



Department
for Business
Innovation & Skills

**CONSULTATION ON AMENDMENTS
TO THE FURNITURE AND
FURNISHINGS (FIRE) (SAFETY)
REGULATIONS: SUMMARY OF
RESPONSES**

Schedule 5 - the Match Test -
Part 1 and Schedule 4 - the
Cigarette Test

MARCH 2015

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1. Overview of the Proposals

The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (FFRs) set levels of fire resistance for domestic upholstered furniture, furnishings and other products containing upholstery.

The consultation paper¹ set out the Government's intention to change the specification for the match test and the FFRs' requirements for the cigarette test (both for covering fabrics) and sought stakeholders' views.

In essence, the proposal suggested three changes to the match test, namely to

1. add a fibre wrap round the foam (to simulate the wrappings used in modern furniture);
2. change the test foam from the flammable kind (illegal for use in actual furniture due to its flammability) to a combustion-modified foam (as commonly used in finished products); and
3. add a new test to make sure that any currently unregulated materials that are within 40mm of the surface (the depth to which flame will normally penetrate if the cover material forms holes) are also resistant to a modified match test.

The consultation suggested that this could result in a reduction of up to 50% of flame retardant chemicals often currently used to meet this test. This would bring benefits to health and the environment, as well as substantial savings to manufacturers, suppliers and retailers. In addition, BIS intended to exclude most cover fabrics from the cigarette test requirement (on the grounds that any fabric which passes the match test will also pass the cigarette test).

The consultation also flagged that the proposed test would help improve fire safety, as the lab tests undertaken to develop the new test had shown there were difficulties with the current match test.

Further details of the key elements of the proposals, including technical annexes which provide evidence for the proposals, are set out in the original consultation document.

¹ “Consultation on proposed amendments to Schedule 5 - The Match Test - Part 1 and Schedule 4 - The Cigarette Test - of the Furniture and Furnishings (Fire) (Safety) Regulations 1988” – 7 August 2014.
<https://www.gov.uk/government/consultations/furniture-fire-safety-regulations-proposed-amendments>

2. Conducting the consultation exercise

The consultation paper was circulated to around 500 stakeholders on 7 August 2014 and made available on the BIS website. The consultation closed on 7 October 2014 and received 113 written responses.

An open day was held at BIS's office at 1 Victoria Street on 19th August, where BIS presented the proposals to around 100 stakeholders from industry, the fire services, Trading Standards and other government departments.

Additional meetings with various stakeholders were held between October 2014 and February 2015 to discuss aspects of / evidence for the proposals. These were:

- a meeting organised by the Fire Protection Association (FPA) and chaired by Sir Ken Knight on 30 October 2014 (where the technical paper attached at [ANNEX I](#) was presented);
- a workshop with a small number of experts, held in November 2014 to consider the evidence for the proposals; and
- a roundtable meeting chaired by Consumer Affairs Minister Jo Swinson, at BIS on 9 February 2015;

as well as follow-up meetings with FPA and British Standards Institute.

In addition, there was an Adjournment Debate on the proposals on 25 November 2014 in Westminster Hall, at which Andrew Stephenson MP debated the proposals with the Minister.²

These meetings gave BIS further confirmation of expert and stakeholder views. The 9 February roundtable in particular allowed the Minister to hear direct from stakeholders on the advantages of the proposals (e.g. Trading Standards expressed their support for the new test mainly because it better reflects actual furniture construction and would make enforcement easier) and concerns from others that more work needed to be done; and that it would be preferable for BIS to combine the proposed changes with the overall amendments to the FFRs.

²

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141125/halltext/141125h0002.htm>

3. Responses Received

The consultation responses came from a wide range of stakeholders, broken down as represented in the following table:

63	Manufacturing/retail (including relevant trade bodies)
7	Testing
2	Academia
5	Chemical production and treatment processing
3	Trading Standards
20	Fire and Rescue
13	Other

Below is a breakdown of the opinions on the three main aims of the proposals (based on responses to Q1 of the consultation document, but taking into account feedback received across the full range of questions).

Do you think this proposal will help to save industry money?

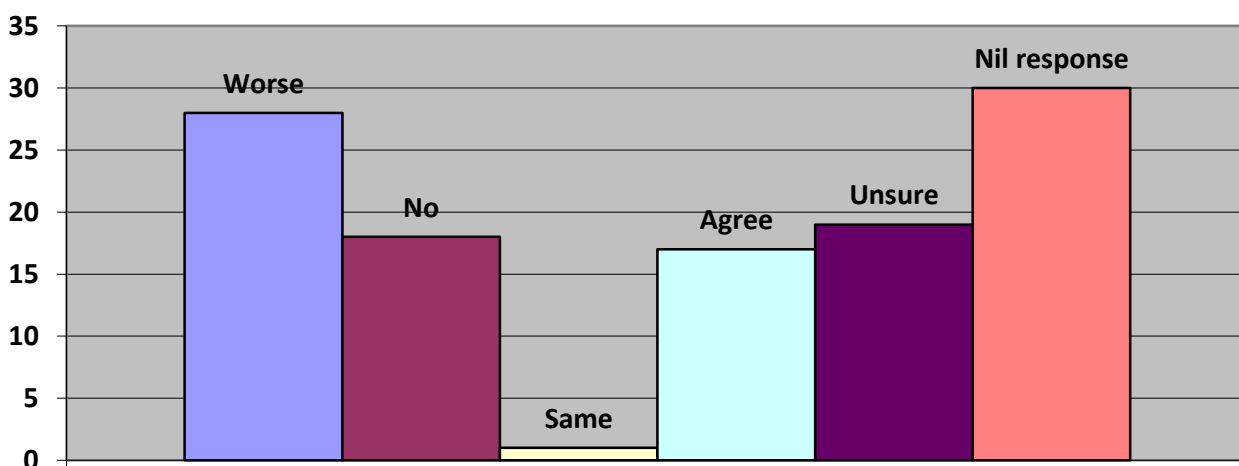


Figure 1: Responses to question – do you think this proposal will help save industry money?

There were 82 responses to this question – and around 45% of respondents reckoned there would be no cost savings, or that the proposal would actually increase costs. There were a number of reasons given, including:

- concerns that there would be additional costs from changing or modifying currently unregulated components and that this would involve a substantial increase in testing;
- suggestions that, partly due to complexity, manufacturers were likely to *increase* their use of flame retardant chemicals to ensure compliance.

Do you think this proposal will help to make UK furniture greener?

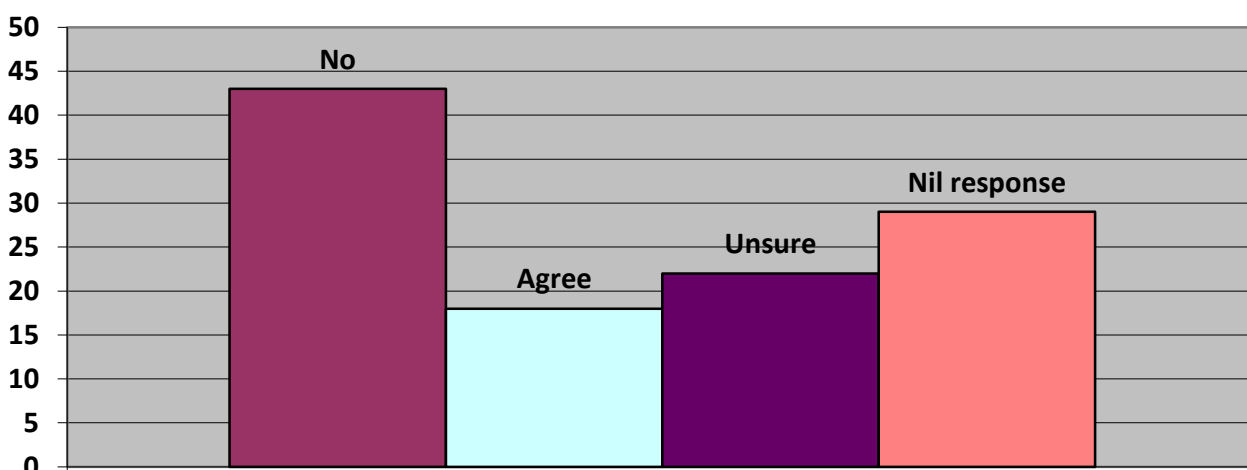


Figure 2: Responses to question – do you think this proposal will help to make UK furniture greener?

There were 83 responses to this question, with only 18 agreeing that the proposals were likely to make UK furniture greener. As above, part of this was driven by the feeling that usage of flame retardant chemicals was actually likely to increase as a result of the proposals. In addition, some responses suggested that there was not sufficient evidence to prove the case that flame retardants are harmful to health and the environment.

Do you think this proposal will help to make UK furniture more fire safe?

The key issue that emerged in various forms during and after the consultation was whether in fact there was a need for change (especially given the concern BIS raised in the consultation that the current match test is not sound) and, if so, whether the proposed new test was the right alternative.

This was made very clear in the responses to the question above, where there was a significant number of unsure/ nil responses.

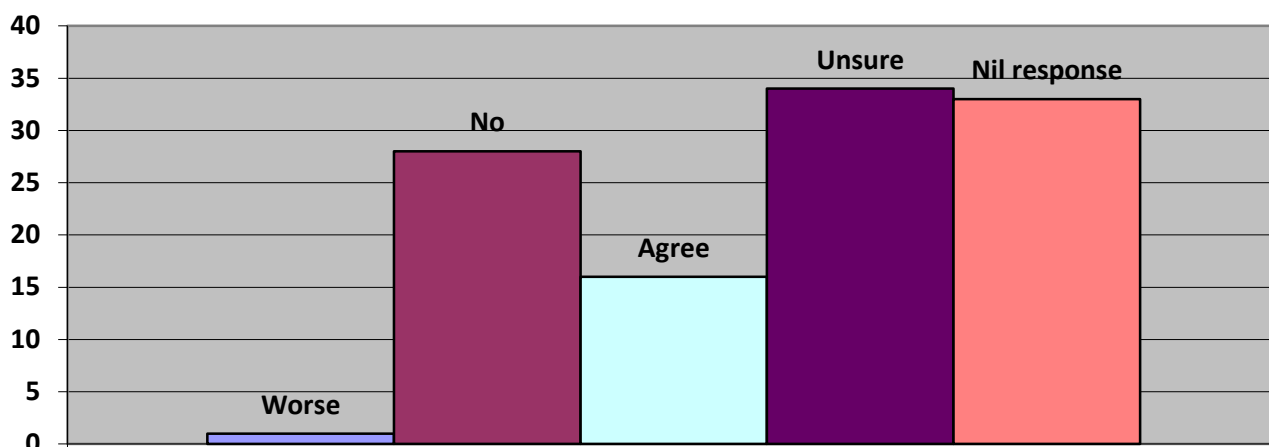


Figure 3: Responses to question – do you think this proposal will help to make UK furniture more fire safe?

Whilst the circulation of the technical paper ([ANNEX I](#)) subsequent to the formal consultation reinforced the scientific arguments presented in favour of the proposal, the majority of stakeholders at the roundtable in February argued that extra work was still needed on the proposals. In addition, it is clear that many of the concerns about the proposed amendments stem from uncertainty about what was actually being proposed.

4. Next steps

In the light of all the information received through the consultation process (including the meetings described above) BIS will not be seeking to implement the proposed amendments in April 2015.

Instead, the proposals on changes to the FFRs testing regime will be considered as part of the full review of the Regulations which was already underway. The full review will continue to consider a wider range of issues, including traceability requirements and the scope of the Regulations with respect to particular products. As part of this ongoing process, BIS will:

- Work collaboratively with stakeholders to develop a consensus view on the changes that need to be made to the existing Regulations, including the development of the guidance that would be needed to underpin those changes.
- Work with the British Standards Institution (BSI), as the UK's National Standards Body, on certain elements of the proposed new match test, focussing on those areas where the overall consultation suggested there is more uncertainty or a lack of consensus about the proposed approach. (This builds on FPA/industry ideas offered to BIS on how to take the proposal forward and reflects the emerging consensus that the proposed test has key advantages, for example in replicating actual furniture construction more closely.)

Specifically, the Government is asking BSI to consult with the standards stakeholders represented on its relevant technical standards committees and provide their views on:

- The proposed specification for the foam to be used in the test rig;
- The proposed approach to assessing hole formation;
- The proposal to remove the requirement for cover fabrics to be tested against Schedule 4 (the cigarette test) if they pass the match test;
- The evidence base for the proposed changes to the match test with respect to robustness, repeatability and maintenance of safety

The aim of this would be to enable BIS to launch a new consultation early in the next Parliament, covering all the proposed changes to the Regulations which stem from the stakeholder discussions outlined above, complete with draft regulations, guidance and further technical explanations.

This would in principle enable the full review to be completed by April 2016.

Annex A: List of Respondents

A J Way and Co
ACL
Aerozip
Alstons Sofas
AMUSF
Arthur Brett and Sons
Ashley Manor Furniture
Associated Independent Stores
B&Q
Bedfordshire Fire and Rescue
BFC
BFM
Bob Graham
BPA
BRC
Britax Childcare
CFOA
Cheshire FRS
CIRFS
Clarksons Textiles
Cleland McGiver
Clockwork Components
Consumer Product Safety
Cossatto Ltd
Cumbria Fire and Rescue
CYBEX GMBH
David Hawkrige
Designers Guild
Dick Horrocks, Bolton University
Dinsmore
Dorel Juvenile
Dorset Fire and Rescue
Dunelm
Duresta Upholstery
East Coast Nursery Ltd EETSA
EFRA
Ercol Furniture
Europa Trading
Fairway Furniture
FBU
Federation of Belgian Textiles
FIRA
Fire Protection Association
Fire Safety Platform
Fire Sector Federation
Flexible Foam Research Ltd

Formulate Polymer Products
FRETWORK
FuDa International Trading
G Plan Upholstery
Graco Children's Products
Green Science Policy Institute
Green Textile Consultants
Greenstreet Berman
Hardenberg and co
Harrison Spinks
Home Retail Group
HSTTS
IFE
IKEA
Ipea
JA Milton Upholstery Supplies
John Lewis plc
John Shipman
Kent Fire and Rescue
Kyoto Futons
Lebus Upholstery
Lincolnshire Fire and Rescue
LOFA
London Fire Brigade
Maclaren
Mattel
Mamas and Papas
Mid and West Wales Fire and Rescue
Morria Furniture
National Trust
NBF
Next
North Yorks Fire and Rescue
Northamptonshire Fire and Rescue
Parker Knoll
pinfa
Plumbs Ltd
Prestigious Textiles (British Interior Textiles Association)
QFC
R J Binnie
Relyon
Richard Hull, UCLAN
RoSPA
S Ross and Co
SATRA
Scottish Fire and Rescue
Siren Furniture
Steinhoff
Stokke
Sumi Appa Rao

SWERCOTS
TEGEWA
Textile Laboratory Services
Toledo Fabrics
Trading Standards Institute
UKTLF
Wellbeck
Welsh Assembly
Wendy Shorter Interiors
West Hartford Community Fire Station
West Sussex County Council
Westbridge Furniture
White Meadow Furniture
Wood Panel Industries Federation
Wyvern Furniture



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