



06 October 2014

Terry Edge  
Department for Business, Innovation and Skills  
Orchard 1, 4<sup>th</sup> Floor  
1 Victoria Street  
LONDON  
SW1H 0ET

Dear Mr Edge

**RESPONSE TO PROPOSED AMENDMENTS TO SCHEDULE 5 OF THE FURNITURE & FURNISHINGS (FIRE) (SAFETY) REGULATIONS 1998**

Kyoto is a UK Manufacturer of Futons, Upholstered Sofa Beds, Bed Frames and Headboards. As a member of FIRA we have attended meetings with regard to the proposed amendment to Schedule 5 the match test – Part 1 and Schedule 4 – the cigarette test – Part 1. Please see our response below to the consultation form Annex 8. As a supplier to the retail industry we feel it is important to stress the implications of the proposed changes to us as a Manufacturer and supplier to the National and Independent Retail Markets.

Having been enlightened as to the testing research that took place by FIRA and subsequent results, we note that a reduction in chemicals on many fibre compositions does not appear viable except for the composition of 100% Polyester and then only a potential reduction of 50%. The fibre compositions which appear to allow the least amount of reduction are the fabrics that we use consistently as a company (100% cotton, Acrylic, Polyester Cotton blends and Faux Leathers). Our understanding is that in some cases the FR treatment would need to be increased to meet the new requirements.

As a furniture supplier to the Retail Industry, the responsibility of fabric testing falls squarely with us as a manufacturer. We therefore, continually send fabric to UKAS Independent Test Houses for FR testing. This considerable cost to us is undertaken as part of our due-diligence process. The media attention to the FR of furniture has resulted in an increased programme of due diligence testing this year. The proposed amendment, whilst reducing the Cigarette test requirement, will lead to a considerable financial increase to manufacturers with the requirement to test lining materials and other components within 40mm of the cover where the cover is deemed to be “not protective”. With regard to our upholstered furniture it may be that we have to re-design product as a result of the requirement again at a considerable cost.

The focus on the Match test should be robust but realistic. The 40mm limit does not appear to be a realistic numeric. Clarification is also required on the frequency of testing. Again, this may result in a restriction of the fabrics and styles offered to customers and could therefore reduce choice to our retailers which would have a “knock on” effect to our Market. It would also be unrealistic to state that we would be able to absorb all costs and could potentially penalise manufacturers and their retail market.

We raise concerns over the measuring processes to be taken with regard to the proposed 2mm hole formation as an indicator to a protected or unprotected pass. There appears to be no data to back up the proposed size and no agreed accurate method of measurement. Considering the financial consequences of an unprotected pass we would expect full clarification of the measurement method and the rationale for the 2mm hole

As a manufacturer we carry out a program of fabric and frame testing and. We understand that there is an overall requirement to review the current schedule but do not feel the amendment is necessarily the correct way forward without a full review of the Schedule. We feel it would be more constructive at this time to set up a process of clear, definable guidelines based on the current schedule testing methods that each Supplier, Manufacturer and Retailer should follow. This would enable transparency and ensure that we are all held accountable to the same standard thus making furniture safer. Our understanding is that no figures have been advised/agreed with regard to the new test costs and there will obviously be additional costs in relation to the process.

In addition to the direct costs of testing, the question has to be raised as to implementation and conformity (labelling of products, Identification to the consumer, conformity of current shop floor models etc.).

The above points raised are representative of Kyoto as a Manufacturer and Supplier. We take our responsibility with regard to safety seriously and agree with the principle of changes to the schedule. However, we do not feel that the amendment in its current form will enhance the "Greener" approach and feel that further testing is required with regard to the reduction in FR Chemicals against the composite of today's fabrics. We also feel that further investigation with regard to the 40mm (unprotected) limit is required including a definitive list of exceptions; without the list it is virtually impossible to determine the full effect this will have on current product and future design. Likewise we feel that further investigation/discussion regarding the 2mm hole formation is warranted. . Testing over FR is definitely the correct way to go forward and some composite testing over finished products is a positive.

The above areas require further investigation to ascertain a realistic and workable testing Schedule

Thank you for the opportunity of response.

Yours sincerely

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