

**U.S. Consumer Product Safety Commission
Log of Meeting**

CPSC/OFFICE OF
THE SECRETARY

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SUBJECT: Mattress and Bedding Fire Project
Upholstered Furniture Fire Project

DATE OF MEETING: September 28, 1999

LOG ENTRY SOURCE: Harleigh Ewell

DATE OF LOG ENTRY: October 19, 1999

LOCATION:

Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, VA 23185

CPSC ATTENDEES:

Harleigh Ewell, Office of the General Counsel
Barbara Jacobson, Directorate for Health Sciences
Michael Bogumill, Office of Compliance

NON-CPSC ATTENDEES:

David Baker, General Counsel, Lighter Association, Inc.
Members of Lighter Association, Inc.

SUMMARY OF MEETING:

Harleigh Ewell provided a summary of the Commission's efforts to address the problem of household fires started by small-open-flame sources. These fires involve ignition of mattresses and bedding, and upholstered furniture. Harleigh summarized the 1997 data for residential fire hazards (406,500 fires, 3,400 deaths, nearly 18,000 injuries, and 4.6 billion dollars in property damage.) He said that CPSC's mattress flammability standard, effective in 1974, has successfully addressed the cigarette ignition hazard but not the open-flame ignition hazard. In 1998, CPSC held a roundtable discussion about potential strategies to reduce the open-flame risk of bedding and mattress fires. The industry agreed to develop consumer education materials and conduct research to support the development of a standard. The Sleep Products Safety Council, SPSC, of the International Sleep Products Association (ISPA) with funding help from the National Association of State Fire Marshals, is funding focus groups to determine what educational approaches will be most effective. ISPA has also funded tests at the National Institute of Standards and Technology (NIST) to determine the fire contribution of bedding. We expect a report on the preliminary

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results in February. The focus of the standards-development work will be on the fire-resistant qualities of mattresses.

The small-open-flame ignition of upholstered furniture is associated with an average 90 deaths, 420 injuries, and over 40 million dollars worth of property damage each year. In 1993, the National Association of State Fire Marshals petitioned the Commission to issue standards for upholstered furniture to protect against ignition by both large and small flames, and by cigarettes. The Commission granted the petition for a standard to protect against small-flame ignition, deferred a decision as to cigarette ignition, and denied the petition as to large-flame ignition. The CPSC published an advance notice of proposed rulemaking in June 1994. There were industry objections to various aspects of the test method and standard for upholstered furniture. In 1998, the Commission decided to defer regulatory action on the small-open-flame issue until additional information was obtained on possible health effects associated with certain fire-retardant chemicals that might be used in upholstered furniture fabrics. Congressman Roger Wicker introduced an amendment to CPSC's FY 99 appropriation bill to require a \$500,000, 12-month independent study of fire-retardant chemical toxicity risks by the National Academy of Sciences (NAS). The amendment also called for a General Accounting Office investigation into CPSC's procedures in the small-open-flame regulatory-development proceeding. The NAS report is due to CPSC and to the Congress in January 2000. The CPSC staff plans to forward a decision package with recommendations to the Commission early in 2000.

The CPSC staff has encouraged voluntary action as an alternative to a mandatory rule, and ASTM has established a workgroup of the E5-15 Subcommittee on Furnishings and Contents to evaluate existing test methods and develop a new method for small-open-flame ignition. There has been no movement toward developing a standard.

In March of 1999, the National Association of State fire Marshals filed a petition jointly with CPSC and the Federal Trade Commission for labeling of residential furniture containing polyurethane foam. The FTC has deferred to CPSC in this matter. The Commission will consider this petition at the same time it considers the staff's recommendations on a standard for small-open-flame ignition of upholstered furniture.