



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): North Yorkshire Fire & Rescue Service

Address: NYFRS – HQ, Thurston Road, Northallerton, North Yorkshire, DL6 2ND

Please return completed forms to:

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BIS

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London SW1 0ET

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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
	Large business (over 250 staff)
	Legal representative
X	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:

From the information provided, it would appear that furniture would be “greener” and there should be a net saving to industry. It is less certain if the proposals will make UK furniture more fire safe and there is concern that testing of covers over combustion modified material will result in furniture that is as safe as it is with the current test.

The removal of the cigarette test, on the basis of the more challenging match test raises concern. Whilst it is appreciated that items currently pass the cigarette test, without fail, when they have passed the match test, this only demonstrates a strong tendency, rather than beyond doubt. The process of ignition is complex and whilst an aggressive ignition source may be a fair means of testing for accidental ignition from a naked flame – it does not give a guarantee that an accidental fire will be avoided from a smouldering ignition source, held in place for a longer duration. The total heat output from a typical cigarette (5 watts) for 10 minutes is 3,000 watts, almost double the heat output from a lit match (20 watts) for 20 seconds at 4000 watts.

accidentally dropped cigarette falls between the cushions on a sofa, the smouldering duration could be up to 20 minutes, delivering in the region of 6 kilojoules of heat energy.

We need to be assured that any furniture available for use in the UK is capable of resisting ignition from this type of ignition source

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: Paragraph 19 raises concerns over the FR chemicals currently used to modify the combustion properties of PU foam to an acceptable standard. Are these concerns fully justified and do the circumstances relate to the same type of use. There are similar concerns over chemicals such as fluoride, where the context of use and application is often ignored. Furthermore, if the chemicals are proven to be harmful, this should drive innovation within the chemical industry to synthesise alternative treatments or not methods, not a justification to relax safety standards elsewhere.

Paragraph 21 seems to suggest that consumer opposition to FRs is a reason to support a change in the regulations. Is it fair to assume that because of growing consumer concern over one area of safety, that the same consumers would accept an inferior standard elsewhere?

Paragraph 22 States that an obstacle to the adoption of UK standards within the EU is the use of FRs to meet those standards, not a direct result of the testing regime we have in the UK and thereby the highest fire safety standards in the EU for furniture. Surely the drive for change should be with the method of achieving the safety standard and not simply changing the standards. The FFFS Regulations are not prescriptive as to how the furniture industry should achieve the safety standards and therefore alternative solutions are allowed.

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

A ☒ Yes ☐ No ☐ Not sure

Comments: The changes are viable, as they are surely achievable. However, it is less certain that safety will not be compromised. Paragraphs 27 to 29 are welcomed.

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

Comments: As above, these are welcomed

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

A ☐ Yes ☐ No ☒ Not sure

Comments: It would appear that some financial savings can be realised through the proposed changes although it is not clear that these changes would be sufficient to change the current EU position on adopting the UK regulations.

It is not clear what other costs might be incurred if the changes lead to a reduction in safety standards for furniture. The arguments made in Annex 4 – Impact on Fire Safety, appear speculative and inconsistent.

The argument made in Annex 7, paragraph 5.2 and 5.3, regarding assurances over Fire Safety are not overwhelming. The meeting held at BiS in December 2013 appears to consist uniquely of representatives of the furniture or supply industry, without representation from the Fire Service or similar groups and therefore their professional view appears one-sided. Paragraph 5.3 supports additional testing, or more rigorous testing, but not a reduction in testing of covers over non-modified PU foam. 5.4

The justification provided in Annex 7, paragraph 4.3 suggesting that FR treatments may lead to a rise in cancers, based on research with American firefighters is far from conclusive and may be due to a number of alternative reasons. Similar research in the UK, carried out in relation to long term FF fitness, has already demonstrated that FFs do not appear to be at greater risk from any particular cancer than the general population, over an extended period of time.

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

Comments: Paragraph 41 is a matter for industry.

Paragraph 42 appears to make the argument based on the concern over the chemicals used to achieve FR in furniture. If the chemicals are the key issue then industry should look for alternative methods of achieving the same level of safety, rather than simply changing the standards we have for furniture safety. When furniture does catch fire, the effect of these chemicals must almost be negligible when compared to the volume and nature of other products of combustion.

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		

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

Comments: Provision of evidence of alternative research into safer methods of achieving the current levels of FR for furniture? The chemical industry is amongst the most innovative in areas of research, especially within the UK. Safer alternatives may be possible and viable if the incentive is great enough to invest in this area of research.

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?

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?

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?

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

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

☐ No

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