2016-104 Silentnight

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:

Questions

Name: [redacted] - Quality Assurance
Organisation (if applicable): Silentnight Group Ltd.
Address: Long Ing Lane, Barnoldswick. Lancashire. England BB18 6BJ

	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: Click here to enter text.

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: Machine washing of these items is a primary requirement, as such it makes sense to exclude these.

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: Click here to enter text.

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: Outdoor furniture does not present the same risk as indoor furniture.

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 the relevant permanent label)?

☒ Yes ☐ No ☐ Not sure

Comments: Components within a second hand furniture item would not be traceable without the permanent label. The permanent label should never be removed from the product, as such all second hand furniture should have this label still attached.

Questions on testing

Q7 Do you agree to removing the Filling 1 option?

☐ Yes ☒ No ☐ Not sure

Comments: This option includes cover for cigarette test but no need to test components. I do not agree with this as it would allow use of high risk non-FR polyurethane foam, as well other high risk materials that may be developed in the future.

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: Click here to enter text.

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

☒ Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

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

☐ Yes ☒ No ☐ Not sure

Comments: The proposed test method to evaluate the safety of the cover seems impractical. I expect this might create ambiguity and conflict between test houses.

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

☐ Yes ☐ No ☒ Not sure

Comments:

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: Generally, yes. For the covers we use in our product ranges, this would be true. However, the fibre composition of each type of cover must be taken into account.

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: This will be dependent on the final tests adopted.

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: It is generally accepted if tests are conducted over compliant fillings, the need for FR's in the textile cover is either reduced, or eliminated. This is also dependant on the fibre composition of the textile cover.

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?

☒ Yes ☐ No ☐ Not sure

Comments: This is critical for due diligence demonstration and audit purposes.

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: Display labels, or 'swing' labels provide visibility for compliant products. This is useful for enforcement agencies, and for consumers. This point is more for a commercial discussion rather than product safety.

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: Given that consumers do seek specific assurances about specific chemical use, symbols will not adequately provide the information. I suggest a short text explanation may be better.

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: Most supply chains should be able to manage the changes within this timescale.

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

☒ Yes ☐ No ☐ Not sure

Comments: The Furniture and Furnishings (FIRE) (SAFETY) Regulations were primarily introduced in the UK in the 1980's as a direct response to safety concerns relating to polyurethane foam used in furniture items. There is credible independent data to confirm these Regulations have saved lives, and reduced property damage as a result of fires. It would therefore be counterproductive now, to advocate use of non-FR foam.

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: Cost saving would be minimal in terms of any changes affected to materials. We spend approx. £4K on cigarettes for upholstery tests, this figure does not include mattress and divan testing.

☐ Nothing ☒ Not sure

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

Amount saved: This is difficult to even estimate without discussions being held throughout our supply chain.

☐ 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

BEIS/16/11/RF