2016-095 Rhondda

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): Rhondda Cynon Taf County Borough Council Trading Standards
Address: Ty Elai, Dinas Isaf East, Williamstown, Tonypandy, CF40 1NY

	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
x	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?

X Yes ☐ No ☐ Not sure

Comments: It was noted that the definition stated at paragraph 32 of the consultation document is not the same as what is detailed within regulation 4(2) of the Regulations: paragraph 32 includes the term '*domestic*' to define the furniture. It is felt that this term makes the definition clearer, but agree with the revised definition with or without this term.

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)?

X Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

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)?

X Yes ☐ No ☐ Not sure

Comments: I am satisfied that these items are sufficiently defined in the Regulations

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?

X Yes ☐ No ☐ Not sure

Comments: I am satisfied that the determination of suitability for use in the home, or otherwise, of these products is identified by labelling (Regulation 4 (3)(g)(ii)), but have concerns about the communication of this fact to consumers. It is now not uncommon for 'outdoor furniture' to consist of upholstered units which are just as suitable for use within a conservatory, and often marketed in this manner in catalogues. It is also commonly known that consumers do not always read labels on products. I would suggest that consideration be given to a duty on the end supplier to communicate to the consumer that the item does not comply with the Regulations,

such as this being included in any on-line or catalogue description; and also that the end supplier considers their marketing of the item – if it appears in a catalogue in a conservatory setting, a label on the item itself cannot disclaim a potential misleading description, by virtue of this image, at the point when the customer makes the transactional decision to enter into the contract to purchase the item.

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)?

X 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 the relevant permanent label)?

X Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

Questions on testing

Q7 Do you agree to removing the Filling 1 option?

☐ Yes ☐ No ☐ Not sure

Comments: I do not have the necessary expertise to comment on this, but am satisfied from seeing the reports that considerable investigation has gone into determining this result.

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: *See response to Q7 above*

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

☐ Yes ☐ No ☐ Not sure

Comments: *See response to Q7 above*

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

X 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: *See response to Q7 above*

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

X Yes ☐ No ☐ Not sure

Comments: From project reports and analytical results, it appears that this test does not add anything to the compliance or otherwise of the furniture; therefore I am satisfied that there is not need for the cigarette test for covers that pass the revised match test.

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: Click here to enter text.

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: Click here to enter text.

Questions on traceability and enforcement

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

X Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

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

X Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

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 information should be in a manner which can easily be understood by consumers, others in the supply chain, and enforcement bodies. If there are recognised symbols or abbreviations which can easily be identified, then I am satisfied that this is acceptable; otherwise text.

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?

X Yes ☐ No ☐ Not sure

Comments:

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

X Yes No ☐ Not sure

Comments: I welcome the increase of the statutory time limit from 6 months to 12 months, which will ensure sufficient time for investigation into non-compliant and unsafe furniture.

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: I do not possess sufficient information in order to answer this question

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

Amount saved: *See response to Q18*

☐ Nothing ☐ Not sure

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

Amount saved: *See response to Q18*

☐ 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 X 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 X 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?

XYes ☐No

BEIS/16/11/RF