

**Due to the effects of COVID-19, the effective date of
this policy has been extended to September 8, 2020**



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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**2020 Interim Enforcement Policy for Mattresses and
Mattress Pads Subject to 16 CFR Part 1632**

CPSC's Office of Compliance and Field Operations (Compliance) is revising the Interim Enforcement Policy for mattresses and mattress pads subject to 16 CFR part 1632 – Standard for the Flammability of Mattresses and Mattress Pads (the Standard) due to the availability of a new SRM cigarette. This revised Interim Enforcement Policy supersedes the previous policy permitting the use of commercially available fire-standard cigarettes to evaluate products for compliance with the Standard. It also supersedes previous policies not requiring a repeat test if a cigarette extinguishes before burning its full length and previous policies permitting the use of opened packages of SRM 1196 cigarettes. This revised Interim Enforcement Policy preserves the allowance for mattress manufacturers and importers to test only two mattress surfaces for newly developed mattress prototypes.

This Interim Enforcement Policy supersedes all previous interim enforcement policies: the [*Interim Enforcement Policy for Mattresses Subject to 16 CFR Parts 1632 and 1633, May 15, 2006*](#), the [*Interim Enforcement Policy for Mattress Pads Subject to 16 CFR part 1632, November 1, 2018*](#) and [*Updated Interim Enforcement Policy for Mattresses and Mattress Pads Subject to 16 CFR Part 1632, December 21, 2018*](#).

Background

Mattresses must meet the requirements of both the Standard and the 16 CFR part 1633 - Standard for the Flammability (Open Flame) of Mattress Sets before their sale or introduction into commerce. However, mattress pads only must comply with the requirements of the Standard.

In May 2006, Compliance issued an *Interim Enforcement Policy for Mattresses*, which allowed the qualification of a mattress prototype with a reduced number of testing surfaces. Specifically, Compliance exercised its enforcement discretion to permit manufacturers to reduce

the required testing surfaces from six surfaces to two surfaces. Mattress pads were not included in the 2006 *Interim Enforcement Policy for Mattresses* because mattress pads are not subject to the open-flame standard.

In 2008, cigarettes that met the specifications of the ignition source under 16 CFR § 1632.4(a)(2), stopped being produced. As a result, mattress and mattress pad manufacturers and testing organizations expressed concerns to CPSC that the unavailability of the specified test cigarettes would hinder compliance testing.

In September 2011, the Commission amended the Standard to specify SRM 1196 cigarettes developed by the National Institute of Standards and Technology (NIST) as the ignition source at 16 CFR § 1632.4(a)(2). The SRM 1196 cigarette has the approximate ignition strength of the original unfiltered cigarettes. Testing laboratories and manufacturers purchased the SRM 1196 cigarettes through NIST.

On November 1, 2018, after learning that the inventory of SRM 1196 cigarettes was critically low, and that NIST could not immediately identify a source to produce new SRM 1196 cigarettes, Compliance issued the *Interim Enforcement Policy for Mattress Pads*. The *Interim Enforcement Policy for Mattress Pads* stated that Compliance would exercise enforcement discretion to allow mattress pad manufacturers to reduce testing from six mattress pad surfaces to two mattress pad surfaces for each new prototype tested to the Standard. The *Interim Enforcement Policy for Mattress Pads* also stated that Compliance would not enforce the requirement that only unopened packages of SRM cigarettes be used for each series of tests as provided at 16 CFR § 1632.4(b)(3).

On December 21, 2018, Compliance issued the *Updated Interim Enforcement Policy for Mattresses and Mattress Pads Subject to 16 CFR Part 1632*, because many test labs did not have sufficient inventory of SRM 1196 cigarettes to conduct the required tests under the Standard. The *Updated Interim Enforcement Policy for Mattresses and Mattress Pads Subject to 16 CFR Part 1632* permitted the use of commercially available cigarettes as the ignition source for the Standard. Compliance also stated that it would not enforce the requirement that the test be repeated if a cigarette extinguishes before burning its full length for both mattresses and mattress pads (16 CFR § 1632.6(c)(4)(iii)).

The National Institute of Standards and Technology (NIST) recently procured a new SRM cigarette, SRM 1196a, which is now available for purchase. SRM 1196a has the approximate size and burn properties of SRM 1196. Similar to SRM 1196, test labs, manufacturers and other interested parties can purchase SRM 1196a directly from NIST.

The Standard

The Standard requires pre-market full scale prototype testing for each new mattress and mattress pad design. In addition, prototype testing must be performed when there is a change in materials of an existing prototype design that could influence the cigarette ignition resistance. Six mattress and mattress pad surfaces must be tested for each prototype. The prototype test consists of exposing each mattress pad surface to a minimum of 18 lighted cigarettes—at least nine in the bare mattress pad tests and at least nine in the two-sheet tests (16

CFR § 1632.4(d)). The prototype is accepted if the char length of each individual cigarette location on all six surfaces is not more than 2 inches in any direction from the nearest point of the cigarette.

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SRM 1196 and SRM 1196a are appropriate ignition sources when evaluating product for compliance with the Standard. However, when conducting the test, only SRM 1196 or SRM 1196a, not a combination thereof, must be used to evaluate a specimen. In light of the availability of SRM 1196a, commercially available, fire-standard cigarettes, identified in the Updated Interim Enforcement Policy for Mattresses and Mattress Pads issued in December 2018, will no longer be permitted for testing. Additionally, Compliance is rescinding enforcement discretion identified in previous Interim Enforcement Policies not requiring a test to be repeated if a cigarette extinguishes before burning its full length (16 CFR § 1632 (d)(iii)). Compliance is also rescinding enforcement discretion permitting the use of opened packages of SRM 1196 cigarettes (16 CFR § 1632 (b)(3)).

Mattress manufacturers and importers, however, may continue testing only 2 mattress surfaces for newly developed mattress prototypes using either SRM 1196 or SRM 1196a, as described above. Mattress pad manufacturers are required to test six surfaces as stated in 16 CFR § 1632(d)(1).

Effective Date

This updated policy will become effective on September 8, 2020, and remain in effect until further notice. Compliance may modify or suspend this *2020 Interim Enforcement Policy for Mattresses and Mattress Pads* at any time. CPSC intends to provide at least 30 days' notice on the CPSC website before making any changes to this interim policy.

Any information associated with the *2020 Interim Enforcement Policy for Mattresses and Mattress Pads* will also be provided through the CPSC Mattress listserv. Join the CPSC Mattress listserv by selecting Mattress Information for Businesses at the CPSC Newsroom Subscription Web page (<https://www.cpsc.gov/Newsroom/Subscribe/>), and provide contact information.

CPSC will continue to monitor the situation and adjust the *2020 Interim Enforcement Policy for Mattresses and Mattress Pads*, if necessary.

Contact Information

For additional information regarding this policy, please contact the Office of Compliance and Field Operations:

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