



**Homeland  
Security**

June 7, 2011

**SAFETY ACT CERTIFICATION**

Dr. David McWhorter  
Counsel for OSI Systems, Inc.  
Catalyst Partners  
1250 Connecticut Avenue N.W., Suite 825  
Washington, D.C. 20036

Re: Rapiscan Conventional X-ray Detection Systems  
Application ID #: C-EXPL-BIAGINIOSI-0001-3-REN2 (F-94-E)

Dear Dr. McWhorter:

The Department of Homeland Security (the "Department") has completed its review and evaluation of your renewal application relating to Rapiscan Conventional X-ray Detection Systems (the "Technology"), described in Exhibit A, pursuant to the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 U.S.C. §§ 441–444, (the "SAFETY Act"), and the Regulations Implementing the Support Anti-terrorism by Fostering Effective Technologies Act of 2002, 6 C.F.R. Part 25, 71 Fed. Reg. 33147, 33159 (June 8, 2006) (the "Regulations"). Pursuant to Section 25.3 of the Regulations, the Secretary of the Department of Homeland Security has delegated her responsibilities, powers, and functions under the SAFETY Act, except the authority to declare that an act is an Act of Terrorism for purposes of Section 444(2) of the SAFETY Act, to the "Under Secretary for Science and Technology of the Department or the Under Secretary's designees." The Under Secretary for Science and Technology has designated the Deputy Under Secretary for Science and Technology as another senior official who, in addition to the Under Secretary for Science and Technology, has authority to make SAFETY Act determinations regarding Designations, Certifications, and other matters in accordance with the SAFETY Act and the Regulations.

After thoroughly reviewing the analysis of the Office of SAFETY Act Implementation relating to this application and the Technology, I have determined that the Technology satisfies the criteria set forth in Section 442(d)(2) of the SAFETY Act and in Section 25.8 of the Regulations. Accordingly, I hereby issue a Certification (as defined in Section 25.9(a) of the Regulations) of the Technology to OSI Systems, Inc., and Rapiscan Systems, Inc. (the "Seller"). Pursuant to Section 442(d)(3) of the SAFETY Act and Section 25.9(i) of the Regulations, also enclosed are

Certificates of Conformance for the Technology, and I have directed that the Technology be placed on the "Approved Products List for Homeland Security."

### TERMS AND CONDITIONS

- Description of Technology. This Certification applies only to the Technology described in Exhibit A (attached).
- Seller of the Technology. OSI Systems, Inc., a Delaware corporation, and Rapiscan Systems, Inc., a California corporation, are the Sellers of the Technology for purposes of the SAFETY Act, the Regulations (including Section 25.2 of the Regulations), and this Certification.
- Term of Certification. This Certification is effective on the date of this SAFETY Act Certification and will remain in effect for the same term as the SAFETY Act Designation for the Technology that I have issued to the Seller on the date hereof (the "Related Designation"). Accordingly, this Certification will terminate on the "Designation Termination Date" (as such term is defined in the related Designation). The Seller may apply for renewal of this Certification in connection with an application for renewal of the related Designation.
- Earliest Date of Sale. For purposes of Section 25.7(c) of the Regulations, the earliest date of sale of the Technology to which this Certification applies is January 1, 1999 (the "Earliest Date of Sale"). This Certification applies, and will apply, to all sales of the Technology by the Seller that were or are consummated at any time during the period commencing on the Earliest Date of Sale and ending on the Designation Termination Date (as defined above).
- Special Restrictions on Transfer and Assignment. None
- Special Restrictions on Licensing. None
- Other Conditions. The Certification only applies to the following models of the Rapiscan Conventional X-ray Detection Systems: 515, 520B, 522B, 618XR, 620DV, 620XR, 622XR, 624XR, 626XR, 627DV, 627XR, 628DV, 628XR, 632DV, 632XR, 636SV, 638DV, and 638XR.

Except for terms expressly defined in this Certification, all terms used in this Certification shall have the meanings ascribed to them in the SAFETY Act or the Regulations. This Certification is issued under the authorities set forth in, and in accordance with, the SAFETY Act and the Regulations. The SAFETY Act and the Regulations contain other requirements that are applicable to the Seller and the Technology. In the event of any conflict between this SAFETY Act Certification and the SAFETY Act or the Regulations, the SAFETY Act or the Regulations (as the case may be) shall take precedence and shall control. This issuance of Certification under the SAFETY Act does not constitute compliance with any statutory or regulatory requirements

other than those the SAFETY Act and the Regulations impose and does not relieve the Seller of any obligations it might have under any other Federal, State, or local statutes or regulations.

As an added benefit for obtaining SAFETY Act Certification, we can grant OSI Systems, Inc., and Rapiscan Systems, Inc. authorization to use the SAFETY Act Certified™ logo, a copy of which is attached. The SAFETY Act Certified™ logo is a certification mark that is only available for use by those Sellers of technologies that have obtained SAFETY Act Certification. We control the use of the mark to ensure that its display by a Seller serves as an indication that the displaying Seller has obtained SAFETY Act Certification from the Department of Homeland Security for a certain identifiable technology/product/service.

At this time, we are not requiring users to sign a terms of use agreement/license to use the mark, but we may do so in the future. For the term of your SAFETY Act Certification, you are authorized to use the mark with the following restrictions:

- 1) Seller must display the mark as depicted in the attachment. Seller may not alter or modify the mark as depicted. However, Seller is permitted to display a gray-scale version of the mark.
- 2) Seller must ensure that the mark is displayed in connection with discussion of the technology for which SAFETY Act Certification was obtained.
- 3) Seller is not permitted to display the mark in a manner that would inaccurately indicate or attribute SAFETY Act Certification for technologies that have not been certified.
- 4) The permission to use the mark does not include authorization to display the Department of Homeland Security seal. Separate written authorization is required for use and display of the Department of Homeland Security seal.
- 5) This authorization is non-transferable and Seller may not authorize others to use the SAFETY Act Certified™ logo; a separate request must be made.

Lastly, please note that it is currently against the Department of Homeland Security's policy to allow the official Department of Homeland Security seal to be used in a manner that implies endorsement of any commercial product, service, or policy of a commercial entity. Although OSI Systems, Inc., and Rapiscan Systems, Inc. have obtained SAFETY Act Certification for a specific Anti-Terrorism Technology, the Department of Homeland Security cannot endorse OSI Systems, Inc., and Rapiscan Systems, Inc.'s Technology over another. Therefore, we do not grant authorization to use the official Department of Homeland Security seal in conjunction with Designations or Certifications. However, as noted above, the use and display of the SAFETY Act Certified™ seal is an additional benefit bestowed upon Sellers that have obtained SAFETY Act Certification.

Any questions regarding this Certification should be directed to the SAFETY Act Help Desk by e-mail at [SAFETYActHelpDesk@dhs.gov](mailto:SAFETYActHelpDesk@dhs.gov) or by phone at 1-866-788-9318. Please reference application number C-EXPL-BIAGINIOSI-0001-3-REN2 (F-94-E) in all correspondence.

Sincerely,



Paul Benda  
Deputy Under Secretary for Science and Technology (Acting)

Attachment:

1. OSI Systems, Inc., and Rapiscan Systems, Inc, Exhibit A
2. SAFETY Act Certified™ logo
3. Certificates of Conformance

**EXHIBIT A**

**F-94-E**

**OSI SYSTEMS, INC.  
AND RAPISCAN SYSTEMS, INC.  
C-EXPL-BIAGINIOSI-0001-3-REN2 – RAPISCAN CONVENTIONAL X-RAY  
DETECTION SYSTEMS**

OSI Systems, Inc., a California corporation, and Rapiscan Systems, Inc., a California corporation, provide Rapiscan Conventional X-ray Detection Systems which are non-intrusive X-ray devices using ionizing radiation, software, and hardware to create a display for an operator to view a density-based picture in which shapes and material types contained in baggage, parcels, or other containers are outlined (the "Technology"). The Technology can be used to screen baggage, parcels, or containers in mobile or fixed locations. The Technology is designed to be effective against conventional explosives or incendiary weapons, including improvised explosive devices. The Technology covered by this Designation is limited to specific models of the Rapiscan Conventional X-ray Detection Systems in the 500 and 600 Model Lines as follows:

- Rapiscan Conventional X-ray Detection Systems 500 Model Line: 515, 520B and 522B
- Rapiscan Conventional X-ray Detection Systems 600 Model Line: 618XR, 620DV, 620XR, 622XR, 624XR, 626XR, 627DV, 627XR, 628DV, 628XR, 632DV, 632XR, 636SV, 638DV, and 638XR

Also included in the Technology are associated products and services such as: operation and maintenance training; system installation and integration; preventative maintenance; warranty and maintenance services; spare parts; personnel qualifications; technical manuals; image interpretation aids; system removal; peripherals; and software and hardware upgrades.



U.S. DEPARTMENT OF HOMELAND SECURITY

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SCIENCE & TECHNOLOGY



## *Certificate of Conformance*

*This will certify that, on this date,*

*the United States Department of Homeland Security granted to*

***Rapiscan Systems, Inc.***

*a California Corporation*

*a Certification for its*

*Rapiscan Conventional X-ray Detection Systems*

*as an 'Approved Product for Homeland Security' under the*

*Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (the SAFETY Act).*

*RL*

*6/7/11*

***Paul Benda***

**Date**

*Deputy Under Secretary for Science and Technology (Acting)*



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*6/7/11*

**Paul Benda**

**Date**

*Deputy Under Secretary for Science and Technology (Acting)*