2016-065

Response ID ANON-F7WP-29X4-U

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-10-19 09:48:32**

Introduction

1 What is your name?

Name:
[redacted]

2 What is your email address?

Email:
[redacted]

Yes

3 What is your organisation?

Organisation:
Fire Safety Platform

4 How would you classify your organisation?

Organisation type:
Other (please describe)

Other - please describe here:
EU Transparency Register 434875112121-60. The Fire Safety Platform is a not-for-profit association with a mission to reduce the risk from fire. It is an independent body that does not support any individual fire safety product, technology or commercial organisation. Support is welcome from all individuals and organisations concerned with fire safety. Currently, the Platform receives financial support from Albemarle, Busworld, Chemtura, the European Flame Retardants Association (EFRA), ICL Industrial Products and Sprue Safety Products. Burson-Marsteller Brussels acts as the secretariat to the Fire Safety Platform.

Scope

5 The proposed regulations cover any item of domestic furniture which is ordinarily intended for private use in a dwelling and comprises a cover fabric and a filling.Do you agree with the revised definition of the Regulation's scope?

Yes

Comment box:

6 Do you agree with the proposals relating to sleeping bags and mattress protectors (i.e. those which can be put in a washing machine are explicitly removed from scope and do not have to meet the requirements of the regulations)?

Yes

Comment box:

7 Do you agree with the proposals relating to cushions and seat pads (i.e. that they remain excluded from cover tests but the definition of these products to be specified more clearly)?

Yes

Comment box:

8 Do you agree with the proposals relating to outdoor furniture (i.e. that outdoor furniture unsuitable for use inside the home, and clearly labelled as not complying with the Regulations) should be out of scope?

Yes

Comment box:
More detail is required to ensure the labelling is clear and unequivocal regarding the dangers from fire if outdoor furniture is taken into a dwelling.

9 Do you agree with the proposals relating to baby products (i.e. that items covered by covered by BS EN1888 (wheeled child conveyances) and BS EN1466 (carry cots and stands) are removed from scope, with padded playpens treated in the same way as mattresses)?

Not sure

Comment box:

10 Do you agree with the proposed treatment of second-hand products (i.e. that they would be required to bear the relevant permanent label)?

Yes

Comment box:

Testing

11 Do you agree to removing the Filling 1 option? (i.e. to remove the option to test where covers are placed directly over the foam filling in the final product)

Not sure

Comment box:
See comments to next question (12)

12 Do you agree that the specifications set out in the draft Regulations for the test foam and fibre wrap are sufficient to achieve the objectives of the Regulations?

No

Comment box:
The proposal to use combustion modified foam (CMF) removes the worst case scenario of using non CMF that provided reassurance with the previous test. Currently the foam industry produces many different grades of CMF. It is known that CMF's performance in fire is dependent on the FR additive type/concentration in the backing foam as well as from density, thickness and air permeability. The FSP believes a chemical and physical specification for CMF in tests is required.
It is highly relevant that the issue of a specification for CMF was raised in the 2014 consultation process. It is the understanding of the FSP that Government accepted the proposal made by the Fire Sector Federation for this matter to be considered by a BSI committee in a 'fast track procedure'. It is further understood that this did not produce a reliable outcome not least as the 'guiding minds' were too closely associated with the original proposals.
The FSP supports efforts for BEIS to work with manufacturers to specify fibre density for fibre wrap but favours the use of a BSI committee to give the expert and independent assurance that government and their advisors should expect when considering change to safety tests.

13 Do you agree that the regulations should provide a protective cover option?

Yes

Comment box:

14 If yes, do you agree with our proposed definition of protectiveness?

No

Comment box:
It is not clear in these proposals how previous concerns regarding whether measuring hole formation was workable with respect to measurement and repeatability has been addressed.

15 Do you agree with the proposed requirements for components close to the cover?

Yes

Comment box:

16 Do you agree that there is no need for the cigarette test for covers that pass the revised match test?

No

Comment box:
The proposals contain some reassurance when saying 'in nearly all cases, fabrics that passed the match test also passed the cigarette case'. The FSP does not find the statement 'nearly all' a good enough benchmark for fire safety. The single biggest cause of fatal fires in the UK remains smoking materials and rates of smoking are known to be higher in the homes where most serious fires occur. The FSP does not believe the case has been made to remove the cigarette test.

17 For business respondents - Which of the routes to compliance do you expect to follow for most of your products?

Not Answered

Comment box:

18 For business respondents - What do you expect the impact of the testing proposals to be on your use of flame retardants in covers?

Not Answered

Comment box:

19 For business respondents - What do you expect the impact of the testing proposals to be on your overall use of flame retardants?

Not Answered

Comment box:

Traceability and enforcement

20 Do you agree with the product record/technical file requirements for manufacturers and importers?

Yes

Comment box:

21 Do you agree with the requirements for the single permanent label, and the proposal to remove the requirement for additional display labels?

Yes

Comment box:

22 What do you think is the most effective means of conveying the use of flame retardants in the cover of this product eg by text, symbol?

Comment box:
The FSP cannot understand why such labelling adds value to the consumer. There appears no logic other than to scare consumers by making such a distinction. Should we be regulating to have warning labels that say that ovens are hot, knives are sharp and freezers are cold!! Consumers and regulators expect products for sale to be fit for use and will not present a hazard to health.
The FSP recognises that concerns over the use of flame retardants have been raised by a significant environment lobby. This is not presented as balanced risk debate in these proposals. An independent review for government estimates that 54 lives a year are saved by virtue of the UK regulations. This figure is arrived after taking into account improvements in safety as a result of firefighter community safety campaigns and changing lifestyle habits through such things as smoking reductions. Nowhere in the consultation document is the perceived health risk from flame retardants quantified in terms of death or disease so it is impossible to form sensible conclusions from the issues presented.
It must be remembered the value of current furniture/furnishings fire safety regulations preventing and mitigating fire in terms of citizen and firefighter safety. Preventing a fire starting or reducing rapid fire development gives the best possible survival chance for citizens, lessens the risk to firefighters who respond to such incidents and has a beneficial environmental impact.
There is extensive EU and national regulations controlling the use of chemicals including flame retardants guided by suitable risk assessments. It is unnecessary and an inexact science to anticipate what EU (or UK) regulators may do in the future as these new furniture regulations are to be kept under regular review and can respond to reality not speculation. There is a danger to the safety of UK citizens and UK firefighters if 'scaremongering' rather than balanced, risk-based arguments is allowed to prevail. For instance, the strong US environmental lobby against such chemicals forced change in California which is widely accepted to be leading to a reduction in fire safety standards.

Other questions

23 Do you agree that a 24 month transition period is sufficient, and that the changes should be reviewed in five years?

Yes

Comment box:

24 Do you have any other comments on the proposals or draft regulations?

Comment box:
It is the understanding of the FSP that Government accepted the proposal made by the Fire Sector Federation as part of the 2014 consultation for the proposed test method to be considered by a BSI committee in a 'fast track procedure'. It is further understood that this did not produce a reliable outcome not least as the 'guiding minds' were too closely associated with the original proposals.

The reason government uses the BSI service is to provide reassurance that changes will do what is intended – maintain/improve safety standards. The FSP favours the use of a BSI committee to give the expert and independent assurance that government and their advisors should expect when considering change to safety tests.

Another simple reassurance would be to see a comparison made in a test environment between furniture that would pass the existing test and furniture that could meet the new proposed standards.

Reference is made about dangers from Flame Retardants but it is impossible from the report to determine the government's view on the extent of the risk. The

evidence base for these assertions is referred to in Annex 5 but these are not explicitly endorsed by UK officials. A government consultation paper should state clearly if they accept the findings from such research and what other research that does not support these findings has been considered.

Impact Assessment

25 Do you agree with our estimate of traceability time in the Impact Assessment – ie one-off input of 16 hours per firm and ongoing per year time of 48 hours per firm? If not can you provide additional evidence to support your answer?

Not sure

Comment box:

26 How much do you estimate you would save per year from the removal of the cigarette test?

Amount saved::

Not sure

Comment box:

27 How much do you estimate you would save per year from reduced use of flame retardants?

Amount saved::

Not sure

Comment box:

28 Are you aware of any further costs or benefits we have not identified in the impact assessment? Please support with any evidence you have.

Not sure

Comment box:

29 To what extent do you agree that, overall, these proposals represent a reasonable compromise – bearing in mind the information in this consultation document, feedback on the previous (2014) consultation, and other stakeholder input during the review?

Disagree

Comment box:
It is the view of the FSP that the government should not be compromising on fire safety. By far the greatest number of fire deaths occur in the home and furniture and soft furnishings are responsible for the spread of fire and the production of smoke in the vast majority of cases. These fires have a greater impact on the most vulnerable in society in the most vulnerable areas.