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Court Order Reaffirms Viance Must Stop False Media Campaign

Griffin, Ga., October 1 – On September 29, Judge Jack T. Camp of the United States District Court for the Northern District of Georgia, Newnan Division, granted a motion for preliminary injunction brought by Osmose, Inc. – the manufacturer of MicroPro® micronized copper preservatives – enjoining their competitor, Viance LLC, from continuing their negative marketing campaign against the MicroPro technology and micronized copper wood preservatives. This order follows the earlier temporary restraining order issued against Viance.

To defend the MicroPro technology and micronized copper wood preservative systems, Osmose produced witnesses, including Dr. Craig McIntyre, independent wood scientist of McIntyre Associates, Inc.; Dr. Pascal Kamden, professor of wood science and technology at Michigan State University; Dr. Jun Zhang, Osmose director of research; and John Horton, Osmose vice president of applied technology.

These witnesses testified that the Osmose MicroPro preservative technology has been thoroughly tested by Osmose and independent testing agencies and universities in laboratory and field studies. These wood treatment experts stated that use of the MicroPro preservative system is effective in protecting wood from fungal decay and termite attack, and that the negative claims made by Viance about MicroPro were not supported by the studies relied upon by Viance. In addition to the witnesses listed above, Dr. Stanley Rhodes, president of Scientific Certification Systems (SCS), testified that the Osmose MicroPro (MCQ) treated wood process is an Environmentally Preferable Product and that SCS conducted a full life-cycle assessment on the MicroPro preservative and MicroPro treated wood.

The order includes the following:

- Viance cannot claim or imply that the studies they conducted in Hawaii and Japan demonstrate that structures built using micronized copper-treated wood are unsafe, pose a threat to consumers, or are structurally unsound.
- The in-service survey conducted by Viance and the Hawaii/Japan field stake tests do not support broad conclusions about the safety of consumers or the integrity of structures built with micronized treated wood. Such statements are literally false, and statements that Timber Products “verified” the conclusions drawn by Viance are also literally false.
- Viance cannot claim or imply that the studies they conducted in Hawaii and Japan demonstrate that micronized copper preservatives are defective in general or are less effective than solubilized copper preservatives.
- Viance may not indicate or imply that any conclusions or opinions stated in their advertisements concerning the effectiveness of micronized copper preservatives or the safety of structures built with micronized copper-treated wood are verified or endorsed by Timber Products.



- Viance could not rebut the conclusion of the SCS Life-Cycle Assessment (LCA) of MicroPro (MCQ) that, when compared to ACQ, MCQ depletes fewer energy and metal resources, disrupts habitats less and results in lower greenhouse gas emissions.
- Viance may not claim or imply that Osmose's MicroPro process was not certified as an Environmentally Preferable Product (EPP) by SCS, or that SCS did not consider life cycle analysis including efficacy analysis in awarding EPP certification to Osmose's MicroPro process.

"The MicroPro treated wood process is recognized as an environmentally preferred method of treating and protecting wood against fungal decay and termite attack," said Paul Goydan, president of Osmose, Inc. "We are pleased with the judge's decision that orders Viance to continue to halt their negative media campaign on the MicroPro technology and micronized copper wood preservatives. Osmose firmly stands behind our MicroPro preservative systems and the many benefits this product brings to lumber retailers and consumers."

For more information on the Court's ruling, including a complete copy of the preliminary injunction order, please visit www.treatedwoodtruth.com.

MicroPro® is a registered trademark of Osmose, Inc.

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