

DEPARTMENT OF TRADE AND INDUSTRY

No. 380

3 April 2009

NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act 5 of 2008)
CONSUMER AFFAIRS (UNFAIR BUSINESS PRACTICES) ACT

INTRODUCTION OF A COMPULSORY SPECIFICATION FOR
PRESERVATIVE TREATMENT OF TIMBER

I, Mandisi Mpahlwa, Minister of Trade and Industry, hereby under Section 13 (1) (a) of the National Regulator for Compulsory Specifications Act (Act 5 of 2008), and on the original recommendation of the Council of the South African Bureau of Standards, introduce the Compulsory Specification for ***Preservative Treatment of Timber*** as set out in the attached schedule, and withdraw the ***Control over Preserved Timber*** requirements as published by Government Notice 306 in Government Gazette 27314 of 21 February 2005, with effect from the date six (6) months from publication of this notice.



M Mpahlwa
Minister of Trade and Industry

SCHEDULE

COMPULSORY SPECIFICATION FOR THE PRESERVATIVE TREATMENT OF TIMBER

1 SCOPE

This compulsory specification covers the requirements for the preservative treatment of timber intended for use in a variety of applications under various hazard conditions, with the intention of protecting it from and preventing the spread of destructive factors or agents. The mandatory requirements fall within the scope of the relevant National Standard SANS 10005: *The preservative treatment of timber*.

EXCLUSIONS:

Requirements of SANS 10005: *The preservative treatment of timber* within the jurisdiction of other laws and regulatory bodies are excluded. Such requirements include but are not limited to

- Occupational Health and Safety;
- Vessels under Pressure;
- Environmental Protection;
- Safe handling, disposal and labelling of hazardous materials.

2 DEFINITIONS

For the purpose of this compulsory specification, the following definitions apply:

2.1 Regulator:

the body appointed by the Minister of Trade and Industry to administer compulsory specifications.

2.2 Applicant:

a manufacturer or importer that seeks approval of preservative treated timber and is an established legal entity within the Republic of South Africa.

2.3 Preserved timber:

timber that has been preserved to render it less susceptible to destruction by fungi, insects or marine borers.

2.4 Certification body:

a body appointed by the producer to assess the conformity of preserved timber against the requirements of the compulsory specification that is recognised by the Regulator in terms of its policy on conformity assessment.

2.5 Producer:

an entity that preserves timber.

2.6 Importer:

an established legal entity within the Republic of South Africa that imports preserved timber.

2.7 Conformity of production:

satisfactory proof that preserved timber offered for sale continues to conform to the requirements of this compulsory specification.

3 REQUIREMENTS

3.1 Preserved timber shall comply with the requirements of SANS 10005: *The preservative treatment of timber*.

3.2 The following requirements are excluded:

3.2.1 The requirements for occupational health and safety of Clause 9.2;

3.2.2 The environmental protection requirements of Clause 9.4;

3.2.3 The requirements for occupational health and safety of Clause 13;

3.2.4 The requirements for occupational health and safety of Annexes D and E.

3.3 The producer or importer shall appoint a certification body recognized by the Regulator in terms of its conformity assessment policy to verify the initial compliance and ongoing conformity of production of preserved timber with the requirements of this compulsory specification.

3.4 The Regulator shall only recognise conformity assessment bodies or evidence of conformity meeting its requirements.

3.5 The manufacturing facility for the preservative treatment of timber shall be pre-approved by the regulator for conformity of production requirements as prescribed in Annex A, attached

3.6 Preserved timber that complies with the requirements of this compulsory specification shall be marked as prescribed in Annex B, attached.

3.7 The manufacturer or importer shall provide the Regulator with satisfactory evidence of conformity of production on request.

3.8 The manufacturer and/or importer shall immediately report any failure to conform to the requirements of the compulsory specifications, of whatever nature, to the Regulator.

ANNEX A**APPLICATION FOR APPROVAL OF PRESERVED TIMBER****A.1 APPLICATION FOR APPROVAL**

The applicant shall apply to the Regulator for approval of the manufacturing facility for preserved timber. The application shall include the following:

- a) details of the type of preserved timber for which approval is sought and the standard/s to which it is claimed to conform;
- b) details of the manufacturing plant/s for which approval is sought.
- c) description of the manufacturing process/s;
- d) details of the control measures in place in the manufacturing facility to ensure ongoing conformity with the requirements of the compulsory specification;
- e) authentic current certificates of conformity with all the requirements of the relevant compulsory specification including standards and test methods referred to, issued by a certification body recognised by the Regulator;
- f) markings and other information to be placed on the preserved timber, with a breakdown of codes used where applicable;
- g) details of chemicals used in the preservative treatment, their specifications and derivation;
- h) any reasonable additional information requested by the Regulator.

A.2 APPROVAL

- a) The Regulator shall issue a Certificate of Approval to the manufacturer or importer when all the requirements have been met to its satisfaction.
- b) The Regulator shall assign a unique number to each Certificate of Approval.
- c) The Certificate of Approval shall be the sole proof of approval by the Regulator.

A.3 WITHDRAWAL OF APPROVAL

The approval granted in respect of preserved timber pursuant to the Specification may be withdrawn at any time without warning if compliance with the requirements of this Specification has not been maintained.

ANNEX B**MARKINGS**

Preserved timber shall be marked

- a) in accordance with the appropriate product specification Standard referred to in SANS 10005; and
- b) with the mark of conformity of the certification body.