



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 7<sup>th</sup> October 2014.

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

Your name: Mamas and Papas Limited  
Organisation (if applicable):  
Address: Colne Bridge Road, Huddersfield HD5 0RH

Please return completed forms to:  
Terry Edge  
4<sup>th</sup> Floor, Orchard 1  
BIS  
1 Victoria Street  
London SW1 0ET

Telephone: 020 7215 5576  
email: [terry.edge@bis.gsi.gov.uk](mailto:terry.edge@bis.gsi.gov.uk)

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
X	Large business (over 250 staff)
	Legal representative
	Local Government
	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: The question is answered with a focus on Nursery products but in view of the refusal of BIS to treat such products differently to Furniture the answers should logically then be applied to both categories.

The answer is NO it seems highly unlikely that the proposal will achieve these aims.

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

A ☐ Yes ☐ No X ☐ Not sure

Comments:

There is a strong argument for reducing harmful chemicals and industry is under pressure from consumers and NGO's to do so. It is not conclusive that amending the match test is the correct

approach. Research in the USA had found that the source of the major contaminant in respect of flame retardants found in humans is from the dust emitted by CMHR foam. The Minister in her introduction to the proposals states that filling materials are largely benign – a statement that we believe to be significantly flawed.

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

A ☐ Yes ☒ No ☐ Not sure

Comments:

In general terms we do not believe that the proposed changes are viable in the majority of cases as they stand at the moment. There may be a few products that can be re-engineered to take advantage of the proposals. The proposals are not particularly clear in some areas and appear to be incomplete in detail. For example, guidance has been issued in respect of modified match test illustrating one particular component, but there are many other small components that might be caught where at the moment there is no guidance regarding the application of the flame. It seems that there might be differences in the application in different laboratories which might even go as far to affect the test result.

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

Comments: We understand the theory which may (or may not) have some merit in respect of 'Furniture' but consider the proposal is completely unnecessary and unworkable for Nursery products which contain very small amounts of filling and the risk of ignition is much lower than furniture. In many products the thickness of the upholstery will be less than 40 mm so components within that dimension are caught. Some are likely to pass the amended match test but some smaller components and other materials might not. Depending upon the difficulty and cost of chemically treating such components with additives etc. to render them 'compliant' we may find it easier (and less open to interpretation) to simply carry on back coating covers in order to form a barrier during match test which defeats the objective of the proposal. The 40 mm dimension is described under three different headings in the proposal – each having a different meaning and although some subsequent clarification has been issued not all laboratories may be party to that information. It will need to be precise in the text of the Regulation.

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

A ☐ Yes ☒ No ☐ Not sure

Comments:

Whilst we will be looking constructively to see how we can re-engineer product to take advantage of the proposals, first indications are that the benefits will be limited. We submitted our projected savings from not having to chemically treat our covers to BPA for aggregation with other manufacturers and which was submitted to BIS but in fact now that the full impact of the subsequent changes to the proposal are known the savings that this company might be able to make will be only a very small percentage of the originally projected figure – if indeed any saving at all can accrue

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

Comments: The current Regulation is outdated and has been unworkable as a result in some areas. There is much pressure on manufacturers of Nursery products in particular not to use flame retardant chemicals. This pressure transfers to Regulation and it seems that European Commission attitudes to a revision of the Regulations will not support the continued use of flame retardants. It is understandable therefore that BIS would want to signal that they are interested in an initiative to reduce such chemical use as a 'softener' for the inevitable revision of the Regulation and retain a balance between perceived fire safety and chemical use

It's a pity for this company that the proposed amendment will only allow us a very limited reduction in chemical use – if at all. We recognise of course that the Regulations do not specify that we have to use flame retardant chemicals – a point that has been mentioned over the years by the relevant Government Departments as a 'politicians' answer but it has been the only commercially viable route to compliance. Many nursery products are low price and cannot sustain high value textile covers in a competitive market.

We suspect that marketing may portray this initiative as good news for industry ahead of next years General Election.

#### 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

Not much to add really, some of the issues are identified but not all (chemically treated foam fillings – only very high density fillings can use Melamine which is accepted as benign as an effective flame retardant)

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

**Comments:** Nothing that will aid the process going forward. We have negatives particularly about the lack of detail and the fact that although it is correct that many stakeholder have been consulted it does not seem that many of their opinions have actually been included in the proposal but that is now in the past and not helpful to the process going forward.

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? Not sure

**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? YES Stock turn depends on product but is something that we can manage.

**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? We have no idea what industry spends on cigarette test

**Q6:** Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company? We think the cost savings are highly unlikely once manufacturers can assess the conclusive text when the Regulation is published and thus review their products. The current detail is not sufficient to determine the route we will take with our varied product range. At this stage, we cannot see any meaningful savings that are likely to accrue.

**Q7:** Are there any other methodologies you think would be more appropriate? Needs to be reviewed when the Regulations are revised.

**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. Neither agree nor disagree

**Q10:** Are there any other unquantified costs or benefits? If possible, please provide evidence supporting your arguments. Not clear at this stage

**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 X ☐

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

☐ No

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