

**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): London Fire and Emergency Planning Authority

Address: 169 Union Street London SE1 0LL

Please return completed forms to:

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BIS

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Please tick boxes below which best describe you or your organisation.

	Organisation type
<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 type="checkbox"/>	Large business (over 250 staff)
<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 checked="" type="checkbox"/>	Fire Authority

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:

Yes. The view of the LFB is that this change will not result in any reduction in fire safety.

There is a risk that when the new regulations first come into force there is a transitional period when companies dramatically reduce the use of flame retardant chemicals and furnishings in the short term are less resistant to ignition than currently. However, this would be mitigated as the EU standards will still be applied and so the protection provided in UK furniture should be adequate to deal with the prevailing risks. Over time we would expect the further development of new materials with improved inherent flame resistance to continue to improve the safety of furniture and furnishings.

The proposals allow for a more transparent process of testing where furniture and furnishings are tested as a whole, instead of just focussing on individual components. This should allow more effective enforcement of non-compliance with the standard and result in better fire safety standards overall.

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:

n/a

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

A ☒ Yes ☐ No ☐ Not sure

Comments:

Testing the entire upholstery composite, including the combustion modified foam, is a more realistic test and should provide more reliable test results.

The new test should result in more effective enforcement as it will be easier to show whether an entire item of furniture meets the standards or not, rather than having to individually test each individual component.

An additional benefit of this change is that there will no longer be any reason for the production of non-fire retardant polyurethane foam. It is already illegal to use in furniture and furnishings and with the removal of this test there is no reason for its production at all – which should reduce the amount of it in circulation.

Removing the requirement for a cigarette test if a product has already passed a match test is reasonable and should have no impact on fire safety as the match test is the more stringent of the two. The removal of the additional test will bring cost savings and no reduction in safety.

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

Comments:

This is a very positive step forward. These changes should reduce the use of potential highly flammable unregulated materials in furniture and furnishings and so have a positive impact on fire safety in the home.

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

A ☒ Yes ☐ No ☐ Not sure

Comments:

n/a

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

Comments:

n/a

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			

	5	4	3	2	1
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:

As flame retardant chemicals are applied to fabrics (they are not an inherent part of them) there is no requirement to test their continued ability to resist ignition as furniture and furnishings age. There is no evidence available on how long it takes a flame retardant chemical to degrade (by means of wear and tear) and lose its fire resistance. The LFB would recommend further research is carried out to look at this issue. If there is a significant impact of aging on the effectiveness of flame retardant chemicals, then reducing the levels of flame retardant chemicals applied initially could lead to a legacy of furniture and furnishings in circulation without appropriate protection from ignition.

Fabrics used in a non-domestic environment are subjected to a water soaking and drying procedure specified in BS 5852:2006 prior to being conditioned and are therefore more resilient to this wear and tear issue.

To ensure that the safety of furniture and furnishings is maintained under the new testing regime we would recommended that Trading Standards conducts targeted market surveillance/sampling after the proposed change is implemented.

It is not known what long term effects flame retardant chemicals will have on human health and the environment. The LFB would like to see continued research into their effects in the environment, as they age, and as they are disposed off at the end of a product's life.

The application of additional products such as silicon spray onto materials treated with flame retardant chemicals can have a significant impact on fire performance. Communication with the industry on the importance of considering the impact of additional treatments on ignition resistance should be considered.

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

As a fire and recue authority we are not party to the financial aspects of production and so not in a position to comment.