

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS

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## US EPA PROPOSES STANDARDS FOR THIRD-PARTY CERTIFICATION FRAMEWORK AND FORMALDEHYDE EMISSION STANDARDS

The US Environmental Protection Agency (EPA) has opened a comment period until 9 August 2013 on their proposed rules to identify roles and responsibilities of Third-Party Certifiers to certify composite wood product producers, the requirements for organisations that accredit these certifiers, and to set Federal formaldehyde emission standards at the same levels as the California Air Resources Board (CARB).

On 10 June 2013, the US EPA proposed specific roles and responsibilities of Third-Party Certifiers (TPCs) under Title VI of the Toxic Substances Control Act (TSCA). Title VI is also known as the Composite Wood Products Act and "establishes formaldehyde emission standards for hardwood, plywood, particleboard, and medium-density fiberboard (composite wood products)."<sup>1</sup> The TPCs would be accredited by EPA-approved Accreditation Bodies (ABs) and then in turn be able to certify producers of composite wood panels. This means the TPC will be experienced in complying with ISO/IEC Guide 65:1996(E) for product certification, and with ISO/IEC 17020:1998(E) for conducting inspections of manufacturers. Accredited TPCs will be required to conduct quarterly testing currently required under TSCA Title VI using ASTM 1333-10 in order to ensure continued accuracy of results. A US-based agent will be required for any TPC in order to facilitate communication between EPA and the TPC, meaning the agent must be physically present and able to accept notices of administrative proceedings.

In making its proposal, the EPA looked to harmonise with existing programmes, and has relied heavily on the California Air Resources Board (CARB) Airborne Toxic Control Measure To Reduce Formaldehyde Emissions From Composite Wood

<sup>1</sup> [Federal Register Volume 78, Number 111, 10 June 2013 Part IV - Environmental Protection Agency](#)

<sup>2</sup> [Airbone toxic control measure to reduce formaldehyde emissions from composite wood products; Federal Register Volume 78, Number 111, 10 June 2013](#)



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Products.<sup>2</sup> Many of the proposed rules, such as TPC accreditation and re-accreditation come from that. Unlike CARB, the EPA is proposing to have TPCs renew their application every three years instead of two to participate as certifiers of composite wood products, and is seeking public comment on the costs and benefits of that proposal.

Once a TPC is accredited, it must:

- Verify panel producers have adequate QA controls and are complying with QA/QC requirements,
- Verify QC test results with quarterly round-robins for laboratories,
- Look for opportunities for reduced testing during application reviews for panel producers,
- Establish QC limits, and shipping QC limits if applicable,
- Inform producers of the process used to show lots exceed the applicable QC limit,
- Inspect/audit producers at least quarterly,
- Use laboratories that comply with ISO/IEC Guide 65:1996(E),
- Certify the products that comply with TSCA Title VI,
- Follow ISO/IEC 17020:1998(E) when carrying out inspections,
- Provide TPC number to producer for recordkeeping purposes,
- Ensure the laboratories participate in a proficiency testing programme,
- Maintain records electronically for three years,
- Provide an annual report to EPA and the relevant AB,
- Inform relevant AB of any changes in key personnel, procedures, or laboratories.

Failure to comply with these provisions, according to the proposal, could result in the TPC losing its certification status.

Current CARB-approved TPCs may continue to carry out certification activities as long as they are compliant with all other aspects of TSCA Title VI, but will have 365 days after these proposed regulations go into effect to be accredited by an EPA-approved AB.

Any laboratory used to perform the formaldehyde analyses must also be accredited by an EPA-approved laboratory accreditation body, and would need to demonstrate experience using ASTM E1333-10 for formaldehyde emissions.

The Accreditation Bodies (ABs) would be of two types: the Product AB and the Laboratory AB. The first would accredit the TPCs, making sure they are in conformance with the ISO/IEC guidelines listed earlier along with other product-conformance related requirements. The second would accredit the testing lab for formaldehyde analysis. It is possible that a single organisation could perform both functions. The AB must be a signatory to the International Accreditation Forum (IAF) or to the International Laboratory Accreditation Cooperation (ILAC), or an equivalent organisation. Once approved, an AB must maintain conformance with the relevant guidance documents. EPA is seeking comments on what other oversight bodies are equivalent to IAF and ILAC so as to ensure any qualified ABs are not excluded because they are signatories to other organisations.

The final proposed rule is to make the TSCA formaldehyde emission standards the same as the CARB emission standards<sup>1, 2</sup> and would take effect 180 days after the promulgation of the rule:

	EMISSION STANDARDS (PPM)
Hardwood Plywood - veneer core	0.05
Hardwood Plywood - composite core	0.05
Particle Board	0.09
Medium-Density Fiberboard	0.11
Thin Medium-Density Fiberboard ( ≤ 8 mm thickness)	0.13

Testing is done using ASTM E 1333 which determines the amount of formaldehyde emitted by the wood products when placed in a large chamber under conditions designed to simulate product use. These requirements would apply to all composite wood products supplied, offered for sale, or manufactured in the US. These products would all require certification from a TPC, and this would apply whether the product was supplied as a panel or incorporated into a finished good. Manufacturers of veneer products, where wood is attached to a compliant platform using a no-added formaldehyde (NAF) resin, would be exempted from certification, but would have to reapply for this exemption every two years. To qualify for this exemption, manufacturers would need to maintain records that demonstrate they are using NAF resins and compliant platforms. EPA is requesting public comment on this also.



SGS has a very comprehensive composite wood products testing and certification program. Throughout our global network of laboratories, we are able to provide a range of services, including testing and certification for composite wood products for US markets. Please do not hesitate to contact us for further information.

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