



Advisory Notice

Advisory Notice number: TS103
Subject: **Champion Manufacturing Inc. and Winco Manufacturing Inc. Statement Regarding Flammability and Flame Retardants**
Date Issued: November 15, 2021
Issued by: Matt Weismiller

Statement Regarding Flammability and Flame Retardants

Consumer safety often leads the drive for updated policies and regulations. Within the last several years there has been an evolution of furniture flammability standards aimed at reducing the need for additional chemicals generally found within upholstery. Health advocacy groups have been pushing lawmakers to phase out the use of potentially harmful flame retardant chemicals. Champion and Winco are taking appropriate steps to ensure patient safety, while meeting regulatory compliance.

Timeline of Regulations

- December 2020, California’s TB 117-2013 is signed into federal law.
 - The U.S. Congress passed the Safer Occupancy Furniture Flammability Act (SOFFA) as part of the COVID-19 Regulatory Relief and Work from Home Safety. SOFFA adopts California’s Technical Bulletin 117-2013 (TB 117-2013) as a Federal Regulation and is enforceable by the U.S. Consumer Product Safety Commission (U.S. CPSC) under the Flammable Fabrics Act (FFA).
 - The regulation can be found in the Code of Federal Regulations as 16 CFR 1640. Part C provides purposes of preemption as “no State or any political subdivision of a State may establish or continue in effect any provision of a flammability law, regulation, code, standard, or requirement that is designed to protect against the risk of occurrence of fire, or to slow or prevent the spread of fire, with respect to upholstered furniture.”
- January 2019, California repealed TB 133.
 - California’s Technical Bulletin 133 (TB 133) established flammability requirements for upholstered seating in 1991. It utilized an open flame test for the entire seating unit and was recognized as difficult to pass without the use of flame retardants, which are believed to cause negative health impacts.
- September 2018, California passes AB 2998.
 - This prohibits the sale of flame retardant chemicals above 1000ppm, effective January 1, 2020.
- June 2013, California revises TB 117 to TB 117-2013.
 - Technical Bulletin 117-2013 requires the materials used in upholstered furniture pass smolder resistance standardized testing.

Champion and Winco Actions

- Compliance to California’s TB 117-2013 and CPSC requirements.
- New labeling with “Complies with U.S. CPSC requirements for upholstered furniture flammability.”

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- Maintained labeling to California’s TB 117-2013 requirements.
- Phasing out and eliminating most vinyl selections that contain flame retardants.
 - There will be little to no impact on appearance and general performance specifications of vinyl selections that either contain or do not contain flame retardant chemicals.
 - For select models, a limited vinyl selection may be available for areas that require more stringent flammability standards. Due to limited availability of flame retardant materials, a surcharge, extended lead times and minimum order quantities may apply.

References:

16 C.F.R. § 1640. Code of Federal Regulations, Title 16 Chapter II Subchapter D Part 1640 Standard for the Flammability of Upholstered Furniture. <https://ecfr.gov>. (June 25, 2021)

United States Consumer Product Safety Commission; Flammable Fabrics Act. <https://www.cpsc.gov/Regulations-Laws--Standards/Statutes/Flammable-Fabrics-Act>. (October 4, 2021)

State of California, Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation. Technical Bulletin 133. Flammability Test Procedure for Seating, Furniture for Use in Public Occupancies. January 1991. <https://bhgs.dca.ca.gov/industry/tb133.pdf> (June 25, 2021)

State of California, Department of Consumer Affairs, Bureau Household Goods and Services. Technical Bulletin 117-2013. Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Materials Used in Upholstered Furniture. January 2019. https://bhgs.dca.ca.gov/laws/tb117_2013.pdf (June 25, 2021)

State of California, Department of Consumer Affairs, Bureau of Household Goods and Services. Frequently Asked Questions (FAQs); Assembly Bill 2998 (Bloom)- Consumer Products: Flame Retardant Materials. Updated October 2019. https://bhgs.dca.ca.gov/forms_pubs/ab2998_faq.pdf (October 12, 2021)

State of California, Legislative Information. AB-2998 Consumer products: flame retardant materials. September 29, 2018. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2998 (October 12, 2021)

Blamles, Helen. Global Flammability Standards- A Camira Technical Paper. September 13, 2017. <https://www.camirafabrics.com/us/news-and-events/global-flammability-standards-%E2%80%93-a-camira-technical> (June 25, 2021) Full Paper source: https://www.camirafabrics.com/getmedia/0b8c2d24-9681-4e16-ae5d-d801cbf1b268/WEB_A4-Flammability-Guide-0618 (June 25, 21)

SGS. California’s Technical Bulletin 133- Flammability Test for Seating Furniture Used in Public Occupancies Repealed. February 4, 2019. <https://www.sgs.com/en/news/2019/02/safeguards-02019-california-technical-bulletin-133-flammability-test-for-seating-furniture> (June 25, 2021)

Mo, Chuiyan. Furniture Flammability Safety Standards in the United States: An Overview. July 16, 2021. <https://www.compliancegate.com/furniture-flammability-safety-standards-united-states/> (October 12, 2021)

Exponent. Massachusetts Lates to Ban Certain Flame Retardants in Selected Consumer Products. January 20, 2021. <https://www.exponent.com/knowledge/alerts/2021/01/massachusetts-latest-to-ban-certain-flame/?pageSize=NaN&pageNum=0&loadAllByPageSize=true> (November 9, 2021)

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