

(A) The resin formulation is changed so that the formaldehyde-to-urea ratio is increased;

(B) The amount of formaldehyde resin used is increased; or

(C) The press time is decreased.

(iii) In the case of plywood or particleboard:

(A) The finishing or top coat is changed and the new finishing or top coat has a greater formaldehyde content; or

(B) The amount of finishing or top coat used on the panels is increased, provided that such finishing or top coat contains formaldehyde.

(4) The testing laboratory shall periodically visit the plant to monitor quality control procedures to assure that all certified panels meet the standard.

(5) To maintain its certification, plywood or particleboard must be tested by the air chamber test specified in § 3280.406 whenever one of the following events occurs:

(i) In the case of particleboard, the resin formulation is changed so that the formaldehyde-to-urea ratio is increased; or

(ii) In the case of particleboard or plywood, the finishing or top coat is changed and the new finishing or top coat contains formaldehyde; or

(iii) In the case of particleboard or plywood, the testing laboratory determines that an air chamber test is necessary to assure that panels comply with paragraph (a) of this section.

(6) In the event that an air chamber test measures levels of formaldehyde from plywood or particleboard in excess of those permitted under paragraph (a) of this section, then the tested product's certification immediately lapses as of the date of production of the tested panels. No panel produced on the same date as the tested panels or on any day thereafter may be used or certified for use in manufactured homes.

(i) Provided, however, that a new product certification may be obtained by testing randomly selected panels which were produced on any day following the date of production of the tested panels. If such panels pass the air chamber test specified in § 3280.406, then the plywood or particleboard pro-

duced on that day and subsequent days may be used and certified for use in manufactured homes.

(ii) Provided further, that plywood or particleboard produced on the same day as the tested panels, and panels produced on subsequent days, if not certified pursuant to paragraph (b)(4)(i) of this section, may be used in manufactured homes only under the following circumstances:

(A) Each panel is treated with a scavenger, sealant, or other means of reducing formaldehyde emissions which does not adversely affect the structural quality of the product; and

(B) Panels randomly selected from the treated panels are tested by and pass the air chamber test specified in § 3280.406.

(c) *Panel identification.* Each plywood and particleboard panel to be installed in manufactured homes which is bonded or coated with a resin system containing formaldehyde, other than an exclusively phenol-formaldehyde resin system, shall be stamped or labeled so as to identify the product manufacturer, date of production and/or lot number, and the testing laboratory certifying compliance with this section.

(d) *Treatment after certification.* If certified plywood or particleboard subsequently is treated with paint, varnish, or any other substance containing formaldehyde, then the certification is no longer valid. In such a case, each stamp or label placed on the panels pursuant to paragraph (c) of this section must be obliterated. In addition, the treated panels may be recertified and reidentified in accordance with paragraphs (b) and (c) of this section.

[49 FR 32011, Aug. 9, 1984]

§ 3280.309 Health Notice on formaldehyde emissions.

(a) Each manufactured home shall have a Health Notice on formaldehyde emissions prominently displayed in a temporary manner in the kitchen (i.e., countertop or exposed cabinet face). The Notice shall read as follows:

IMPORTANT HEALTH NOTICE

Some of the building materials used in this home emit formaldehyde. Eye, nose, and throat irritation, headache, nausea, and a

variety of asthma-like symptoms, including shortness of breath, have been reported as a result of formaldehyde exposure. Elderly persons and young children, as well as anyone with a history of asthma, allergies, or lung problems, may be at greater risk. Research is continuing on the possible long-term effects of exposure to formaldehyde.

Reduced ventilation resulting from energy efficiency standards may allow formaldehyde and other contaminants to accumulate in the indoor air. Additional ventilation to dilute the indoor air may be obtained from a passive or mechanical ventilation system offered by the manufacturer. Consult your dealer for information about the ventilation options offered with this home.

High indoor temperatures and humidity raise formaldehyde levels. When a home is to be located in areas subject to extreme summer temperatures, an air-conditioning system can be used to control indoor temperature levels. Check the comfort cooling certificate to determine if this home has been equipped or designed for the installation of an air-conditioning system.

If you have any questions regarding the health effects of formaldehyde, consult your doctor or local health department.

(b) The Notice shall be legible and typed using letters at least ¼ inch in size. The title shall be typed using letters at least ¾ inch in size.

(c) The Notice shall not be removed by any party until the entire sales transaction has been completed (refer to part 3282—Manufactured Home Procedural and Enforcement Regulations for provisions regarding a sales transaction).

(d) A copy of the Notice shall be included in the Consumer Manual (refer to part 3283—Manufactured Home Consumer Manual Requirements).

[49 FR 32012, Aug. 9, 1984, as amended at 54 FR 46049, Nov. 1, 1989; 58 FR 55007, Oct. 25, 1993]

Subpart E—Testing

§ 3280.401 Structural load tests.

Every structural assembly tested shall be capable of meeting the Proof Load Test or the Ultimate Load Test as follows:

(a) *Proof load tests.* Every structural assembly tested shall be capable of sustaining its dead load plus superimposed live loads equal to 1.75 times the required live loads for a period of 12 hours without failure. Tests shall be conducted with loads applied and de-

flections recorded in ¼ design live load increments at 10-minute intervals until 1.25 times design live load plus dead load has been reached. Additional load shall then be applied continuously until 1.75 times design live load plus dead load has been reached. Assembly failure shall be considered as design live load deflection (or residual deflection measured 12 hours after live load removal) which is greater than the limits set in § 3280.305(d), rupture, fracture, or excessive yielding. An assembly to be tested shall be of the minimum quality of materials and workmanship of the production. Each test assembly, component or subassembly shall be identified as to type and quality or grade of material. All assemblies, components or subassemblies qualifying under this section shall be subject to a continuing qualification testing program acceptable to the Department.

(b) *Ultimate load tests.* Ultimate load tests shall be performed on a minimum of three assemblies or components to generally evaluate the structural design. Every structural assembly or component tested shall be capable of sustaining its total dead load plus the design live load increased by a factor of safety of at least 2.5. A factor of safety greater than 2.5 shall be used when required by an applicable reference standard in § 3280.304(b)(1). Tests shall be conducted with loads applied and deflections recorded in ¼ design live load increments at 10-minute intervals until 1.25 times design live load plus dead load has been reached. Additional loading shall then be applied continuously until failure occurs or the total of the factor of safety times the design live load plus the dead load is reached. Assembly failure shall be considered as design live load deflection greater than the limits set in § 3280.305(d), rupture, fracture, or excessive yielding. Assemblies to be tested shall be representative of average quality or materials and workmanship of the production. Each test assembly, component, or subassembly shall be identified as to type and quality or grade of material. All assemblies, components, or subassemblies qualifying under this section shall be subject to a periodic qualification