



MIAMI-DADE COUNTY, FLORIDA
HERBERT S. SAFFIR PERMITTING AND INSPECTION CENTER

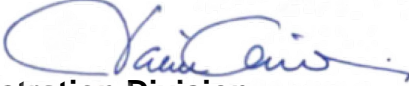
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Board and Code Administration Division

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ADVISORY MEMO

TO: ALL BUILDING OFFICIALS IN MIAMI-DADE COUNTY

FROM: Jaime D. Gascon, P.E. 
Board and Code Administration Division

DATE: June 15th, 2022

SUBJECT: Brazilian Plywood

It has come to our attention that Brazilian softwood plywood panels imported into the United States bearing trademarks that state compliance with U.S. Voluntary Product Standard PS-1, Structural Plywood have failed tests conducted at APA – The Engineered Wood Association. They measured the structural performance of this panel type and the results indicated that the imported Brazilian panels did not meet the stiffness requirements of the designated species grouping or the referenced span rating for roof sheathing as defined in the standard.

A case between *US Structural Plywood Integrity Coalition* and *PFS Corporation* was recently adjudged. On May 23rd, 2022, the United States District Court Southern District of Florida ordered the New York based company doing business as PFS TECO barred from licensing any PS-1 grade stamps to Brazilian plywood manufactures permanently or until the injunction is lifted. Reference attached Case No 19-62225-CIV- ALTMAN.

The APA Product Advisory Group conducted a series of test on imported plywood products from Brazil bearing the PS-1 stamp and concluded the plywood did not comply with the standards for structural grade in the US. See attached APA Product Advisory.

Building officials and inspectors should be made aware of these inferior Brazilian Plywood products bearing the PS-1 stamps and not accept these stamps as a means of indicating code compliance.

If you have any questions on this matter, please contact Dexter Bleasdell, Senior Code Officer at (786) 315-2556 (Office), (305) 815-3123 (Mobile) or via email at Dexter@miamidade.gov.

Enclosures

Imported Plywood Panels from Brazil Evaluated for Conformance to U.S. Product Standard PS 1-09 Requirements

SUMMARY

Brazilian softwood plywood panels recently imported into the United States bear trademarks that state compliance with U.S. Voluntary Product Standard PS-1, *Structural Plywood*. Tests conducted at APA – *The Engineered Wood Association* measured the structural performance of this panel type. Test results indicated that the imported Brazilian panels did not meet the stiffness requirements of the designated species grouping or the referenced Span Rating for roof sheathing, as defined in the Standard.

APA TEST SERIES

Structural softwood plywood panels imported from Brazil into the U.S. totaled 721 million square feet (on a 3/8-inch basis) in 2017. Generally, these panels were manufactured using veneers of wood species grown outside of North America. APA conducted a series of tests on nine sets of Brazilian plywood imported from seven manufacturers. The tests were completed at the APA Research Center in Tacoma, Washington, in July 2017 through April 2018. The plywood panels were sampled from multiple distribution yards in the U.S. All panels tested were trademarked as U.S. Product Standard PS 1, *Structural Plywood*.

Figures 1 and 2 show the test results for panel bending stiffness. As shown in Figure 1, the tested plywood panels failed to meet the PS 1 bending stiffness requirements (PS 1, *Table 9 Species Group Classification Test Criteria for Other Than Span-Rated Panels*) for Group 1 by a margin of **23 to 55 percent**. For Span-Rated plywood sheathing, Figure 2 shows that corresponding panel bending stiffness failed to meet the required 0.2-inch deflection criterion (PS 1, *Table 8 Uniform Load Performance Criteria*) for Roof-48 Span-Rated panels at 35 psf by a margin of **15 to 41 percent**.

FIGURE 1

COMPARISON OF TEST RESULTS WITH THE REQUIRED PANEL BENDING STIFFNESS (EI) FOR IMPORTED GROUP 1 PLYWOOD (TABLE 9 OF PS 1) AS TRADEMARKED

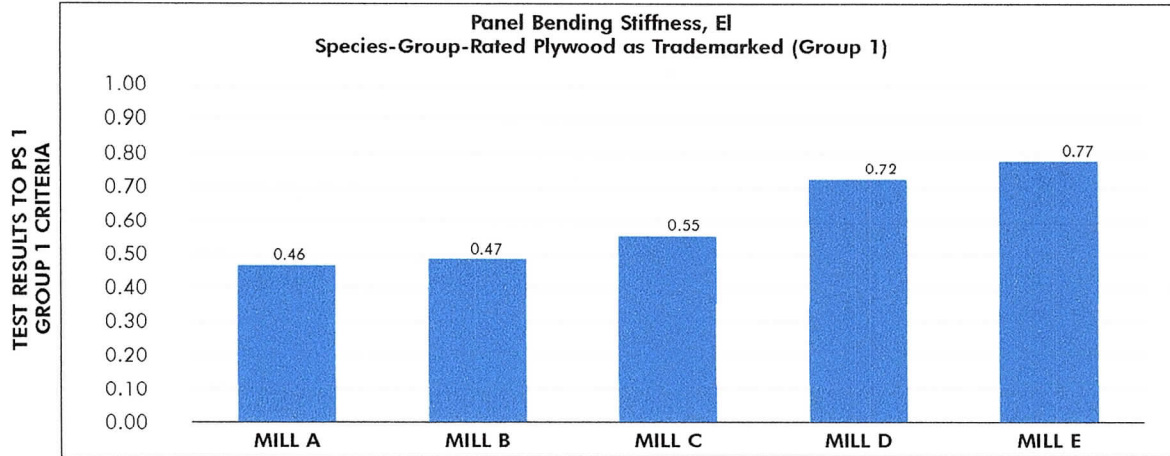
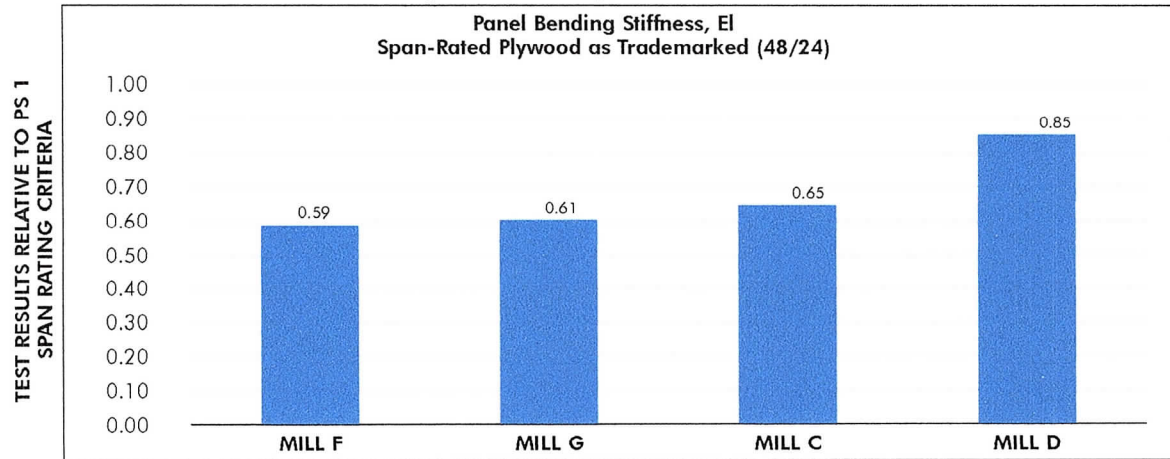


FIGURE 2

COMPARISON OF TEST RESULTS WITH THE PANEL BENDING STIFFNESS (EI) REQUIRED TO SATISFY THE 0.2-INCH DEFLECTION CRITERION (TABLE 8 OF PS 1) FOR ROOF-48 SPAN-RATED PANELS AT 35 PSF



CONCERNS

None of the individual lots of plywood panels performed at the serviceability level documented for Group 1 species within PS 1. In addition, none of the Span-Rated plywood sheathing lots, when used as structural members at the Span Rating shown in the trademark, complied with the roof deflection criteria within PS 1.

SAMPLING

The nine data sets of panels from seven Brazilian plywood manufacturers are described in Table 1. Each data set included five or more sheets of 4x8-foot panels. All plywood panels were 7-ply 7-layer construction and carried PS 1 trademarks issued by accredited inspection agencies.

TABLE 1

BRAZILIAN PLYWOOD SAMPLES

| Mill ID | Category | Species Group/Span Rating | Bond Class |
|---------|----------|---------------------------|------------|
| A | 23/32 | B-C Group 1 | EXT |
| B | 23/32 | B-C Group 1 | EXT |
| C | 23/32 | B-C Group 1 | EXT |
| D | 23/32 | B-C Group 1 | EXT |
| E | 23/32 | B-C Group 1 | EXT |
| F | 23/32 | 48/24 Sheathing | EXP 1 |
| G | 3/4 | 48/24 Sheathing | EXP 1 |
| C | 23/32 | 48/24 Sheathing | EXP 1 |
| D | 23/32 | 48/24 Sheathing | EXP 1 |

TESTED PROPERTIES

Plywood specimens were prepared and tested in accordance with Section 6.2.3, *Test for Panel Bending*, of PS 1 in the flatwise bending along the major panel axis direction. The bending stiffness was determined from the data. For species-group-rated (i.e., non-Span-Rated) panels, the test results are compared directly to the criteria shown in Table 9 of PS 1. To assess compliance with PS 1 for Span-Rated panels (48/24 sheathing shown in Table 1), equivalent deflection under uniform load was calculated for Span-Rated panels based on the roof span of 48 inches o.c. and compared to the criteria shown in Table 8 of PS 1.

CREDENTIALS

Founded in 1933, APA – *The Engineered Wood Association* is a not-for-profit trade association located in Tacoma, Washington. APA is a test laboratory accredited under ISO/IEC 17025 and a certification organization accredited under ISO/IEC 17065 for engineered wood products.

DISCLAIMER

This Product Advisory is based on APA – *The Engineered Wood Association's* continuing program of laboratory testing, product research and comprehensive field experience. Neither APA, nor its members make any warranty, expressed or implied, or assume any legal responsibility for the use, application of, and/or reference to the opinions, findings, conclusions or recommendations included in this Product Advisory. Consult your local jurisdiction or design professional to ensure compliance with code, construction and performance requirements. Because APA has no control over the quality of workmanship or the conditions under which Brazilian plywood panel products are used, it cannot accept responsibility for product performance or designs as actually constructed.

Imported Plywood Panels from Brazil Evaluated for Conformance to U.S. Product Standard PS 1-09 Requirements

We have field representatives in many major U.S. cities and in Canada who can help answer questions involving APA trademarked products. For additional assistance in specifying engineered wood products, contact us:

APA HEADQUARTERS

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Form No. SP-1185/Issued June 2018



REPRESENTING THE ENGINEERED WOOD INDUSTRY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 19-62225-CIV-ALTMAN

U.S. STRUCTURAL PLYWOOD
INTEGRITY COALITION, *et al.*,

Plaintiffs,

v.

PFS CORPORATION,

Defendant.

**PERMANENT INJUNCTION &
ENTRY OF STIPULATED FINAL JUDGMENT**

The parties have filed a Joint Motion for Entry of Permanent Injunction & Stipulated Final Judgment (“Motion”) [ECF No. 464], seeking entry of this Permanent Injunction and entry of Stipulated Final Judgment (“Permanent Injunction”). As set out in the Stipulation, PFS TECO has consented to entry of the Judgment, waived findings of fact and conclusions of law, and waived any right to appeal from this Judgment. Accordingly, the Joint Motion is **GRANTED** as follows:

I. PERMANENT INJUNCTIVE RELIEF

IT IS ORDERED AND ADJUDGED that, within seven (7) days of the entry of this Judgment, PFS TECO is ordered to revoke all of the PS 1 certificates and grade stamps that PFS TECO has issued to plywood mills located in southern Brazil by emailing a notice of PS 1 certificate revocation to each Brazilian licensee and to remove all revoked PS 1 certificates from the PFS TECO website.

IT IS FURTHER ORDERED AND ADJUDGED that PFS TECO is barred until this permanent injunction is lifted from issuing any PS 1 certificate or grade stamp to any plywood mill in Brazil.

IT IS FURTHER ORDERED AND ADJUDGED that PFS TECO shall not move to lift this permanent injunction until such time as PFS TECO has performed adequate testing of the tree species to be utilized in the region of Brazil for the manufacture of PS 1 structural plywood, has identified those grades of veneer by species and panel layout formulation that will meet the PS 1 requirements and has put in place the necessary laboratory, inspection and testing regimes to make certain that any plywood mills licensed by PFS TECO to produce PS 1 plywood have demonstrated the capability to consistently manufacture structural plywood that complies with the PS 1 standard. In addition, to support a motion to lift this Order, PFS TECO must demonstrate that it has in place a comprehensive system of plywood certification, inspection and testing practices that will provide substantial ongoing assurance that all of its PS 1 plywood licensees are continuing to consistently comply with the PS 1 standard or are terminated for noncompliance.

IT IS FURTHER ORDERED AND ADJUDGED that PFS TECO is ordered to cooperate with plaintiffs in any litigation raising issues related to the adequacy of performance of certification, inspection and testing agencies authorized to perform those functions under the PS 1 Product Standard, which shall include, but not be limited to, providing relevant documents to plaintiffs' counsel and witnesses to testify in those court proceedings.

IT IS FURTHER ORDERED AND ADJUDGED that PFS TECO shall urge the PS 1 Standing Committee to create an organization or committee similar to the American Lumber Standard Committee created pursuant to the PS 20 Product Standard, which governs structural lumber in the U.S. This organization would be empowered, pursuant to contracts with each of its certification, inspection and testing agencies, to conduct unannounced field examinations at any of its agency's licensee plants or to facilitate and conduct surveillance check inspections in U.S. ports, storage facilities, distribution yards and retail establishments. Based upon the evidence in this case, this Court expressly finds that creation of such an oversight accrediting agency is necessary to make the efficacy

of the certification and quality control system supporting the PS 1 Product Standard governing structural plywood sold in the U.S. comparable to the PS 20 Product Standard governing structural lumber in the U.S.

II. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that this Court shall retain jurisdiction of this matter and over PFS TECO in order to implement and carry out the terms of this Judgment and all Orders and Decrees that may be entered, to entertain any suitable application or motion for additional relief within the jurisdiction of this Court, and to order any other relief that is Court deems appropriate under the circumstances.

III. RULE 54(b) CERTIFICATION

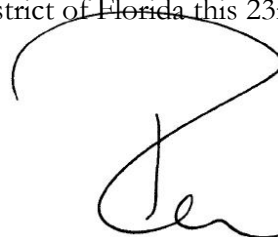
There being no reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is **ORDERED** to enter this Judgment forthwith and without further notice.

IV. CLOSURE

The Clerk is directed to **CLOSE** this case. All pending deadlines and hearings are **TERMINATED**, and any pending motions are **DENIED AS MOOT**.

* * *

DONE AND ORDERED in the Southern District of Florida this 23rd day of May 2022.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record