



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

Todd A. Stevenson
Secretary

Tel: 301-504-6836
Fax: 301-504-0127
Email: cpsc-os@cpsc.gov

September 17, 2014

James A. Burns
Government Relations
National Association of State Fire Marshals
1319 F Street, NW Suite 301
Washington, DC 20004

Dear Mr. Burns:

The U.S. Consumer Product Safety Commission (CPSC or Commission) has considered your February 10, 2004 petition on behalf of the National Association of State Fire Marshals (NASFM). You requested mandatory fire safety standards for candle products based, at a minimum, on the requirements in ASTM International Provisional Specifications for Fire Safety for Candles (PS59-02). In addition, you requested that the mandatory standards include:

- (1) flammability performance requirements for candle accessories, including candleholders;
- (2) end-of-useful-life requirements for freestanding, tealight, taper, and votive candles;
- (3) stability requirements for votive candles and taper candles mounted in appropriate candleholders; and
- (4) miscibility and flash-point requirements for gel candles.

For the reasons set forth below, the Commission has denied your petition.

On March 10, 2004, CPSC's Office of the General Counsel (OGC) docketed the request from NASFM under the Consumer Product Safety Act (CPSA), petition number CP 04-1, and the Federal Hazardous Substances Act (FHSA), petition number HP 04-1. The Commission published a request for public comment on the petition. 69 Fed. Reg. 18059 (April 6, 2004). Staff addressed the comments received in response to the notice and recommended that the Commission defer a decision on the petition so that staff could continue to work with ASTM and assess the impact of the ASTM voluntary standards.¹ The ASTM standard PS59-02 was superseded by ASTM F2417-04, *Standard*

¹ <http://www.cpsc.gov/PageFiles/88038/candleballot.pdf>.

Specification for Fire Safety for Candles, which was published and went into effect in 2004.

On July 19, 2006, the Commission voted to defer a decision on the petition, consistent with staff's recommendations. The Commission directed staff to continue working with ASTM in developing standards for candle products and provide the Commission periodic status updates on standards development. Staff provided the Commission with status reports on candle standards development activities in 2007 and 2011.

Since 2011, many changes have been made to the ASTM candle standards. Currently, there are six published ASTM voluntary standards for candle products. All of the standards contribute to reducing the hazard of candle fires. The current version of the standard you referenced in your petition, ASTM F2417-11 incorporates the requirements of ASTM F2417-04 and addresses your request for end-of-useful life requirements for freestanding, tealight, taper, and votive candles and stability requirements for votive candles and taper candles mounted in appropriate candleholders. ASTM F2417-11 also addresses miscibility and flash point requirements for gel candles.

In addition to ASTM F2417-11, separate ASTM candle standards specify other requirements to address fire hazards associated with candles and candle accessories. ASTM F1972-05, *Standard Guide for Terminology Relating to Candles and Associated Accessory Items* (F1972), defines standard terms used to describe candles and associated accessory products. ASTM F2058-07, *Standard Specification for Candle Fire Safety Labeling* (F2058), provides requirements for safety labels that are to be placed on candles for sale. ASTM F2179-14, *Standard Specification for Annealed Soda-Lime-Silicate Glass Containers that are Produced for Use as Candle Containers* (F2179), provides minimum requirements for annealed soda-lime silicate glass containers that are used as candle containers. ASTM F2326-09, *Standard Test Method for Collection and Analysis of Visible Emissions from Candles as they Burn* (F2326), provides the requirements for the collection and analysis of visible emissions from candles as they burn. Finally, ASTM F2601-13, *Standard Specification for Fire Safety for Candle Accessories*, (F2601) prescribes safety requirements for stability and flammability of candle accessories, including candle burners and trim rings. Currently, all of these standards address fire hazards related to candle products.

On August 6, 2014, CPSC staff submitted an updated briefing package to the Commission on the petition.² In the briefing package, staff identified the risk of injury presented by candle products. Staff also evaluated the current voluntary standards, hazard data, market analysis, and compliance data, which indicated that compliance with the current ASTM voluntary standards would adequately reduce the risk of fire hazards associated with candles and candle accessories. In addition, staff's review showed that substantial compliance with the voluntary standards is likely based on:

² <http://www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/PetitionCP04-1andHP04-1RequestsforFireSafetyStandardforCandlesandCandleAccessories.pdf>.

- (i) industry estimates that 90 percent of U.S. candle consumption already conforms to the latest ASTM voluntary standards;
- (ii) confirmation from several mass merchandisers that compliance with the ASTM voluntary standards is required; and
- (iii) a steady decline in the 3-year average of candle product fires, deaths, and injuries from 2002 through 2011, after the introduction of the ASTM voluntary standards.

Staff also noted that domestic consumption of candles has declined since 2004 (approximately 35 percent). Staff could not attribute the reductions in candle-related deaths and incidents to any single factor; rather, the reductions are the likely result of a combination of factors, including reduced consumption and substantial compliance with the voluntary standards.

The Commission believes, based on staff's review, that these revised standards will adequately reduce the risk of fire hazards associated with candles products, and that it is likely that there will be substantial compliance with such voluntary standards by industry. For these reasons, the Commission is denying your petition. We note that the current ASTM standards continue to be updated and reevaluated as candle technologies evolve and the standards are reviewed every 5 years. The CPSC participates actively in the development and revision of the ASTM standards for candle products. Future task group work includes discussing possible revisions to these standards and conducting the required review of each standard every 5 years.

Accordingly, the Commission directed the staff to continue its involvement with the ASTM F2417 (Standard Specification for Fire Safety for Candles) and the ASTM F2601 (Fire Safety for Candle Accessories) committees. The Commission specifically directed the staff to monitor and contribute to the ASTM F2417 committee's work on developing a performance standard with respect to paint and other non-wax coating on candles, and any other addressable concern not currently subject to these standards.

On behalf of the Commission, I would like to thank you for bringing this important safety issue to the agency's attention. We greatly appreciate your interest and support.

Sincerely,



Todd A. Stevenson