

Date: 7/2/2009
To: All Associates
Sales Team Leaders, Sales, Customer Service Reps
From: Paul Nystrom
Subject: **"FSC HPDL laminated Panels" cannot be legally sold at this time to your customers by us or anyone.**

Here is the technical version:

Due to the current ruling from FSC about minor components (HPDL) High Pressure Decorative Laminate aka Plastic laminate is subject to rules pertaining to FSC PROCEDURE minor components derogation applications and evaluations FSC-PRO-40-004 (version 2-0) EN.

Per FSC Addendum to FSC Procedure FSC-PRO-40-004 "List of approved derogations for use of non-eligible input materials in minor components" FSC-PRO-40-004a (version 1-0) EN: It lists HPDL as, "currently not available as eligible input for FSC product groups." TFM Melamine papers are provided an (exemption) temporary approval, but not HPDL laminate. Therefore, companies selling FSC HPDL laminated panels must meet the FSC-PRO-40-004 (version 2-0) EN requirements.

Minor Components are covered in the Chain of Custody standard (FSC-STD-40-004) under Section 13. The requirements concern manufacturers of FSC products who seek to include up to 5% of the wood/fiber in the final product from inputs that do not qualify as FSC Certified, Controlled Wood, recycled or neutral. In order to manufacture any product with up to 5% non-eligible inputs the company must apply for a Minor Components Derogation.

Here is what this means in the Paul version:

To make and or sell an FSC HPDL laminated Panel – besides the core being FSC certified:

- 1 The Laminate (Wilsonart, Formica, Nevamar..) would need to be FSC certified – which it is not or.
- 2 Due to the weight of laminate and backer / liner in terms of a % of a laid up panel (on PB, MDF or Plywood in std thicknesses), it would need to fall below the 5% to be a minor component – which it does not. So it would need to:
 - Meet the controlled woods regulations - which they currently do not in order or
 - Gain an (exemption) temporary approval - which was not granted (stated above). Thus

FSC HPDL laminated Panels cannot be legally sold at this time to your customers by anyone. We at McKillican have decided to stop selling FSC HPDL laminated panels till this issue changes or is resolved. I will keep you posted.

I have been informed some companies are continuing to sell FSC HPDL laminated panels till they get caught or invoicing FSC core and layup (separate) for purposes to get around this. Neither action is legal, and puts the customer at risk.

What is your customer to do? Simple: They are allowed to laminate FSC core products with HPDL to make goods in their shop for a project. For LEED projects they will need to provide a % FSC wood vs. total wood along with relating wood costs (FSC and non FSC). Laminate falls in the non-FSC wood calc. For those shops who are FSC COC certified, they have a leg up being they can add all value added activities into these cost calculations which greatly helps the % and cost needed for a project to achieve the LEED MR7 (FSC credit). If you have a customer wanting more information about this (FSC shop certification), products we can sell them or about this FSC HPDL laminating issue, please direct them to me.

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