2016 - 100

Response ID ANON-F7WP-299F-E

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-11-09 15:36:48**

Introduction

Redacted

1 What is your name?

Name:

2 What is your email address?

Email:

Yes

3 What is your organisation?

Organisation:
SATRA Technology

4 How would you classify your organisation?

Organisation type:
Test House

Other - please describe here:
SATRA carries out (inter alia) flammability testing of upholstery materials for customers

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?

No

Comment box:
This revised definition is an improvement on the original 1988 definition, but the word "fabric" may cause difficulties. Many people would not consider a leather cover to be a "fabric", and I am sure that there is no intention to exclude leather covered upholstery from the scope. I suggest that the term "cover material" is used instead of "cover fabric". This may require other changes where the term "fabric" is used.

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:
My understanding was that sleeping bags in general were not included in the 1988 Regulations, with the exception of insulated bags for carrying babies under 6 months. These insulated bags for carrying babies were apparently covered by the 1988 Regulations, but I think it is very sensible that these are now excluded. I cannot recall us ever having tested an insulated bags for carrying babies in the last 10 years.

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 sure

Comment box:
I agree that small cushions and seat pads should remain excluded from the cover tests, and I agree that they should be specified more clearly, but we need to consider small cushions that are supplied complete with a large item such as a sofa.
At the moment, my interpretation of the Regulations is that small scatter cushions that are supplied complete with a large item such as a sofa #are# required to pass a cover test. Only small cushions #separately supplied# are exempt from the cover test. If this was not the case, then makers of large items could perhaps get around the Regulations by supplying them fitted with several small cushions.
If there is no intention to exclude small cushions supplied with a large item such as a sofa from the cover test, then perhaps the phrase "scatter cushions separately supplied" instead of "scatter cushions" should be used.

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 don't understand how outdoor furniture can be "unsuitable for use inside the home". What sort of outdoor furniture could not be suitable for use inside the home ?
This proposal may create confusion and also may create a loop-hole in the Regulations as anyone wanting to evade them only has to pretend that the item is not suitable for use in a dwelling, and put a label on them saying "for outdoor use", etc.

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:
I am happy that prams and pushchairs are excluded from the Regulations, but I am not sure what the intention is regarding mattresses that are used in carry cots and moses baskets.
At the moment, all mattresses are covered by the Regulations, and the new proposal says in 4(2)(d) that mattresses "of any size" are covered. I think that practically speaking mattresses that are used in carry cots and moses baskets should continue to be included in the regulations, but if they are not, then this exclusion should be made clearer.

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)?

Not sure

Comment box:
I don' t understand what has changed ? My understanding is that at the moment second-hand products must bear a relevant permanent label.

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:
I think this relates to the proposed new match flame test. The previous plan to have 2 options for the filling to use when testing a cover was too complicated.

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:
There are some typo errors in the specifications. The test foam and test filling ignitability requirements should refer to Schedule 4 (in the new Regulations) and not to Schedules 2 & 1 (which are in the old Regulations).
As I am not familiar with BS EN ISO 5084, I don't know how easy it will be to obtain compliant "thermally bonded polyester sheet fibre".
For the PU foam, I don't agree that the foam has to be "melamine modified". Other flame retardants are often used, and why is it not sufficient to just say "PU foam that passes the Schedule 4 Part 1 ignition test"? In time, melamine-modified PU foam may cease to be commercially available as other combustion modification chemistries evolve.
To avoid confusion, and to ensure that there is no variation between test labs, it would be sensible to define the thickness of the PU foam block to be used. As the thickness of the thermally bonded polyester sheet fibre has been closely specified, why not specify the thickness of the PU foam ? (i.e. Why not specify 55 mm ?)
There is an error in the specification of the hardness specification of the PU foam. A hardness of "115-150 N" would actually be determined using "BS EN ISO 2439: 2008 Method A", and not by using BS 3379. BS 3379 was cited in the 1988 Regulations because reference was made to a hardness grade of "130". BS 3379 refers to BS EN ISO 2439. In any case , why has an obsolete version of BS 3379 been used? The latest version is BS 3379:2005+A1:2011. Referring to an obsolete version of a standard should be avoided unless there is a danger of changing the requirement - which is not the case here.

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

Yes

Comment box:
My understanding is that if the cover is "protective", then there is no need to test "components close to the cover".
If a test can be established that determines whether a cover is "protective", then I agree that there should be no need to test "components close to the cover" that are used under a "protective cover".
The difficulty is that the it may be difficult to establish a new test that determines whether a cover is "protective".

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

No

Comment box:
It is not clear in Regulation 16 (3) what is meant by "tested, in accordance with Part 1 of Schedule 5, five times".
As the Schedule 5 Part 1 test (as detailed in BS 5852) requires 2 applications of the flaming ignition source, them "five times" could mean a total of 10 applications of the flaming source, or perhaps it means only 5 applications. To clarify the requirement, I suggest that, after "Part 1 of Schedule 5, five times", is added either "ten flame applications" or "five flame applications".
This is even more important when considering the requirement in the following clause (3)(ii) which states that "in no more than one of the five tests has a visible hole of more than 2mm diameter formed in the cover". Does this mean "in more than one of the 10 flame applications or in one of the 5 flame applications"?
I would also comment that the need to measure the hole diameter may be problematic. The holes will be irregular, and there may be little consistency between test houses in measuring the hole.
I cannot comment on whether a hole 2mm in diameter is significant or not in determining whether the cover is "protective". I would suggest that experimental work is needed to establish this.
I would also comment that the cost of the testing needed will be considerably increased if the number of match flame tests is increased from the one required at present to the 5 or 10 than will be needed to establish if the cover is "protective".

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

Yes

Comment box:
This test is workable for many "components close to the cover".
I think that it may be worth clarifying the definition of "components close to the cover". Is it intended that this is carried out on wooden components ? If so, how it established how many types of wood have been used in the item of furniture. A sofa frame can be quite complex. Do metal parts have to be tested too ? I suggest that the definition could usefully exclude wooden and metal parts without compromising safety.

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

Yes

Comment box:
For the last year at least, we have not seen any cover material fail the cigarette test if it has passed the match flame 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?

Not sure

Comment box:
I am not sure whether Regulation 18 means that all covers must be labelled - in addition to the labelling of the item of furniture in which they are used.
The permanent labelling requirements are different now. There is no longer the option of the label with reduced information.
Is a post code (rather than a postal address) not sufficient - to save space? Perhaps not.

In Schedule 6 para 1(i) is it the intention to include flame retardants used to make the yarn, as well as those used to treat finished fabrics? Perhaps this should be made more explicit.
The display label was required in 1988 to inform the public about the new Regulations, but I agree that it is redundant now.

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:
I think that text would be better.

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:
Conditioning:
I note that the conditioning requirements for a visible cover material prior to match flame testing have been changed. The conditioning period has been reduced to 16 hours only in controlled temperature and humidity conditions. I don't know what the reasoning behind this change is, but would it not also apply to a non-visible cover or a Schedule 3 interliner ?
Also, why is this change not applicable to the conditioning of a visible cover before a Schedule 2 cigarette test ?
Drying procedure:
Most UK test labs would agree that the drying method should be specified - it should be "line drying", as this is the "worst case" method. If flat drying is used, then the purpose of the water soak procedure is undermined, as dissolved FR chemicals may re-absorb back into the fabric rather than drip away.
Clarification of ignition test for PU foam:
I think that the opportunity to clarify the test for PU foams should be taken. As was highlighted in meetings at BIS in ~ 2010, the interpretation of the mass loss failure criteria is ambiguous. Some UK labs think that a 60 g weight loss is of itself a reason for failure, whilst other think that it is only to be taken into consideration if other failures (clauses 4.1(e), etc.) have occurred. If it is intended that a 60 g weight loss is of itself a reason for failure, then the test method should be worded better to indicate this.
Choice of filling material to use in a cigarette test:
At the moment, test labs usually carry out the cigarette test with the cover material being tested over a "worst case" non-FR foam, rather than the actual filling material, as strictly required. In this way, the cigarette test uses the same non-FR foam as is specified for the current match flame test. This is a well established custom, following DTI guidance in the 1999 "guide". As the labs now will no longer be doing the match flame test over a non-FR foam, then guidance should be provided as to what filling to use in the cigarette test when the actual filling material is not known or not available. If this is not done, then discrepancies between results from different labs may arise.
Specification of foam in the Schedule 2 Interliner test:
The way that the hardness of the PU foam in this test is not consistent with that in the Schedule 5 Part 1 test. One refers to a hardness grade, and the other refers to a range of hardnesses in N. See my earlier answer to question 12.

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:
As a test house, SATRA cannot comment.

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

Amount saved::

Not Answered

Comment box:
As a test house, SATRA cannot comment on costs to manufacturers and suppliers.
I suggest that it may be that the need to carry out extra match flame tests may outweigh the cost savings by eliminating some cigarette tests.

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

Amount saved::

Not Answered

Comment box:
As a test house, SATRA cannot comment.

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:
Extra match flame testing will be needed to establish whether a cover is "protective" or not.

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:
I do think that, subject to certain clarifications, the basic idea of the changes (single modified match flame test, need to test components near to the cover, deletion of cigarette test for visible covers that pass the match flame test, deletion of cigarette test for all non-visible covers) is workable.
The changes do represent progress over the proposals in the previous consultation.
As to whether I agree that they represent a "reasonable compromise", that depends on whether I accept that the proposed new match flame test will achieve its twin aims of reducing the level of flame retardants used in visible covers, and also eliminating "unsafe" visible covers that pass the current match flame test. I do not know whether the proposed new match flame test will significantly reduce the level of flame retardants used, so I cannot say whether or not they are a "reasonable compromise".