2016-115 Ultra Furniture Ltd.

Department for
Business, Energy
& Industrial Strategy

Consultation on updating the Furniture and Furnishings (Fire) (Safety) Regulations (FFRs) response form

The consultation is available at: www.gov.uk/government/consultations/furniture-and-furnishing-fire-safety-regulations-proposed-changes-2016

The closing date for responses is **11 November 2016**.

The form can be submitted by email to: furniture.consultation2016@bis.gsi.gov.uk or submitted by letter to:

Christine Knox
Regulatory Delivery
Department for Business, Energy and Industrial Strategy
Second Floor
1 Victoria Street
London
SW1H 0ET

Please be aware that we intend to publish all responses to this consultation.

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the section on confidentiality and data protection on page 7 of the consultation for further information.

If you want information, including personal data, that you provide to be treated in confidence, please explain to us what information you would like to be treated as confidential and why you regard the information as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

I want my response to be treated as confidential ☐

Comments: Click here to enter text.

Questions

Name: [redacted]
Organisation (if applicable): Ultra Furniture Limited
Address: Building 66, Third Avenue, The Pensnett Estate, Kingswinford, West Midlands, DY6 7GA

	Respondent type
☐	Business representative organisation/trade body
☐	Central government
☐	Charity or social enterprise
☐	Individual
☐	Test House
☒	Manufacturer
☐	Retailer
☐	Large business (over 250 staff)
☐	Legal representative
☐	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)

Questions on scope

Q1 Do you agree with the revised definition of the Regulation's scope?

☒ Yes ☐ No ☐ Not sure

Comments: The revised definition appears to be clearer

Q2 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 ☐ No ☒ Not sure

Comments: A clearer definition of exactly what defines a mattress topper and a mattress protector is definitely required

Q3 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 ☐ No ☐ Not sure

Comments: Confirm that a clearer definition of both seat pads and scatter cushions would be beneficial

Q4 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 ☐ No ☐ Not sure

Comments: Confirm that an improved definition of exactly what defines outdoor furniture is required

Q5 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 ☐ No ☒ Not sure

Comments: Click here to enter text.

Q6 Do you agree with the proposed treatment of second-hand products (i.e. that they would be required to bear thMolineux29e relevant permanent label)?

☒ Yes ☐ No ☐ Not sure

Comments: Second-hand products all need to bear the appropriate permanent labelling

Questions on testing

Q7 Do you agree to removing the Filling 1 option?

☒ Yes ☐ No ☐ Not sure

Comments: This will clearly simplify the proposal

Q8 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?

☐ Yes ☒ No ☐ Not sure

Comments: The inclusion of FR Foam is certainly an improvement but the foam density and the method of attaching dacron to the foam needs to be fully documented/specified. Layering of the materials can also distort and cause issues during testing i.e. air can permeate between the materials if the dacron is not attached to the foam; this will obviously produce an inconsistency and potential problems during testing

Q9a Do you agree that the regulations should provide a protective cover option?

☐ Yes ☒ No ☐ Not sure

Comments: The current testing procedures are more fire safe owing to the fact that they depend on the fabrics and fillings acting as FR barriers

Q9b If yes, do you agree with our proposed definition of protectiveness?

☐ Yes ☒ No ☐ Not sure

Comments: Click here to enter text.

Q10 Do you agree with the proposed requirements for components close to the cover?

☐ Yes ☒ No ☐ Not sure

Comments: In our production process a vast amount carcass fabrics which are 100% polyester are used and subsequently if the new proposed regulations were to be implemented then this would require us to FR ALL materials within 40mm of the visible fabric. This would a severe impact on our business with a significant increase in costs. We are also of the opinion that the regulations as they stand would see a vast increase in the use of FR chemicals used within the upholstery sector because of the number of different fabrics utilised

Q11 Do you agree that there is no need for the cigarette test for covers that pass the revised match test?

☒ Yes ☐ No ☐ Not sure

Comments: The cigarette test is totally excessive and unnecessary

For business respondents:

Q12 Which of the routes to compliance do you expect to follow for most of your products?

☐ Schedule 3 interliner ☐ Protective cover

☒ Non-protective cover + compliant components ☐ Not sure

Comments: The most likely route for us would be the 'Non-protective cover + compliant components', which again will bring about significant increases in cost on the internal components used by us; some examples of these are as follows:- both elastic and polypropylene webbing, piping cord and spring clips. There will also be the added due diligence costs

Q13a What do you expect the impact of the testing proposals to be on your use of flame retardants in covers?

☐ Increase ☐ Decrease ☒ No change ☐ Not sure

Comments: Click here to enter text.

Q13b What do you expect the impact of the testing proposals to be on your overall use of flame retardants?

☒ Increase ☐ Decrease ☐ No change ☐ Not sure

Comments: There must be a huge increase in the use of FR chemicals as ALL internal components will proably need to be treated

Questions on traceability and enforcement

Q14 Do you agree with the product record/technical file requirements for manufacturers and importers?

☐ Yes ☒ No ☐ Not sure

Comments: As a responsible manufacturer we fully appreciate and understand that our furniture complies with the current legislation; this includes guaranteeing that each product is correctly labelled and that we carry as much FR due diligence testing (both UKAS & indicative) as possible on ALL components/materials contained in any piece of furniture we produce. We retain all FR certification on file and have full traceability on all products used in our production process. As part of our compliance procedures we have established a Primary Authority Relationship with Cambridgeshire Trading Standards. As an SME we produce circa 600 suite equivalents (3,000 items) each week and subsequently it is our opinion that it would be impractical to create a technical file for each and every item of furniture produced and we firmly believe that the current requirements are more than sufficient to provide for traceability

Q15a Do you agree with the requirements for the single permanent label, and the proposal to remove the requirement for additional display labels?

☒ Yes ☐ No ☐ Not sure

Comments: single label is more than sufficient

Q15b 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?

Comments: The use of both in some format would be best

Other questions on the proposals

Q16 Do you agree that a 24 month transition period is sufficient, and that the changes should be reviewed in five years?

☐ Yes ☒ No ☐ Not sure

Comments: Click here to enter text.

Q17 Do you have any other comments on the proposals or draft regulations?

☒ Yes ☐ No ☐ Not sure

Comments: The main points of concern are as follows 1) The significant cost increase to FR treat internal components. 2) The proposal will result in a significant increase in the use of FR chemicals, which might, in the long-term affect consumer health. 3) Some internal components might not pass the 'match test', which could result in product redevelopment; this would be a massive task and would inevitably lead to a reduction in new models being developed and subsequently have a detrimental effect on the viability of the business. 4) The new legislation, if implemented, would undoubtedly lead to us requiring additional staff for the due diligence etc,; again increasing costs. 5) As a business we have a huge number of shopfloor displays, which would need replacing.

Questions on the Impact Assessment

Q18 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?

☐ Yes ☐ No ☒ Not sure

Comments: Click here to enter text.

Q19 How much do you estimate you would save per year from the removal of the cigarette test?

Amount saved: Discussions have been had with some UKAS test houses and they are of the opinion that there will no or very little savings; this is due to the fact that they will have use extra time to carry out the new proposed match test.

☐ Nothing ☒ Not sure

Q20 How much do you estimate you would save per year from reduced use of flame retardants?

Amount saved: There will be an INCREASE in costs' See earlier comments

☐ Nothing ☐ Not sure

Q21 Are you aware of any further costs or benefits we have not identified in the impact assessment? Please support with any evidence you have.

☐ Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

Q22 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?

☐ Strongly Agree ☐ Agree ☐ Not sure ☐ Disagree ☒ Strongly Disagree

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 BEIS 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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