



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): Managing Director Morris Furniture Co. Ltd

Address: 89 Southcroft Road Glasgow G73 1UG

Please return completed forms to:

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BIS

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Telephone: 020 7215 5576

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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 |
| | Local Government |
| x | 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:

Aim 1: To Make UK Furniture Greener? NO

FIRA have demonstrated in their testing research that a reduction in FR chemicals may not be achievable, especially to the level proposed by BIS. Some fabric blends may even require an increase in FR chemicals to ensure they pass the new test requirements.

Aim 2: To Save Money? NO

If anything, costs will increase due to the extra testing required of previously unregulated materials, the fact that FR Chemicals will not be reduced based on FIRA's testing and the additional cost of changing procedures, communicating results and requirements to the supply chain and also the possible need to change product design as a result.

Aim 3: To Make UK Furniture More Fire Safe? **UNSURE**

Proposals to allow fabrics that split to still be used could potentially reduce fire safety as could the removal of the cigarette test. Testing previously unregulated materials could improve safety but we don't feel sufficient evidence exists to make a decision either way.

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:

Paragraphs 19-22 all focus on the reduction of FR Chemicals. However the use of FR chemicals in furniture is not a requirement of the test, it is simply required in order to pass the test. Chemical usage is covered in different regulations so should be addressed elsewhere. As the FIRA tests showed, there will be no significant reduction in FR chemicals so whilst the basic reasoning may be valid, it appears misguided

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

A ☐ Yes ☒ No ☐ Not sure

Comments: The new testing methods have not been thought through and are very labour intensive, costly and confusing. There are too many "if's" involved in the process. Previously materials either passed or failed. Now they can pass but be protective or non protective; if non-protective, then other materials need to be tested. If a fabric splits by up to 2mm, it passes, over 2mm it fails. There is too many variables for the changes to be viable for UK industry and too much confusion will surround the tests should they go ahead

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

Comments: There is too much confusion surrounding these materials and what is in scope and out of scope. As a result of FIRA's testing, there are a number of materials that pass every time and a number that can never pass but are an essential part of the construction of the product (eg webbing). This will mean a complete re-design of the product, adding cost and inconvenience to UK business. There is also no indication of how these materials, which come in many shapes and sizes, are to be tested.

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

A ☐ Yes x ☒ No ☐ Not sure

Comments: We agree that the list of benefits is good for UK business and the economy but don't agree that any of these benefits can be achieved. We don't believe that furniture will be greener, cost savings will not be achieved, the quantity of non-compliant furniture on the market will probably increase due to the more complex testing procedures and due to the non reduction in FR chemical usage, there will be no change to the disposal of furniture containing hazardous chemicals

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

Comments: We understand that discussions have been ongoing for some time on an overhaul of the regulations and more clarification. We would have expected all changes to be made at the same time, rather than in part.

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: Whilst we agree in principle to the reasoning behind the changes, we feel that the test methods are overly complex and will hinder UK business rather than help.

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?

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.

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?

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

Q7: Are there any other methodologies you think 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.

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 x ☐ No

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

x ☐ No

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