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LOG OF MEETING

DIRECTORATE FOR ENGINEERING SCIENCES

SUBJECT: Regulatory activities involving upholstered furniture and mattress/bedding flammability

DATE OF MEETING: April 23, 2004

DATE OF LOG ENTRY: April 26, 2004

SOURCE OF LOG ENTRY: Margaret Neily, ESFS *MM*

LOCATION: Sheraton Harborside Portsmouth, Portsmouth, NH

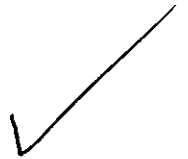
CPSC ATTENDEES: Margaret Neily, ESFS

NON-CPSC ATTENDEES: See attached list of attendees.


SUMMARY OF MEETING:

The 40th AATCC/New England Regional Technical Conference included a full day of concurrent sessions on printing, design and technology, dyeing innovations, product quality, coatings, regulatory awareness, nanofibers, and the impact of globalization on US textiles.

Speakers in Session 1A shared overviews of ink jet printing technology (equipment and inks) and the impact of ink jet printing on fabric print design and production. Session 1B speakers discussed product quality issues of yellowing problems and solutions, using the language of color in the global market, and retail testing to minimize quality returns. Session 3B included recent activities in federal requirements. Speakers reviewed global care labeling requirements and problems and regulations for children's apparel. The writer presented an update on CPSC upholstered furniture and mattress rulemaking efforts. Slides are attached. Session 4B was a discussion of the industry and federal perspectives on bi- and multi-lateral trade agreements and their impact on US textile industries.



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**CPSC Rulemaking:
Upholstered Furniture &
Mattress Flammability**

**AATTC New England Regional
Technical Conference**
April 23, 2004

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Summary

- Statistics
- CPSC rulemaking process
- Mattress rulemaking in progress
 - Defining and measuring the hazard
 - ANPR
 - Draft standard
 - Bedclothes
- Upholstered Furniture rulemaking
 - Open flame proceeding
 - New ANPR for cigarette ignition standard

**Upholstered Furniture and
Mattresses & Bedding Fires**

- Leading causes of fire deaths associated with consumer products
- 1998 addressable fire losses:
 - Upholstered furniture -- 420 deaths
 - Mattresses & bedding -- 390 deaths
- 1998 estimated societal costs = \$4 billion

**CPSC EEA Rulemaking
Process**

1. Advance Notice of Proposed Rulemaking (ANPR) with public comment
2. Notice of Proposed Rule (NPR) with public comment
3. Final Rule with date when manufacturers & importers must comply (usually 1-year after publication)

Mattress/Bedding Fires

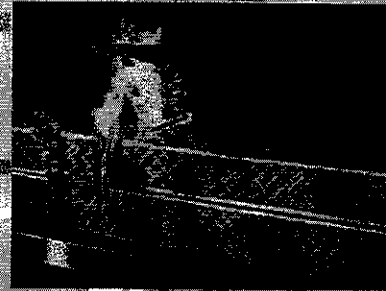
- Small flame often ignites bedding; large bedding fire ignites mattress
- Standard with large ignition source and designed to limit flashover could
 - address 300 deaths and 2,000 injuries (all ages)
- Industry supports mandatory standard for mattresses and sponsored NIST research on hazards and test method
- Concurrent California Bureau of Home Furnishings (CBHF) regulatory activities

CPSC Mattress Rulemaking

- CPSC began mattress rulemaking in October 2001 with ANPR
 - Granted two petitions from the Children's Coalition for Fire-Safe Mattresses
 - Commenters supported NIST test method development
 - Measures/defines risk of residential mattress fire
 - Tests and analysis form basis of effective standard
 - CBHF later suggests CPSC adopt TB 603 (10/03)
 - Some commenters recommended additional regulations for bedclothes

Rulemaking continued

- NIST began development of screening tests for practical product design and enforcement
- CBHF proposed and revised TB 603, based on the NIST test in 2003.
- CBHF intends to propose a standard for "filled" bedclothes as well.
- CPSC, CBHF, SPSC, & NIST are conducting an interlaboratory study on the NIST test method (P&B study)

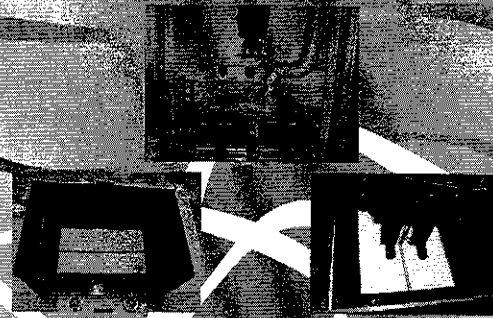


Gas burners simulating exposure to burning bedding in NIST Test 5, California TB 603

Screening Test Development

- NIST developing sub-grades for full-scale test
- Small-scale screening tests for typical laboratory are critical
 - compliance screening
 - mattress design/materials/construction screening
- Concepts have changed as we learn more
- Test resistance to burn-through
- Test susceptibility to "grin" failure (new)

* Funding provided by CPSC & California Administration



Screening test sample box, test apparatus and double burner

Rulemaking continued

- CPSC staff is preparing decision package for Commission consideration that will:
 - Respond to ANPR comments re: mattress & bedclothes issues
 - Include draft proposed standard for mattresses (Notice of Proposed Rulemaking)
 - Provide support for the standard including Preliminary Regulatory Analysis
 - Provide Bedclothes options, including a draft Advance Notice of Proposed Rulemaking

CPSC Staff Draft Standard

- Based on NIST test method (in TB 603)
 - Criteria, test duration, and other requirements based on effectiveness, cost/benefit & enforcement needs
- Requirements initially conservative
 - Scope and product definitions
 - Prototype and confirmation concepts
 - Numbers of tests needed for each (P&B study)
 - Possible pooling provisions
 - Recordkeeping
- Reduce burden w/ industry technical support

Bedclothes

- Review of public comments on Mattress ANPR
- Review of incident data
- Current market information
- Technical information & existing standards
 - NIST and CBH tests indicate that bedclothes can contribute substantially to these fires
 - California BHF development of TB 604
- Options including Advance Notice of Proposed Rulemaking

Next Steps

- Briefing Package is scheduled to go to CPSC management later this year

Upholstered Furniture

- New Advance Notice of Proposed Rulemaking (ANPR) in *Federal Register* 10-23-03*
- Possible CPSC standard to address the risk of both cigarette and small open flame-ignited fires
- Follows staff recommendation to expand the existing regulatory proceeding
- Some industry groups support uniform national mandatory standard
- Options package re: possible proposed rule in 2004

*See web file at: <http://www.cpsc.gov/cpsc/ul/ulindex.html>
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New ANPR

- Cigarette fires account for a substantial majority of furniture fire losses
- Earlier ANPR addressed only small open flame, but draft SOP standard would reduce risk from both types of ignition
- Expanded proceeding builds on existing CPSC staff draft standard
 - Small Open Flame Ignition (Seating Area & Dust Cover)
 - Possible Cigarette Ignition performance requirements
 - Barrier Alternative

Stakeholders Providing Support for Mandatory Standard

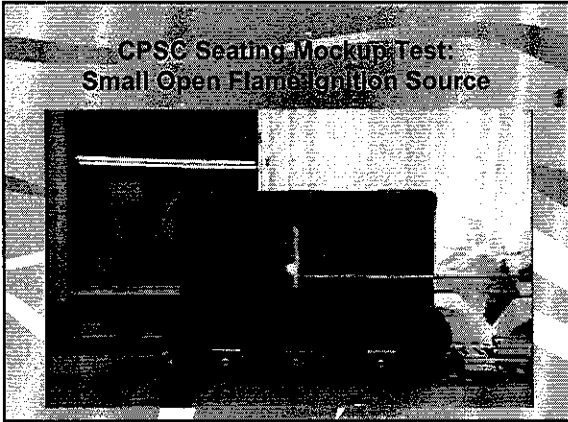
- AFMA letter—5/3/03
- Fabric Coalition letter—5/27/03
- API Report—1/04
- AFMA/Fabric Coalition/UL/NASFM meeting—3/1/04
- California BHF letter—12/6/03

Some Suggested Options

- Composite or component tests
- Performance requirements for BOTH cigarette and sof resistance
- CPSC sof provisions or UFAC cig. tests
- Mod. TB 117 sof + cigarette resistant foam/filling materials AND either sof requirement for fabrics or CPSC barrier
- Best parts of CPSC + revised TB 117

CPSC Staff's Draft Small Open Flame Standard

- Objective: evaluate and reduce ignitability & flame spread; limit fire growth
- 2 flame exposure locations:
 - seating areas & dust covers
- 2 seating performance test options:
 - Small open flame test (cover fabric protection)
 - Seating barrier test (fire blocking interliner protection)
 - Any complying combination of materials allowed
- Sampling plan to establish compliance
- Recordkeeping to identify material sources



Cigarette Ignition Considerations

- **1998 cigarette ignition furniture fire losses:**
 - 4,700 fires, 340 deaths, 730 injuries, \$87 mil. property damage; represents 80% of total societal costs
 - *Potential benefits are substantial*
- **Remedial technology well-known & in use:**
 - Synthetic fabrics & filling materials
 - FR fabric & filling treatments
 - Fire-blocking barriers
 - *A standard is feasible & could substantially reduce the risk*

Cigarette Ignition continued

- Existing standards provide a technical basis for a possible national standard
 - UFAC
 - CPSC / NBS
 - California
- New York safe cigarette requirements effective June 2004; effectiveness uncertain

Next Steps

- CPSC staff evaluation of public comments*
- Complete technical work on revisions of CPSC staff draft standard
- CPSC staff briefing package with possible proposed rule and significant alternatives for Commission consideration - 2004

*See web files at <http://www.cpsc.gov/dn/na/04/041204/041204main.htm> (Parts 1 & 2)

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