

## LOG OF MEETING

### U.S. CONSUMER PRODUCT SAFETY COMMISSION OFFICE OF COMMISSIONER THOMAS H. MOORE

~~CPSC (301) CLEARING HOUSE~~  
7/18/05  
NO FIRMS/PRODUCTS OR  
PRODUCTS IDENTIFIED  
EXCEPT BY PETITION  
RULEMAKING ADMIN. PROC.  
WITH PORTIONS REMOVED

**SUBJECT:** American Fire Safety Council

**DATE OF MEETING:** November 30, 2004

**PLACE:** Room 725, CPSC headquarters

**LOG ENTRY SOURCE:** Michael Gougisha

**DATE OF ENTRY:** January 3, 2005

**COMMISSION ATTENDEES:** Commissioner Thomas H. Moore; Michael Gougisha and Pamela L. Weller, Counselors to Commissioner Thomas H. Moore; Patricia Pollitzer of the Office of General Counsel

**NON-COMMISSION ATTENDEES:** James McIntyre of McIntyre Law Firm representing the Polyurethane Foam Association; Mark Buczek of the American Fire Safety Council; Richard Rose of Great Lakes and Steven Valentine of Preston, Gates, Ellis & Rouvelas, Meeds LLP.

#### SUMMARY OF MEETING:

Commissioner Moore began the meeting by welcoming all in attendance. After introductions, Mark Buczek indicated that the reason the meeting was requested was because those in attendance wanted to bring before the Commission their concerns about the direction that the Commission staff was going with respect to its draft performance standard for upholstered furniture. He indicated that staff's draft standard which, from preliminary indications, appears to focus on limiting post-ignition fire growth by restricting mass loss of interior filling materials was different from their group's expectations and was not a test they had a lot of experience conducting.

Commissioner Moore inquired about whether there was any testing of the staff's draft proposal being done and Mr. Buczek indicated that testing was in progress but that his group was having some difficulty meeting the requirements of the draft performance test. He indicated that more time was needed to reconcile the test methodologies.

Mr. James McIntyre then indicated that there were other concerns about the draft standard as it had not been subject to round-robin testing and also expressed concerns about whether the performance test produced results that were reproducible and whether the performance test might

actually be more of a design test. He also indicated that the new test was a more stringent standard than they were expecting and their preliminary testing indicated that only melamine treated foam would pass the new test.

Commissioner Moore thanked the group for sharing their concerns and reminded them that no proposal was before the Commission and therefore their concerns may be a bit premature.

Commissioner Moore again thanked everyone for coming to present their views.