
15 U.S. Code § 2697

Formaldehyde standards

(a) Definitions

In this section:

(1) Finished good

(A) In general

The term “finished good” means any good or product (other than a panel) containing—

- (i) hardwood plywood;
- (ii) particleboard; or
- (iii) medium-density fiberboard.

(B) Exclusions

The term “finished good” does not include—

- (i) any component part or other part used in the assembly of a finished good; or
- (ii) any finished good that has previously been sold or supplied to an individual or entity that purchased or acquired the finished good in good faith for purposes other than resale, such as—
 - (I) an antique; or
 - (II) secondhand furniture.

(2) Hardboard

The term “hardboard” has such meaning as the Administrator shall establish, by regulation, pursuant to subsection (d).

(3) Hardwood plywood

(A) In general

The term “hardwood plywood” means a hardwood or decorative panel that is—

- (i) intended for interior use; and
- (ii) composed of (as determined under the standard numbered ANSI/HPVA HP-1-2009) an assembly of layers or plies of veneer, joined by an adhesive with—
 - (I) lumber core;
 - (II) particleboard core;
 - (III) medium-density fiberboard core;
 - (IV) hardboard core; or
 - (V) any other special core or special back material.

(B) Exclusions

The term “hardwood plywood” does not include—

- (i) military-specified plywood;
- (ii) curved plywood; or
- (iii) any other product specified in—
 - (I) the standard entitled “Voluntary Product Standard—Structural Plywood” and numbered PS 1–07;
 - or
 - (II) the standard entitled “Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels” and numbered PS 2–04.

(C) Laminated products

(i) Rulemaking

(I) In general

The Administrator shall conduct a rulemaking process pursuant to subsection (d) that uses all available and relevant information from State authorities, industry, and other available sources of such information, and analyzes that information to determine, at the discretion of the Administrator, whether the definition of the term “hardwood plywood” should exempt engineered veneer or any laminated product.

(II) Modification

The Administrator may modify any aspect of the definition contained in clause (ii) before including that definition in the regulations promulgated pursuant to subclause (I).

(ii) Laminated product

The term “laminated product” means a product—

(I) in which a wood veneer is affixed to—

- (aa) a particleboard platform;
- (bb) a medium-density fiberboard platform; or
- (cc) a veneer-core platform; and

(II) that is—

- (aa) a component part;
- (bb) used in the construction or assembly of a finished good; and
- (cc) produced by the manufacturer or fabricator of the finished good in which the product is incorporated.

(4) Manufactured home

The term “manufactured home” has the meaning given the term in section 3280.2 of title 24, Code of Federal Regulations (as in effect on the date of promulgation of regulations pursuant to subsection (d)).

(5) Medium-density fiberboard

The term “medium-density fiberboard” means a panel composed of cellulosic fibers made by dry forming and pressing a resinated fiber mat (as determined under the standard numbered ANSI A208.2–2009).

(6) Modular home

The term “modular home” means a home that is constructed in a factory in 1 or more modules—

- (A) each of which meet applicable State and local building codes of the area in which the home will be located; and
- (B) that are transported to the home building site, installed on foundations, and completed.

(7) No-added formaldehyde-based resin

(A) In general

(i) The term “no-added formaldehyde-based resin” means a resin formulated with no added formaldehyde as part of the resin cross-linking structure in a composite wood product that meets the emission standards in subparagraph (C) as measured by—

(I) one test conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to clause (ii), ASTM D-6007-02; and

(II) 3 months of routine quality control tests pursuant to ASTM D-6007-02 or ASTM D-5582 or such other routine quality control test methods as may be established by the Administrator through rulemaking.

(ii) Test results obtained under clause (i)(I) or (II) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

(B) Inclusions

The term “no-added formaldehyde-based resin” may include any resin made from—

(i) soy;

(ii) polyvinyl acetate; or

(iii) methylene diisocyanate.

(C) Emission standards

The following are the emission standards for composite wood products made with no-added formaldehyde-based resins under this paragraph:

(i) No higher than 0.04 parts per million of formaldehyde for 90 percent of the 3 months of routine quality control testing data required under subparagraph (A)(ii).

(ii) No test result higher than 0.05 parts per million of formaldehyde for hardwood plywood and 0.06 parts per million for particleboard, medium-density fiberboard, and thin medium-density fiberboard.

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