



Department
for Business
Innovation & Skills

**FURNITURE AND FURNISHINGS
(FIRE) (SAFETY) REGULATIONS
1988**

**Consultation on proposed
amendments to Schedule 5 - the
Match Test - Part 1 and Schedule 4
- the Cigarette Test**

AUGUST 2014

**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 7th 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): Northumberland Fire and Rescue Service

Address: West Hartford Community Fire Station, West Hartford Business Park, Cramlington, Northumberland, NE23 3JP

Please return completed forms to:

Terry Edge
4th 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.

	Organisation type
	Business representative organisation/trade body
	Central government
	Charity or social enterprise
	Individual
	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):

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:

The proposed changes will undoubtedly save the industry money due to the reduced amount of protective flame retardants being used under the preferred options offered in the document. I would question the overall effect on the greener issues as the same products are to be used even if they are in smaller quantities; surely the threat is still present. The drive to establish new technologies which will replace brominated flame retardants is presently fuelled by the costs and adverse effects of the current flame retardants available. If industry is presented with a cost saving due to these proposals, this may have a negative effect on the desire to produce environmentally friendly flame retardants, which would not only reduce the green threat but possibly eliminate it.

The removal of the cigarette test appears to be a backward step, as the smouldering cigarette offers a completely different type of test to that of the lighted match. On the other hand, the

be encountered in the domestic environment a cigarette test is a more realistic test than that of the lighted match. As stated in the document the (6. 12) the current regulations provide the highest levels of fire safety for domestic upholstered furniture in the world, this should be applauded and we should not be reducing standards which as stated save lives and prevent injuries because other countries are unwilling to put safety of life before profits. With this in mind I cannot see how reducing the test standards and reducing the amount of flame retardants used can possible make UK furniture and furnishings more fire safe.

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:

Paragraph 19 highlights the issues with brominated flame retardants (BFR) and identifies that the most common of these flame retardants DecaBDE has already been replaced by industry. The paragraph goes on to say that the new BFR being used may in time be found to be a substance of concern. If this new BFR is being used already has it not undergone rigorous testing prior to use, and any issues to health been identified?

With regard to the question do paragraphs 19 to 22 set out the need for change, the overwhelming driver appears to be a financial one to industry, whether this is through protection of product with flame retardants or the disposal of end product after use by the householder. Paragraph 21 is written on the possibility that the EU will change legislation regarding the disposal; further detail of why this possibility exists would be welcome.

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

A ☐ Yes ☒ No ☐ Not sure

Comments:

The testing of materials with fillings that are to be used on the end product seems to be a sensible change to give a more realistic test of the material's performance in a fire situation. However the removal of the cigarette test is, in my opinion removing the more realistic fire scenario from the testing process, the lighted match test gives a result indicating performance when material is exposed to a naked flame, whereas the cigarette test give the materials performance when exposed to a smouldering fire where heat can build up slowly presenting a completely different fire risk.

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

Comments:

The inclusion of unregulated materials can only serve to improve the fire resistance in the furniture, which should be the motivation for any changes to current standards. The situation existing at present where the fire resistance furniture can be adversely affected by the addition of untested materials is unacceptable.

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

A ☐ Yes ☐ No ☒ Not sure

Comments:

Greener furniture will be available sooner

The growing concern from the public, identified by the retailers and manufacturers should be the catalyst to identify safer alternative flame retardants rather than remove/reduce the fire protection in furniture.

Cost savings

The introduction of the new match test and the removal of the cigarette test to save money to the industry should not be to the detriment of the fire safety of the furniture.

European flammability provisions

The reducing the flame retardant properties of the UK furniture because some member states object to flame retardants in furniture is a backward step. If the European Commission really does have a desire to raise the standards in Europe to the levels of the current Furniture and Furnishings (fire safety) Regulations (FFR's), why is there a need to lessen the current standards. The document states in the forward that the FFR's are working and have addressed the issues faced in the 1980s, and have resulted in fires and loss of life rapidly declining. It is incomprehensible to think that we may see an increase in these areas should the regulations be relaxed.

Inclusion of current unregulated materials

The inclusion of these materials can only serve to make furniture and furnishings safer, which should be the driver for any changes to the regulations.

Correcting unforeseen failures under the current match test

Again the addressing of these issues will serve to improve the safety of furniture and furnishings.

Preventing insufficiently chemically treated products getting into UK homes

If the new test provides a clear indication of pass or fail and removes the uncertainty which is being exploited by the industry, then this can again only serve to improve the fire protection of the final product.

Disposal of products containing hazardous waste

This benefit is resting on the possibility that new legislation may be introduced by the European Commission and that it is likely to be an expensive process. It is questionable as to when any benefits from the new process would be realised, life span of the product in the domestic

environment, the ability to identify what products have been used in the furniture during the manufacturing process etc. will all influence the disposal process.

Encouragement of new flame retardant technologies

As stated previously the introduction of lower standards and the savings to industry by reducing the amount of flame retardants required may have a negative effect on the desire to produce new technologies in flame retardant products and therefore delay to production of flame retardant free materials.

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

Comments:

The consultation process on the amendments to the regulations should be considered alongside the changes proposed to the match test, rather than the proposed method of considering the changes to the match test in isolation. It would allow stakeholders to see potential conflicts that may arise as well as allow a single consultation process rather than doubling the work involved in providing feedback and opinions on proposed changes.

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	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:

Throughout the document the savings to the retail and manufacturing sector are mentioned. Any amendments to the regulations should be based upon improving the fire protection of furniture and furnishings in the domestic environment. In the forward, Jo Swinson, MP highlights the fact that the current standards have addressed the difficult issues which were present in the 1980s. She goes on to say that the UK is rightly proud of these regulations and draws attention to the lives saved and injuries prevented every year. I can see the value of having a more realistic test which reflects the actual end product sold and also removes the situation where the end product may not live up to the expectations of the consumer. I cannot however see how reducing the amount of flame retardants to save the industry money and removing part of the testing process can improve the fire safety of furniture and furnishings.

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?

Not Applicable

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

Not Applicable

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

Not Applicable

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?

Not Applicable

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 Applicable

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

Not Applicable

Q7: Are there any other methodologies you think would be more appropriate?

Not Applicable

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?

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

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.

Not Applicable

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

Not Applicable

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

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