2016-105

Response ID ANON-F7WP-29KS-D

Submitted to **Furniture and furnishings fire safety regulations: proposed changes (2016)**
Submitted on **2016-11-10 16:49:13**

Redacted

Introduction

1 What is your name?

Name:

2 What is your email address?

Email:

Yes

3 What is your organisation?

Organisation:
Business

4 How would you classify your organisation?

Organisation type:
Small business (10 to 49 staff)

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:
The new definition is more straight forward.

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)?

No

Comment box:
We were unaware that sleeping bags were in the scope of the regulations. In terms of making a differential between mattress toppers and mattress protectors, we would suggest that the mattress topper adds comfort and cannot fit in a domestic washing machine – however probably the weight capacity of the washing machine will also need to be defined. We have concern that the draft regulations do not define what a topper is in the same way as the consultation document and that mattress protectors that can be washed are excluded. Any product can be washed (i.e. by hand, industrial washing machine). The definitions in the draft regulations are not good enough.

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:
We agree that a better definition of scatter cushions and seat pads is a good idea. We would suggest, however that product has moved on and that rather than have two different sizes, both scatter cushions and seat pads are classed as less than 60cm x 60 cm x nominal thickness (which should be less than 60 cm).

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 sure

Comment box:
We agree that the definition of outdoor furniture needs to be improved. Is it clear that the only items that are excluded are those not suitable for use in a dwelling which must also be marked as such. It could be interpreted that even if a product was suitable for use in a dwelling it could be excluded if it was marked 'For outdoor use only', which would be a step back in safety.

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:
Not applicable to our sector and as such we do not feel it appropriate to comment.

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:
It is currently common practice for the 3rd sector to only accept furniture
for sale if it has the permanent label attached. The question, however is more for reupholstery.
The consultation says that the product must carry the original permanent
label, for a re-upholstered product this would not be possible and could either drive
re-upholsterers out of business or cause them to become non-compliant.

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:
This is a positive step that will enable the process to be simplified.

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:
The foam could be simplified, however as written if references a
schedule 1 part 1 foam, now schedule 1 is revocations. There is some concern that the fibre wrap has not been specified fully, some form of density specification, or fibre diameter measurement should be supplied. Also the specification in the draft regulations reference a schedule 2 part 1 compliant foam. Schedule 2 is now the
cigarette test. May be it would be easier to leave the order of schedules alone.

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:
We do not accept this definition. The 2 mm diameter hole will be difficult to measure, and there is no tolerance. Many cover fabrics (predominately that contain man-made fibre) currently satisfy the current protective test can split by more than 2 mm diameter, but will now be non-protective. Also when the flame is applied the split tends to be a line, not a hole. It is expected that this test will cause a lot of variation in use. Also it is noted that in the draft regulations the test has to be made 5 times (10 applications of the flame) and pass 4 times. This will be very expensive as it will require 5 times the test materials and 5 times the cost of test. This does not seem to have been accounted for in the impact assessment. It is noted from the Technical Panel documents none of the assembled experts supported this definition of protectiveness. This may lead to an increased use of fire retardants for compliance. A better test is the current test over a non-combustion modified foam, which for all its faults is very clear and simple to understand when a fabric is compliant.

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

Not sure

Comment box:
In its current form in the draft regulations it could be a difficult route to follow as it adds significant layers of due diligence to ensure all components are compliant. This may have been easier to introduce with an exclusion list, as originally proposed. Whilst fire safety is of prime importance, this may drive up cost. Also the test is not well defined and does not explain how small or shaped components should be tested. Should some small components be excluded, for example, due to their lower fire risk?

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

Yes

Comment box:
Whilst there are a small number of fabric blends and leathers that satisfy the match test and fail the cigarette test, these are estimated to be less than 1% of all fabrics used.

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

Not sure

Comment box:
This is a very difficult. Any one manufacturer may use a selection of
different fabrics, filling and support mechanisms on different styles of furniture and this may drive them down a different route for different models. The schedule 3 interliner route allows the use of any fabric, but significantly adds to the cost as effectively the covers have to be made twice (once with the interliner and once with the cover fabric). Also this would increase the use of fire retardants on the interliner itself. The protective cover route would be the closest to the current situation, but it is believed that the variability in the test and the additional test costs may make this a less favoured option. The non-protective cover and compliant components is still a relatively unknown quantity. We know that there may be issues with components such as zips and webbing not satisfying the test.

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:
It is an unkown. There are concerns that the protective cover route may actually drive up flame retardant usage.

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:
It is expected that the use of flame retardants overall may increase,
whether that is with protective covers, increased interliner usage or modifying the components close to the cover.

Traceability and enforcement

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

Yes

Comment box:
Overall this is a positive step. The only concern is that there may be a
significant additional cost for re-upholsters, small and bespoke manufacturing businesses.

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:
Yes. The only comment would be that in own branded product a retailer would assume the role of manufacturer?

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:
Text would be the best method. However is this requirement slightly
misleading as flame retardants would be used on interliners, in some fillings and some items close to the cover.

Other questions

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

No

Comment box:
We believe that this transition period should be significantly longer. This will enable use of current fabric stock and stock products. A two year transition period would put our business at a serious disadvantage. Either fabric has to be disposed of, retested or re-coated all of which will incur a significant cost.

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

Comment box:
We believe that there should have been more variety in the testing that was conducted in relation to the updated regulations. Testing outcomes vary widely in the industry and as materials and foams were only tested at one test house we do not believe this is representative of the challenges we face. Should we send a fabric sample to three different test houses there is a good chance that what would fail at one would pass at another. Therefore there needs to be more consistency.

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:
We believe that there will be a minimal saving, if any. This is due to the the cost of housing the samples and any pre-treatments or pre-test conditions.

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

Amount saved::

Not sure

Comment box:
Amount saved: As noted it is not clear whether flame retardant use will be reduced or increased (e.g. with a protective cover or interliner route it is estimated that use of flame retardants may increase).

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.

Yes

Comment box:
Significant cost increase if the test for protective covers has to be completed 5 times.

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: