2016-082.

Redacted

**Response ID ANON-F7WP-299P-R**

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-11-10 15:28:47**

## Introduction

**1 What is your name?**

**Name:**

**2 What is your email address?**

**Email:**

Yes

**3 What is your organisation?**

**Organisation:**
National Bed Federation

**4 How would you classify your organisation?**

**Organisation type:**
Business representative organisation/trade body

**Other - please describe here:**

## 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)?**

Not sure

**Comment box:**
We weren't aware that sleeping bags were included.

We agree with the proposal that mattress protectors should be excluded but the definition of mattress protectors should more closely define 'mattress protectors' as 'used for hygiene purposes that can be washed in a domestic washing machine'
In our view, the key difference is that a protector is for hygiene reasons; a topper is for enhanced comfort and/or support. One is excluded from the regulation and one included so as good a definition as possible is necessary.
The consultation defines mattress protectors as those which can be placed in a washing machine. It would be too easy for makers of comforters with reasonable element of fillings to redefine their products as protectors that can be washed in larger, commercial machines.

**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)?**

Not Answered

**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?**

Not Answered

**Comment box:**

**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 Answered

**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:**
c) second hand furniture
We agree with the requirement for a permanent label
In order to make the suggestion that second hand furniture should bear the relevant permanent label, we suggest that new permanent labels should be strengthened from its current statement 'DO NOT REMOVE THIS LABEL', perhaps by adding the words 'This product cannot be resold if this label has been removed'

## 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 Answered

**Comment box:**
We have left comment on the technical aspects of testing to others but share the same concerns overall about the proposals.

**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?**

Not Answered

**Comment box:**

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

Not Answered

**Comment box:**

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

Not Answered

**Comment box:**

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

Not Answered

**Comment box:**

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

Not Answered

**Comment box:**

**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:**
We broadly agree with the proposals on traceability. As many of the requirements overlap with other regulation requirements for record keeping (REACH, Biocides Regulations, textile composition labelling) these regulations should ensure that are consistent with those, to avoid creating unnecessary additional work for manufacturers and importers

**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:**
As per our comment on enforcing the importance of retaining the permanent label for second hand product, we would suggest that the message DO NOT REMOVE THIS LABEL needs to be even more strongly put,
Eg: this item cannot be resold if the label is removed

**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:**
We would prefer a symbol on the label for FR chemicals

## 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:**
1. Corrections
There are some inconsistencies comparing the consultation document with the actual draft regulations, which need to be corrected eg Page 3, PART 2, 3 (2) (f) currently just states 'mattress protectors that can be washed', whereas in the proposals the suggestion is they can be excluded if they can be washed in a washing machine

Also there would appear to be an error by omission on Page 4 PART 2, 7 (1) of regulation 16 from the list of regulations which do not apply to mattresses, bed bases; pillows, cushions, cots and playpens.

2. Headboards and bedsteads
We would still argue that headboards and bedsteads should join mattresses and bases in the list of exclusions – although we appreciate that work would need to be done on BS7177 in order to ensure the test methods were suitable for applying to these products.

In fact the draft regulation itself is a little ambiguous on this already, in its definitions.

## 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:**
We think this may be a conservative estimate, nearing in mind the specification variations many companies produce.

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

**Amount saved::**

Not Answered

**Comment box:**

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

**Amount saved::**

Not Answered

**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 Answered

**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?**

Not sure

**Comment box:**
Setting aside the errors in the draft regulation, while some progress has been made, there is still clearly room for interpretation on the products in scope and definitions.
More traceability and a better permanent label would seem to be sensible additions.
There is much concern about the practicality, consistency, repeatability and cost of the proposed testing - let alone whether or not it would actually increase rather than decrease the use of FRs.
We think more work needs to be done before these amends are undertaken.
We would also happily use this time to look at how BS7177 could be adapted to cover Headboards and upholstered bedsteads.