fill for all flowable liquids
- **Meets/exceeds 3A standards**
- Tool-less external removable and disassembly



Quick Start Tri-Line Model 3000

- Patented design for immediate flow for smaller bottles
- Significantly increase fill speed of all bottles less than 32 oz. with the largest capacity and aggressiveness
- Cold, ambient, hot, or pulpy fill for all flowable liquids
- **Meets/exceeds 3A standards**
- Tool-less external removable and disassembly





USDA | 3A
“ULTRA CLEAN”
SANITARY DESIGN SPECIFICATIONS

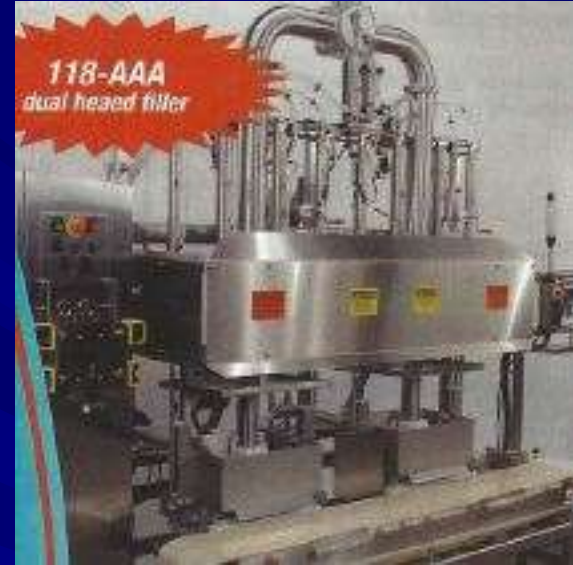


TD SAWVEL

TD Sawvel upgraded many of its most popular machines to exceed 3-A/USDA sanitary standards. All Sawvel models ending in AAA are built to meet or exceed 3-A standards. Key features include: scale controlled filling with high-sample rate provides accurate weight control; alternating side-by-side configuration with continuous product flow; and speeds to 12 containers per minute (with optional discharge conveyor)

877-488-1816; www.tdsawvel.com

Sawvel Delivers a
Higher Sanitary Standard!
Upgrade to Sawvel's
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- Designed to meet or exceed 3A, FSMA, and USDA standards.
- Providing solutions to help you comply with the Food Safety Modernization Act.

Filling – Lidding – Denesting
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MILK TANKER COLLECTION PUMPS



Main Pump Centrifugal

- The most efficient 4" centrifugal pump on the market
- Pump displacement up to 2200 lpm
- 316 stainless steel, long life, low maintenance and high resistance to heat and corrosion

- **Meets 3A Sanitary requirements**

- 20 years of design improvement incorporated
- Cost efficient
- Adjustable scroll case

Prime Pump (Rubber Impeller) PD20

- Most effective positive prime pump for dairy applications
- Developed for the dairy industry and performance tested
- 330 litres per min
- Most compact prime pump on the market
- Operates below legal noise limit of 85 decibels
- Durable nitrile impellers (increase life with metering)

- **Meets 3A Sanitary requirements**

CIP Bypass

- Eliminates running prime mover or hydraulics during CIP
- 316 stainless steel
- Fits directly to any existing PD20 pump
- Low maintenance
- Meets 3A sanitary requirements
- Cost effective

MILK TANKER METERING AND SAMPLING

- NMI approval cert no 5/6E/15
- **3A approved**
 - Plug and play installation
 - Flow meter up to 3,333 lpm
 - Most accurate readings direct from meter
 - HMI colour touch screen interface
 - Easy to use display unit
 - Faster communications 3G, 4G, GPS
 - RFID, barcode printer or scanner (on farm)
 - Bubble detection pressure sensor
 - Temperature probe, milk detect probe
 - THS air eliminator and foam collector
 - Sampling system, Pulse or Peristaltic, fully CIP
 - Real time data collection
 - Real time tanker downloads
 - Compatible with MADCAP or equivalent
 - PCIS Piper Cloud Information System
 - Secure web tanker portal
 - Trip data and standard reporting
 - Telemetry – track and map assets in real time
 - Engineering web portal
 - User defined reporting
 - Auto email reporting

- Route schedules
- Advanced driver warnings
- Milk curve software functionality
- CAN-OPEN J1939 links to truck CAN-BUS
- Reduced collection and management costs
- Reduced support costs
- Ease of use
- Quiet operation
- Low lifetime costs

And more . . .contact us for further details



Primary Legal Claims

- False or misleading advertising
- Trademark infringement/unfair competition

False Advertising

- Wolf Peak International
- Supplier of safety eyewear
- Advertised that certain styles were compliant with ANSI Z87.1
- Products meet Z87.1 in “material” or “the most important” respects and comply with other undefined industry standards

False Advertising

- Applied Bolting Technology Products
- Manufacture direct tension indicators (DTIs)
- ASTM Standard F959–94a outlines the requirements for DTIs
- “All DTI’s Made to ASTM F959–94a.”

False Advertising

- Different methods of measuring compliance; little ASTM guidance
- “I am not convinced that Applied’s claims that its DTIs were ‘made to F959’ were false. Instead, Applied clearly manufactured and tested its DTIs in compliance with its interpretation of F959.”

False Advertising

- Rino Companies
- Manufacturer of stainless steel water connectors used in plumbing applications
- Certified as ASME-compliant by the International Association of Plumbing and Mechanical Officials

False Advertising

- Advertised that its products meet ASME A112.18.6 as certified by IAPMO
- A competitor tested Rino products and concluded that they do not meet ASME standards

False Advertising

- “[The competitor] fails to show that Rino’s advertisement that Rino is ASME certified is literally false.”
- No evidence that “IAPMO’s certification of Rino’s products is invalid or false.”

Trademark Infringement

- A trademark is a word, name, symbol, etc. that identifies and distinguishes the source of the goods of one party from those of others
- One kind of infringement is the unauthorized use of another's trademark

Trademark Infringement

Exception: Nominative fair use

- Factually correct
- Descriptive/informative
- Does not imply an endorsement or certification

Examples: compatibility and comparative advertising

Trademark Infringement

- Volkswagen
- Tiffany v. eBay
- New Kids on the Block
- Super Bowl?

The End