

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:

Your name:

Redacted

Organisation (if applicable):

RELYON LTD

Address:

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Please tick boxes below which best describe you or your organisation.

	Organisation type
<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input checked="" type="checkbox"/>	Large business (over 250 staff)
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)

Organisation type	
	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:

A reduction in FR's will be possible with some fabric compositions however testing evidence has shown that this will not be possible with all fabric constructions currently being used within the market place. Indeed there is evidence that with certain fabrics an increased addition level would be required to prevent hole formation to allow the fabric to be used as a protective cover to prevent the need for currently unregulated materials to be tested. At this point in time it is not possible to determine whether the desired overall reduction in FR usage and cost savings is possible until furniture is in production which has been designed to comply with the proposed changes. It is difficult to comment at this stage whether or not there will be a reduced or improved safety from the proposed changes but based on limited investigation conducted in house we do not believe safety will be reduced.

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

A ☐ Yes

Comments:

Yes there is a need for change across all industries to reduce chemical usage especially those that can or may have an impact on human health or the environment.

It is agreed that the high level of FR's particularly BFR's is a barrier to international trade, although this can be overcome by producing two ranges one for the UK and one for export.

Increasing end of use requirements also need to be considered especially within the bedding industry where reuse and recycling of used bedding products is not viable due to deconstruction and human health issues.

If the use of FR's can be reduced this would be welcomed within the industry.

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

A

☐ Not sure

Comments:

The proposed changes may be viable provided there is suitable clarification of both the test methods and standard test materials i.e. PU foam and polyester specification. As it is currently ambiguous as to which foam or fibre materials are to be used eg. what density polyester fibre wrap or whether it should be needled or not. The measurement of hole formation would also need to be clarified so that there is a good consistency in measurement between laboratories, which as it currently stands could be the case.

The testing of small components would currently involve adaptation of the given test method which would again give rise to variability in test results, and could cause compliance issues for industry particularly when dealing with government organisations such as trading standards.

Evidence also suggests that there may be occasions where a material that passes the match test would not pass the cigarette test, although there has not been time to fully investigate how many materials would be affected in this way

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

Comments:

The need to test materials that are not protected by the outer covering is understood, but this will add considerable additional cost to industry due to the need to test a number of materials not previously considered.

There is also still a great deal of confusion around the industry as to what is to be tested and what will be excluded especially when it comes to electrics where cabling etc. is likely to be within 40mm of the surface cover.

Guidance given to industry needs to be clear and precise to allow manufactures to understand the requirements to take these into account during the design process.

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

A

☐ No

Comments:

Para 31 – Any reduction in the use of FR's would be welcomed both for environmental and human health concerns, however at the current time there is insufficient evidence to show that these changes to the regulation would substantially reduce FR usage.

Para 32 – Cost savings will not be possible with all fabric compositions, in fact in some cases increased levels of FR will be required to ensure compliance. The true extent of the cost savings will not be evident until furniture is being designed and manufactured to be compliant to the change in the regulation. It should also be remembered that there will be additional testing costs

Para 33 – As a company who currently supplies to mainland Europe we are not aware of any interest in increasing flammability requirements for EU furniture.

Para 34 – Currently there is no evidence to suggest that the inclusion of these materials would be more or less safe than current constructions.

Para 35 – If the proposed test corrects this issue it would be an obvious benefit.

Para 36 – Unscrupulous companies will continue to supply none compliant products into the market place whatever regulations are in place unless there is better enforcement of the regulations.

Para 37 – The proposed regulation does not impose any restrictions on which chemical treatments may be used but aims to use less of them. End of life regulation is more likely to stipulate which chemicals are restricted and not what addition levels may be used so the change to the regulation would not be of benefit here.

Para 38 – We would fully support development of new technologies especially if they brought improvement in the risks to both human health and the environment.

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

Comments:

Manufacturing would much prefer to have all amendments to the regulations issued in one change to aid with the costly implementation across the supply chain (especially when part of the supply chain is not based in the UK where the regulations are not in force and more explanation is required.)

Paragraph 41 states that the new tests represent the major changes to the Furniture and Furnishings (Fire) (Safety) Regulations, it would therefore be reasonable to expect that a full review of the regulations could be conducted and issued as one amendment.

The speed at which these regulations are proposed to be implemented will also cause issues for manufacturers who are working many months ahead on new ranges and who may have already sourced materials for products which will be put on the market at the time of the amendment to the regulation.

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		

	5	4	3	2	1
Preferred options well chosen			x		

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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BIS/14/980