

# MEETING LOG

## UPHOLSTERED FURNITURE

**Meeting Between:** Commissioner Thomas Moore and representatives of the American Furniture Manufacturers Association (AFMA)/Upholstered Furniture Action Council (UFAC)

**Date of Meeting:** May 22, 1995

**Site of Meeting:** Commissioner Moore's office, East-West Towers, rm. 725

**Meeting Topic:** CPSC/AFMA activities on Bunk Beds and Upholstered Furniture

**Log Entry By:** Dale R. Ray, EC *DR*  
Project Mgr., Upholstered Furniture

**Participants:** AFMA/UFAC: Joseph Gerard, AFMA VP/Gov't. Affairs  
Joseph Ziolkowski, UFAC Executive Director

CPSC: Commissioner Thomas Moore  
Michael Gougisha, Counselor to Commissioner Moore  
Pamela Weller, Counselor to Commissioner Moore  
Dale Ray, EC

### Summary:

Mr. Gerard requested this meeting to give AFMA the opportunity to describe their activities and positions regarding two areas of interest to CPSC: bunk beds and upholstered furniture.

### Bunk Beds

Mr. Gerard and Mr. Ziolkowski briefly discussed issues related to the ongoing bunk bed voluntary standard development effort. Mr. Ziolkowski stated his intention to re-convene an industry voluntary standards (ASTM) committee in order to consider CPSC staff recommendations (forwarded by John Preston, ES). Mr. Ziolkowski noted that all CPSC staff recommendations would be considered except one regarding voluntary certification by manufacturers, which he viewed as unnecessary.

Mr. Ziolkowski described ASTM consensus procedures for considering and resolving technical issues. Although not all of their members agree to meet a voluntary standard, AFMA is generally pleased with the progress of the voluntary effort. It is AFMA's position that the voluntary process will adequately

address risks of injury associated with bunk beds, that voluntary conformance is substantial, and that no mandatory standard or other Commission action is necessary.

### Upholstered Furniture

The majority of this meeting concerned upholstered furniture flammability. Mr. Gerard described the overall role of AFMA and UFAC in the Commission's upholstered furniture activities, and responded to a number of questions from Commissioner Moore. Mr. Ziolkowski discussed some of the technical issues involved in the current standards development project.

The industry representatives provided some general background about the upholstered furniture industry. They noted that there are manufacturers in every state, although about 25% of all shipments are from North Carolina, the traditional center of the domestic industry. They noted that the furniture market has experienced a general shift toward the use of relatively cigarette ignition resistant, thermoplastic materials, and away from less ignition resistant, cellulosic materials. AFMA contends this shift has accompanied a gradual increase in voluntary conformance to the UFAC guidelines.

Commissioner Moore asked how AFMA collects data on conformance. In response, Mr. Ziolkowski summarized UFAC's conformance monitoring activities, including tracking of the dollar volume of shipments of individual member manufacturers and suppliers, occasional spot checks (30-40 per year) during plant visits, and laboratory tests of component material samples. Mr. Ziolkowski said he would make the results of such lab tests available to CPSC. He stated that UFAC's voluntary program was one of verification, not certification; he noted that suppliers often certify to furniture manufacturers that component materials meet UFAC specifications, and that manufacturers pledge conformance based on suppliers' certifications.

The AFMA representatives described recent work sponsored by UFAC to provide information to CPSC on the current regulatory development project. They summarized the conclusions and methodology of the recent Heiden Associates survey of UFAC member conformance, and of recent flammability tests comparing cushions made with California vs. 49-state polyurethane foam. The Heiden report concludes that voluntary conformance is very high (over 90%); the testing suggests no significant improvement in ignition resistance associated with the use of California (flame retardant-treated) foam. Mr. Ziolkowski said he would forward UFAC's report on this testing to CPSC within a week.

Mr. Ziolkowski briefly described UFAC's activities in Canada, Europe and Mexico. He characterized each of these voluntary programs as positive examples of industry self-policing that obviate the need for government regulatory intervention. He also described some consumer safety education programs sponsored

by UFAC in various countries, e.g., French language UFAC hang tags, and programs to inform consumers in the U.S., including bilingual radio spots, fire safety messages for print media, and a new point of sale materials program involving Pogs with fire safety messages. The giveaway Pogs will be offered on a pilot basis to U.S. retailers starting this month.

Mr. Ziolkowski and Mr. Gerard discussed the history of UFAC's involvement in CPSC's upholstered furniture flammability investigations. They discussed potential trade-offs between cigarette ignition resistance (first identified as the major risk) and open flame ignition resistance.

The AFMA representatives reiterated their longstanding view that the UFAC program, established in 1978, contributed significantly to the observed decline in the numbers of fires, deaths and injuries associated with upholstered furniture. AFMA presented some data tables showing the decrease in furniture fires and deaths between 1978 (when the UFAC program began) and 1992. The decrease in fire losses was characterized as a major success of CPSC/industry cooperation. They also contend that the fire record on furniture compares well with the fire record on mattresses, for which a mandatory standard has been in effect since 1974. They expressed industry's surprise at being the subject of a regulatory proceeding after posting such a positive and cooperative record.

UFAC supports adoption of California Technical Bulletin 133 (a large open flame standard) for high-risk, non-residential occupancy furniture, but opposes mandatory regulation of all residential upholstered furniture on the basis that voluntary action on cigarette fires adequately addresses the risk, and that mandatory action on small open flame fires may have high costs and low benefits.

Mr. Gerard expressed particular concern about the potential cost of an open flame standard, citing the CPSC staff estimate of \$250 million in annual costs to the public associated with adoption of California Technical Bulletin 117 (presently mandatory in California). He stated that UFAC's cigarette ignition guidelines were relatively low-cost, and therefore easier to justify to manufacturers. Mr. Ziolkowski noted the possibility that higher furniture prices may act to delay purchases of new, safer furniture by low-income consumers who are at greatest risk from fire; he noted, however, that many of the cigarette ignition resistance improvements are most widely found in lower-priced articles, since many cigarette ignition resistant fabrics tend to be lower in cost than cotton.

The AFMA representatives also mentioned potential costs associated with the British regulation now in effect; they characterized this standard's test requirements as much more severe than California's. They estimated the cost of using melamine foam (commonly used to meet the British regulation) at

double the cost of conventional foam, or about \$500-600 million per year to the public; they also indicated that testing costs could exceed materials costs. They stated that some U.S. firms report overall cost increases of up to 40% to achieve compliance with the British regulation.

Commissioner Moore asked what research was being sponsored or conducted by the industry toward developing less expensive materials that might provide improved open flame performance. Mr. Ziolkowski responded that suppliers have been looking into the matter, but that no such materials existed that were considered cost-effective by manufacturers. He noted that upholstered furniture production is a "style industry," and that an important consideration to manufacturers is maintaining consumer choice of fabrics and other materials that provide acceptable combinations of comfort and durability.