

Freres and Nine U.S. Plywood Producers Claim U.S. Certification Agencies Fraudulently Certify Imported South American Plywood
Fraudulently certified plywood panels can endanger consumers

LYONS, ORE. 16 Sept., 2019— Freres Lumber Co., Inc. has joined nine other U.S. domestic plywood producers as the “U.S. Structural Plywood Integrity Coalition” to file a Lanham Act claim of false labeling against three U.S. certification agencies: PFS TECO, Timber Products Inspection and International Accreditation Service. The essential point of the claim is that structural plywood panels produced in South America are being fraudulently certified and stamped as compliant with U.S. Product Standard PS1-09 for Structural Plywood, when the panels in fact do not meet the country’s minimum structural requirements for stiffness and deflection.

“The product standards for American plywood have serious real-world implications for all homes constructed using wood panel products,” explains Tyler Freres, VP of Sales with Freres Lumber. “Inferior products can endanger the health and safety of everyone who depends upon their homes to provide shelter and security for their families and loved ones. It is incumbent upon engineered wood products manufacturers to ensure that we meet all codes and that U.S. certification agencies have consumers’ health and safety as their primary concern when providing their certifications.”

Brazilian structural plywood panels have flooded America’s domestic market over the last few years due to the strong U.S. dollar, lax environmental standards in the countries of origination, and a concerted effort by the Brazilian government to encourage wanton harvest. In the last two years, imported structural panel product volumes have grown to make up about 25 percent of the U.S. domestic market. A large portion of the volume of panels are manufactured using wood species harvested from large-scale plantations that were once rainforests. These plantations were planted in Loblolly pine, Slash pine, and other North American species that are used in manufacturing across the Southern U.S.

However, when these species are planted in regions they have never naturally grown, the tree’s fiber no longer behaves like those grown in their natural regions. The temperate climate and full-year growing season in Brazil lead to fiber that has very little stiffness or strength when used in plywood panels. This fact has been proven. All U.S. wood products distributors were notified by an APA Product Advisory SP-1185, which shows that all imported panels from seven Brazilian panel manufacturers failed in panel bending stiffness by a margin of 23 to 55 percent. Additional testing recently completed has shown that even after the Product Advisory was issued, little or nothing was done over the last year to improve the performance of the panels.

“It is clear to the U.S. Structural Plywood Integrity Coalition that there was a concerted effort to defraud American consumers by misrepresenting imported panels as equivalent to domestic panels,” says Freres. “That, combined with the federally-mandated timber harvest reduction in the Northwest not only provided the opportunity, but encouraged the importation of wood products from all over the world.”

The Coalition is requesting preliminary and permanent injunctions requiring the three U.S. certification agencies to revoke all Brazilian licenses to manufacture PS 1-09 structural plywood. Construction codes and product standards such as PS1-09 are in place in the U.S. in order to protect the U.S. consumer. U.S. consumers should be confident that when their homes are built with certified structural panels they can trust the structure of their home will withstand any potential calamity, and they are not endangering their lives and the lives of their loved ones with inferior panels. For more information, please contact lead counsel Michael E. Haglund at 503-225-0777 or Tyler Freres at 503-859-2121.

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About Freres Lumber Company

Established in 1922, Freres Lumber is among Oregon's premier engineered wood products manufacturing companies. Specializing in bringing high-quality wood products to market, Freres manufactures finished plywood products, lumber, veneers and structural composite lumber, and continues to transform and modernize building practices with its latest innovation, Mass Plywood Panel (MPP). The company follows sustainable management practices throughout its three operations—Freres Lumber Co., Freres Timber and Evergreen BioPower LCC, using 100 percent of its materials in its products or as fuel. Freres is committed to providing family wage jobs, and operates six wood products facilities, including a cogeneration facility. For more information, visit www.frereslumber.com or call 503-859-2121.