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CPSC MEETING LOG UPHOLSTERED FURNITURE

Meeting between: CPSC Chairman Ann Brown and representatives of American Textile Manufacturers Institute SEP 23 P 2: 31

Date of Meeting: September 18, 1998

Site of Meeting: CPSC Headquarters, East West Towers, Bethesda, MD

Meeting Topic: ATMI activities and position on applications of flame retardant chemicals used in upholstered furniture fabrics

Log Entry By: Dale R. Ray, CPSC Project Manager 

Participants:
CPSC: Ann Brown, Chairman
Walt Sanders, Counselor to the Chairman
Pamela Gilbert, Executive Director
Jeffrey Bromme, General Counsel
Ronald Medford, AED/Hazard Ident. & Reduction
Dale Ray, Project Manager, EC

ATMI: Patty Adair, Ass't. Director, Textile Products & Stds.
Hardy Poole, Director, Textile Products & Stds.
Steven Mischen, Exec. VP, Burlington Industries
Roger Berkley, President, Weave Corp.
Salman Chaudhry, Ass't. Mgr./QC, Weave Corp.
John Michener, Consultant (retired--Milliken Corp.)

Others: Phillip Wakelyn, Nat'l. Cotton Council
Ron Dombrowski, Albright & Wilson
Celia Powell, Albright & Wilson
Carolyn Covey Morris, Albright & Wilson
Peter Sparber, Nat'l, Ass'n. of State Fire Marshals
Bruce Navarro, Navarro Leg. & Reg. Affairs
Mary Martha McNamara, attorney,
American Furniture Mfrs. Ass'n.

Summary:

ATMI requested this meeting to discuss some issues of concern to the textile industry, which supplies fabrics to upholstered furniture manufacturers, and to present information to the Chairman and staff on industry-sponsored activities regarding a) the flammability performance of backcoated fabrics and b) the potential economic impact of a small open flame upholstered furniture standard on textile producers and related industries.



Following some introductory remarks by Chairman Brown, Ms. Adair gave a brief overview of ATMI's concerns about CPSC's work to develop a draft flammability standard. She asserted that fabric manufacturers were generally unfamiliar with the use of flame retardant (FR) treatments that would likely be necessary to meet a standard, that a standard may cause significant disruption among textile companies, and that a number of issues about the potential toxicity of FR chemicals were not adequately resolved. She stated her hope that this meeting would be the first of several meetings between ATMI and CPSC on upholstered furniture. Chairman Brown stated that no Commission decision to propose a standard has been made, but that the agency was in an investigative stage; she welcomed the opportunity to receive information from the affected industry.

Ms. Adair introduced presentations by Mr. Berkley, Mr. Mischen, and Mr. Michener. Mr. Berkley's firm (Weave Corp.) is relatively small, supplying mostly higher-priced fabrics in small quantities; Mr. Mischen's firm (Burlington) is much larger, supplying fabrics for mass market furniture producers, re-upholstery jobbers, and large retailers.

Mr. Berkley described the upholstery industry structure, including the chain of production and supply. He noted that many different companies not directly involved with upholstered furniture manufacturing may be affected by the Commission's actions. He also discussed the role of fabric converters and finishers, which process fabrics at various stages in the production process before the fabrics are delivered to furniture companies. Mr. Berkley noted that Weave Corp. does not perform FR or any other finishing operations, but rather contracts out such tasks to finishing companies. Mr. Mischen briefly discussed the way Burlington and other larger companies use FR treatments in fabric backcoatings, e.g., for the U.K. market (where mandatory furniture flammability regulations have been in existence for 10 years). Mr. Berkley and Mr. Mischen estimated that about half of all U.S.-market upholstery fabrics are (non-FR) backcoated.

The ATMI representatives described an ongoing ATMI-sponsored study of the flammability performance and physical characteristics of backcoated fabrics. Mr. Berkley disputed a statement, by Mr. Les Wilkinson of Mydrin (Bostik) U.K. at CPSC's May 5-6, 1998 public hearing on FR chemicals, that most fabrics could be backcoated using existing technology. Mr. Berkley stated that a number of fabrics, especially soft fabrics such as chenille and various pile fabrics, were particularly difficult to backcoat. Mr. Berkley stated that the backcoating study would be completed within the next month and that results would be shared with CPSC.

Chairman Brown asked why ATMI did not provide any information for the May 1998 public hearing, and what ATMI's position was regarding a possible small open flame standard. Ms. Adair responded by asserting that ATMI and its members have little expertise in the area of FR chemical toxicity, and that the public hearing provided an impetus to develop new information to support ATMI's position. Mr. Mischen stated that the textile industry generally opposed a flammability standard.

Mr. Michener described some of the preliminary results of his review of some scanning electron micrographs of various FR and non-FR backcoated fabrics (he provided a copy of a computer disc containing the micrographs, but did not present these at the meeting). He noted a wide variety of effects associated with these backcoatings, e.g., on the "hand" or feel of the fabric, colorfastness, and light (fading) resistance. Some of the backcoated fabrics exhibited color bleed-through while others did not, and some backcoatings came through the fabric surface. He said that some backcoatings are stable for long periods of time, but that FR treatments may lessen the durability of such backcoatings. Mr. Michener noted that many backcoatings are applied to confer certain properties (e.g., resistance to seam slippage, ease of cutting and sewing) only through the furniture manufacturing process, and are often not intended to last for the expected service life of the finished product.

Both Mr. Michener and Mr. Mischen stated that they were aware of very few, if any, complaints from U.S. furniture manufacturers or consumers about the durability of backcoated fabrics. Mr. Mischen noted that the U.K. regulations contain no durability requirements for FR treated materials, but that he knew of no complaints from the U.K. about his company's fabrics' durability.

Mr. Bromme asked about textile manufacturers' experience with worker safety issues, and whether the current use of FR treatments posed hazards to workers. Mr. Mischen said he did not consider worker safety a significant issue for his firm, but was more concerned about environmental regulations that may apply if FR chemical usage were increased to treat all fabrics.

Chairman Brown asked about ATMI members' experience with automotive and airline seating fabrics. Mr. Michener responded that his previous firm (Milliken) produced such fabrics, and characterized the open flame test in NHTSA's Motor Vehicle Safety Standard (MVSS 302) as relatively easy to pass with a very light backcoating. He said that the performance test in the CPSC staff's draft small open flame upholstered furniture standard was more stringent and would require a heavier backcoating layer. He also stated that airline fabrics were often nylon/wool blends used with inert barriers rather than FR treatments. Mr. Mischen stated that his firm produced some FR backcoated fabrics for motor home seating; he noted that "one pass" through the backcoating process machinery was needed to meet MVSS 302 while two passes would be required to meet the U.K. regulations or the CPSC staff's draft standard. Mr. Michener reiterated the general concern that, while light backcoatings would not greatly affect the hand of fabrics, there would probably be significant adverse effects associated with heavier backcoatings that may be needed to meet a CPSC standard.

Ms. Adair and Mr. Mischen then described a planned economic impact study to be funded by an industry coalition (including ATMI, the Decorative Fabrics Association, the American Fiber Manufacturers Association, the National Cotton Council, the American Society of Interior Designers, and a number of fabric

converters and retailers). The study, to be prepared by Glassman-Oliver Economic Consultants, Inc., is to examine, in three phases, potential costs and benefits of a CPSC standard and economic impacts on all affected industry sectors, including furniture and fabric producers, converters, jobbers and suppliers. The first phase of this study is to be completed by the end of 1998.

The ATMI representatives invited the Chairman and her staff to visit some textile companies to see how fabrics are made and processed. A number of additional questions from the Chairman and the CPSC staff were then discussed. Chairman Brown asked Mr. Mischen about Burlington's experience with FR treated fabrics; he responded that they have some experience--Burlington markets fabrics to drapery and automotive interior products manufacturers, and to U.K. furniture manufacturers--and that they have chosen FR backcoating as their FR treatment method. Mr. Ray asked about the industry's experience with FR treatments other than backcoatings (as is often the case in the U.K. and with FR apparel fabrics). Mr. Mischen and Mr. Berkley discussed their experience with immersion treatments and said that such treatments might be appropriate for some fabrics, but that there could be adverse effects on colorfastness (especially for dark colors produced with reactive dyes) or light resistance (for fabrics using direct dyes). The ATMI representatives agreed to look into non-backcoating FR treatments as well as backcoatings in their ongoing studies.

Mr. Michener noted that it appeared in the past that ATMI's input was not always solicited or welcomed in the development of a small open flame standard. He expressed his hope that a continuing exchange of technical data and other information could now be maintained. Chairman Brown reiterated that no Commission decisions have been made about a proposed standard, and said she welcomed any further information that ATMI may be able to provide. Some documents--the flow charts used by Mr. Berkley and micrographs mentioned by Mr. Michener--were to be delivered to Mr. Ray; reports on the progress of the backcoating study and economic impact analysis will also be shared with the staff.