



Department
for Business
Innovation & Skills

**FURNITURE AND FURNISHINGS
(FIRE) (SAFETY) REGULATIONS
1988**

**Consultation on proposed
amendments to Schedule 5 - the
Match Test - Part 1 and Schedule 4
- the Cigarette Test**

AUGUST 2014

**Annex 8: 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 - response form**

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 7th October 2014.

Please provide answers to any of the questions below, and provide any additional response you believe is appropriate, headed:

Redacted

Your name:

Organisation (if applicable): Whitemeadow Furniture Ltd

Address:

Please return completed forms to:

Terry Edge
4th Floor, Orchard 1
BIS
1 Victoria Street
London SW1 0ET

Telephone: 020 7215 5576
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Please tick boxes below which best describe you or your organisation.

	Organisation type
	Business representative organisation/trade body
	Central government
	Charity or social enterprise
	Individual
	Large business (over 250 staff)
	Legal representative
	Local Government
x	Medium business (50 to 250 staff)
	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
	Other (please describe):

Please note: in addition to the consultation questions below, we would be very grateful if you could also answer the questions from the Impact Assessment which follow them.

Consultation questions:

Question 1: Do you think this proposal will achieve its aims of: helping to make UK furniture greener, save money to industry and making UK furniture more fire safe?

Comments:

Aim 1) to make UK furniture greener – NO

As clearly demonstrated in testing research carried out by FIRA, reductions in chemicals will only become achievable on fabrics with a 100% polyester composition. Other fabric compositions do not show an overall achievable reduction in chemicals, indeed certain compositions show a need for an increase in the use of FR chemicals to pass the new test requirements. Add to this potential increases in FR treatment to currently unregulated materials and it becomes clear that suggested 50% overall reduction in chemical usage, will not be met. As a supplier to a wide and varied customer base, our fabric stock holding takes in a wide spectrum of material compositions, 100% polyesters only account for around 15% of this, therefore, in our case, tangible reductions in FR chemical usage, leading to greener UK furniture do not appear achievable.

Aim 2) save money to industry – NO

It is hard to see where savings could be made (other than 100% polyester fabrics). Possible increases in FR treatment to cover fabrics, additional treatment to currently unregulated materials and undoubted increases in material testing, for us, would easily outweigh any potential savings. Costs, and more importantly, actual availability of alternative compliant materials are largely unknown. Actual revised testing costs are not known at this time, same with frequency of testing on components. There is also the lengthy and costly process of implementing the changes within the business, because of the widening range of product potentially requiring test, then due diligence and related compliance costs will also rise. We would also need to consider the costs, particularly in time spent, of communicating our requirements to a Global supply chain.

Aim 3) make UK furniture more fire safe – NOT SURE

It is important that the current levels of safety are not compromised by introduction of some of the proposed changes. The potential 'pass' of a material that splits during the new tests, allows a material to be used that would have previously failed. This would then lead on to the necessity of treatment to currently unregulated materials, not previously considered, which could potentially improve overall product safety, however, there is no evidence that said items are currently an issue, so it is difficult to conclude one way or the other.

Questions 2: Do you think that paragraphs 19-22 accurately set out the need for a change to the current match test?

A

☐ No

Comments:

Paragraphs 19-22 all focus on an overall reduction in the use of FR chemicals. FR chemicals, although not a requirement of the test, are often used to achieve the pass result. Whilst I sure that we would all welcome chemical reduction, it should be noted the current usage is regulated by current legislation. The proposed changes will not remove the need for the use of FR chemicals, they would lead to reduction at best in some areas, however, in all cases they would still be present in some form. This does not seem to deal with the points raised in paragraph 21 and 22 regarding potential disposal of furniture containing potentially harmful substances, and the ongoing EU rejection to the raising of standards whilst FRs in UK furniture remain

Question 3: Do you think the proposed changes are viable (paragraphs 23-29)?

A

☐ No

Comments:

The proposed changes bring greater confusion to the testing process and further need for more complex understanding of the results, when what would be welcomed, is in fact the opposite, a simple test without the need for great interpretation. The introduction of a two tier pass (split or not split, protective or not protective) introduces too many variables into the equation, we already see some variance from test house to test house, but at least are dealing with a simple pass or fail. The actual rule of measure to determine splitting on fabrics, also seems very difficult to maintain and carry out, measuring with a ruler or scale, a non-uniform 2mm square hole on a charred fabric, will undoubtedly throw up consistency issues, as will the testing of small components such as plastic screws and clips. Determination of the 40mm rule, again more room for possible interpretation, for us as a manufacturer with a very large product range, almost impossible to police effectively without seriously limiting this range, along with greatly reducing our fabric and covering offering. All in all, too many variables and unknowns making compliance, and due diligence strategies even more difficult to achieve and maintain.

Question 4: What are your views on the inclusion of currently unregulated materials (paragraphs 27-29)?

Comments: To ensure compliance I feel that we would have to take the view that a split in tested fabrics would occur and that we would need to take a 'worst scenario' stance on all product. We would need to look towards ensuring, through re design and replacement of some components, that all componentry would work with either level of test pass, split or no split. There is suggestion of an exemption list of certain components, but it is unclear what these components will be and if this list will be set by material type, or manufacturer.

Question 5: Do you agree with the benefits BIS believes the changes will bring?

A ☐ No

Comments: We do not feel that there are any significant cost savings that could be achieved. We do not believe that a reduction in FR chemicals will be achieved overall, indeed the use of FR chemicals could be considerably higher than at present should the need arise to treat currently unregulated non visible linings. There is no evidence to suggest the new test will prove to be any more, or less fire safe than current procedures. The potential for splitting fabrics to pass the test brings unknown variables in to the equation. The introduction of these variables means that unscrupulous organisations could still practice the reduction of FR coatings, so a top cover passes the test but fails to be protective. A future disposal of product issue is not addressed as the use of chemicals would continue.

Question 6: What is your view on BIS's reasons for bringing forward the changes (paragraphs 41-42)?

Comments: We appreciate that discussions have been ongoing for some time on a regulation overhaul. It would have been expected that all potential changes would take place at the same time.

Question 7: General rating of the proposals.

On a scale of 1 to 5, 5 being the highest, grade your overall approval of the proposals

	5	4	3	2	1
Right problems identified				X	
Range of options wide enough				X	
Preferred options well chosen				X	

Question 8: Do you have any other comments that might aid the consultation process as a whole?

Comments: Whilst in full in agreement of the need to provide product as fire safe as possible, the process of getting to this point, needs to be as simple as it can be, without possibilities on misinterpretation. We have to understand and promote this policy within our own organisation, and throughout a worldwide supply chain. We feel that the new test procedure is overly complex and will indeed hinder, rather than help us.

Below are the additional questions from the Impact Assessment. Please respond to them on this part of the form.

Q1: Is the assumption on the cost of testing above right in your view? Could you provide evidence supporting your arguments?

Q2: Do you have any evidence that could help to refine this cost estimates?

Q3: Are there any other costs not included here that should be included? Please provide evidence supporting your arguments.

Q4: Do you agree with the assumption that there will be minimal losses of stock given the transition period? What is your normal turnover of stock?

Q5: Do you agree with the assumption on annual cost savings to UK based companies testing of fabrics for the cigarette test? Could you provide information on the cost of the cigarette testing for your company?

Q6: Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company?

Q7: Are there any other methodologies you think would be more appropriate?

Q8: Do you agree with the cost estimates above? Could you provide alternative estimates?
Could you provide estimates of cost savings for upholstered garden furniture and/or caravan upholstered furniture?

Q9: Do you agree with the assumptions above towards calculating the total annual amount of treated fabric? Please provide evidence supporting your arguments.

Q10: Are there any other unquantified costs or benefits? If possible, please provide evidence supporting your arguments.

Q11: Is this a fair reflection of how smaller businesses will be affected? Please provide evidence supporting your arguments.

Q12: Are the familiarisation cost savings, in time, between options 2 and 4 an accurate reflection of the difference? Please provide evidence supporting your arguments.

Q13: Do the cost saving time profiles accurately reflect the timings of cost savings your business expect to see?

Thank you for your views on this consultation. Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply ☐

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

☐ Yes

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