



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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OFFICE OF COMPLIANCE AND FIELD OPERATIONS

May 15, 2006

Interim Enforcement Policy for Mattresses Subject to 16 CFR Parts 1632 and 1633

This document describes the approach that CPSC's Office of Compliance will follow in enforcing 16 C.F.R. Part 1632 – Standard for the Flammability of Mattresses and Mattress Pads. This policy applies only to mattresses; mattress pads must continue to adhere to all the requirements set forth in Part 1632.

Background

On February 16, 2005, the U.S. Consumer Product Safety Commission voted to issue an open-flame flammability standard for mattress sets, 16 C.F.R Part 1633 ("Open-Flame Standard"). This standard, which will become effective on July 1, 2007, will require manufacturers to demonstrate through prototype testing that their mattress sets meet the performance criteria set forth in the regulation. CPSC staff anticipates that manufacturers will have to redesign their mattress prototypes and use new materials to meet these new flammability requirements. In many cases, the new prototypes would also have to be tested to demonstrate compliance with Part 1632. Recognizing the short-term burden this would impose on manufacturers, the Office of Compliance will exercise enforcement discretion for an interim period to reduce the amount of testing required by Part 1632.

The Standard

Part 1632 requires pre-market prototype testing for each new mattress design. In addition, prototype testing must be performed when there has been a change in materials of an existing prototype design that could influence the cigarette ignition resistance. Six mattress surfaces must be tested for each prototype. The prototype test consists of exposing each surface to a minimum of 18 lighted cigarettes – at least nine on the bare mattress side and at least nine on the two-sheet side. The prototype is accepted if the char length of each individual cigarette location on all six mattress surfaces is not more than two inches in any direction from the nearest point of the cigarette.

Enforcement Policy

The Office of Compliance will exercise its enforcement discretion and permit manufacturers to reduce testing from six mattress surfaces to two mattress surfaces for each new prototype created to comply with the Open-Flame Standard. Thus, a prototype will be accepted if the char lengths of the 18 individual cigarettes are not more than two inches in any direction

from the nearest point of the cigarette on two mattress surfaces. This policy applies only to mattress prototypes created after the March 15, 2006 publication of 16 C.F.R. Part 1633 in the *Federal Register*. Mattress prototypes created prior to March 15, 2006 are subject to the full requirements of Part 1632.

Effective Date

This policy is in effect on May 1, 2006 and will remain effective until further notice. The Office of Compliance retains the right to modify or suspend the interim enforcement policy at any time. The staff intends, however, to provide at least 30 days notice on the CPSC's Web site before making any change to this interim policy.

Contact Info

For further information on this Interim Enforcement Policy, please contact the Office of Compliance, Recalls and Compliance Division, as follows:

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