



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:

Your name:

Redacted

Organisation (if applicable): Plumbs Ltd

Address: Brookhouse Mill, Old Lancaster Lane,
Preston Lancashire PR1 7PZ

Please return completed forms to:

Terry Edge

4th Floor, Orchard 1

BIS

1 Victoria Street

London SW1 0ET

Telephone: 020 7215 5576

email: terry.edge@bis.gsi.gov.uk

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)
<input type="checkbox"/>	Small business (10 to 49 staff)
<input type="checkbox"/>	Trade union or staff association
<input type="checkbox"/>	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: We see the only savings in cost for the mass furniture market, not for our own business or for companies involved in the re-upholstery and loose cover business.

The new regulations will bring about significant changes in how we operate, if the fabrics we use cannot pass the Match Test carried out over filling 2. Recent testing by FIRA has concluded that it cannot be assumed that fabrics – other than 100% polyester – which currently pass the existing Schedule 5 Part 1 test will pass the new test. Unfortunately the vast majority of the fabrics we use are of a mixed fibre composition.

It is probable that the new test will require heavier use of FR back-coating in order to get fabrics to pass, so neither a cost saving nor a greener product will result.

In addition, the greater part of mass-market furniture is imported into the UK, so no saving will be made by UK manufacturers on imported items.

The changes to the Match Test resulting in additional testing, the probable increased use of FR chemicals and the changes to interior components will not bring about cost savings or make the furniture industry greener. As for the furniture being safer, this is unknown at the present time.

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 ☐ Not sure

Comments: No, but we do support the reduction in the use of FR chemicals, especially if they are proven to be hazardous to health, but we feel that the proposed changes could actually increase the use of chemical flame retardants in the production of re-upholstery and loose covers.

With specific reference to point 21, if the costs of re-upholstery and loose cover production has to increase due to new regulations, such costs will have to be passed on to the consumer. This will make re-upholstery and loose covers much less attractive propositions to the consumer and could lead to the disposal of many thousands of suites of furniture. As noted in point 21, only two incinerators in the UK can cope with the safe disposal of such material, so this does not represent either a cost saving or a green policy.

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

A ☐ Yes ☒ No ☐ Not sure

Comments: Changing the test from non-FR to FR foam is a sensible move forward, given that the latter is employed in most modern suites.

In the manufacture of new furniture it will be possible to ensure all components are FR-compliant. However, for the re-upholstery sector, due to the fact that – by definition – this involves working on old furniture, it will be impossible to ensure that every individual piece is compliant, due to the new 40 mm rule. This will engender additional cost in the extra application of FR to pass the Match Test over filling 2, the possible use of interlining fabrics under the upholstery and the replacement of components of the furniture that have previously been within regulation. This will again add costs and cause re-upholstery or loose covers to be a less viable option compared to new furniture.

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

Comments: From a re-upholsterer's point of view, it is completely impossible to know what would, or would not, fail the new test for items within 40 mm of the face fabric, as we are working on many different types of furniture, from many manufactures, some pieces almost brand new and others exempt due to their age.

Many independent re-upholsterers will simply ignore the 40 mm rule due to ignorance of its relevance and in order to avoid the extra costs involved in replacing every component about which they are unsure within 40 mm of the face fabric.

Loose covers sit directly on top of customers' furniture. Is it expected that the makers of these products should examine the interior of the furniture, to see which fabrics might be employed as a protective or non-protective cover?

This is a rule which has not been thought through when it comes to anything other than new furniture production, where it can be ensured that every component used is compliant with the proposed regulations. However, it is completely unworkable without additional cost to the secondary cover market.

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

A ☐ Yes ☒ No ☐ Not sure

Comments: These changes will not bring about any cost reduction or in any way reduce the use of FR treatment. An increased use of chemicals to this end will bring about greater costs and also raise the potential for adverse health issues. If more furniture is to be disposed of due to the increased cost of re-upholstery or loose covers this does not represent a greener option.

We would be very much in favour of any advances in the use of new flame retardant techniques in the manufacturing processes of fabrics and components for use in the home.

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

Comments: There seems to have been little or no regard given to the secondary cover industry while drafting this proposal. This leads to the natural conclusion that the changes are being put

through with undue haste and have not taken all parts of the UK Furnishing Industry into consideration.

Having reviewed the provided list of consultations it is clear that only the AMU has been consulted. The AMU, while an esteemed body, represent only a tiny proportion of UK re-upholsterers.

It is felt that not enough time was taken to speak to all parties with a vested interest and therefore that the proposed changes and consultation process is being rushed.

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					✓
Range of options wide enough					✓
Preferred options well chosen					✓

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

Comments: These changes, whilst commissioned with good intention, could lead to the demise of the secondary cover industry due to increased costs. Thus making re-upholstery or loose covers uncompetitive compared with new, cheaply produced or imported furniture.

As the largest re-upholsterer in the country, employing over 330 people here at our Head Office in Preston, a self employed sales force of over 155 who, in turn, employ teams of measurers and fitters and also 148 re-upholsterers around the country again each with their own small work force this proposal could have devastating consequences.

Clearly this will also have a knock on effect for the many hundreds of fabric suppliers based within the UK.

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?

Changes in the costs of testing are not likely to be significant as although the removal of the cigarette test for those fabrics that pass the match test will initially reduce the overall costs of testing, much of this will be negated by the additional testing that will have to take place for lining materials in conjunction with the outer fabric and also the inclusion of a new modified match test for currently unregulated components within 40 mm of the cover.

We currently purchase the majority of our fabrics already back-coated from fabric suppliers at a cost which includes FR and indicative test reports. For those fabrics which are purchased non-FR we pay from £0.83p to £1.70/mtr, again including indicative test reports. It is envisaged that this cost will increase, but until further investigations have taken place and the public consultation is complete it is not known how much this increase will be.

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

No

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

The retraining of members of staff for our company but also for all our suppliers, approximately 50 in number, also the retraining of staff at all the finishing and testing houses.

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?

A more realistic transition period would surely be 24-30 months, giving industry more time to respond to the changes than the 18 months currently suggested by BIS. This would allow the working-through of current stock, the redesigning of products to ensure compliance and the updating of literature to be completed.

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?

As already stated we currently purchase the majority of our fabrics already back-coated from fabric suppliers at a cost which includes FR treatments and indicative test reports. For those fabrics which are purchased non FR we pay from £0.83p to £1.70/mtr again including indicative test reports. Each year we spend in the region of £4.7M on fabrics used in the production of re-upholstery and loose covers.

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

It is envisaged that there would be no savings. Currently after testing from FIRA the only selection of fabrics which would see a reduction in FR chemicals are those of 100% polyester. Those of a mixed composition, the vast majority of our fabric range, would need a yet-to-be-quantified increase in FR coverage.

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

Unsure

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?

No knowledge of the baby products, garden furniture or caravan markets.

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

Agree with the methodology but disagree with some of the assumptions used.

As we have a large customer database we can calculate repeat orders from existing customers. Furniture is not generally replaced/recovered every 5 years. Although this would be ideal for our industry the figure is much more likely to be 9-10 years. Also disagree on the low estimate of average fabric used in a 3 piece suite. We currently use approximately 40mtrs, obviously depending on such factors as pattern repeat, style etc.

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

Highlighted elsewhere in this response.

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

☐ No

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Any enquiries regarding this publication should be sent to:

Department for Business, Innovation and Skills
1 Victoria Street
London SW1H 0ET
Tel: 020 7215 5000

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BIS/14/980RF