



COMPOSITE PANEL ASSOCIATION

Advancing the wood-based panel and decorative surfacing industries

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08ces – VA Label Requirements

COMPOSITE PANEL ASSOCIATION CARB FAQ FOR FABRICATORS SEPTEMBER 2008

Q: What is a “fabricator?”

A: The regulation defines a fabricator as any person that uses composite wood products to make finished goods, including laminated products. Fabricators also include those companies producing component parts for downstream use by other fabricators in the production of finished goods.

Q: I laminate panels. Some of the composite wood products I use in my process are purchased from outside companies, and some I make at my own facility. Am I a manufacturer or fabricator?

A: You are both. Because you manufacture your own composite wood products, that part of your production classifies you as a manufacturer and you are required to follow the manufacturer requirements in the regulation for the composite wood products you produce.

Your lamination line would be considered separately and would be classified as a fabrication operation. That part of your production process would have to abide by the fabricator requirements in the rule.

Q: As a fabricator, what do I have to do?

A: For your products that will be sold or used in California, at a minimum you need to use only CARB compliant composite wood products, keep the records of your purchases for at least two years (the bill of lading or invoice you receive from your composite panel supplier clearly identifying the panels purchased by your company were CARB compliant), and label any finished goods appropriately. In addition, CARB is recommending that fabricators enter into explicit agreements with their suppliers to supply only CARB compliant products, and CARB has suggested that fabricators should conduct their own independent verification testing of the panels they buy.

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Q: As a fabricator, do I need to test and certify my products?

A: No. The regulation does not require fabricators to test and certify their finished goods.

Q: What are the labeling requirements for fabricators?

A: Fabricators are required to put a label on every finished good produced, or on every box containing a finished good. The label must include the following information:

1. Fabricator's name
2. Date the finished good was produced
3. Language that clearly indicates the product complies with the applicable Phase 1 or Phase 2 emission limit.

In addition, all invoices or bills of lading must also include a statement of compliance indicating the product meets the applicable Phase 1 or Phase 2 emission limit.

CARB has indicated that the following language, as suggested by CPA, would be acceptable for the required product label and statement of compliance: "Contains [particleboard, MDF, hardwood plywood] that complies with CARB [Phase 1, Phase 2] formaldehyde emission standards in CCR 93120.2(a)."

Q: What does the label need to look like?

A: CARB has not specified a standardized label format that finished good labels need to follow. All they have said is that the necessary information must be readily identifiable on the box or finished good. The required information may even be presented in separate labels if they are all clearly visible.

Q: If I'm making component parts and not finished goods, do I still have to label every individual part?

A: No. If you're making intermediate component parts for use by another company in the production of finished goods, each individual component part does not have to be individually labeled as complying with the regulation. Instead, you can apply a label to the palletized or unitized bundle of component parts. The label must include the fabricator's name, the date the parts were produced, and a marking to denote that the products were made with composite wood products that comply with the applicable Phase 1 or Phase 2 emission limits.

You are still required to supply a statement of compliance on your invoices or bills of lading.

Q: If I'm using composite wood material made with NAF (No Added Formaldehyde) or ULEF (Ultra Low Emitting Formaldehyde) resins, how should I indicate that on my label?

A: If **all** of the composite wood material in your finished good or component part is made with NAF or ULEF resins, you can replace the Phase 1/Phase 2 statement on your label and statement of compliance on your invoice with the following language as suggested by CPA and approved by CARB: "Contains [particleboard, MDF, hardwood plywood] made with [NAF, ULEF] resins that comply with CARB formaldehyde emission standards in CCR 93120.2(a)."

Q: Besides labeling my finished goods and providing a statement of compliance on my invoices, what else do I need to do?

A: You will have to keep the records showing the date of purchase and the supplier of the composite wood products you purchase (including those in component parts or finished goods) and document the precautions taken to ensure that the composite wood products and composite wood products contained in component parts and finished goods comply with the applicable emission limits. 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.

Finally, CARB suggests that fabricators take "reasonable prudent precautions" to ensure that the composite wood products and composite wood products contained in finished goods that they purchase are in compliance with the applicable emission standards and are labeled as complying. Reasonable prudent precautions include, at a minimum, instructing each supplier that the goods they supply to the fabricator must comply with the applicable emission standards and obtaining written documentation from each supplier that this is so.

Q: Are composite wood products certified to another standard (i.e. E1, CPA EPP, etc.) that meet the CARB emission limits but are not CARB certified acceptable under the regulation?

A: No. Non-compliant composite wood products (i.e. those panels not certified to CARB) may not be used in any products sold or used in California, even if the composite wood products meet the CARB emission levels.

Q: If I use CPA EPP certified substrates, can I apply the EPP logo to my finished goods?

A: No. The CPA EPP Program is strictly a raw panel certification program and should only be used with raw composite wood panels. Value added product made with EPP certified substrates may be applicable for the EPP Downstream Program and can use that label if the downstream manufacturer participates in the Downstream program.