

SAFEGUARDS

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US CARB UPDATES: PART 4 COMPOSITE WOOD PRODUCTS MANUFACTURED BEFORE MILL CERTIFICATION MAY BE RETROACTIVELY CERTIFIED AS 'NON COMPLYING LOTS'

A regulatory advisory primarily directed to manufacturers of composite wood products was published to detail the provisions that can be applied by a manufacturer for inventories produced before being recognized as a producer of CARB (California Air Resource Board) compliant composite wood product by an approved third party certifier.

In December 2008, a regulatory advisory primarily directed to manufacturers of composite wood products was published by the California Air Resources Board (CARB)¹. On January 1, 2009, the Airborne Toxic Control Measure's (ATCM) Phase 1 formaldehyde emission standards took effect for Hardwood Plywood - Veneer Core (HWPW-VC), Particleboard (PB), Medium Density Fiberboard (MDF) and thin-MDF (≤ 8 mm). The Phase 1 formaldehyde emission standards for HWPW-Composite Core (CC) will take effect on July 1, 2009². To be in compliance, manufacturers of such composite wood products are required to retain the services of a CARB approved independent third party certifier (TPC) to verify that their manufacturing mill production is in compliance with the applicable emission standards.

There are a number of manufacturing mills that have received their TPC approval as a producer of CARB certified composite wood products. Some of these certified mills have accumulated inventories that were produced before they received their official CARB certification approval by TPC. CARB recognizes that the formaldehyde emission of some of these composite wood products was at levels below the Phase 1 emission standards. These products that were manufactured before the mill was CARB certified may be retroactively certified using the 'non complying lots' provision in the ATCM.

The ATCM provisions for 'non complying lots' may be utilized by manufacturers for panels that are still in their possession or under their control. Such 'non-complying lot' panels may be deemed as CARB compliant if provisions for 'non-complying lots' are followed (California Code of Regulations, title 17, section 93120.12, Appendix 2, subsections 9g) (5) – (g) (8).

¹ Certification of 'Non-Complying Lots' produced by CARB Certified Manufacturers, Composite Wood Products', ATCM Advisory: 08-01; http://www.arb.ca.gov/toxics/compwood/outreach/advisory_noncomplyinglots.pdf

² [Safeguard 60/08 'California: Formaldehyde Emission Requirements to be Lowered for Composite Wood Products' and references therein](#)



The summary of steps is highlighted below:

- Manufacturers must have valid third party certification (§ 93120 (3) (b)).
- Manufacturer's TPC must be notified.
- If necessary, the 'non-complying lot' may be treated to reduced formaldehyde emissions by using a scavenger or by other means such as aging.
- Retesting of samples from the 'non-complying lot'. Retesting consisting of:
 - Testing at least 3 panels from 3 separate bundles from each 'non-complying lot'. Each panel shall be tested using the manufacturer's small scale quality control test method.

³ <http://www.hardlines.sgs.com/carb-composite-wood-products-consumerproducts>

- In the event that a 'non-complying lot' cannot be certified, the TPC shall be informed promptly in writing.

If the test results indicate the products comply with the applicable formaldehyde emission standard, the manufacturer may deem the 'non-complying lot' as CARB compliant and must follow the manufacturer's labeling requirements (§ 93120.3(e)) for the applicable lots. Such manufacturers must inform their TPC of the disposition of such 'non-complying lots' and must keep records on the amount of product handled in this manner. Similarly, TPCs are required to maintain such records.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for the emission of formaldehyde in composite wood products destined for California and International markets. Our laboratories in Hong Kong and Guangzhou are approved by CARB to conduct third party certification services of composite wood products destined for California. For further information, please visit our website³ or contact your nearest SGS office.

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