2016 - 110

Response ID ANON-F7WP-29KW-H

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-11-11 11:43:53**

Introduction

Redacted

1 What is your name?

Name:

2 What is your email address?

Email:

Yes

3 What is your organisation?

Organisation:
Tesco Stores Ltd

4 How would you classify your organisation?

Organisation type:
Retailer

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:
It would be beneficial if additional explanation could be added for private rented accommodation as this is not defined in the revised version.

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:
I agree with the proposal to keep both of these products excluded however we believe there must be more precise definition added for mattress protectors. Currently there is a confusion as when the product stops being a protector and becomes a topper (which is covered by BS7177) so we suggest there must be additional information with regards to the maximum washing machine load (which is the most common load found in homes around UK – 6 or 7kg); type of wash (is it hand wash or machine wash); ideally specifying that the largest product in range must be the one that fits into specified washing machine and that after a full washing cycle there are no dry spots visible. Specifying all above will help to eliminate the risk of confusion or misinterpretation of the legislation.

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:
I agree that there is a need for maximum dimensions to be written in the Regulations but we feel they should remain the same for both products (60x60cm x nominal thickness). Most seat pads available on the market exceed the dimensions specified in the proposal (30x30x1cm) and in our opinion, creating two different size requirements will cause a confusion. Looking at the amount of potential fuel to the fire for these two products would be very similar and we don't understand why one of them is allowed to be bigger than the other so keeping the maximum measurements uniform across the furnishings will make sense without any impact on customer safety.

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?

No

Comment box:
I believe there is a need for clarification as to what 'unsuitable for indoor use' means and what products will be covered as the definition is not clear enough.

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)?

Yes

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)

Yes

Comment box:

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:
I appreciate that specifications for both of these components can't be too narrow due to their nature but they need some clarification (especially the fibre wrap as it will have direct contact with the cover fabric tested). The fibre filling may have an impact on the result of the test and the density and/ or thickness should be more precise to make the test repeatable across all accredited labs. We are already aware of the problem with consistency and a lack of precise specification of test materials will increase this considerably. Additionally the draft document says the foam needs to be Schedule 2 part 1 compliant which is incorrect as this should state Schedule 4 Part 1.

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:
I believe that the requirement needs more attention. The proposed change (test 5 times with 4 passes and a hole diameter < than 2mm) will create additional cost due to sample size required to perform the test, cost of the test itself (presumably will be 5 times as expensive) and consistency of the test. Creating requirements like that will push majority of the fabric covered products towards the interliner route as it will be too expensive, too variable and too time consuming to test each available fabric in such a way. In addition there is always a risk that to obtain consistent pass the fabrics will have to be covered in larger amount of FR chemicals which will be in closer proximity to the customer and is contrary to the general aims of the proposed amendments to the regulations.

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

Not sure

Comment box:
In principal I agree with the requirement but I believe there must be an exclusion list added to the Regulations and this list should be reviewed every time the Regulations themselves are revised to make sure they remain relevant and any new components are added to the list if needed.
I also feel that the definition of what is included must be clearer and more considered as currently defined they may unintentionally include components not intended to be covered.

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

Yes

Comment box:
The only concern we have is about leathers which are not covered as a natural fibres. We know there are types of leather that pass the match test but fail the cigarette test (generally the better quality of the leather the higher chance of the failure); this potentially puts customers at risk and should be excluded from this rule. In addition the hanging instructions for fabric after the watersoak procedure need further detail – currently it doesn't specify the method where all other materials specify 'line dry'.

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

Not sure

Comment box:
I believe the protective cover option as it is presented in the proposal won't work for our business. This option will cost more, be less consistent and so higher risk and may end up in increased amount of chemicals used in fabrics. Therefore we would be choosing between schedule 3 and non-protective cover with compliant components depending on the item construction.

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 sure

Comment box:
Depending on the final shape of the Regulations the overall use of the chemicals in covers can increase if we decide to follow the protective cover compliance option. If we decide to go with any other way of compliance the use will remain the same or slightly decrease

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

Increase

Comment box:
The overall amount of FR chemicals will increase due to necessity of using the interliner/ fibre barrier. Also the components previously excluded from the Regulations i.e. webbing, containment bags etc. will have to be treated to be complaint.

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:
Ideally we would like to see an example of the proposed symbol to be used or the proposed text. Without seeing any examples – we would prefer to see this information as a text.

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:
We would prefer if Schedules could be kept in order as they are now without moving them as this will cause confusion (especially during the transition period). We believe there will be enough changes implemented and this change is not necessary as it does not bring any new content or benefit

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::

Nothing

Comment box:
Any cost savings will be mitigated by either the increased cost of testing (multiple tests for protective covers or testing of components previously excluded); potential incresase in FR chemicals or the inclusion of an interliner/fire barrier.

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

Amount saved::

Nothing

Comment box:
Any cost savings will be mitigated by either the increased cost of testing (multiple tests for protective covers or testing of components previously excluded); potential incresase in FR chemicals or the inclusion of an interliner/fire barrier.

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:
Please see above

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:
The new proposals will still result in increased costs to the industry and consumer, with no clearly demonstrated improvement in safety.
The new proposals also increase the complexity for manufacturers, importers and retailers without adequately addressing the variability in testing experienced in the current versions of the regulations.