

## Annex 8: Proposed amendments to schedule 5 -the match test part 1 and schedule 4 -the cigarette test -of the furniture and furnishings (fire) (safety) regulations 1988 - response form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 7<sup>th</sup> October 2014.

Please provide answers to any of the questions below, and provide any additional response you believe is appropriate, headed:

Your name:

*Redacted*

Organisation (if applicable): Mattel

Address: Gondel 1, 1186 MJ Amstelveen, The Netherlands

Please return completed forms to: Terry Edge 4<sup>th</sup> Floor, Orchard 1 BIS 1 Victoria Street London SW1 0ET

Telephone: 020 7215 5576 email: terry.edge@bis.gsi.gov.uk

	Please tick boxes below which best describe you or your organisation. <b>Organisation type</b>
<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input checked="" type="checkbox"/>	<b>Large business (over 250 staff)</b>
<input type="checkbox"/>	Legal representative
<input type="checkbox"/>	Local Government
<input type="checkbox"/>	Medium business (50 to 250 staff)
<input type="checkbox"/>	Micro business (up to 9 staff)
<input type="checkbox"/>	Small business (10 to 49 staff)
<input type="checkbox"/>	Trade union or staff association
<input type="checkbox"/>	Other (please describe):

Please note: in addition to the consultation questions below, we would be very grateful if you could also answer the questions from the Impact Assessment which follow them.

Consultation questions:

**Question 1: Do you think this proposal will achieve its aims of: helping to make UK furniture greener, save money to industry and making UK furniture more fire safe?**

Comments: Our Company is involved in baby gear products. For these kinds of articles it does not make them greener, nor does it save money, nor does it make products saver.

**Questions 2: Do you think that paragraphs 19-22 accurately set out the need for a change to the current match test?**

A                      Yes                       No                      Not sure

Comments: The focus on FR's is important, but there is no separate paragraph of the impact to young children and FR's.

And there is more to add to this chapter, except for FR's which call the need for change. The change in society is not mentioned here. The cause of the fires: matches and cigarettes, is changed. If the cause is changing, the solution (the FFR) should be updated as well. As stated in the statistical report the use of matches changed to cigarette lighters (which need to be child resistant). There are also new requirements for self extinguishing cigarettes. The awareness not to smoke around children and babies in particular is grown extensively.

**Question 3: Do you think the proposed changes are viable (paragraphs 23-29)?**

A                      Yes                      No                       Not sure

Comments: This is hard to say when the actual draft text is not published. Especially the requirement to test currently unregulated materials within 40 mm of the surface of the product does not seem viable

**Question 4: What are your views on the inclusion of currently unregulated materials (paragraphs 27-29)?**

Comments: Again without the actual draft text it is hard to give a conclusive answer, but this has a high impact for our product range, baby gear products. Since the covers we use are less than 10 mm thick it would mean other components are within scope and need to be tested: e.g. harnesses, electronics, plastics, (metal) screws. The current test method is not suitable to assess these components against. In the end it will raise the costs for testing, instead of lowering the burden for industry.

**Question 5: Do you agree with the benefits BIS believes the changes will bring?**

A            Yes            **X No**            Not sure

Comments: With the information we have now, the products in the baby furniture sector will not profit from the described benefits. Since there are more components in scope, it means more components need to be treated with FR's, which in the end will increase the costs. If the inclusion of currently unregulated materials will be lowered, it still will not have a big impact. Due to the material used for the upholstery (a thin batting), the need to use a fabric which forms a barrier will stay in place. This will in the end makes the products staying the same as they are now.

Another point to draw to your attention how the fabric which forms a fabric will be interpreted, the fabrics in baby products have holes in through which the harness comes from the back of the product to the front to keep the child in place. Would the hole be interpreted as the fabric not being a barrier?

**Question 6: What is your view on BIS's reasons for bringing forward the changes (paragraphs 41-42)?**

Comments:

**Question 7: General rating of the proposals.**

On a scale of 1 to 5, 5 being the highest, grade your overall approval of the proposals 5

	5	4	3	2	1
Right problems identified			x		
Range of options wide enough					X
Preferred options well chosen					X

**Question 8: Do you have any other comments that might aid the consultation process as a whole?**

Comments: baby's and young children are more vulnerable to chemicals than adults. The risks of being posed to FR's are many times bigger than the risk to a fire started in a baby product. It is known baby products are almost nil when it comes to items first ignited. The current and proposed FFR put baby's to an unnecessary health risk.

Below are the additional questions from the Impact Assessment. Please respond to them on this part of the form.

**Q1:** Is the assumption on the cost of testing above right in your view? Could you provide evidence supporting your arguments?

It is doubtful the cost of testing will reduce. It is correct the cigarette test is no longer needed, but for the baby products sector a big range of new materials will need to be tested due to the new requirements to the unregulated materials.

**Q2:** Do you have any evidence that could help to refine this cost estimates?

**Q3:** Are there any other costs not included here that should be included? Please provide evidence supporting your arguments.

The inclusion of currently unregulated materials will have a bigger impact than laid down.

**Q4:** Do you agree with the assumption that there will be minimal losses of stock given the transition period? What is your normal turnover of stock?

**Q5:** Do you agree with the assumption on annual cost savings to UK based companies testing of fabrics for the cigarette test? Could you provide information on the cost of the cigarette testing for your company?

Not sure. It is a common understanding that fabrics which pass the match test, will also pass the cigarette test. It could be companies are not performing the cigarette test anymore, based on their safety assessment.

**Q6:** Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company

No it is not correct for the baby products sector. The current practise will not change, thus no change in fabric treatment, thus no cost benefits will arise.

**Q7:** Are there any other methodologies you think would be more appropriate? For baby products the requirements in EN 71-2:2011 Safety of toys – Flammability, would be more appropriate.

**Q8:** Do you agree with the cost estimates above? Could you provide alternative estimates? Could you provide estimates of cost savings for upholstered garden furniture and/or caravan upholstered furniture?

**Q9:** Do you agree with the assumptions above towards calculating the total annual amount of treated fabric? Please provide evidence supporting your arguments.

**Q10:** Are there any other unquantified costs or benefits? If possible, please provide evidence supporting your arguments.

As a global company it would save us if we do not have to carry a separate product for the UK market. The products to the UK are more expensive for their treated fabric, extra costing's for testing and the logistic part of carrying a separate product. The consumer would benefit in cheaper products when the same products could be sold in Western Europe.

**Q11:** Is this a fair reflection of how smaller businesses will be affected? Please provide evidence supporting your arguments.

**Q12:** Are the familiarisation cost savings, in time, between options 2 and 4 an accurate reflection of the difference? Please provide evidence supporting your arguments.

**Q13:** Do the cost saving time profiles accurately reflect the timings of cost savings your business expect to see?

Thank you for your views on this consultation. 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 BIS 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**