

ACTING CHAIRMAN NANCY NORD

OPENING STATEMENT—UPHOLSTERED FURNITURE BRIEFING

December 6, 2007

The upholstered furniture team has presented a new briefing package to the Commission, which includes, most significantly, a new alternative draft standard.

The last Commission briefing on this subject by the staff was almost two years ago. Since then, we have heard from many stakeholders on various technical and policy issues, including from consumer and environmental advocacy groups, industry, fire service organizations, as well as from Congress, state, federal and international government bodies.

In addition, the Commission's mattress flammability standard went into effect this past July. Development and implementation of the mattress standard has provided the industry with new technologies to address both smoldering and open-flame ignited fires. We continue to learn and benefit from such innovations and they should be helpful in addressing the flammability issues related to upholstered furniture.

A few months ago, I asked the staff to provide the Commissioners their latest thinking on upholstered furniture based on this feedback and the most recently available research. I was concerned that the 2005 briefing package would have required extensive use of fire retardant chemicals and therefore I asked the staff to try to address the fire risk associated with upholstered furniture without requiring or encouraging the use of fire retardant chemicals. The result is this briefing package with the most recent alternative draft standard that was posted on the agency web site in late November. The staff is here today to brief us on what has been learned, particularly with regard to reducing the predominant aspect of the risk for upholstered furniture fires – ignitions by smoldering cigarettes. As noted in the briefing package, furniture fires ignited by smoking materials account for approximately 90% of the deaths and 65% of the injuries. It is also important to note that the new alternative addresses concerns about the potential health and environmental issues of fire retardant chemicals.

I am pleased with the staff's most recent efforts. This new alternative draft standard would potentially reduce the leading upholstered furniture flammability risk and save many lives.

The Commission has been working on an upholstered furniture flammability standard since 1994. I am concerned that if we do not move forward now with this most recent draft standard, then we might not address this issue for several more years, if at all. It is now time to move forward and publish a Notice of Proposed Rulemaking (NPR), so that we can assess comments and input to determine if this alternative draft standard presents a rational way forward. I am hopeful we can do that soon.