

EPA'S RULE TO IMPLEMENT THE FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS ACT

On July 7, 2010, President Obama signed the Formaldehyde Standards for Composite Wood Products Act into law. This legislation, which added Title VI to the Toxic Substances Control Act (TSCA), established limits for formaldehyde emissions from composite wood products: hardwood plywood, medium-density fiberboard, and particleboard. The national emissions standards in the law are designed to reduce exposures to formaldehyde, avoid harmful health effects and mirror standards previously established by the California Air Resources Board (CARB) for products sold, offered for sale, supplied, used or manufactured for sale in California. Congress tasked the U.S. Environmental Protection Agency (EPA) with developing regulations to implement this Act.

Specifically, this rule will:

- Limit formaldehyde emissions from composite wood products that are sold, manufactured, or imported in the United States. Formaldehyde is found in the adhesives used in a wide range of composite wood products.
- Level the playing field for domestic manufacturers who have a high rate of compliance with the California standard and will ensure that imported products not subject to California's requirements will meet the new standard.
- Require labelling these wood products as TSCA Title VI compliant one year after the rule is published.
- Set testing requirements to ensure that products comply with those standards.
- Establish a third-party certification program to ensure that composite wood panel producers comply with the new emissions limits
- Establish requirements for accreditation bodies to be recognized by EPA that will accredit the third-party certifiers.
- Include exemptions from some testing and recordkeeping requirements for products made with ultra low-emitting and no-added formaldehyde resins.

How will formaldehyde emissions from composite wood products be tested?

All panel producers are required to have their products tested by an EPA TSCA Title VI Third Party Certifier to ensure their products are certified as compliant with the emissions standards.

Panel producers are also required to conduct quality control tests on a regular basis to ensure that regulated composite wood products meet emissions standards.

To ensure quality control, third-party certifiers (TPCs) are required to establish quality control limits for formaldehyde emissions as well as determine a process to ensure panel producers and laminated product producers are meeting these limits. TPCs must also inspect panel producers' products and records and verify quality control test results.

How do I know if the wood products I'm buying comply with the regulation?

Beginning a year after publication of the final rule in the Federal Register, when shopping for composite wood products or finished goods containing composite wood products, EPA recommends that consumers look for products that are labelled TSCA Title VI compliant.

Composite wood products and finished goods containing regulated composite wood products are required to be labelled as such by one year after the final rule is issued.

Are renovators and contractors who install regulated composite wood products subject to the final rule requirements?

Under this rule, persons or entities in the construction trades are neither fabricators nor retailers by selling, renovating, or remodeling buildings. TSCA Title VI is intended to regulate goods that move freely through the product supply chain and that are produced through a manufacturing process at a manufacturing facility. By regulating the manufacture of a product, the regulation works to ensure that only compliant composite wood products enter the marketplace.

When do the rule requirements go into effect?

The formaldehyde emissions standards go into effect one year after the rule is finalized.

How does EPA ensure that composite wood products do not exceed the emissions standards?

EPA established a third-party certification program for laboratory testing and oversight of formaldehyde emissions from manufactured and/or imported regulated composite wood products. This helps to ensure only composite wood products compliant with the formaldehyde emissions standards enter the supply chain.