

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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**TO: Manufactured Home Manufacturers and Dealers
 Factory-Built Housing Manufacturers
 Commercial Modular Manufacturers and Dealers
 Special Purpose Commercial Modular Manufacturers
 Division Staff**

**SUBJECT: Advisory Notice Regarding Composite Wood Panel Formaldehyde
Emission Requirements**

This Information Bulletin is issued to inform Department of Housing and Community Development (Department) regulated manufactured home, commercial modular, special purpose commercial modular and factory-built home manufacturers and dealers, and interested parties of the recent formaldehyde emission standards relating to the sale of certain composite wood products. These new standards, under the enforcement jurisdiction of the California Air Resources Board (CARB), are new standards restricting the sale of residential or commercial manufactured structures containing composite wood products that emit formaldehyde.

Background

Formaldehyde was designated as a toxic air contaminant in California in 1992 with no safe level of exposure. In 2004, the International Agency for Research on Cancer reclassified formaldehyde from "probably carcinogenic to humans" to "carcinogenic to humans." Under California air toxics laws, CARB is required to take regulatory action in order to reduce toxic formaldehyde exposure to the public.

In 2007, CARB approved an airborne toxic control measure (ATCM) to reduce formaldehyde emissions from composite wood products that are manufactured, supplied or offered for sale (retail) in California. The new CARB regulation became effective January 1, 2009, and requires manufacturers of composite wood products, including particleboard, medium density fiberboard, hardwood plywood-veneer core and hardwood plywood-composite core, upon date of sale, to comply with the formaldehyde emission limit caps established by CARB.

In addition to composite wood products, the ATCM also requires any finished goods for

California to be fabricated from composite wood products that have been certified to meet the CARB emission limits. A list of CARB certified mills can be found at <http://www.arb.ca.gov/toxics/compwood/tpc/listofmills.htm>. Finished goods include items such as wood flooring, doors, cabinetry, furniture, decorative wood panels, closet shelving, etc. These products now must meet the ATCM requirements, including labeling and chain of custody documentation.

Please refer to the CARB website for more specific information, bulletins, and FAQs on this subject at the following internet address:

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

CARB Definitions Application to Department Regulated Manufacturers and Dealers

The CARB ATCM rules published in the California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 7.5, beginning with section 93120.7 defines:

- Manufacturers of manufactured homes, multifamily manufactured homes, commercial modular, special purpose commercial modular and factory-built homes as "Fabricators."
- Manufactured home, multifamily manufactured home, commercial modular or special purpose commercial modular dealers, or manufacturers acting as dealers, or factory-built housing manufacturers selling directly to consumers any factory-built home as "Retailers."
- New or unsold manufactured homes, multifamily manufactured homes, factory-built housing, commercial modular and special purpose commercial modular units sold by a "Retailer" as "Finished Goods."

A copy of the final rule may be obtained through CARB at the following internet address:

<http://www.arb.ca.gov/regact/2007/compwood07/compwood07.htm>.

Manufactured Home Manufacturers and Dealers

The CARB ATCM rules do not apply to hardwood plywood or particleboard manufactured, sold, supplied for installation, or installed in manufactured homes subject to the preemptive U.S. Department of Housing and Urban Development regulations¹. The CARB ATCM rules will only apply to MDF² products that are installed in manufactured homes for sale in California. Generally, MDF products are used in wood flooring, cabinetry, interior door panel skins, door and window trim, baseboard, shelving, fireplace mantles and trim. If in doubt, manufacturers and dealers should

¹ Refer to 24 Code of Federal Regulations, Manufactured Home Construction and Safety Standards, Chapter XX, Part 3280, section 3280.308.

² Including "Thin MDF" product, which is defined by CARB as medium density fiberboard that has a maximum thickness of eight millimeters.

consult with the material supplier(s) for more information relating to product material type.

Manufactured home manufacturers and dealers will be affected by the CARB rules if unsold manufactured homes containing MDF are sold after the prescribed “sell-through” periods established by CARB ending June 30, 2010. For more information on sell through dates, refer to the CCR, title 17, Division 3, Chapter 1, Subchapter 7.5, section 93120.12, appendix 1.

The CARB ATCM rules are under the authority and control of the California Air Resources Board. Any questions or concerns about the standards, exceptions, procedures and enforcement must be referred to the CARB. You may contact Angela Csondes at the CARB at (916) 445-4448 or by email at acsondes@arb.ca.gov .

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