



**Contact:** Camille Dager  
[camille@hbmadv.com](mailto:camille@hbmadv.com)  
Harris, Baio & McCullough  
O: 215-440-9800

Immediate Release:

## **Court Permits Viance to Continue to Publish Results of Studies**

**CHARLOTTE, N.C., October 5, 2009** — Following the recent hearing in the Osmose vs. Viance litigation, the Court granted a preliminary injunction to Osmose which has narrower limitations than the previous Temporary Restraining Order. In its ruling, the Court reached no conclusion on the effectiveness of micronized copper wood preservatives or ACQ and permits Viance to continue to publish results of tests and studies on micronized copper preservatives and their performance in service.

Viance is pleased that in the ruling, the Court permits Viance to continue to publish the results of field stake tests and in service surveys. The Court also permits Viance to draw conclusions about those studies, as long as the data in the studies clearly supports such conclusions and the conclusions are either stated in the studies themselves or are readily apparent from the data contained in the studies. The Court precludes Viance from claiming or implying that those studies demonstrate that structures built with micronized copper treated wood pose a threat to consumers, basing its decision in part on the fact that while there was evidence of some early decay, neither the stake tests nor the in-service survey were tests of structures built with micronized copper treated posts. Viance stake tests are simply that, stakes inserted in the ground to provide comparative performance results of different preservatives. The posts found in the in-service survey were 4 x 4 posts used for fences and sign posts.

In a separate earlier decision, the Court refused an Osmose request to seal much of the record of the hearing, though Osmose has asked the Court to reconsider this decision. In refusing the Osmose request to seal, the Court states that public access to this information will allow consumers to resolve any disputes over the effectiveness of MCO treated wood on their own.

Viance will continue to seek answers to the scientific questions regarding the performance of micronized copper treated wood within the limitations established by the Court. Viance welcomes the continued debate, as the Viance view has always been that the industry deserves a complete and thorough understanding of the data and performance of the available wood preservative technologies.

Providing an extensive range of advanced wood treatment technologies and services to the global wood treatment industry, with an expertise in wood biocides and wood protection chemicals, Viance LLC is an industry leader in the development of advanced greener building material solutions that improve the performance and durability of wood and wood products for sustainable building. Viance is a joint venture between Rohm and Haas Wood Treatment LLC and Chemical Specialties, Inc., a wholly owned subsidiary of Rockwood Holdings, Inc. For more information about Viance wood treatment solutions, visit [www.treatedwood.com](http://www.treatedwood.com) or call 1-800-421-8661.

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