

**SUMMARY OF
ALSC STAFF RESPONSES
RATIFIED BY THE ALSC**

November 3, 2023

LUMBER PROGRAM RATIFIED RESPONSES

A. Lumber Program Enforcement Regulations:

1. **Situation:** Section 5.8.2 of the Lumber Program Enforcement Regulations (similar language in 4.3.3.1 of Treated Wood Enforcement Regulation and 5.3.3.1 of Wood Packaging Material Enforcement Regulations) states in part: "...when any mill or facility has at least three items sampled for that month and the average of the three or more items is over 5 percent below grade or over 5 percent excess moisture content or any one item sampled is 7.5 percent or greater below grade or 7.5 percent or greater excess moisture content, the agency shall increase inspections..." and "...When a mill or facility has less than three items sampled each month, and when the rolling average of the items sampled for the most recent three inspections exceed 5 percent below grade or 5 percent excess moisture content, or any one item sampled in any inspection is 7.5 percent or greater below grade or 7.5 percent or greater excess moisture content the agency shall increase inspections..."

a. How is increased inspection applied?

ALS staff response: Since the incorporation of this language in 1995 in the Lumber Enforcement Regulations and similar language in each of the other Enforcement Regulations the ALS staff practice when it reviews the agency records to determine agency compliance to this requirement has been to permit approximately 21 calendar days between the initial problem inspection and the follow-up inspection. Agencies generally make the required follow-up inspection well within the 21 days but there are some agency follow-up inspections that are in excess of the approximate 21 day limit. When the approximate 21 day time frame is exceeded ALS staff points this out to the agency as being non-compliant. (Ratified by ALSC October 27, 2006)

b. Are increased inspections in addition to the minimum of twelve inspections per year required to be performed by the agency?

ALS staff response: Assume the agency inspections have found a mill to be on grade all year with the exception of 1 inspection where a problem was found by the agency--in this case the practice by ALS staff has been not to require 13 inspections as long as the follow-up inspection to the problem was made in a timely fashion (21 calendar days or less) and the lumber was found to be correctly labeled on the follow-up inspection. This practice has appeared to work well as the intent of the provision was to assure that an agency was not delaying in following up on a problem and that the mill was producing a properly labeled product on an ongoing basis. (Ratified by ALSC October 27, 2006)

Some judgment is required of ALS staff in the review of a particular mill file and that judgment has been to determine not only if the specific requirement for increased inspection has been met but if the overall intent of 5.8.2 has been accomplished by the supervising agency. The important question we try to answer is that the mill is producing a properly labeled product. There may be times when an agency has visited a particular mill every week or even more often and found significant problems throughout the year---in this case the agency can hardly increase inspections since it is there almost all the time and when a mill such as this is encountered by ALS staff the overall performance of the mill with the agency will be addressed rather than be

concerned with the increased inspections or the number of inspections. The objective is to get the lumber on grade and not to just make more inspections. (Ratified by ALSC October 27, 2006)

- 2. Situation:** Section 5.8.2 contains language pertaining to the “when any mill or facility has at least three items sampled for the month and the average of three or more items is over 5 percent below grade or over 5 percent excess moisture content...” and “...a mill or facility has less than three items sampled for the month, and when the rolling average of the items sampled for the most recent three inspections exceeds 5 percent below grade or 5 percent excess moisture content...”

ALS staff response: Either the footage inspected or the percentages found on items inspected to determine the rolling average is permitted provided the agency declares which way the average percent below grade or percent moisture content will be determined and consistently uses that method. (Ratified by ALSC October 27, 2006)

3. Response Clarifying Heat Chamber Terms:

Identical language is found in the following two sections 13a)2)i) and 13a)2)ii) in Section 13-Heat Chamber of the Lumber Enforcement Regulations and sections 8a)2)i) and 8a)2)ii) in Section 8-Heat Chamber of the Wood Packaging Material Enforcement Regulations:

- 2)** *Agencies shall conduct a verification study for heat treating chambers and heat treating schedules when either of the following conditions are present:*
- i) except for Option C of CFIA PI-07, heating chambers using only dry heat which utilize one or more schedules that do not maintain an operating temperature of 160° F (71° C) or greater (not including ramping temperatures);*
 - or,*
 - ii) heating chambers using both dry and wet heat (steam) which utilize one or more schedules that do not maintain a wet bulb operating temperature of 140° F (60° C) or greater (not including ramping temperatures).*

Concern has been expressed that there may not be uniform application of the sections for heat chambers that use “only dry heat” or use “both dry and wet heat (steam)”.

ALS staff response:

- “only dry heat” – applies to a heat chamber that uses only dry heat. The chamber may utilize a dry bulb only or a dry bulb and wet bulb to measure temperatures. When the heat source is “only dry heat” and the heat chamber utilizes one or more schedules that do not maintain an operating temperature of 160° F (71° C) or greater (not including ramping temperatures) a verification study is required. Determination for a verification study is based solely on the dry bulb temperature reading and the wet bulb temperature reading is disregarded. (Ratified by ALSC November 14, 2008)
- “both dry and wet heat (steam)” – applies to a heat chamber that uses both dry and wet heat (steam). The key term is “steam” and when steam is utilized to heat the chamber a wet bulb reading must be recorded. If the chamber utilizes one or more schedules that do not maintain a wet bulb operating temperature of 140° F (60° C) or greater (not including ramping temperatures) a verification study is required. Determination for a verification study is based solely on the wet bulb temperature reading and the dry bulb temperature reading is disregarded. (Ratified by ALSC November 14, 2008)

4. Response Clarifying Sections 5.10.1 and 5.10.1.1

Situation: An agency recently requested clarification as to when the grade stamp would be required to be removed on grade stamped dimension lumber that is resawn.

ALS staff response: Applicable sections of the Lumber Enforcement Regulations are 5.10.1 and 5.10.1.1. The sections are shown below for reference:

5.10.1 When grade stamped lumber is resawn or remanufactured in such a way as to potentially alter the grade, the original mark shall be removed or obliterated except in the following circumstances:

5.10.1.1 Lumber for pre-cut packaging components marked for HT or KDHT compliance is not required to have the preexisting grade mark removed or obliterated.

Section 5.10.1 is clear as to when the original mark should be removed or obliterated; however, an exception is listed in Section 5.10.1.1 for pre-cut packaging components. The following examples are intended to clarify the language:

- A grade stamped piece of lumber is resawn and is to be furnished to a customer that intends to use the lumber in the construction of wood packaging.
 - If the original grade stamp does not include the term "HT", it must be removed or obliterated per 5.10.1 by the remanufacturer.
 - If the original grade stamp does include the term "HT", it would not be required to be removed or obliterated per 5.10.1.1. It should be noted that unless the non-marked pieces are relabeled HT by the remanufacturer the wood packaging facility can only use the piece of the resawn product that is marked heat treated in ISPM 15 compliant WPM unless the lumber or resulting WPM is further treated. (Ratified by ALSC November 11, 2011)

5. Application of Section 6.2.3

Situation: A question was asked concerning the application of the phrase pertaining to "further processing" or "processing" as shown in Section 6.2.3.

ALS staff response: The production of rough heat treated lumber at one mill that is processed into components and where no further processing of the components will take place is acceptable for use by a second mill or facility when the following conditions are met:

- All requirements of Section 6.2.3 are met, including defining the process in the written quality control program.
- The components are utilized at the second mill or facility for in-house WPM production; or,
- The rough heat treated lumber components are appropriately

marked HT per the Lumber Enforcement Regulations requirements by the second mill or facility when shipped directly to another WPM facility for use in ISPM 15 compliant WPM. (Ratified by ALSC November 8, 2013)

6. Clarification of Heat Treat definition in PS-20

Situation: A question was received regarding heat treatment using progressive dry kilns (PDK). As PDK's may be open ended with drying occurring as lumber moves through the kiln concern was that the definition for heat treatment occurring in a closed chamber could not be met.

ALS staff response: Section 2.12 of PS 20 states "*heat treated (HT)-lumber or other wood products that have been heated in a closed chamber, with or without moisture content reduction, until it achieves a minimum core temperature of 56° C for a minimum of 30 minutes.*"

Given the increase in the use of Progressive Kilns, which have the demonstrated ability to meet and exceed the time and temperature requirements of HT (56° C for 30 minutes), it is believed that Progressive Kilns are within the requirement of Section 2.12 of PS 20-15 and produce lumber that meets the HT requirements. (Ratified by ALSC November 4, 2016)

7. Confusing or deceptive mill stamps

Situation: Recently a question was asked for clarification of the meaning of confusingly or deceptively similar grademarks as expressed in the enforcement regulations for lumber, treated wood, and wood packaging material and how it relates to mill stamps. It has been recognized that confusingly or deceptive mill stamps have become a much more common occurrence in the last decade and a clearer explanation of the ALSC policy toward them and the ALSC expectations for ALSC accredited agencies members reaction to such confusing or deceptive stamps, when encountered, is desired.

Definition: Mill stamping is the practice of applying standalone "grademarks" or labels to lumber (on lumber destined for markets where the ALSC accredited agency grademark is formally recognized) by a mill without an accompanying ALSC accredited agency trademark.

Background: Mill stamps being applied to lumber and utilizing ALSC formatting or nomenclature such as grade, species, moisture content, or heat treatment designation have created circumstances where material can be falsely represented as equivalent to lumber with ALSC accredited agency grademarks. When the format and nomenclature used in a mill stamp are confusingly or deceptively similar to the established ALSC format outlined in the National Grading Rule, consumers can be quite easily fooled into believing they are purchasing ALSC accredited material.

This mill stamped material, if in structural lumber sizes, is not equivalent to ALSC accredited material and does not have the associated structural design values. In addition, if the material is mill stamped as HT, the material has had no ALSC accredited auditing of the heat treatment process and therefore, it cannot be utilized in

the ALSC accredited IPPC stamped packaging program without further heat treatment supervised by an ALSC accredited agency.

Examples of confusing or deceptive mill stamps are shown below.



Staff Response: When an Agency enters into a contract to become an ALSC accredited agency they agree to abide by all of the provisions of the American Softwood Lumber Standard PS 20, American Lumber Standard Committee Bylaws, the American Lumber Standard Committee-Board of Review Enforcement Regulations and Guidelines, Memorandum of Understanding between the American Lumber Standard Committee and the United States Department of Agriculture Animal and Plant Health Inspection Service Plant Protection and Quarantine (APHIS), Wood Packaging Material Policy and Wood Packaging Material Enforcement regulations, and all other requirements and policies of the American Lumber Standard Committee and the Board of Review as now in effect or hereafter adopted.

Section 5.6.8 of Wood Packaging Material Enforcement Regulations (similar to language in 4.6.9 of Treated Wood Enforcement Regulation and 6.3 of the Lumber Program Enforcement Regulations) clearly states in part: "It is the policy of the ALSC that ... quality marks, grademarks, grade stamps, labels, brands, certificates or other product description shall not be confusingly or deceptively similar to the grademarks of any Board accredited agency, including, but not limited to...."

It is the responsibility of ALSC accredited agencies upon observing confusing or deceptive mill stamping at their member mill sites (on lumber destined for markets where the ALSC accredited agency grademark is formally recognized) to inform the Agency member that confusing or deceptive stamping is not permitted, to advise the member mill that the practice must stop, and to monitor for recurrence. Such lumber when found shall be held and mill marks obliterated. In addition, the ALSC accredited agency must report these occurrences to the ALSC office.

The agency responsibility applies to marks used instead of or in addition to an accredited grade mark (specifically this does not pertain to accepted mill branding practices as defined in ratified response Section D.9).

If ALSC identifies material with confusingly or deceptively similar grade marks on it, it will notify the agency involved (if applicable) and notify interested parties and relevant code officials regarding the non-approved mark. (Ratified by ALSC November 5, 2021)

8. Permissible information located greater than 6 inches from grade mark.

Situation: A request has been made to further clarify what information included on ALSC-stamped products by an ALSC accredited agencies subscriber would be considered a confusing or deceptive marking. Note that in general products are permitted to be stamped with marketing and other language provided that such other information is at least six inches from the grade-stamp and such other information is not confusingly or deceptively similar to the grademarks of an ALSC-accredited agency. ALSC staff has observed several examples of labels located greater than 6 inches from the grade stamp which may be considered confusingly or deceptively similar to ALSC-accredited agency grademarks (Figures 1-3).



Figure 1 — shows examples of marking grade nomenclature in the applicable accredited agency's rule book even though the boards are not being graded according to the grade designation. The stamped information 3 and APP label are present on lumber when not being graded according to 3 or APP rule.



Figure 2 — Labels using terms that are clearly non-ALSC terms like “Top Choice” and a reproduction of the American flag.



Figure 3 – Shows several examples that illustrate use of ALSC grade terms “Prime”, “Premium”, “Select”, or species on lumber even though these terms may not be in the particular agency’s rule book.

ALSC staff response: ALSC staff will object if there is wording or symbols that reflect the species, grade name, moisture content, or phytosanitary treatment on a product (the “Product Marking”) that is included in the book of the rules-writing agency under which the product has been graded

(the “Applicable Rule Book”) when the product so labeled has not been graded according to the Product Marking for the product category. However, if the species, grade name, moisture content, or phytosanitary treatment information included in the Product Marking is not included in the Applicable Rule Book for the product category, then the Product Marking generally will be of no concern to ALSC. (added November 3, 2023)

B. Lumber Enforcement Regulations, Treated Wood Enforcement Regulations and Wood Packaging Materials Enforcement Regulations

1. Issuance of Warnings/Suspensions/Withdrawals

At its meeting of July 14, 2010, the Enforcement Subcommittee reviewed the procedures to be used when an agency issues a warning, suspension or withdrawal of its services from a mill, plant or facility. These procedures are listed in sections 7.1-7.3 of the Lumber Enforcement Regulations; section 4.7.1 of the Treated Wood Enforcement Regulations; and section 5.7.1 of the Wood Packaging Materials Enforcement Regulations. In its review, the Subcommittee noted that the term “for cause” pertains to performance/compliance issues. The consensus of the Subcommittee was that the Manager of the Board of Review should only be notified of an agency’s issuance of a warning, suspension or withdrawal of its services from the mill, plant or facility when such action is based on performance/compliance related issues. “For cause” for purposes of the enforcement regulations noted above does not include non-payment of fees.

ALSC will only inform other agencies of a warning, suspension or withdrawal of services from a mill, plant or facility if the action is based on performance/compliance issues. (Ratified by ALSC November 12, 2010)

C. Lumber Program Policy Questions:

1. ALSC GLUED LUMBER POLICY

Background: The ALSC Glued Lumber Policy under Section 1.4 provides for the labeling of end-jointed lumber manufactured with heat resistant adhesives compliant with certain ASTM standards to include the term “Heat Resistant Adhesive” or “HRA” in the grade mark and Section (B) 2) requires that end-jointed lumber not manufactured with compliant heat resistant adhesives include the term “Non-Heat Resistant Adhesive” or “Non-HRA” in the grade mark.

Question: Are these terms applicable to grade marked glued lumber produced using face and/or edge glued lumber.

ALS staff response: Staff position was that the use of the terms “HRA” or “Non-HRA” pertained only to end-jointed lumber and that the terms were not applicable to lumber produced using face and/or edge glued lumber. (Ratified by ALSC November 12, 2010)

D. Lumber Program General Questions:

- 1. Question: How is a piece of lumber inspected when multiple grade marks are encountered on the piece?**

ALS staff response: Having multiple grade stamps on a piece of lumber is not acceptable; however, when encountered the piece of lumber shall be inspected to the applicable grade stamp on the piece and the additional grade stamps shall be obliterated. (Ratified by ALSC October 27, 2006)

- 2. Question: Obliteration of grade marks when cutting lumber into two or more pieces.**

ALS staff response: A mill that cuts long lengths of lumber, which are grade stamped with another mill's grade stamp, into two or more pieces is required to obliterate the original grade stamp when regrading and re-gradestamping the pieces. (Ratified by ALSC October 27, 2006)

- 3. Remanufacturing Previously Grade Stamped Lumber:**

Question: How is the following scenario handled concerning the obliteration of grademarks when previously grademarked lumber is remanufactured in a mill receiving the supervisory services of an accredited agency?

- A mill purchases grademarked lumber produced at another mill. Assume the lumber is in 14 foot units and the mill purchasing the lumber cuts the 14 foot units into two units - one being 6 feet long and one being 8 feet long. The 8 foot unit contains the original mill's grademark and is left intact. The mill proposes to resort the remaining 6 foot unit and place a proprietary mill mark on the higher quality pieces. How is this handled at this mill by the supervising agency under the ALSC Lumber Program?

Background Information: Similar scenarios, where grademarked lumber is purchased and changed in form from that which was shipped by the producing mill have been addressed by the Enforcement Subcommittee and ALSC Enforcement Regulations. Some examples of these scenarios involve the regrading, re-grademarking, resawing or ripping of previously grademarked lumber by a mill other than the mill that originally produced the lumber. The ruling in each case has been that mill changing the form of the lumber from that originally produced shall be required to remove the original mill's grademark. The touchstone in each ruling has been that the original mill's grademark would apply only to the lumber that was originally shipped and any subsequent change in the form of that lumber by another party should not be the responsibility of the producing mill.

ALS staff response: After review it was determined that the above scenario was not significantly different from past scenarios and that the above "touchstone" was applicable. The staff informed the agency that in the above scenario the mill changing the form of the original mill's grademarked lumber shall be required to remove the original mill's grademark from the 8 foot unit. (Ratified by ALSC November 14, 2008)

4. Cutting Previously Grade Stamped Lumber:

Question: How is the following scenario and question handled concerning the cutting of previously grade stamped lumber in a mill receiving the supervisory services of an accredited agency?

- A producing mill applies grade stamps to both ends of a piece of dimension lumber and contracts with another mill receiving the services of an accredited agency to cut the lumber in two pieces with each piece containing the grade stamp of the producing mill. Is the mill performing the cutting required to obliterate the original grade stamps and re-stamp the lumber?

ALS staff response: The purpose of re-stamping the lumber is to protect the original producing mill. In this case, the producing mill is knowledgeable that the lumber is being cut in two pieces and it would not be necessary to obliterate the producing mill's grade stamps. (Ratified by ALSC November 14, 2008)

5. Question: What is the minimum length limitation for grade marked lumber?

ALS staff response: ALS staff is not aware of a minimum length limitation for grade marked lumber. (Ratified by ALSC October 27, 2006)

6. HT rough lumber

Situation: Some mills produce boards and dry the boards in kilns to meet the HT requirements then sell the rough non-marked HT boards to another mill for processing and stamping HT. How can non-quality marked HT rough lumber produced at one mill and sold to another mill for processing and labeling HT be handled?

ALS staff response: ALS staff has provided the guidance for handling the situation in two ways: (Ratified by ALSC October 27, 2006)

a. The mill producing the boards and the mill processing and labeling the boards HT is supervised by the same agency.

In this case the same agency is monitoring the kilns at the mill producing the boards for compliance to the HT requirements and as long as the boards are marked in some fashion so that a shipment can be traced back to the kilns at the original mill the labeling of the boards as HT by the second mill has been permitted.

b. The mill producing the boards is supervised by one agency and the mill processing and labeling the boards HT is supervised by a different agency.

Guidance has been provided for: a) the mill supervising the processing and labeling of the HT boards also monitors the kilns at the mill producing the boards; or b) the agency supervising the mill producing the boards monitors the kilns and furnishes a report to the agency supervising the mill processing and HT labeling the boards. In

both cases the rough boards have been required to be marked in some fashion so a particular shipment of rough boards can be traced back to the monitored kiln.

7. Combination Species on Grade Stamp

Situation: Questions have been received concerning the grade stamp species/species group nomenclature and the applicable allowable properties when combining species/species groups listed in one or more of the certified grading rules on the grade stamp.

Background: For a variety of reasons, the movement of logs and/or lumber between areas has become an industry practice. Logs/lumber can be found in areas other than the natural growth range of the species or species group. Products produced from such logs/lumber can be found at a primary manufacturer, a secondary manufacturer or a special product manufacturer. The grade stamping of the product as to the correct species/species group is not a problem provided the primary manufacturer, secondary manufacturer or special product manufacturer has a procedure to separate the logs/lumber. When the producer does not separate the logs/lumber a question arises as to the species/species group nomenclature used for the grade stamp as well as the applicable allowable properties for the lumber. This non-separation of logs/lumber can result in the mixture of species or species groups from the same or different regions of North America and/or any region that is included in the growth range of the species shown in one or more of the certified rules.

Present Practice: Numerous mills in North America manufacture Douglas fir grown in the U.S. and Douglas fir (N) grown in Canada without separation of the species and the species grade stamp nomenclature used indicates DF-DF (N). Similarly, the species nomenclature for species groups such as Hem-Fir from the US and Hem-Fir (N) from Canada would indicate HEM-FIR/HEM-FIR (N); and SPF (S) from the US and SPF from Canada would indicate SPF-SPF(S). Grade stamp nomenclatures for other species/species group combinations are also used.

ALS staff response: The use of species nomenclature in the grade stamp to indicate a combination of species/species groups listed in one or more of the certified rules is permitted and is common practice in the US and Canada as well as other areas where lumber under the ALSC system is produced. When a combination species/species group nomenclature is shown in a grade stamp, the user of the lumber would select the weakest species/species group shown on the grade stamp as the appropriate value for the specific allowable property.

Several examples showing the selection of appropriate allowable properties are:

1. For the grade stamp species nomenclature of DF- DF (N):
 - the published F_b value for a No. 2 DF 2x4 is 1350 and
 - the published F_b value for a No. 2 DF (N) 2x4 is 1275; therefore,
 - the F_b value used would be 1275, the lowest F_b of the combination of species indicated by the grade stamp
2. Recently, a glued lumber mill had requested to produce glued lumber from a combination of Douglas fir, southern pine and SPF species. The appropriate grade stamp nomenclature would be DF-SPF-SYP. The appropriate allowable properties would be those of SPF grouping, the lowest of the combination of species/species group indicated by the grade stamp.

(Ratified by ALSC November 14, 2008)

8. Inclusion of "Moldicide" term in the mark:

Situation: The following situation was recently raised by an agency concerning the inclusion of information pertaining to moldicide within the agency grade stamp or agency HT mark.

- A producing mill was applying a moldicide to its lumber and wanted to include a reference to this within the agency grade stamp or agency HT mark. It was suggested the term "Moldicide", "M" or some other designation could be used to signify the application of the moldicide. Can the agency permit this type of information to be included within the agency grade stamp or agency HT mark?

ALS staff response: The staff stated that the purpose of the grade stamp or HT mark was not intended to include information of this type. Including this type of information may have unintended consequences to the ALSC lumber program and should not be permitted. A separate reference to a moldicide application could be included on the lumber if the reference was 6 inches or more away from the stamp. (Ratified by ALSC November 12, 2010)

9. Inclusion of additional information or promotional information with or within a grade mark and a heat treat mark.

Situation: ALSC receives numerous calls pertaining to what information can be included in the grade mark including terms such as non-standard grade names, web-addresses, marketing information and other similar information.

ALS staff position: The ALSC program relies on a clear concise mark that is easily understood and accepted by building code authorities, consumers and others that rely on the system. The staff position pertaining to the grade mark is to maintain the integrity of the mark and limit terms used within the grade mark to those that pertain to the standard parts of an accredited agency grade mark. Nonstandard grade names, web-addresses, marketing information and other similar information could be shown on the lumber provided the information was 6 or more inches away from the grade mark. (Ratified by ALSC November 12, 2010)

10. Inclusion of bar code information with or within a grade mark.

- a. Situation:** Scenario was presented involving the use of a bar code tag in close proximity with the grade mark. In the particular case, a bar code tag did not contain additional information such as grade mark nomenclature or a reference to forest certification and was secured with a staple to the end of the board that also contained the grade mark. The question posed was this practice permitted.

ALS staff response: Staff reviewed the scenario and gave tentative approval for use of a bar code tag in this manner. (Ratified by ALSC November 12, 2010, amended by ALSC November 7, 2014 as follows:

- Included in this scenario is adhesive-backed bar codes. In addition, all such tags (adhesive-backed or stapled) can contain size and any of

the information contained in the gradestamp as shown on the piece with the exception of the agency logo.)

- b. Situation:** Modern labeling equipment enables a bar code to be printed on a piece of lumber. A question has been raised if it is permissible to include the bar code with the grade mark or at a distance closer than 6 inches?

Answer: Consensus of the discussion between staff and Enforcement Subcommittee is that the grade mark should be kept as pure as possible and the bar code, with the exception of the scenario in the above item (a), shall be kept 6 or more inches away from the grade mark. (Ratified by ALSC November 12, 2010)

11. Metric dimensions in PS 20 Standard

Situation: A question has been raised about the Nominal and minimum-dressed dry sizes shown in Tables 1-4 of PS 20. Clarification of the expectation for the metric size settings required for mills producing finish, flooring, ceiling, partition, stepping, siding, boards, dimension, timbers, and worked lumber has been requested.

ALS Staff Response: Appendix B1 states, "In case of a dispute on size measurements, the conventional (inch) method of measurement shall take precedence." Tables 1-4 provide both conventional (inch) and metric measurements. The metric measurements set forth in the table may be rounded to the nearest whole number. Given the clear direction in Appendix B1, it is the ALS staff position that the inclusion of the metric measurements in the Tables is meant solely to be informational and such metric measurements should not be construed as minimum measurements. Rather, lumber must be manufactured at a minimum to the conventional (inch) sizes shown in the tables. When the conversion from conventional (inch) method of measurement to metric units results in a fractional metric number, the fractional metric digits shall be considered. The converted metric measurement shall be equal to or greater than the corresponding conventional (inch) measurement. For example, the minimum dressed size for nominal 2-inch thick dimension lumber is 1-1/2 inches, or 38.1 mm. (Ratified by ALSC November 15, 2019)

12. End labeling

Situation: Multiple agencies requested that the issue of end labeling of boards be discussed at the September 5, 2019 Enforcement Subcommittee meeting. The agencies had indicated that there is a desire to allow for the addition of an automatic grading identification number to be added close to the grade stamp on end labeled boards. The Enforcement Subcommittee felt that the proposed labeling item was meant to deal with the desire for no marks on the face of lumber and that would be accomplished by the inclusion of a new section 5.10.3 to the Lumber Enforcement regulations which was developed during the September 5, 2019 meeting. At the meeting it was also decided that the current practices of labeling the face of lumber would be maintained. The Subcommittee felt that the concerns with interpretation of end of board and registration symbol required a more detailed discussion and should be dealt with by staff in a staff ratified response.

ALS staff response: To clarify further the proposed wording of the new section 5.10.3 staff is providing the following discussion. The new section 5.10.3 of the lumber enforcement regulation is the following:

5.10.3 In general, nonstandard grade names, web addresses, marketing language, and other similar information may be shown on lumber provided any such piece of information is located at least 6 inches from the grade mark. However, when the grade mark is placed on the end of the lumber, not on a face or an edge, a mill board identification number may be placed within 6 inches of the grade mark on the end of the lumber under the following conditions: (i) To avoid possible confusion with existing nomenclature, the board identification number shall be a minimum of 6 digits and the first number shall be a 5, 6, 7, 8, or 9; (ii) The font of the board identification number shall not be greater in size than the smallest font contained in the grade mark; and (iii) The board identification number shall consist only of numbers and shall not contain any letters or other non-numeric symbols.

It is not the intention of the font restriction in section 5.10.3 (ii) to apply to the registration marks ®, superscripts or subscripts. Also, the end of the board repeatedly mentioned above is not meant to be interpreted as a mark on the end of the face or the end of the edge of a piece of lumber. It is intended to be a mark on the end of the board (see illustration). (Ratified by ALSC November 15, 2019)



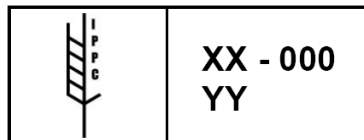
Illustration of End labeling of lumber

WOOD PACKAGING MATERIAL PROGRAM RATIFIED RESPONSES

A. ISPM 15 Markings

1. Format of WPM Markings

Annex II of the ISPM 15 standard displays the following as the mark to be used to certify that the wood packaging material bearing the mark has been subjected to an approved measure.



A copy of the quality mark of each accredited WPM agency is on file with the Board of Review and each mark is consistent with the above format.

Recent observations in the marketplace have revealed some agency WPM marks that are not consistent with the format as shown in Annex II or on file with the Board. These inconsistencies range from stamps, stencils and brands without the box borders to marks applied by an ink jet apparatus that have little resemblance to the above format.

Quality marks that do not follow the standard format are not in the interest of standardization and may make control of the mark more difficult for the agency. Each agency is requested to review the WPM quality marks used under its supervision and take the necessary steps to bring any nonconforming marks in compliance with the format as shown in Annex II of ISPM 15. (Ratified by ALSC October 27, 2006)

2. **Marking of Dunnage*(superseded by ALSC November 7, 2014 – Dunnage provisions were amended and incorporated into the Wood Packaging Enforcement Regulations and the ALSC October 27, 2006 ratified response nullified)**

3. **Placement of KD on the ISPM 15 Mark**

Situation: Recently a question was asked pertaining to where the term "KD" should be placed when used in conjunction with the ISPM 15 mark.

Background: ISPM 15 (2009) Annex 2 lists specific items that are acceptable on an ISPM 15 mark as the IPPC symbol, the two-letter country code, the producer/treatment provider code and a treatment code such as HT or MB. Annex 2 further states that "no other information shall be contained within the border of the mark."

ALS Staff Response: The ALSC has previously standardized the placement of the accredited agency logo and the term "DUNNAGE" or "DUN" as shown in the examples

on page 1 of the ALSC Accredited Agencies for Supervisory and Lot Inspection facsimile sheet dated August 2010. Based on these examples, if the term "KD" is to be used it should occupy the space used for "DUNNAGE" or "DUN" provided that term is not used. If used in conjunction with "DUNNAGE" or "DUN", then a hyphen should be placed at the end of the term and "KD" added. (Ratified by ALSC November 11, 2011)

4. **Re-labeling of Previously Labeled ISPM 15 Dunnage**

Situation: Recently a question was asked concerning the possibility of relabeling previously marked dunnage without re-heat treating the dunnage.

ALS Staff Response: The staff noted that under the ALSC WPM program the dunnage mark is applied to each individual piece of lumber. It noted that the dunnage mark attests that the piece of lumber has met the same HT requirements as lumber bearing an accredited agency HT stamp under the ALSC lumber program with the only difference being that one is labeled with a Board of Review accredited agency ISPM 15 "dunnage" mark and the other is labeled with a Board of Review accredited agency HT lumber stamp.

The staff noted that the purpose of the heat treating process was to assure that the lumber or dunnage meets the heat treatment requirements and is labeled accurately. The staff did not see a difference between HT lumber and HT "dunnage" as the specific label applied to each attests that the lumber or "dunnage" product has met the HT requirements and that each product is within one of the ALSC programs.

After consideration of the information available to it, the staff position is that a piece of lumber labeled with a Board of Review accredited agency ISPM 15 dunnage mark can be relabeled with a different Board of Review accredited agency's ISPM 15 dunnage mark without retreatment provided the original dunnage mark on the piece is obliterated. **This practice of relabeling without retreatment is only applicable to dunnage and is not applicable to any other WPM product.** (Ratified by ALSC November 8, 2013)

B. **Wood Packaging Materials Program Enforcement Regulations**

1. **Review of Section 5.7 Warnings, Suspensions and Withdrawals of the Wood Packaging Materials Enforcement Regulations:**

Situation: The scenario involved a WPM facility whose performance was deemed by the Agency A to warrant an official action. Prior to Agency A issuing notification to the facility and informing ALSC of such action, the facility sought and began receiving services from Agency B. Agency A did not feel that Agency B should have extended service to the facility and asked the ALS staff for a ruling.

ALS staff response: ALSC staff informed Agency A that since the facility and ALSC had not been notified of its action, Agency B could continue providing service to the facility. (Ratified by ALSC November 12, 2010)

C. WPM General Questions

1. Heat Treatment Times

A question has been raised if it permissible to have heat treatment times over 56° C that total 30 minutes but the time frame is not consecutive. We interpret the meaning of the 30 minute time frame to be a consecutive time and not to be broken into several segments that total 30 minutes where temperatures between the segments do not reach 56° C. (Ratified by ALSC November 9, 2007)

2. ISPM 15 Markings on Units of Lumber or WPM Components

During recent ALSC inspections at WPM facilities our field representatives have observed units of lumber or units of WPM components labeled with an IPPC ISPM 15 HT marking issued under the Canadian WPM program. We have also observed WPM constructed from this material and in each case the Canadian IPPC ISPM 15 HT markings were not removed from the constructed WPM.

For wood labeled with an IPPC ISPM 15 HT marking from Canada or any other country to be used in the ALS WPM program, the original IPPC ISPM 15 HT marking must be obliterated and the wood must be heat treated and labeled under the supervision of an accredited agency.

If your agency finds a situation where WPM is being constructed from wood previously marked under the IPPC ISPM 15 program of another country, please notify the ALSC office as soon as possible with the complete details, if possible including pictures, so that the NPPO of that country can be notified of the practice. (Ratified by ALSC November 9, 2007)

3. Veneer Peeler Cores Used in HT WPM

Recently several inquires have been received concerning the statement in ISPM 15 that states in part: "Wood packaging material such as veneer peeler cores ... may not be pathways for introduction of quarantine pests and should not be regulated unless technically justified." The technical information available at this time indicates that during the veneer manufacturing process each peeler core may not achieve the requirements for HT (56° C at the core for a minimum of 30 minutes). (Ratified by ALSC October 27, 2006)

4. Use of Red and Orange Ink

We have been informed by APHIS that a complaint has been received from the NPPO of an importing country that WPM produced under the ALSC WPM program was observed with the ISPM 15 markings in red ink. As you are aware, ISPM 15 in Appendix II—Marking For Approved Measures states: "The use of red or orange should be avoided since these colors are used in the labeling of dangerous goods."

Please review this requirement with each facility using your services and prohibit the use of red or orange ink as future shipments may be turned down. (Ratified by ALSC October 27, 2006)

5. Labeling of WPM Prior to Heat Treating

We have received several calls inquiring if it is permissible for an agency to allow a facility to label WPM with the agency ISPM 15 mark prior to the facility subjecting the WPM to the heat treatment process.

Our response to these inquires has been that the agency is responsible for the control of its mark and the decision to permit labeling of WPM in this manner is left to the agency provided the agency has implemented a quality control program that is used at the facility to assure the WPM labeled in this manner is properly heat treated prior to shipment. (Ratified by ALSC October 27, 2006)

6. Sealing of Thermocouple Holes

Some heat chambers use thermocouples inserted into the WPM to determine the wood core temperature for compliance with ISPM 15 requirements for HT. Questions have been raised asking what type material should be used to seal the holes and if it was necessary to seal the holes where the thermocouples were inserted in the WPM. The Forest Products Laboratory has been contacted and it reports that it was not aware of any published study on this matter; however; FPL stated that it felt the sealing of the thermocouple holes to assure the thermocouple accurately measures the core temperature of the wood with some substance that would not conduct heat was good practice.

If your agency is not requiring that the thermocouple holes be sealed, please implement this practice. (Ratified by ALSC October 27, 2006)

7. Obliteration of Existing Marks on WPM

Section 5.6.10 of the Wood Packaging Material Enforcement Regulations states in part: "When ISPM 15 quality marked wood packaging material is remanufactured the existing ISPM 15 quality mark shall be obliterated."

As each of you are aware some WPM facilities disassemble previously quality marked WPM and use the resulting components to reassemble other units of WPM. This memo will serve as a reminder that **all** previous quality marks shall be obliterated from **all** components used in the reassembly of the WPM unit. (Ratified by ALSC October 27, 2006) (Amended November 8, 2013 to reflect 2009 ISPM15 changes)

8. Obliteration of Existing ISPM 15 Quality Mark on Remanufactured or Repaired Wood Packaging Material

Situation: A question has been received regarding Section 5.6.10 of the Wood Packaging Material Enforcement Regulations. Specifically, language stating that remanufactured or repaired pallets (absent an agency approved process in place to assure compliance to Section 4.3.2 of ISPM 15 in all respects, including assurance that all components of the repaired wood packaging material have been treated in accordance with the standard) shall have the existing ISPM 15 quality mark obliterated was questioned as to whether this applied only to the WPM facility doing the remanufacture and/or repairs.

ALS staff response: The staff position has been, and continues to be, that remanufactured WPM or repaired WPM where any doubt exists as to the heat treat compliance of all components shall have any existing ISPM 15 quality marks obliterated. This applies not only to a WPM manufacturer remanufacturing or repairing WPM onsite, but also applies to situations where that WPM manufacturer is aware the WPM has been remanufactured or repaired. Examples include sending WPM offsite to another facility to facilitate remanufacture or repair, bringing in WPM from a supplier known to be a remanufacture and/or repair operation, and receiving WPM from sister facilities remanufacturing or repairing WPM.

In effect, any WPM known to have been remanufactured or repaired where any doubt exists as to heat treat compliance of all components shall have original IPPC quality marks removed. (Ratified by ALSC November 14, 2008) (Amended November 8, 2013 to reflect 2009 ISPM15 changes)

9. Clarification of Section 5.3.3.1 Requirements (also Quarantine/Hold clarification)

Situation: Section 5.3.3.1 of the Wood Packaging Material Enforcement Regulations requires the agency to increase inspections when the agency inspection results fail to meet the specified criteria. Several questions have been raised regarding inspections where minor findings of some WPM inspected exceed the specified criteria. For example, does one noncomplying WPM unit require an increased inspection by the agency?

Specifically 5.3.3.1 reads:

5.3.3.1 It is the obligation of the agency to audit the wood packaging facility on a periodic basis, and the obligation of the wood packaging facility to produce a properly labeled wood packaging product. Samples of previously manufactured wood packaging products shall be inspected in accordance with the Policy as part of the agency supervision. The agency shall sample a sufficient amount of wood packaging representative of the products produced by the wood packaging facility to adequately evaluate the proficiency of the facility. When a sample of wood packaging indicates the product is not properly labeled the product shall be corrected. The agency shall verify that the product has been corrected by either removal of the quality mark or by remanufacture of the wood packaging product. The agency shall take whatever steps necessary to prevent recurrence. Each month the agency headquarters personnel shall review the performance of each wood packaging facility and take whatever action warranted. In addition, the review shall include the assessment of the agency sample results for each inspection. If the inspection results fail to meet the specified criteria, the agency shall increase inspections until such time as the results are within the specified criteria at which time the frequency of inspections may return to normal.

ALS Staff Response: The staff interpretation of 5.3.3.1 with respect to minor excess issues, is that results exceeding the specified criteria in such minor cases would not trigger the increased inspection requirement. That interpretation is not without qualification. A minor issue occurring on multiple agency inspections point to a facility where an increased visit would be expected. Similarly, a single

inspection where minor excess findings occur in multiple items would also result in a need for increased visits.

Staff Reasoning: The occurrence of a minor issue, in light of all other areas being in compliance, should not incur a need for the agency to increase visits as the overall findings indicate the facility is acting in good faith to maintain proper labeling of WPM and associated records, with a minor exception. When minor issues are noted multiple times on the agency inspections during a time frame or when multiple items in one inspection show minor excess issues, these results indicate a commitment to proper labeling and/or records may need to be addressed. In these cases, by the agency increasing visits, the importance of maintaining proper labeling of WPM and proper records is brought to the attention of the facility and fulfills the intent of the requirement.

Further discussion: Related to this response, was a subsequent question raised on the subject at the joint APHIS/ALSC/NWPCA meeting. That question was how to establish specific criteria for both the agencies and facilities to follow. The question from the agency perspective was in regard to consistently applying the need for increased visits across all agencies, all staff within those agencies, and further, through all facilities participating in the WPM program. The question from the facility perspective relates to how agencies address minor issues and its effect on the inventories at the facilities; which in some facilities can be substantial.

Brought to staff was the concept and practice of "quarantine" vs. "hold" of the material as it relates to minor vs. major issues. The following case was made:

A "quarantine" situation would result in cases of minor issues occurring and would allow continued shipping of WPM product provided correction of non-compliant WPM occurred by the facility. The facility would be required to keep documentation (logs/pictures/etc.) of the correction for the agency to verify but would not have its inventory held up waiting for review and release by the agency. "Quarantine" level would also be used to distinguish a need to increase visits or not, thereby addressing agencies concerns of consistent application across the board.

A "hold" situation would continue to follow traditional release procedures and require agencies to increase visits. Use of one term or the other by agencies consistently would also aid in communication to the facilities and uniformity of the requirements.

ALS Staff response: Provided the qualifications expressed in the response to increased visits under 5.3.3.1, and any other situation that rises beyond minor issues is addressed by increased visits, staff encourages any system that would lend to consistency of the requirements of 5.3.3.1. Further, correction of minor issues outside of traditional hold/releases should not present an issue provided proper documentation is kept and that findings of facilities correcting the WPM in

question remains in-line with initial agency findings. For example, an agency finding an occasional WPM with excess bark in a sample should expect the facility to have similar findings on those they review and correct prior to shipping. If this doesn't occur the agency should address the facility process of correction or in future situations take steps to increase their initial sample size. (Ratified b ALSC November 7, 2014)

D. WPM Situations/Scenarios

1. **Situation:** When a WPM facility purchases resawn HT lumber such as 2x6, 2x8, etc. the accredited agency HT stamp may only appear on one piece of the resawn lumber. How is resawn lumber HT marked in this fashion handled when it is encountered in a WPM facility?

ALS Staff response: The WPM facility can use the piece containing the HT stamp in WPM. Use of the piece without the HT mark in ISPM 15 WPM would require further treatment. (Ratified by ALSC October 27, 2006)

2. WPM Add-On to Previously Marked International WPM

The following scenario was recently presented. A company in the US has imported a product from another country on ISPM 15 marked pallets under the IPPC program of the exporting country. The US company wants to export this product; however, prior to exporting the US company wants to add a wood frame to the previously marked ISPM 15 pallets thus not having to repackage the product. The IPPC pallets marked under the program from the other country have not been damaged or repaired in any way. Can the US company add on a frame and mark the frame under the ALS WPM program without having to obliterate the previous mark on the pallet base?

Answer: Yes, it is permissible to mark the frame added to the previously marked pallet with their ISPM 15 marking. (Ratified by ALSC October 27, 2006)

3. **Since the inception of the WPM program several general scenarios have arisen concerning the use of the ISPM 15 markings on specific WPM products. Examples of the scenarios are summarized below along with the present marking practices.**

- a. **Scenario:** Units of export lumber are packaged with crossouts (runners) attached under the units to facilitate movement of the units by a forklift. Can crossouts (runners) under a package of export lumber be ISPM 15 marked?

Present Practice: Some importing countries are requiring crossouts under units of lumber to be labeled as ISPM 15 compliant, therefore the crossouts can be labeled with the ISPM 15 HT mark or the ISPM 15 HT Dunnage mark. (Ratified by ALSC October 27, 2006)

- b. **Scenario:** A similar scenario to scenario 1 occurs when wood skids are attached to the bases of drink machines, washing machines and dryers, etc. Can the wooden skids be marked under ISPM 15?

Present Practice: These single pieces of wood are considered WPM and can be labeled with the ISPM 15 mark. (Ratified by ALSC October 27, 2006)

- c. Scenario:** Some WPM facilities produce what is referred to as a "kit" that is shipped unassembled to the end user of the WPM and the end user assembles this "kit" for use with its product. In many cases the product being shipped is such that the "kit" must be assembled around the product. Can a WPM "kit" be marked under ISPM 15?

Present Practice: The "kit" is a WPM product that is intended for a specific use and ISPM 15 marks can be used on it. When shipped the components of the "kit" shall be banded together, shrink wrapped or similarly packaged to protect the integrity of the disassembled WPM product. In many cases the agency involved is able to follow-up with the end user to monitor the process. When "kits" are ISPM 15 marked at least two pieces that will be opposite each other and facing outward in the final assembly are required to be marked with the ISPM 15 mark. (Ratified by ALSC October 27, 2006)

- d. Scenario:** Some companies purchase ISPM 15 marked WPM (pallets, crates, etc.) to be used in the shipping of its product. In some cases the product is loaded on to the ISPM 15 marked WPM and secured by adding additional pieces of wood to the original ISPM 15 WPM product. How can this scenario be handled under ISPM 15?

Present Practice: The added pieces of wood used to secure the product can be labeled using ISPM 15 markings by the companies adding pieces to previous labeled ISPM 15 WPM product. Labeling in this fashion makes these companies responsible for the added the pieces of wood and the original WPM manufacturer responsible for the original ISPM 15 marked WPM. (Ratified by ALSC October 27, 2006)

- e. Scenario:** Facility C purchases an ISPM 15 marked box top from facility A and the ISPM 15 marked box bottom is purchased from facility B. Facility C then constructs the sides and assembles the box. How can this scenario be handled under ISPM 15?

Present Practice: Facility C can construct the sides and label the individual sides ISPM 15 then assemble the sides using facility A and facility B parts into an ISPM 15 compliant box. In this case the ISPM 15 marks of Facilities A and B remain on the finished WPM product. (Ratified by ALSC October 27, 2006)

- f. Scenario:** In some cases the WPM consist of an inner support skeleton of wood that is covered by cardboard, plywood or some similar material that is not solid wood. In these scenarios no solid wood can be seen on the outside of the WPM. How can the WPM product be marked under ISPM 15?

Present Practice: In such cases the ISPM 15 mark can be applied to the outside of the WPM product. In addition the ISPM 15 mark should be applied to the skeleton wood component(s) for evidence of compliance to ISPM 15 should the WPM ever be disassembled and inspected by the import country. (Ratified by ALSC October 27, 2006)

g. Scenario: Can WPM be marked with the ISPM 15 Dunnage mark? **(superseded by ALSC November 7, 2014 – Dunnage provisions were amended and incorporated into the Wood Packaging Enforcement Regulations and the ALSC October 27, 2006 ratified response nullified)**

h. Scenario: Some WPM producers manufacture tops, sides and/or bottoms of crates, barrels, spools, etc. and ship for certain manufacturers. The manufacturers mix and match these components to assemble WPM to fit the product being transported. An example would be a manufacturer that needs a certain size box where the top and bottom of the box are always the same size but depending on the product shipped the sides of the box may need to be various heights making it impractical for the WPM facility to produce the fully assembled box. Can component parts such as these be labeled with ISPM 15 marks?

Present Practice: The WPM in these cases is intended for a special use and the ISPM 15 mark can be applied to the components provided they are shipped in corresponding numbers. In many cases the agency involved is able to follow-up with the end user to monitor the process. (Ratified by ALSC October 27, 2006)

i. Scenario: Some large WPM requires the use of large timbers or skids. These large size pieces** are apparently difficult to obtain with HT markings but may be available with fumigation markings that indicate ISPM 15 compliance. Can these fumigated pieces be incorporated into WPM that is to be labeled ISPM 15 HT complaint?

Present Practice: Provided each piece that has been fumigated is clearly marked as ISPM 15 compliant by an agency recognized under the APHIS fumigation program the fumigated piece(s) may be incorporated into an ISPM 15 HT labeled WPM product. (Ratified by ALSC October 27, 2006)

****:** ISPM 15 2009 version placed a size limitation on WPM that can be treated with methyl bromide. The specific language contained in Annex 1 is: "Methyl bromide treatment is not carried out on wood packaging material exceeding 20 cm in cross section." The term "20 cm in cross section" is interpreted to mean 20 cm in least dimension. (Editorial change December 10, 2009)

Note: Given a multitude of variations under the above scenarios, the marking of ISPM 15 WPM may require further investigation, both initially and ongoing, by the agency to assure proper marking of ISPM 15 WPM. Each agency shall take all appropriate measures needed to ensure proper use of its marks.
(Ratified by ALSC October 27, 2006)