

# MEETING LOG

## UPHOLSTERED FURNITURE

**Meeting Between:** Chairman Ann Brown and representatives of the American Furniture Manufacturers Association (AFMA)/Upholstered Furniture Action Council (UFAC)

**Date of Meeting:** April 6, 1994

**Site of Meeting:** Chairman Brown's office, East-West Towers, rm. 724

**Meeting Topic:** UFAC voluntary program, including international activities; NASFM petition

**Log Entry By:** Dale R. Ray, EC  
Project Mgr., upholstered furniture petition

**Participants:** AFMA/UFAC: Joseph Gerard, AFMA VP/Gov't Affairs  
Joseph Ziolkowski, UFAC Executive Dir.  
Mary Martha McNamara, AFMA/UFAC Counsel  
CPSC: Chairman Ann Brown  
Myra Karstadt, Counsel to Chairman  
Eric Rubel, General Counsel  
Dale Ray, EC  
Also: Bea Harwood (retired CPSC staff)

### Summary:

Mr. Gerard requested this meeting to give AFMA/UFAC the opportunity to describe the UFAC voluntary action program in the U.S., and to present the results of the latest round of UFAC activity in Europe. Chairman Brown asked that the presentation on UFAC/EUFAC be brief, and that AFMA/UFAC provide their views on the NASFM petition. Mr. Gerard gave a brief opening, and then turned the presentation over to Mr. Ziolkowski, who described the UFAC program generally, and specific recent improvements to the UFAC voluntary guidelines, e.g., the decorative trim test for goods shown at the Spring 1994 Furniture Mart in High Point, NC. He also described the new European UFAC program (EUFAC) underway in 11 European nations.

Mr. Ziolkowski and Mr. Gerard reiterated their longstanding view that the UFAC program has contributed significantly to the gradual decline in the numbers of fires, deaths and injuries associated with upholstered furniture in the U.S., and expressed optimism about the potential for similar success in the new European venture.

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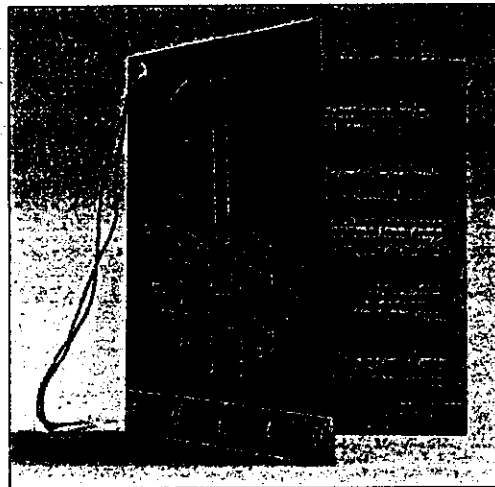
Mr. Gerard and Mr. Ziolkowski presented some data tables showing the decrease in furniture fires and deaths between 1978 (when the UFAC program began) and 1991. This supplemented their submission of 1980-89 data in response to the NASFM petition. The decrease in fire losses was characterized as a major safety success, especially in view of the 120-140 million pieces of pre-UFAC upholstered furniture still estimated to be in use by consumers.

The AFMA/UFAC presentation was accompanied by handouts regarding EUFAC and the hazard data. These are attached.

Chairman Brown asked the AFMA/UFAC representatives why they thought NASFM criticized the UFAC program. Mr. Gerard and Mr. Ziolkowski responded by stating their view that there was no need to change the general approach of the UFAC program, even though minor improvements have been made over time and may continue to be made in the future. They characterized NASFM's criticism as politically motivated, but did not elaborate on this point.

Mr. Gerard summarized AFMA/UFAC's critique of the petition contained in their comment submitted in response to CPSC's Federal Register notice of August 9, 1993. He also described UFAC's conformance monitoring activities, and talked about the industry's support of California Technical Bulletin 133 for high-risk, non-residential occupancy furniture.

Chairman Brown asked about AFMA/UFAC's view on fire-safe cigarettes. Mr. Gerard said AFMA ordinarily opposes any mandatory regulations, but has not opposed H.R. 3885. He reiterated that AFMA/UFAC would continue in their efforts to improve the fire safety of upholstered furniture through appropriate changes in materials and construction of furniture.



**A** voluntary initiative  
to promote the fire safety  
of upholstered furniture

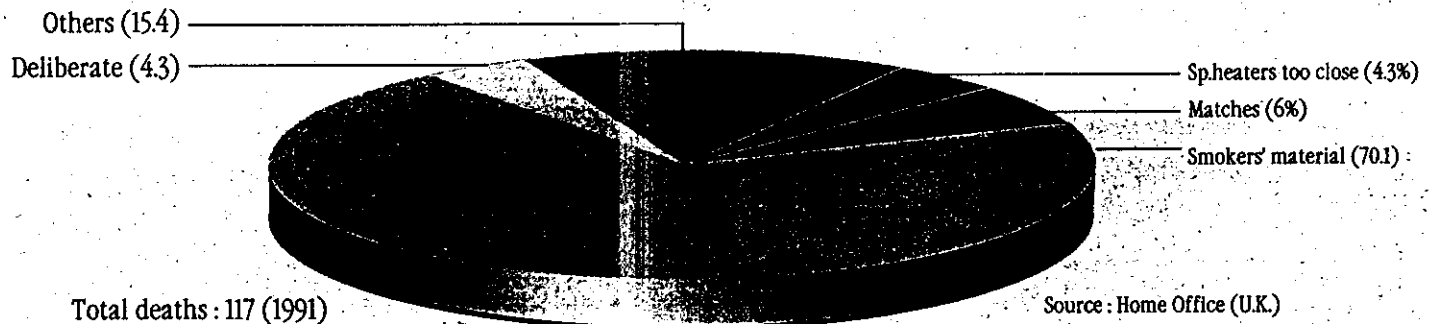
# What is the furniture flammability issue



The increased focus on fires in the home and in public buildings has caused concern in the private sector and in government. Many studies have been made to identify the ways that fires start, how they can be prevented and how consumers can be warned in time to go to safety.

A behavioral problem, lighted cigarettes left on upholstered furniture, was found to be one of the most common causes of fire.

In the United Kingdom, the country which has the most detailed fire statistics in Europe, in 1991, 70.1% of the deaths due to fires started in upholstered furniture were the result of fires ignited by a cigarette, although the most efficient actions would be to change the behavior and limit smoking, or to make self-extinguishing cigarettes (1).



The furniture industry has looked for construction methods that will make upholstered furniture more resistant to smouldering cigarettes. The furniture industry and its suppliers have searched for advances in technology that will retain consumer choice of fabrics and keep furniture cost increases to a minimum.

The problem, however, is a very complex one. Almost 30 millions pieces of upholstered furniture are sold annually in Europe. These pieces join, rather than replace the estimated 500 million in current use. Unlike appliances or other similar replaceable products, the arrival of new furniture in the home does not assure that existing furniture will no longer be in use. Older furniture is recycled so its life can be extended for decades beyond its original utilization. Ageing furniture is often placed in another room or a second house. After that, it is often sold or donated to a resale shop, or passed on to adult children living away from home.

This extends the cycle to second and even third users. The life span of furniture cannot be determined accurately, but has been calculated to average 30 years or more.

(1) In the USA a congressional committee examines the possibility of self-extinguishing cigarettes.

# *Who is affected by fires related to upholstered furniture*



We all are...whether there is a fire in our home, smoke damage from a fire in the apartment next door, or an increase in home insurance premiums to pay for the rising costs of coverage.

Although many adults do not smoke, smouldering cigarettes are the most common causes of home fires after accidents while cooking. Experts identify high-risk smokers as:

- 1) the elderly, infirm, and disabled;
- 2) those who abuse alcohol, medical or recreational drugs;
- 3) the very poor.

U.K. statistics indicate that many victims were asleep at the time of their injury.

Careless smokers place not only themselves in jeopardy, but also the other inhabitants of the home and all of the family's possessions. Smokers and nonsmokers alike should install smoke detectors in conjunction with adopting home safety habits. A study by the Canadian government found smoke detectors to be 85 percent effective in giving the first warning of a home fire. This early warning can provide valuable time in which a family can execute a prearranged escape plan.

Fire officials also encourage families to practice using escape routes at night. Families should rendez-vous at a predetermined place where members can assure themselves that everyone is safely out of the house.

Consumers also need to learn about recent advances in upholstered furniture construction which have made it more cigarette resistant. This safer furniture carries a EUFAC hangtag on the retail sales floor.

These changes in furniture construction, press and consumer education, as well as the increased use of smoke detectors have contributed in the United States to a 61% decline in upholstered furniture fires started by burning cigarettes.

These figures are based on data from the National Fire Protection Association and the United States Fire Administration for the years 1978-91.

# *Now has the furniture industry responded to this challenge*



With increasing consumer safety at cause, the industry has chosen to develop a voluntary fire safety system, based on cigarette resistance, uncomplicated, easily applicable and economically feasible.

The Commission of the European Union (CEU) has initiated work on a directive concerning fire safety of upholstered furniture and related objects. The industry shares the goal of the CEU to render furniture safer, but believes that the EU project and the goals formulated therein are impossible to achieve under current technological and economic conditions. The voluntary programme is designed to make upholstered furniture safe from cigarette ignition as the industry knows how to do this and can afford to do so under the current technological and economic and competitive conditions.

Thanks to this voluntary programme the industry can act immediately.

Cigarette resistance resolves the major cause of fires involving death and upholstered furniture and the efficiency of this measure has been demonstrated in the US. It is also the most cost effective measure possible through measures addressing the materials of upholstered furniture.

The concept of EUFAC was developed in cooperation with the US industry who have successfully applied a similar programme since 1977. It was also made in cooperation with the European organisations of the industries supplying the furniture industry and it has obtained the support of ECOSA, the European consumer safety organisation.

The EUFAC programme is designed to :

- Be cost effective
- Retain designer and consumer choice of covers.
- Keep furniture price increase to the public to a minimum level.

Its American counterpart has been cited as the outstanding model for efforts to reduce mandatory government regulation through voluntary industry programmes.

In an answer to a parliamentary question, EC Commissioner Bangemann states that the voluntary programme is a major improvement in 10 EC Member States.

General assembly

Executive Committee

Scientific Advisory Board

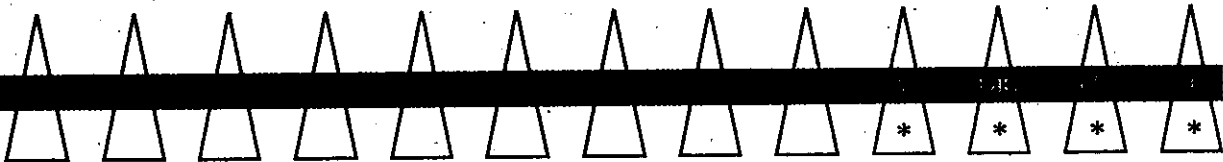
Communication Committee

Technical Committee

CONTROL & COORDINATION

Control

Distribution of labels



\* = Licence holders

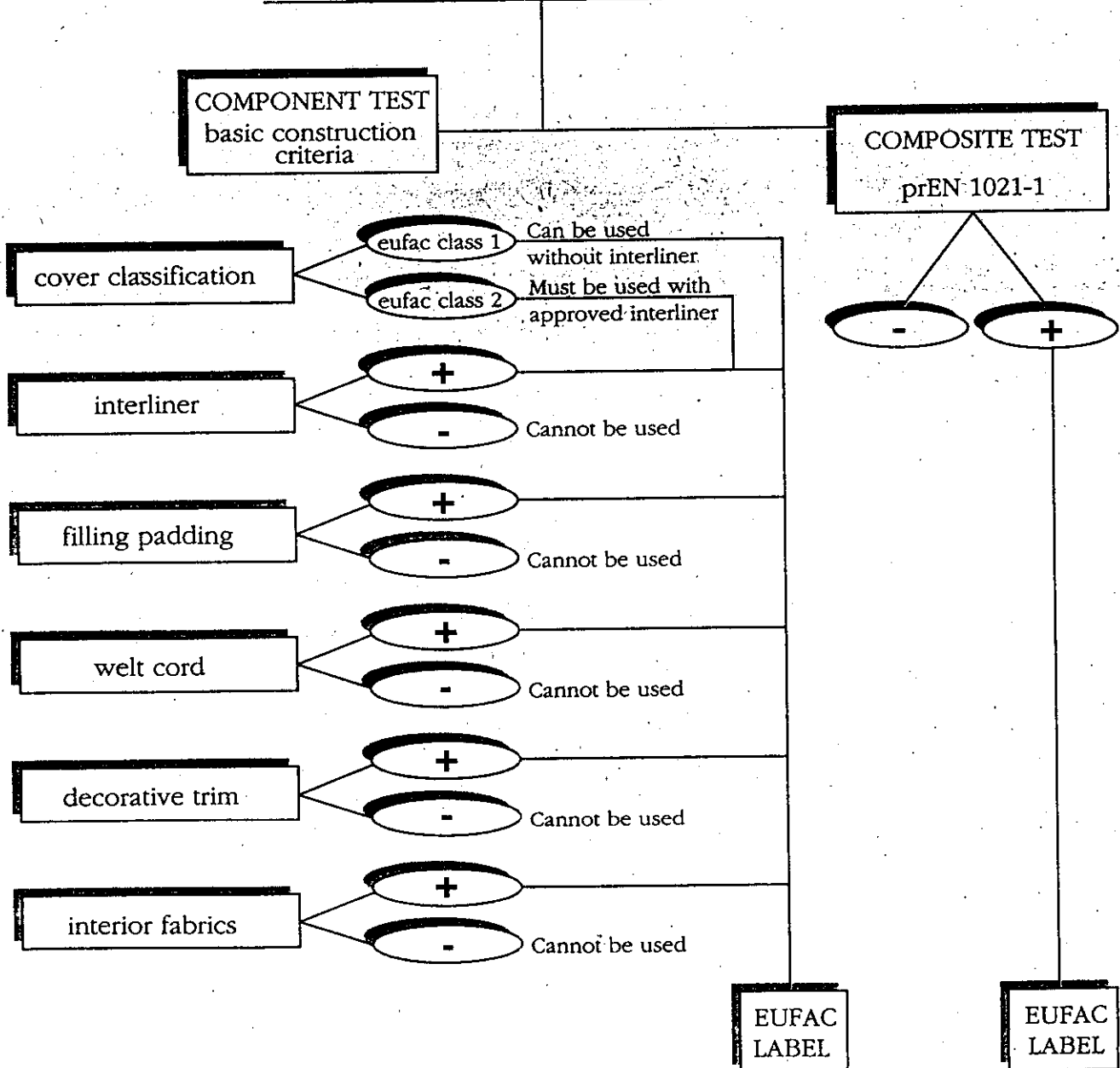
# What are the main parts of the EUFAC voluntary program



The EUFAC voluntary action programme includes four parts :  
**1 - Cover classification** divides the covers into two categories of ignition propensity. This rating system measures the ability of these covers to resist ignition when exposed to a burning cigarette.

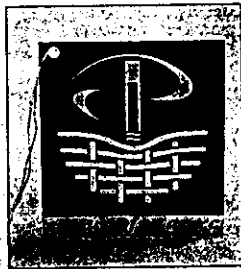
**2 - Construction criteria** must be met by manufacturers in order to qualify for participation in the EUFAC voluntary action programme, and use of the EUFAC hangtag and label.

## Upholstered furniture





**3 - Hangtag labelling** designates furniture which meets EUFAC criteria. The distinctive hangtag is attached to furniture by the manufacturer and is displayed to consumers at retail locations, and is left on furniture when delivered. The hangtag identifies this safer furniture to consumers at point of sale. Hangtags must be ordered from EUFAC. They are protected by copyright. A permanent, individually numbered, label is also attached to the furniture. EUFAC provides hangtags and labels to the industry at a nominal cost. Revenues derived from the sale of hangtags are only used to finance the EUFAC voluntary programme, to fund additional research and to promote our programme to the industry and consumers.



**4 - Compliance procedures** are an important part of the voluntary programme. EUFAC carefully verifies compliance by both manufacturers and suppliers.

EUFAC officials selectively visit participating companies to observe manufacturing and tagging practice. They observe construction methods being used and recommend changes if any are necessary. Regularly but randomly, participating manufacturers are asked to send small samples of complying materials to an independent laboratory for testing. Results are reported to the company and to EUFAC Central. Failure to submit samples results in the manufacturers deletion from the EUFAC programme.

## COMPLIANCE PROCEDURES

Random visits to manufacturers to control proper application of EUFAC technical rules.

•  
Verification of guarantee given by the materials' suppliers.

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Random visits to retailers to control proper use of labels and hangtags

Supplier certifications, which assume great importance in any legal activity, are audited. This and other technical assistance from the EUFAC staff, is provided at no charge. It is subsidized by the sales of hangtags and labels.

*What benefits emerge  
from the EUFAC voluntary  
programme for companies,  
retailers and consumers*



The **consumer** obtains furniture produced in a controlled way to higher fire safety standards than exist in most countries.

The **manufacturer** and the **retailer** commit themselves to produce and to sell furniture built according to "Best Practice" corresponding to consumer demand for more safety. EUFAC is a positive discrimination enabling consumers to easily identify safer products.

The programme also results in an increased public awareness of fire safety problems.

*How can  
upholstered furniture  
manufacturers ensure supplier  
materials comply with EUFAC  
requirements*



**Supplier guarantee :**

With the product liability regulation the upholstered furniture manufacturer is ultimately responsible for the performance of his product. Consequently, it becomes a matter of what assurance the manufacturer needs from his suppliers in order to be confident that he is using materials that are in compliance.

As purchasers, manufacturers have a right to expect suppliers to guarantee their materials. If they refuse, you have the alternative of buying elsewhere.

The voluntary programme allows the participation of suppliers in the programme. Manufacturers of covers or fillings or any other material concerned by the EUFAC test may join the voluntary programme if they have materials that qualify for use in the programme. Participating suppliers may use the EUFAC logo on their invoices and information materials. The suppliers must substantiate their blanket or lot-by-lot guarantee by tests executed by independent test houses.

Furniture manufacturers are strongly suggested to only use materials from participating suppliers, but in any case to accept only material guaranteed in conformity with the EUFAC rules by the supplier.

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