NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** UNITED KINGDOM  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Department for Business and Trade, Office for Product Safety and Standards (OPSS)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  UK TBT Enquiry Point  Trade Policy, Implementation and Negotiations  Department for Business and Trade  Old Admiralty Building,  London  SW1A 2DY  [TBTEnquiriesUK@businessandtrade.gov.uk](mailto:TBTEnquiriesUK@businessandtrade.gov.uk) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****X],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Domestic (household) upholstered furniture and furnishings placed on the market in the UK for consumption in the UK. Upholstered is defined as 'wholly or partly composed of i) a fabric, leather or other cover material, and ii) a material used for filling, bulking out or stuffing covered components; or wholly or partly composed of foam'. Typical products in scope include sofas, arm-chairs and mattresses above a certain size. A number of products that meet the definition are excluded. These include duvets, carry cots for babies, and scatter cushions below a certain size. |
| **5.** | **Title, number of pages and language(s) of the notified document:** Consultation on the new approach to the fire safety of domestic upholstered furniture; (49 page(s), in English) |
| **6.** | **Description of content:** This notification intends to alert Members to a UK Government public consultation for views on a proposed new policy to maintain and improve the fire safety of domestic upholstered furniture and furnishings. The new policy will replace the existing policy, which is implemented by the Furniture and Furnishings (Fire) (Safety) Regulations 1988.  The new policy proposes new obligations on manufacturers, importers and further suppliers of products in scope. The proposals include essential safety requirements that all products must meet, replacing mandatory testing requirements. They include requirements relating to labelling to support product traceability and enforcement, and to provide information about the use of chemical flame retardants to consumers and waste disposal operators. It proposes a new approach to conformity assessment, new technical documentation requirements to support enforcement, and a flame retardant technology hierarchy to encourage manufacturers to prioritise chemical free solutions. It also clarifies and amends the scope and sets out obligations for re-upholsterers and suppliers of second-hand products. There is also a proposal for a transition period, supporting businesses to transition from complying with the 1988 Regulations (the existing policy) to the new policy, and an extension to the period of time enforcement officers can institute legal proceedings for a breach of the regulations  Full details are provided in the notified document. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:**  The Furniture and Furnishings (Fire) (Safety) Regulations 1988, as amended in 1989, 1993 and 2010 (the FFRs), set fire safety levels for domestic upholstered furniture. They were introduced to respond to the increasing number of UK furniture fire-related deaths in the home from the 1960s to the 1980s, as cheaper but more flammable materials were replacing naturally fire-resistant materials in furniture making.  They have not been substantially revised since they were introduced and now reflect an outdated policy. Specifically, the scope of products to which the regulations apply and the flammability testing regime, which does not reflect modern fire hazards nor the fire safety of products as they exist in the home. The existing policy has also led to the widespread use of chemical flame retardants (CFRs) as the most cost-effective way of meeting flammability requirements and there is concern about the adverse effects to health and the environment of CFRs, particularly babies and young children.  As such, the objectives of the proposed new policy are:  · Maintain and improve fire safety outcomes for products in scope;  · Encourage a reduction in the use of chemical flame retardants as a means to making furniture fire safe;  · Facilitate innovation by giving manufacturers a choice in how to comply;  · Facilitate and support effective enforcement.  This proposed new approach brings the regulation of fire safety of domestic upholstered furniture and furnishings into line with the rest of the UK product safety framework, using established approaches that are widely accepted globally.  The new regulations will apply UK-wide, as the current regime does.  Protection of human health or safety |
| **8.** | **Relevant documents:**   1. The consultation document: 'Consultation on the new approach to the fire safety of domestic upholstered furniture' – this sets out the details of the proposed new policy and seeks views from interested parties; [https://www.gov.uk/government/consultations/smarter-regulation-fire-safety-of-domestic-upholstered-furniture](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fconsultations%2Fsmarter-regulation-fire-safety-of-domestic-upholstered-furniture&data=05%7C01%7CSahar.Ajorloo%40beis.gov.uk%7C7e2216825456417aa5b408db929a9fc7%7Ccbac700502c143ebb497e6492d1b2dd8%7C0%7C0%7C638264965016661695%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=%2BZeb9lPeIhJPxQo9XdYxM6sASTiCqOofCFlkeAjX6o4%3D&reserved=0) 2. A pre-consultation Impact Assessment – this sets out the anticipated impact of the proposed policy on international trade. 3. A draft of the proposed new regulations: 'The Furniture and Furnishings (Fire) (Safety) Regulations 20XX'. - A post consultation version of draft regulations will be notified at the WTO with a 60 day comment period and 6 months implementation at a later date. |
| **9.** | **Proposed date of adoption:** To be confirmed when the draft regulations are notified  **Proposed date of entry into force:** To be confirmed when the draft regulations are notified |
| **10.** | **Final date for comments:** 24 October 2023 |
| **11.** | **Texts available from: National enquiry point [****X]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  UK TBT Enquiry Point Trade Policy Group Department for International Trade Old Admiralty Building London SW1A 2DY [TBTEnquiriesUK@businessandtrade.gov.uk](mailto:TBTEnquiriesUK@businessandtrade.gov.uk) |