2016 - 015 British Interior Textiles Association.

Response ID ANON-F7WP-299V-X

Redacted

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-11-10 14:29:33**

Introduction

1 What is your name?

Name:

What is your email address?

Email:

Yes

3 What is your organisation?

Organisation:
British Interior Textiles Association

4 How would you classify your organisation?

Organisation type:
Medium business (50 to 250 staff)

Other - please describe here:
We are an Association with over 50 members

Scope

5 The proposed regulations cover any item of domestic furniture which is ordinarily intended for private use in a dwelling and comprises a cover fabric and a filling.Do you agree with the revised definition of the Regulation's scope?

Yes

Comment box:

6 Do you agree with the proposals relating to sleeping bags and mattress protectors (i.e. those which can be put in a washing machine are explicitly removed from scope and do not have to meet the requirements of the regulations)?

Yes

Comment box:

7 Do you agree with the proposals relating to cushions and seat pads (i.e. that they remain excluded from cover tests but the definition of these products to be specified more clearly)?

Yes

Comment box:

8 Do you agree with the proposals relating to outdoor furniture (i.e. that outdoor furniture unsuitable for use inside the home, and clearly labelled as not complying with the Regulations) should be out of scope?

Yes

Comment box:

9 Do you agree with the proposals relating to baby products (i.e. that items covered by covered by BS EN1888 (wheeled child conveyances) and BS EN1466 (carry cots and stands) are removed from scope, with padded playpens treated in the same way as mattresses)?

Yes

Comment box:

10 Do you agree with the proposed treatment of second-hand products (i.e. that they would be required to bear the relevant permanent label)?

Yes

Comment box:

Testing

11 Do you agree to removing the Filling 1 option? (i.e. to remove the option to test where covers are placed directly over the foam filling in the final product)

No

Comment box:

12 Do you agree that the specifications set out in the draft Regulations for the test foam and fibre wrap are sufficient to achieve the objectives of the Regulations?

No

Comment box:
The proposals could pose more problems in testing

13 Do you agree that the regulations should provide a protective cover option?

No

Comment box:

14 If yes, do you agree with our proposed definition of protectiveness?

No

Comment box:
This requires clarification

15 Do you agree with the proposed requirements for components close to the cover?

No

Comment box:

16 Do you agree that there is no need for the cigarette test for covers that pass the revised match test?

Yes

Comment box:

17 For business respondents - Which of the routes to compliance do you expect to follow for most of your products?

Not sure

Comment box:
Until we are further down the line and we agree on the route to be taken.

18 For business respondents - What do you expect the impact of the testing proposals to be on your use of flame retardants in covers?

Increase

Comment box:

19 For business respondents - What do you expect the impact of the testing proposals to be on your overall use of flame retardants?

Increase

Comment box:

Traceability and enforcement

20 Do you agree with the product record/technical file requirements for manufacturers and importers?

No

Comment box:

21 Do you agree with the requirements for the single permanent label, and the proposal to remove the requirement for additional display labels?

No

Comment box:

22 What do you think is the most effective means of conveying the use of flame retardants in the cover of this product eg by text, symbol?

Comment box:
Not sure

Other questions

23 Do you agree that a 24 month transition period is sufficient, and that the changes should be reviewed in five years?

Yes

Comment box:
Sufficient time is being allowed

24 Do you have any other comments on the proposals or draft regulations?

Comment box:
The draft regulation will not necessarily improve safety or cost

Impact Assessment

25 Do you agree with our estimate of traceability time in the Impact Assessment – ie one-off input of 16 hours per firm and ongoing per year time of 48 hours per firm? If not can you provide additional evidence to support your answer?

No

Comment box:
It is difficult to estimate how long each organisation would take

26 How much do you estimate you would save per year from the removal of the cigarette test?

Amount saved::
It is difficult to save from no cigarette test when further requirements are being proposed

Not Answered

Comment box:

27 How much do you estimate you would save per year from reduced use of flame retardants?

Amount saved::
No savings are being projected especially when more expensive chemicals are being considered to replace bromide.

Not Answered

Comment box:

28 Are you aware of any further costs or benefits we have not identified in the impact assessment? Please support with any evidence you have.

Not sure

Comment box:

29 To what extent do you agree that, overall, these proposals represent a reasonable compromise – bearing in mind the information in this consultation document, feedback on the previous (2014) consultation, and other stakeholder input during the review?

Strongly disagree

Comment box:

BITA RESPONSE TO THE BEIS DRAFT RECOMMENDATIONS FOR THE CIGARETTE & MATCH TEST

The B.I.T.A. membership is made up of 'micro-enterprises' [SME's]; individual upholsters, retailers, interior designers, there are 22,000 either members or associate members and as such they have limited resources to cope with increases in regulations that would come into place if the new proposed Furniture & Furnishing Safety Regulations were introduced. Despite being small, individually, they collectively make up a high proportion of sales within the U.K. of new upholstery or re-upholstering on 'old' furniture.

These proposals were ill-conceived from the start, reporting to be 'saving industry money', making furniture 'Greener' by using less Flame Retardants and reducing 'Red Tape'. If implemented, none of the above will be achieved.

Why, because the calculations on the possible savings on FR compound are so way-out, as not to be creditable. £30 to £50 million is far greater than what is currently used, the major Coaters submitted their compound usage to determine the actual amounts used to show this to be a fact. Hence NO savings there! The amount of FR in a compound only relates to about 30-35% of the actual treatment costs.

Recommended changes to Cigarette & Match Test, are also confusing, having not been fully thought through. As we understand it, no comparative tests have been carried out with the current and the proposed to determine if the desired results are possible? Far from cutting testing costs, we can only see them being increased.

Not doing a Cigarette test if the fabric passes the Match test, has no validity, test records show that there can be Cigarette Fails even if the fabric passes the Match test. UKAS Test House can confirm this to be true. Typically, Fabric Wholesalers pre-test their fabrics to the cigarette standard, if destined for Upholstery use, without any pre-treatment, particularly if they are 75% or more Natural Fibre, and can therefore be used with a schedule 3 FR Interliner, the cost therefore will still be needed to conform to the standard? By this very exemption the Cover Fabric has No FR treatment are therefore less 'safe' than a treated fabric, hence many upholsterers will treat these fabrics to save on double upholstering both the interliner & the cover fabric. A Schedule 3 FR Interliner may protect the internals of say a Sofa, but not other textiles in the room!

For the Match Test, the proposal asks for what is in fact a two-tier pass, one with no hole forming, the other with a hole that is greater than 2 square millimetres. Firstly, trying to measure such a 'small' hole is very difficult, even a charred natural fibre fabric, after the burn, will produce a 'hole' if the area around it is touched in any way, i.e. with a ruler! The hole or no hole would allow the upholsterer to choose what internal parts he can use, within 40mm of the cover, the treatment & testing of any fabric has the potential to produce a 'no hole' this week and a 'hole' the next, but with both passing the test. Thus, making production choices of internal parts impossible from one week to the other.

There are a vast range of components and suppliers from around the World, this would place a serious burden on the upholsterer, large or small, in being able to have suitable components constantly in stock. The suppliers would need to prove their parts conformed to the FR regulation before they could be sold and used within the UK. There is talk of a 'Technical File' for each model produced, perhaps OK for a large company but impossible for a small one. Traceability of all the history of any upholstered item is important, the upholsterer needs to keep the relevant paperwork, but is reliant on the suppliers to pass on the correct details and proof of FR standards of the items supplied. Having a File for each put's extra burdens on SME's in particular without the manpower or ability to produce such files!

Like it or not the majority of component parts & cover fabrics are imported into the U.K. as are upholstered furniture units ready for sale. What provisions can be made for this situation, upholsterers can only go by, due diligence is required now, but this will increase substantially if the new proposals go ahead. What happened to less Red tape?

There seems to be a move towards having All Flame Retardants banned, along the route taken by California in the States, where they have given in to persistent lobbing to bring this into place. As a result, there is anecdotal evidence that House Fires have increased since FR's were banned.

Interested 'bodies' both here in the UK & the E.U. Brexit apart, are pushing this agenda? Placing all Retardants as 'Bad' goes against REACH, surely set up to cover this very thing? There is no definition of 'what is a flame retardant'! Producing a Negative or Positive list, will be very difficult and very subjective. Given the very wide range of fabric styles, constructions, blends, that there is, no one compound works for all. This could also stifle new developments in possible compounds, as who will be arbiter as to what is permissible or not? Surely not the Pressure Groups, with their agenda.

Upholstered fabrics are not only found in the home, but in public areas also, such as Hotels, Offices, Eating & Drinking establishments, Hospitals, Prisons, Reception areas. There are specific requirements for these areas also, where even curtains are required to meet set standards. All of these buildings have to have a 'Fire Risk Assessment' carried out and suitable precautions, such as Flame Retardant fabrics to meet these requirements. Do we also include Public Transport and even Motor Vehicles, all of which have retardants present?

The Furniture & Furnishing Safety Regulations were introduced as a preventative measure to reduce the risk of fires from 'Smokers Materials'.

An untreated fabric is not a 'Safe' fabric, making these changes, as proposed, will put this at risk?