



Stile and Rail Doors, Door Frames
Veneered Components, Plywood

Flush Doors

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RE: CARB Requirements

1/1/2009

In 2007, the California Air Resources Board (CARB) approved an airborne toxic control measure (ATCM) to reduce formaldehyde emissions from composite wood products and finished goods that contain composite wood products that are sold, offered for sale, supplied, used, or manufactured for sale in California.

On January 1, 2009 the ATCM's Phase 1 emission standards took effect for hardwood plywood with veneer core, particleboard, medium density fiberboard (MDF), and thin MDF (thickness 8 millimeters or less). The Phase 1 emission standard for hardwood plywood composite core will take effect on July 1, 2009. Formaldehyde resins and adhesives may still be used in the manufacturing of the applicable composite wood products listed in the ATCM regulation; the formaldehyde adhesives need to be in compliance with the new emission standards.

The ATCM applies to:

1. Manufacturers of hardwood plywood, particleboard, and medium density fiberboard.
2. Fabricators that use hardwood plywood, particleboard, and medium density fiberboard to make other goods that are sold, offered for sale, or supplied for use in California.
3. Distributors of hardwood plywood, particleboard, medium density fiberboard, and finished goods that contain the aforementioned composite wood products.

Eggers Industries is designated as a fabricator based on the following CARB definition:

“Fabricator” means any person that uses composite wood products to make finished goods.
“Fabricator” includes producers of laminated products”

Except as provided in the “sell-through” provisions, all fabricators must comply with the requirements for all composite wood products and finished goods containing these materials that are sold, supplied, offered for sale or purchased for sale in California.

For products that are fabricated with CARB compliant materials, Eggers Industries is required to label finished goods destined for sale or supply in California. The label may be applied as a sticker on every finished good or as a tag on every pallet containing finished goods.

If no construction modifications are being made to the products supplied to your company by Eggers Industries, you would be designated as a distributor based on the following CARB definition:

“Distributor” means any person to whom a composite wood product or finished good is sold or supplied in the State of California for the purpose of resale or distribution in commerce.”

Except as provided in the “sell-through” provisions, all distributors must comply with the requirements for all composite wood products and finished goods containing these materials that are sold, supplied, offered for sale, or purchased for sale in California.

I have attached a copy of the CARB requirements and the “sell-through” provisions for “Distributors”.

If you would like to learn more about CARB please visit the following websites:

<http://www.arb.ca.gov/toxics/compwood/compwood.htm>

<http://www.arb.ca.gov/regact/2007/compwood07/fro-final.pdf>

If you have any questions or concerns about the procedures described in this document please contact me.

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**AIRBORNE TOXIC CONTROL MEASURE TO REDUCE FORMALDEHYDE EMISSIONS
FROM COMPOSITE WOOD PRODUCTS**

§ 93120.5 *Requirements for Distributors of Hardwood Plywood (HWPW), Particleboard (PB), Medium Density Fiberboard (MDF), and Finished Goods Containing Those Materials.*

(a) Emission Standards.

Except as provided in the “sell-through” provisions of section 93120.12, Appendix 1, all distributors must comply with the requirements of section 93120.2(a) for all composite wood products and finished goods containing these materials that are sold, supplied, offered for sale, or purchased for sale in California.

(b) Additional Requirements to Help Ensure that Complying Composite Wood Products and Finished Goods are Purchased.

Distributors must take reasonable prudent precautions to ensure that the composite wood products and composite wood products contained in finished goods that they purchase comply with the emission standards specified in section 93120.2(a). “Reasonable prudent precautions” include, at a minimum, instructing each supplier that the composite wood products and finished goods they supply to a distributor must comply with the applicable emission standards, and obtaining written documentation from each supplier that this is so.

In addition, distributors must keep records showing the date of purchase and the supplier of the composite wood products and finished goods, and document the precautions taken to ensure that the composite wood products and composite wood products contained in finished goods comply with applicable emission standards. These records must be kept in electronic or hard copy form for a minimum of two years and provided to ARB or local air district personnel upon request.

This section does not affect the liability of any person for any violation of section 93120.2(a).

(c) Product Labeling Requirements for Composite Wood Products and Finished Goods.

(1) *Composite Wood Products.* If the composite wood products procured by a distributor are not modified by the distributor, no additional labeling is required. If the composite wood products are modified, distributors are subject to the labeling requirements specified for fabricators in section 93120.7(d).

(2) *Finished goods containing HWPW, PB, or MDF.* If the finished goods purchased by a distributor are not modified by the distributor, no additional labeling is required. If the finished goods are modified, the distributor must label the modified goods as specified for fabricators in section 93120.7(d).

**AIRBORNE TOXIC CONTROL MEASURE TO REDUCE FORMALDEHYDE EMISSIONS
FROM COMPOSITE WOOD PRODUCTS**

(d) Statement of compliance.

For each composite wood product or finished good made with these materials, the distributor must state on the bill of lading or invoice, that the composite wood products or composite wood products contained in finished goods comply with the applicable Phase 1 or Phase 2 emission standard specified in section 93120.2(a).

(e) Facility inspections. Distributors may be inspected by ARB or local air district personnel. In the course of an inspection, ARB or local air district personnel may request to audit records or secure samples for testing. Composite wood products or finished goods secured during an inspection are subject to testing, using the applicable enforcement test method specified in section 93120.9, to determine compliance with the applicable emission standards.

CARB Sell-Through Provisions for Distributors

Sell-through by Distributors of Finished Goods Containing Hardwood Plywood made with a Veneer Core (HWPW-VC), Hardwood Plywood made with a Composite Core (HWPW-CC), Particleboard (PB), Medium Density Fiberboard (MDF), or thin MDF Before the Effective Dates of the Phase 1 and Phase 2 Emission Standards.

Finished goods containing HWPW-VC, HWPW-CC, PB, MDF, or thin MDF manufactured before the Phase 1 and Phase 2 effective dates specified in section 93120.2(a) may be sold, supplied, offered for sale by distributors for up to eighteen months after each of the specified effective dates. The specific sell-through dates for the Phase 1 and Phase 2 emission standards specified in section 93120.2(a) are as follows:

(A) Finished goods containing hardwood plywood made with a veneer core (HWPW-VC).

1. Finished goods containing HWPW-VC that does not comply with the Phase 1 standard may be sold, supplied, or offered for sale by distributors until June 30, 2010. Beginning July 1, 2010, finished goods containing HWPW-VC, sold, supplied, or offered for sale must comply with the Phase 1 standard, regardless of the date that the product was fabricated.
2. Finished goods containing HWPW-VC that does not comply with the Phase 2 standard may be sold, supplied, or offered for sale by distributors until June 30, 2011. Beginning July 1, 2011, finished goods containing HWPW-VC, sold, supplied, or offered for sale must comply with the Phase 2 standard, regardless of the date that the product was fabricated.

(B) Finished goods containing hardwood plywood made with a composite core (HWPW-CC).

1. Finished goods containing HWPW-CC that does not comply with the Phase 1 standard may be sold, supplied, or offered for sale by distributors until December 31, 2010. Beginning January 1, 2011, finished goods containing HWPW-CC, sold, supplied, or offered for sale must comply with the Phase 1 standard, regardless of the date that the product was fabricated.
2. Finished goods containing HWPW-CC that does not comply with the Phase 2 standard may be sold, supplied, or offered for sale by distributors until December 31, 2013. Beginning January 1, 2014, finished goods containing HWPW-CC, sold, supplied, or offered for sale must comply with the Phase 2 standard, regardless of the date that the product was fabricated.

CARB Sell-Through Provisions for Distributors

(C) Finished goods containing particleboard (PB) and/or medium density fiberboard (MDF).

1. Finished goods containing PB and/or MDF that does not comply with the Phase 1 standard may be sold, supplied, or offered for sale by distributors until June 30, 2010. Beginning July 1, 2010, finished goods containing PB and/or MDF, sold, supplied, or offered for sale must comply with the Phase 1 standard, regardless of the date that the product was fabricated.
2. Finished goods containing PB and/or MDF that does not comply with the Phase 2 standard may be sold, supplied, or offered for sale by distributors until June 30, 2012. Beginning July 1, 2012, finished goods containing PB and/or MDF, sold, supplied, or offered for sale must comply with the Phase 2 standard, regardless of the date that the product was fabricated.

(D) Finished goods containing thin MDF.

1. Finished goods containing thin MDF that does not comply with the Phase 1 standard may be sold, supplied, or offered for sale by distributors until June 30, 2010. Beginning July 1, 2010, finished goods containing thin MDF, sold, supplied, or offered for sale must comply with the Phase 1 standard, regardless of the date that the product was fabricated.
2. Finished goods containing thin MDF that does not comply with the Phase 2 standard may be sold, supplied, or offered for sale by distributors until June 30, 2013. Beginning July 1, 2013, finished goods containing thin MDF, sold, supplied, or offered for sale must comply with the Phase 2 standard, regardless of the date that the product was fabricated.