

U.S. Consumer Product Safety Commission

LOG OF MEETING

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Subject: Upholstered Furniture Flammability Stakeholder Meeting
(sponsored by the American Home Furnishings Alliance)

Date of Meeting: July 25, 2007

Log Entry Source: Dale R. Ray, Project Mgr., EC, (301) 504-7704

Date of Log Entry: August 21, 2007

Meeting Location: Sheraton Crystal City Hotel, Arlington, VA

CPSC Attendees: Dale Ray, Project Manager, Directorate for Economic Analysis
Patty Adair, Directorate for Engineering Sciences

Non-CPSC Attendees:

Brad Sperber & Beth Fascetelli, Keystone Group (facilitators)
David Ryan, Craftex / National Textiles Ass'n.
Richard Taffet, Decorative Fabrics Ass'n.
Steve Dehaan, National Home Furnishings Ass'n. (retailers)
Lynn Knudtson, Future Foam / Polyurethane Foam Ass'n.
Bob Barker, American Fiber Mfrs. Ass'n.
Joe Ziolkowski, Upholstered Furniture Action Council
Andy Counts, American Home Furnishings Alliance
Phil Wakelyn, National Cotton Council
Tom Long, Exponent Failure Analysis Assoc. (fire consultant)
Tom Chapin, Underwriters Laboratories
Mark Buczek, Supresta / American Fire Safety Council / Alliance for
the Polyurethanes Industry / American Chemistry Council
Peter Brigham, American Burn Ass'n.
Pat Morrison, International Association of Fire Fighters

+ Teleconferenced participants:

Bob Luedeka, Polyurethane Foam Ass'n.
Andrew McGuire, Trauma Foundation
Arlene Blum, U. of CA – Berkeley (Health / environmental consultant)
Russell Long, Friends of the Earth

+ Observers:

Russ Batson, AHFA
Joe Gerard, UFAC consultant
Mary Martha McNamara, attorney (UFAC)
Hugh Talley, HTI (UFAC consultant)
Wogan Badcock, retailer

Claire Kammer, Bob Backstrom & John Bender, UL
Alan Ball & Becky Frazier, Sateri (fiber importer)
Kevin Curtin, attorney (Coalition for Home Fire Safety)

Summary of Meeting:

This meeting was organized by AHFA following their discussions with Senate staff on possible stakeholder recommendations to CPSC regarding upholstered furniture flammability rulemaking. Mr. Sperber opened the meeting and talked about AHFA's goal of assembling a consensus position to be embodied in a letter to the Senate subcommittee staff. Mr. Ray and Ms. Adair attended as observers and provided comments on various technical issues. Following a brief, general background statement from Mr. Ray, the participants each presented a brief summary of the positions of their respective organizations.

The AHFA, PFA, AFMA, NCC and NTA industry participants favored a recommendation, articulated by Mr. Ziolkowski and Mr. Counts, that CPSC propose a rule that would address the smolder resistance of upholstered furniture and that would preempt potentially conflicting state regulations. The AHFA representatives' recommended approach for such a rule would be to implement the existing UFAC voluntary guidelines, in accordance with existing ASTM 1353 smoldering ignition test methods referenced in the UFAC guidelines. Citing the technical complexity of open flame ignition testing, they also suggested that the group recommend that further research be conducted on open flame resistance for future consideration. Mr. Ray noted that these recommendations were consistent with AHFA's prior written comments to CPSC.

Mr. Long and some other participants voiced concerns about the potential use of flame retardant (FR) chemical additives that might be used to meet any open flame requirements in a standard; some participants specifically opposed any recommendation that could lead to any increase in FR use in upholstered furniture. They stated their general support for the AHFA recommendations based on the presumption that the use of FR additives would not be encouraged. In the discussion on this issue, Mr. Barker noted the availability of fire blocking barriers (similar to those used to comply with CPSC's new mattress rule) that are made with inherently-FR fibers and that would not present a risk of FR chemical exposure to consumers.

Mr. Buczek stated his opposition to 'any course that would reduce the current level of safety,' referring to the likelihood that the open flame requirements of existing California regulations would be pre-empted by a CPSC smolder-resistance rule. He indicated that neither AFSC nor API would concur with AHFA's recommendation. Mr. Ray noted that these views, like those of the AHFA supporters, reflected existing comments on the record.

Mr. Brigham suggested that the group recommend that CPSC consider the role of lower ignition propensity cigarettes now coming into use in many states; some discussion followed. Mr. Ray noted that the CPSC staff was undertaking a study to characterize the differences in ignition strength among newer, low-IP cigarettes and traditional cigarettes, and that the staff would consider the results of this study in its regulatory development work.

Mr. Sperber was charged with preparing a summary of the meeting and a description of the 'majority consensus' essentially recommending that CPSC a) issue a smolder resistance rule based on the ASTM / UFAC voluntary scheme, and b) defer action on open flame resistance pending further research. Mr. Sperber agreed to circulate a draft report to participants (and to CPSC staff) for review within about a week. He indicated that AHFA might then prepare a letter to the Senate subcommittee describing the 'majority consensus' recommendation to CPSC.