

Trump Administration's Freeze on New Federal Regulations Will Impact Furniture Industry, EPA's Formaldehyde Rule

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The Trump Administration wasted no time getting started, as the new President issued a number of new executive branch directives in his first few days in office.

Among these initial orders was a memo to federal agencies from President Trump's Chief of Staff Reince Priebus ordering them to hold off on sending any new regulations to the Office of the Federal Register until they have been reviewed and approved by a newly appointed department or agency head. Any rule that has been sent to that office but not yet published must be withdrawn. Also, the effective dates for any regulations published in the last 60 days must be delayed for at least an additional 60 days.

One highly anticipated rule that would have become effective on February 10, 2017 and will now be stayed for 60 days is the EPA's Rule on Formaldehyde in Composite Wood Products. This rule sets standards for maximum formaldehyde emissions from certain composite wood products and imposes testing, certification, recordkeeping, and labeling requirements on manufacturers, fabricators, retailers, distributors, and importers.

Under the stay, the new administration will have an opportunity to consider if the rule raises substantial questions of fact, law, or policy and, if so, to reopen the notice-and-comment process. Alternatively, if EPA does not take some action within the 60 day period of stay, then the rule will become effective as published, and the future compliance dates therein (December 12, 2017, December 12, 2018, and December 12, 2023) will remain in place.

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National Law Review, Volume VII, Number 25

Source URL: <https://natlawreview.com/article/trump-administration-s-freeze-new-federal-regulations-will-impact-furniture-industry>