



INDUSTRY ADVISORY

Senate Bill (SB) 1019: Upholstered Furniture, Flame Retardant Chemicals

Senate Bill 1019 was signed by the Governor and chaptered on September 30, 2014. The Bureau of Electronic & Appliance Repair, Home Furnishings, & Thermal Insulation (BEARHFTI), as the implementing agency, would like to clarify details and requirements under the newly created Business and Professions (B&P) Code section 19094 which becomes law effective January 1, 2015.

The new law specifically applies to “covered products” which means any flexible polyurethane foam or upholstered or reupholstered furniture sold in California that is required to meet the test requirements set forth in Technical Bulletin 117-2013, entitled Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Materials Used in Upholstered Furniture.

According to section (b) (1) of B&P Code section 19094, a manufacturer of covered products must indicate whether or not the product contains added flame retardant chemicals by including the following flame retardant chemical statement on the label (described in Section 1374.3 of Title 4 of the California Code of Regulations) and by placing an “X” in one of the appropriate blanks.

The new labeling verbiage is as follows:

“The upholstery materials in this product:

_____contain added flame retardant chemicals

_____contain NO added flame retardant chemicals

The State of California has updated the flammability standard and determined that the fire safety requirements for this product can be met without adding flame retardant chemicals. The State has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development.”

According to section (b) (2) of B&P Code section 19094, the above statement need not be in all capital letters and shall follow the statement required by Section 1374.3 of Title 4 of the California Code of Regulations.

The following flammability labels are examples of the proper verbiage and are provided for clarification. Please keep in mind that these are only examples included to assist you. The formats of the labels may differ so long as they comply with applicable laws and regulations.

(a) This label to be attached to every article of upholstered furniture complying ONLY with flammability requirements of Technical Bulletin 117-2013.

NOTICE

THIS ARTICLE MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

The upholstery materials in this product:
_____contain added flame retardant chemicals
_____contain NO added flame retardant chemicals

The State of California has updated the flammability standard and determined that the fire safety requirements for this product can be met without adding flame retardant chemicals. The State has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development.

(b) This label to be attached to every article of upholstered furniture complying with both Technical Bulletin 116 and Technical Bulletin 117-2013.

NOTICE

THIS ARTICLE MEETS ALL FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETINS 116 AND 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

The upholstery materials in this product:
_____contain added flame retardant chemicals
_____contain NO added flame retardant chemicals

The State of California has updated the flammability standard and determined that the fire safety requirements for this product can be met without adding flame retardant chemicals. The State has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development.