



United States
Consumer Product Safety Commission

U.S. Consumer Product Safety Framework

September 20, 2023

This presentation was prepared by CPSC Staff. It has not been reviewed or approved by the Commission and may not reflect its views.





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U.S Consumer Product Safety Commission

- An Independent federal agency
- Created in 1972
- Public health and safety mission is to protect the public from unreasonable risks of injury and death from consumer products.
- Commission consists of 5 Commissioners, appointed by the President and confirmed by the Senate; the chairman is the principal executive officer of the Commission.

Consumer Products EXCLUDED from CPSC Jurisdiction

“... any article which is not customarily produced or distributed for sale to, or use or consumption by, or enjoyment of, a consumer...”*

- Alcoholic beverages, tobacco, firearms and explosives (BATFE)
- Motor vehicles and equipment (NHTSA)
- Pesticides (EPA)
- Aircraft (FAA)
- Boats (Coast Guard)
- Food, drugs, cosmetic (USDA and FDA)
- Occupational products (OSHA)
- Fixed-site amusement park rides (State jurisdiction)





Product Hazard Prevention Strategies

CPSC staff promotes consumer product safety through a multi-pronged approach.

- Identifying and removing products with defects and hazards through surveillance activities and recalls
- Creating and enforcing technical regulations and bans
- Engaging in product safety system processes by supporting improvements to industry consensus standards/codes
- Developing education programs for consumers, importers, U.S. and foreign manufacturers, and retailers

Industry Consensus Standards

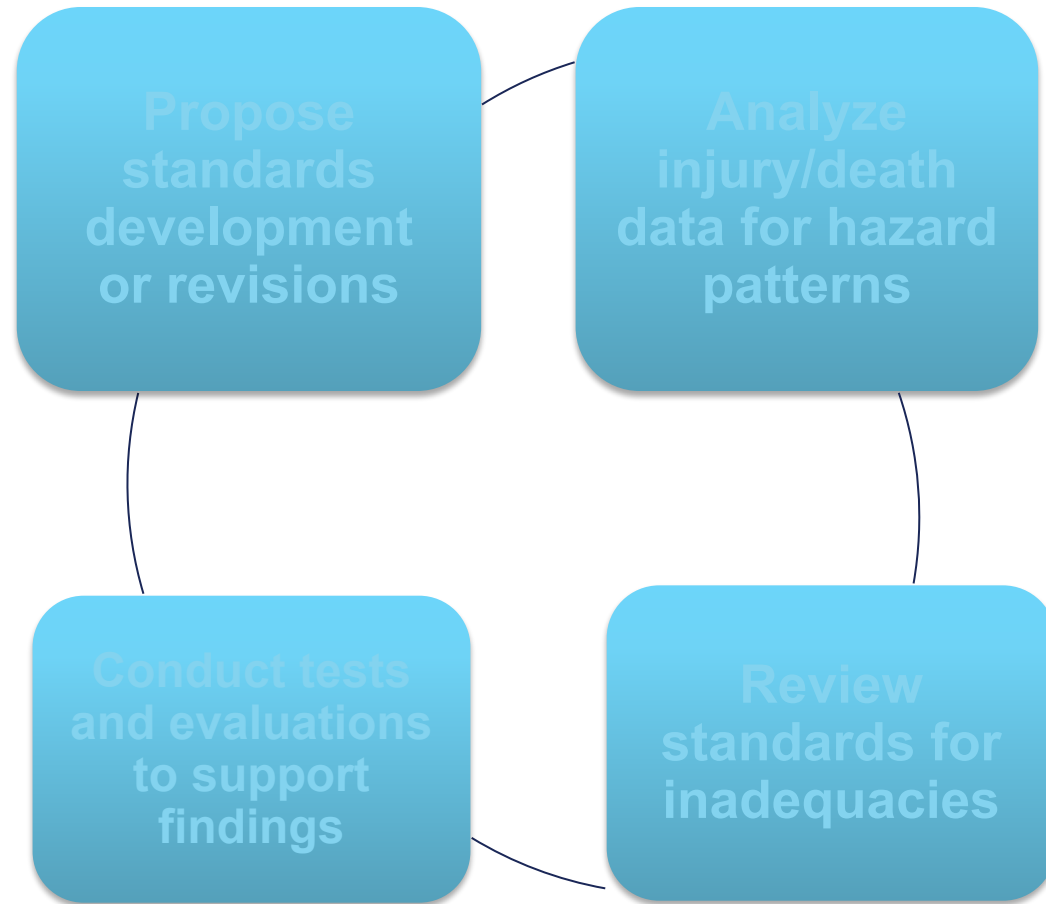
In the United States, the majority of consumer products are not covered by technical regulations; rather most consumer products are covered by industry consensus standards.

CPSC may consider industry consensus standards when evaluating whether a product presents a hazard.

In this function, relevant industry consensus standards are useful tools, well-understood by both industry and CPSC.

U.S. Importers/Retailers can contractually require that suppliers meet a specified industry consensus standard.

CPSC Industry Consensus Standards Participation



Technical Regulations

Regulatory process can be started by the Commission, or by a petition from an interested party, or if directed by Congress.



The Rulemaking Process

Advance Notice of
Proposed
Rulemaking
(ANPR) - Optional

Notice of
Proposed
Rulemaking
(NPR)

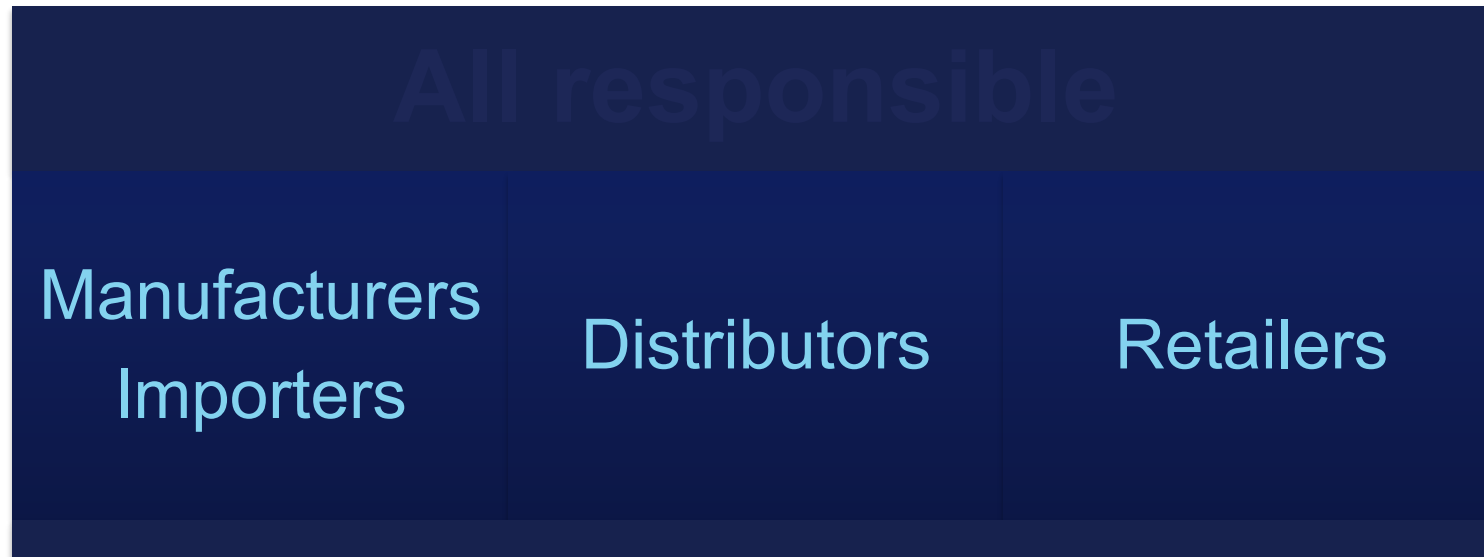
Final Rule (FR)

Published for public notice and comment in the Federal Register
www.federalregister.gov and on www.regulations.gov

For more information about CPSC's rulemaking process, see:
<https://www.cpsc.gov/Regulations-Laws--Standards/Rulemaking>

Comply with Technical Regulations and Meet Industry Consensus Standards

Importers, although reliant on foreign producers, are directly responsible for the safety of products they bring into the United States.



Data Collection

National Electronic Injury Surveillance System (NEISS)

- Data collected from approximately 100 hospital emergency rooms around the country
- Data weighted to provide consumer injury estimates nationwide

Death certificates collected from all states for codes that likely involve consumer product-related deaths

News clippings

Consumer Reports to SaferProducts.gov

Medical Examiner and Coroner Reports

Reports from Industry

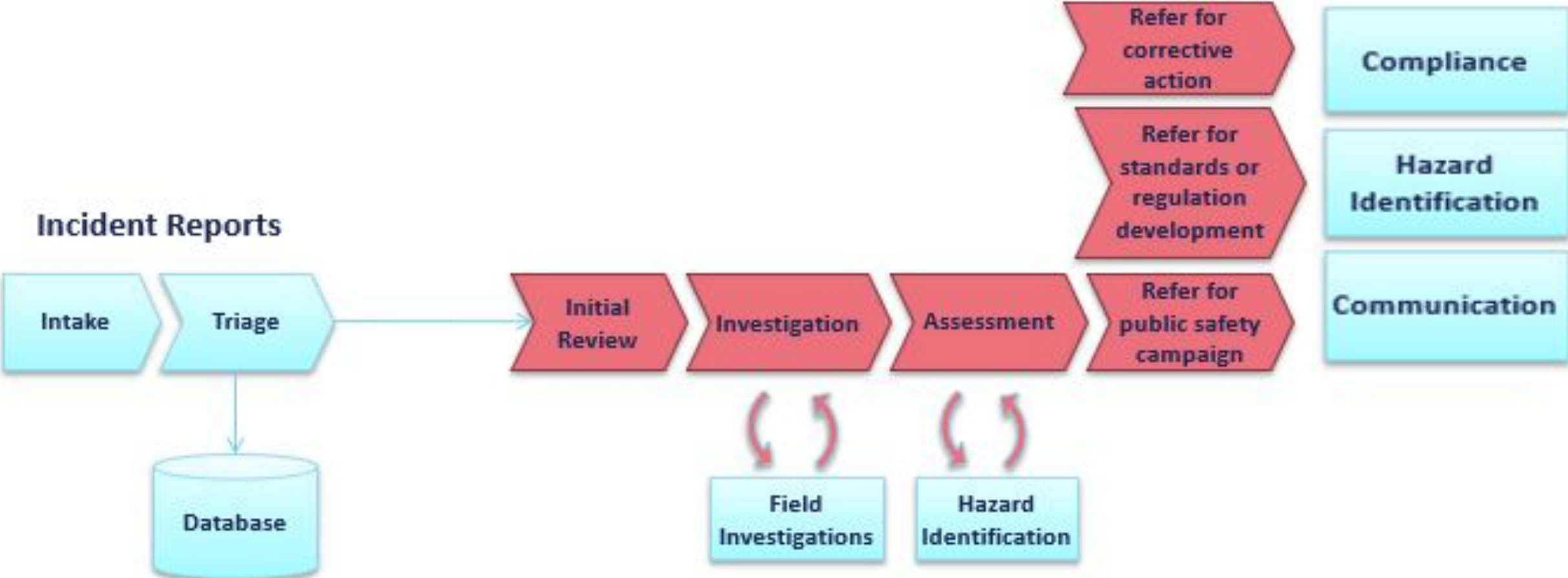
Data Collection

Additional Surveillance Data from:

- National Burn Center Reporting System
- National Fire Incident Reporting System
- Poison Control Centers

Collection of actual samples or a similar sample involved in an incident, purchased at a retailer or seized at a port

Data Uses



Import & Market Surveillance Activities

Brick and Mortar Retail

- Program plan for regulated products; surveillance for defects and other risks

Internet

- Check for conformity with regulations and for recalled products

Ports and Airports

- Investigators at key ports of entry
- Analysts identify most likely at-risk products

Business Education

Go to CPSC's website:

www.cpsc.gov/Regulations-Laws--Standards/Statutes and find a step-by-step guide to navigate the *Consumer Product Safety Improvement Act* (CPSIA) and links to other subject matter websites, such as:

[Business Education | CPSC.gov](#) [Total Lead Content Business Guidance & Small Entity Compliance Guide | CPSC.gov](#)

[Lead in Paint | CPSC.gov](#)

[Phthalates Business Guidance & Small Entity Compliance Guide | CPSC.gov](#)

[Durable Infant or Toddler Products | CPSC.gov](#)

[Children's Sleepwear](#)

[Testing & Certification | CPSC.gov](#)

[Children's Product Certificate | CPSC.gov](#)

[List of CPSC-Accepted Testing Laboratories | CPSC.gov](#)

[Tracking Label Requirement for Children's Products | CPSC.gov](#)

[Regulations, Mandatory Standards and Bans | CPSC.gov](#)

[International Video and Podcast Series | CPSC.gov](#)



Welcome to CPSC's Regulatory Robot!

<http://business.cpsc.gov>



- Online tool designed specifically to help businesses comply with federal consumer product safety laws and regulations. Available in Vietnamese!
- Asks a series of guided questions, and based on the answers produces a downloadable (PDF) report.
- Provides customized guidance with links to product safety regulations that may apply to the product and important information on labeling, certification and testing requirements.

Thank you!

Steve Williams
Program Manager





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**Overview
of
U.S. Requirements for Furniture
(What's New)**

September 20, 2023

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Agenda

Closet Storage Units (CSUs)

- Overview
- Scope
- Technical Requirements
- Labeling Requirements
- Testing

Upholstered Furniture

- Overview
- Scope
- Labeling Requirements
- Testing

Clothing Storage Units (CSUs)

Overview & Scope

Overview

The STURDY (15 U.S.C. § 2056f) was enacted in December 2022 and directed CPSC to promulgate rulemaking for closet storage units.

CPSC voted to accept, without edits, ASTM F2057-23 industry consensus standard as the new safety regulation for clothing storage units.

ASTM F2057-23 supersedes CPSC's previous regulation and is codified at 16 CFR part 1261.

The regulation applies to products **manufactured** after September 1, 2023.

ASTM F2057-23 Regulation

Anti-Tip Device

Interlocks

Stability Tests

- Simulated Clothing Load

- Simulated Horizontal Dynamic Force

- Simulating a Reaction on Carpet with Child Weight

Warning

Definition: Closet Storage Units

The definition of closet storage units can be found at ASTM F2057-23 section 3.1.3.

A clothing storage unit is defined as a furniture item with drawers and/or hinged doors intended for the storage of clothing typical with bedroom furniture and meets all of the following criteria:

- Free-standing
- Height of at least 27in (68.58cm)
- Mass of at least 30 lb. (13.6kg)
- Enclosed storage volume of at least 3.2 ft³ (975 mm)

Scope

In scope:

Chests, chests of drawers, drawer chests, armoires, chifferobes, bureaux, door chests, dressers

Out of scope:

Bookcases, entertainment furniture, office furniture, dining room furniture, jewelry armoires, underbed drawer storage units, occasional/accent furniture not intended for bedroom uses, laundry storage/sorting units, built-in units, clothing storage chests as defined in ASTM F2598

Examples of Products in Scope



Example of Interactions



Technical Requirements Clothing Storage Units (CSUs)

9.1 Test to Evaluate Interlock System

Apply a 30lbf (13.6 kg) pull force on each interlocked extendible element .

Interlocks shall not require additional consumer action to engage during normal operation of the extendible element.



Requirement: Interlocked element remains closed and functional, or its opening closes the open element.

9.2 Test to Evaluate Stability

9.2.1 Simulated Clothing Load

9.2.2 Simulated Horizontal Dynamic Force

9.2.3 Simulating a Reaction on Carpet with Child Weight

Requirement: Unit shall not tip over or be supported by any component unless that component was specifically designed for that purpose.

9.2.1 Simulated Clothing Load Test

All doors are open and all available extendable elements extended; unit is filled with a clothing-representative load, if applicable.

If 50% or more of the storage volume is extended, test with fill (calculated in Section 5.4).



If less than 50% of the storage volume is extended, test empty.



9.2.2 Simulated Horizontal Dynamic Force Test

All drawers are open, all available extendable elements extended, and unit is empty.

Apply a 10 lbf (4.5kg) horizontal force to the highest handhold ≤ 56 inches (142.24cm).



Apply force at the top edge of drawer or center of the pull area of an extendable element.



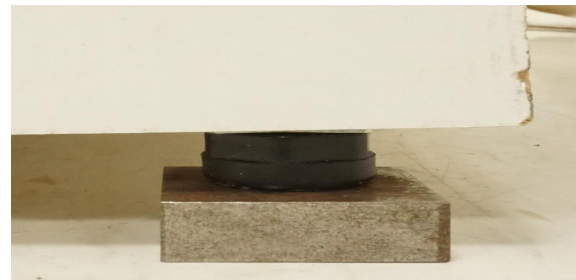
Apply force at the door handle/pull.

9.2.3 Simulating a Reaction on Carpet with Child Weight Test

All drawers are open, all available extendable elements extended, and unit is empty.

Unit is angled using test blocks under rear legs.


Apply the 60-pound (27.2kg) test apparatus to the top of the drawer or extendable element most likely to cause tip over.



Labeling Requirements Clothing Storage Units (CSUs)

Warning

Signal word panel



Safety alert symbol – 
Signal word – WARNING

Warning message panel

(Alternative) CSUs to be used with TVs
(Dependent) CSUs with interlocks

Safety symbol panel

Child climbing prohibition symbol
(Dependent) TV prohibition symbol

⚠ WARNING	
	<p>Children have died from furniture tipover. To reduce the risk of furniture tipover:</p> <ul style="list-style-type: none">• ALWAYS install anti-tip device provided.• NEVER put a TV on this product.• NEVER allow children to stand, climb, or hang on any drawers, doors, or shelves.• NEVER open more than one drawer at a time.• DO NOT defeat or remove the drawer interlock system; it is an important stability and safety system.• Place heaviest items in the lowest drawers. <p><i>This is a permanent label. Do not remove!</i></p>
	



This is an example warning for a unit with an interlock system that is not designed for use with a TV.

Warning

Content requirements vary based on whether the unit is designed for use with a television, and whether it has interlocks; some customization allowed.

The warnings shall be in a conspicuous location when in use, as defined in Section 10.1.1.1

Warning shall be permanent, testing in Section 9.3

⚠ WARNING	
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This is an example warning for a unit with an interlock system that is not designed for use with a T.V

Enforcement Outcomes

Generally, if a product sample is collected and evaluated, the following outcomes may occur:

If the closet storage unit complies with the applicable product safety regulations, no enforcement action is needed.

If the closet storage unit does not comply with applicable safety regulations, there could be enforcement action taken.

Flammability of Upholstered Furniture

16 CFR Part 1640

- In December 2020, the U.S. Congress passed a law mandating nationwide compliance with California's flammability standard for upholstered furniture, "California Technical Bulletin 117-2013" (or TB 117-2013), also adding a labeling requirement.
- The resulting federal regulation covering the flammability of upholstered furniture is found at 16 CFR part 1640.

What is TB 117-2013?

- The federal requirement was taken from a California regulation, TB 117-2013, published by the Bureau of Home Goods and Services (formerly known as the Bureau of Electronic and Appliance Repair, Home Furnishing and Thermal Insulation) of the California Department of Consumer Affairs.
- The California title is “Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Materials Used in Upholstered Furniture”.
- The prescribed test is a small-scale burn procedure intended to address fires caused by smoldering ignition and relies heavily on ASTM for its test methods.

TB 117-2013 and 16 CFR Part 1640

- TB 117-2013 sets forth the requirements, test procedure, and apparatus for testing the smoldering ignition resistance of materials used in upholstered. 16 CFR part 1640 codifies those as federal requirements.
- The 16 CFR part 1640 federal regulation refers specifically to TB 117-2013, which was published in 2013.
- Future changes or updates to TB 117-2013 will not change the requirements for 16 CFR part 1640.

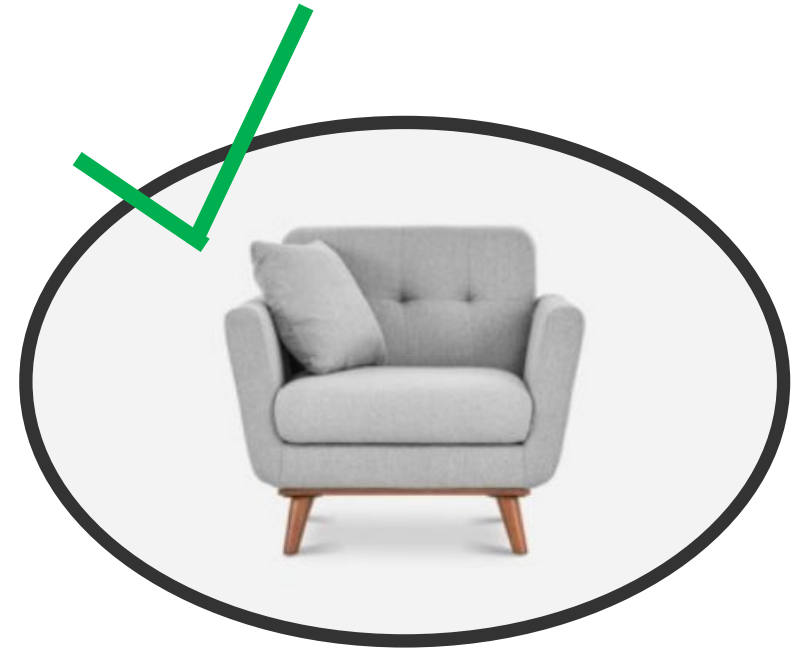
16 CFR Part 1640 and State and Local Flammability Laws

- The legislation that resulted in 16 CFR part 1640 preempts U.S. States and other jurisdictions from establishing or continuing in effect their own flammability regulations designed to protect against the risk of occurrence of fire with respect to upholstered furniture.
- The legislation does not preempt any State or local law, regulation, code, standard, or requirement that concerns other risks associated with upholstered furniture.

Scope

What products are covered in 16 CFR part 1640?

- The federal flammability regulation applies to upholstered furniture made in whole or in part of fabric or related material intended for use, or that may reasonably be expected to be used, in homes or other places of assembly or public accommodation, where consumers will customarily use the upholstered furniture.



What products are not covered in 16 CFR part 1640?

The federal regulation does not apply to the following products:

- Bedding products
- Mattresses/Mattress Pads
- Mattress foundations
- Outdoor furniture
- Furniture used exclusively for physical fitness and exercise
- Products obtained by a written prescription from a healthcare professional



What Is Upholstered Furniture Under 16 CFR part 1640?

- An article of seating furniture that
 - is intended for indoor use; and
 - is movable or stationary; and
 - is constructed with an upholstered seat, back, or arm.

What Is Upholstered Furniture Under 16 CFR Part 1640? (cont.)

- An article of seating furniture that is made or sold with a cushion or pillow, whether or not that cushion or pillow is attached or detached to the article of furniture, or is stuffed or filled, or able to be stuffed or filled, in whole or in part, with any material, including a substance or material that is hidden or concealed by fabric or another covering, including a cushion or pillow belonging to, or forming a part of, the article of furniture; and

What Is Upholstered Furniture Under 16 CFR Part 1640? (cont.)

- An article of seating furniture that together with the structural units of the article of furniture, any filling material, and the container and covering with respect to those structural units and that filling material, can be used as a support for the body of a person, or the limbs and feet on a person, when the person sits in an upright or reclining position.

Examples of Upholstered Furniture



Labeling Requirements

16 CFR Part 1640: Labeling Requirements

- All upholstered furniture manufactured, imported, or reupholstered for U.S. consumers must have a permanent label with the following statement:
 - “Complies with U.S. CPSC requirements for upholstered furniture flammability”
- We recommend the label be located prominently on the product and be conspicuous to the consumer.

16 CFR Part 1640: Labeling Statement Requirements

- The label's statement should be at least 1/8-inch high (0.32 cm) and not smaller than other text on the label.
- It should be in **black text** on a **white background** and surrounded by a **black border**.
- The statement must appear on the front of the label in English.
- The required federal label may be a separate label or can be added to the bottom of an existing California TB 117-2013 label.

16 CFR Part 1640: Labeling Statement Examples



Example of a Separate Label



Example of a Combined Label

16 CFR Part 1640: Record Keeping

- 16 CFR part 1640 does not require a general certificate of conformity or recordkeeping requirements.
 - The permanent federally-required label will operate as the certification that the product is compliant with the flammability regulation.
- It is a recommended best practice to maintain records for at least as long as the product remains in production.

Testing Requirements

Testing Requirements

- 16 CFR Part 1640 tests are designed to assess upholstered furniture's resistance to combustion after exposure to smoldering cigarettes, under specific conditions.
 - These tests apply to various components of upholstered furniture including:
 - Cover fabrics
 - Barrier materials
 - Resilient filling materials
 - Decking materials

Testing Requirements

- Testing is for components, not finished product.
- There are multiple paths a manufacturer can take that will result in a compliant design for a product, depending on which components comply.
- For example:
 - Compliant cover fabric + compliant filling materials = a compliant construction.
 - Any cover fabric + compliant barrier material = a compliant construction.
 - Compliant cover fabric + compliant barrier material + any filling material = a compliant construction.

Disclaimer: The examples above are examples and do not represent an exhaustive list.

Testing Requirements

- Each test involves a small, bench-scale assembly with the component to be tested and other specified materials.
- The assembly is exposed to a lighted cigarette as an ignition source.



Example of TB 117-2013-style mockup posttest. Char length is measured up from the crevice vertically.

Flammability Testing: Finding a Testing Lab

- **16 CFR part 1640 Testing**
 - Find a lab accredited for testing to 16 CFR 1640 / California TB 117-2013.
 - Testing for Upholstered Furniture Flammability is not required to be conducted at a CPSC-accepted lab.
 - CPSC does not list accepted labs for Upholstered Furniture Flammability Testing.
- **For other CPSC requirements applicable to your product, find a CPSC-accepted lab via our website:**
www.cpsc.gov/labsearch

Resources

For more information regarding closet storage units, visit the CPSC's business guidance page:
www.cpsc.gov/Business--Manufacturing/Business-Education/Business-Guidance/Clothing-Storage-Units

For more information regarding ASTM Safety Standards incorporated in the United States, please visit ASTM's Reading Room:
www.astm.org/products-services/reading-room.html

For more information regarding Upholstered Furniture, please visit the CPSC's guidance page: [Business Guidance FAQ | CPSC.gov](#)

For more information regarding General Certificates of Conformity, please visit the CPSC's business education page: General [Certificate of Conformity | CPSC.gov](#)

For more information regarding Children's Product Certificates, please visit the CPSC's business education page: [Children's Product Certificate \(CPC\) | CPSC.gov](#)



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<http://business.cpsc.gov>



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The Regulatory Robot asks a series of guided questions, and based on the answers produces a downloadable (PDF) report.

The Regulatory Robot provides customized guidance with links to product safety regulations that may apply to the product and important information on labeling, certification and testing requirements.

Thank you!

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Upholstered Furniture Testing

September 20, 2023

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Testing Requirements

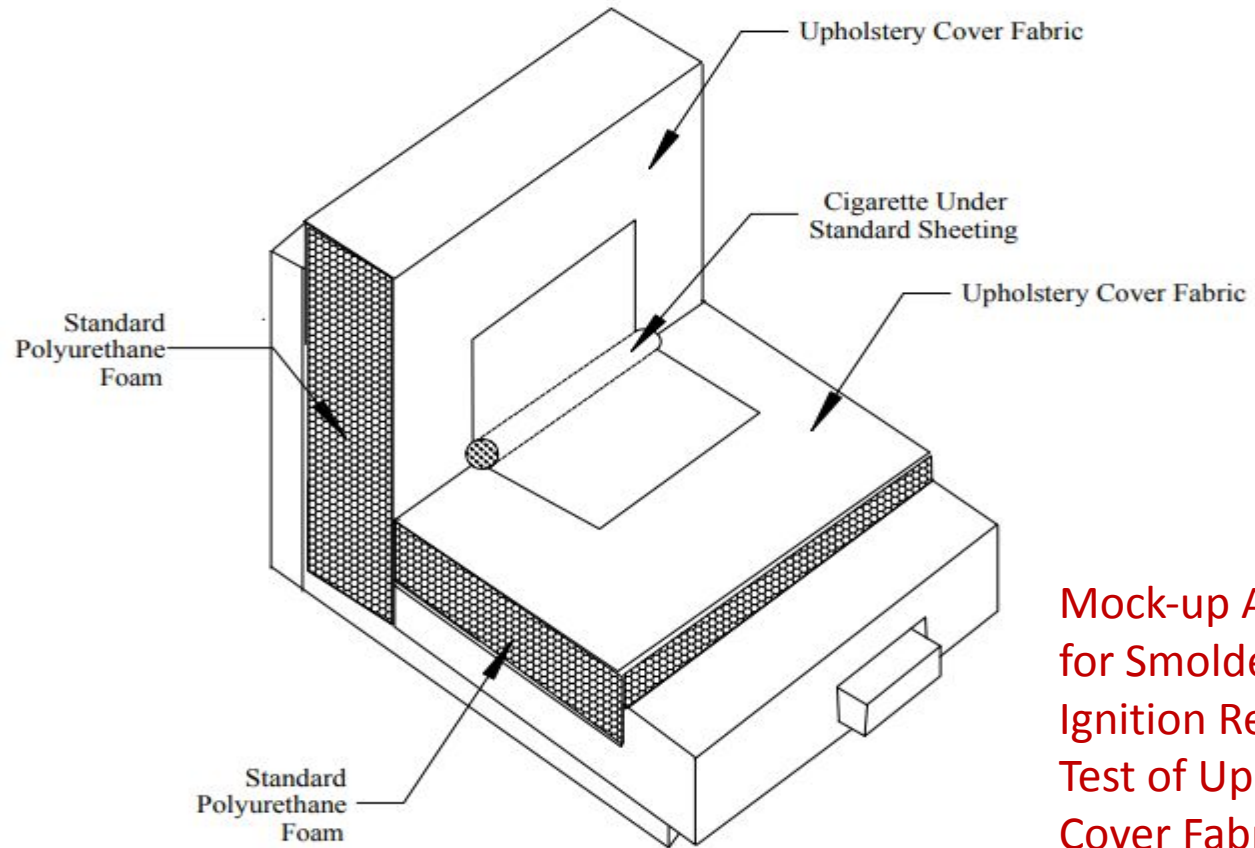
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- The assembly is exposed to a lighted cigarette as an ignition source.



Example of TB 117-2013-style mockup posttest. Char length is measured up from the crevice vertically.

Testing Requirements: Cover Fabric Test

- “Upholstery cover material” refers to
- the outermost layer of fabric or related material used to enclose the main support system or upholstery materials, or both, used in a piece of furniture.



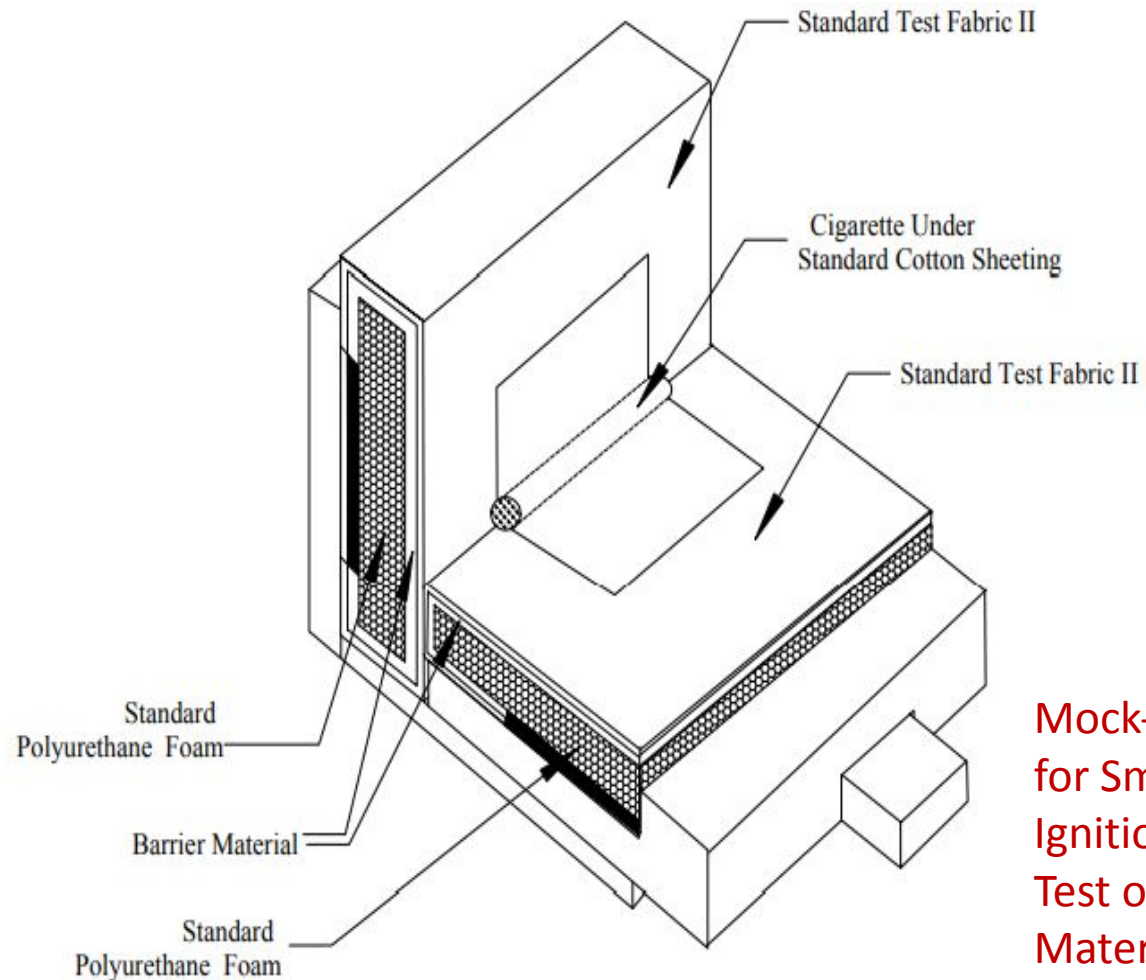
Mock-up Assembly
for Smoldering
Ignition Resistance
Test of Upholstery
Cover Fabrics

Testing Requirements: Cover Fabric Test (cont.)

- The cover fabric test method measures the tendency of upholstery cover fabrics to smolder and contribute to fire spreading when subject to a smoldering ignition source.
- For furniture with cover fabrics that pass this test, the first layer of filling materials located below the cover fabric must also meet the test requirements for the Resilient Filling Material Test, unless an appropriate smoldering barrier is present.

Testing Requirements: Barrier Materials Test

- “Barrier (interliner) material” refers to the first layer of material (film, fabric, batting, or pad) that lies under the cover fabric in order to reduce smoldering propensity of the piece of furniture.



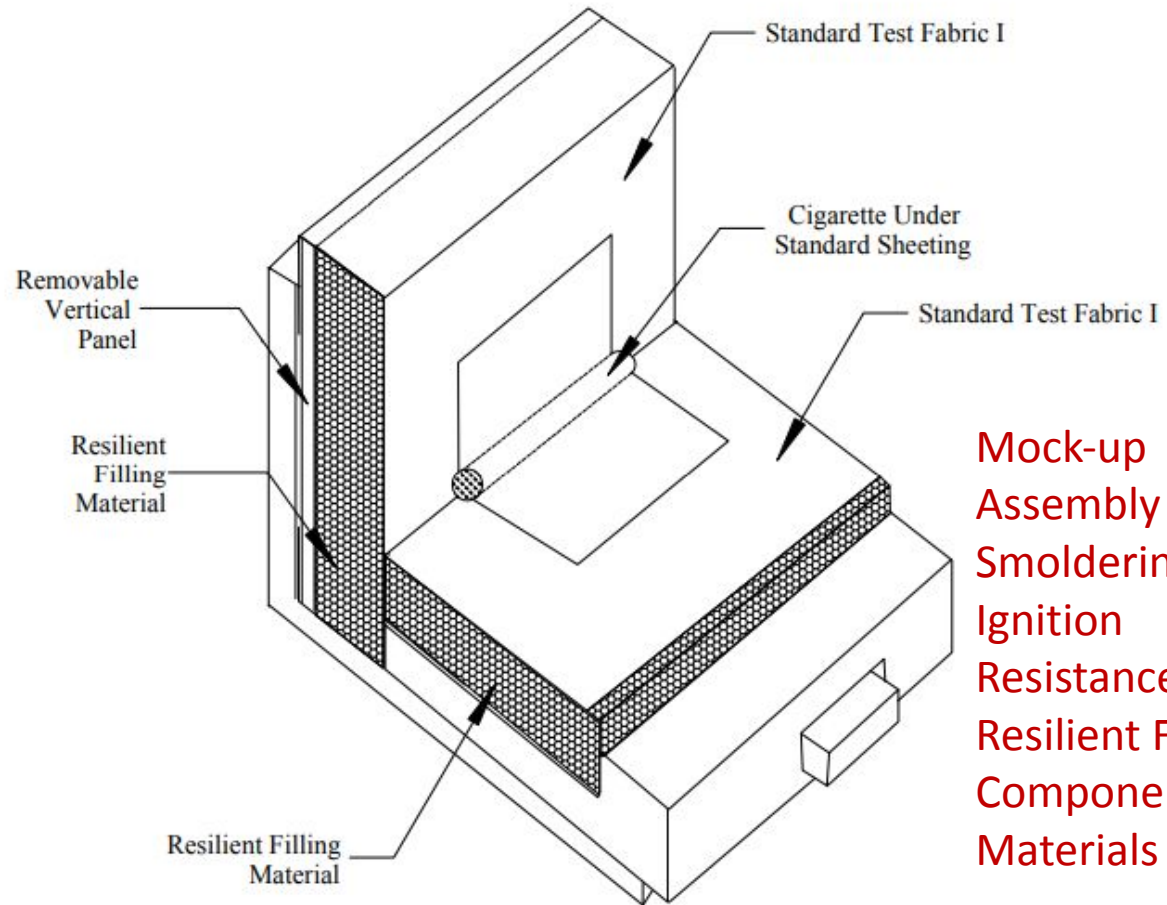
Mock-up Assembly for Smoldering Ignition Resistance Test of Barrier Materials

Testing Requirements: Barrier Materials Test (cont.)

- Upholstery cover fabrics that fail the cover fabric test can be used in upholstered furniture if a barrier (interliner) material that passes this test is used.
- When a barrier is required, the barrier material must cover all sides and top of the seating cushion(s).
 - Exceptions: Non-reversible and non-detachable seating cushions do not require the use of the barrier material on the underside of the seating cushion.

Testing Requirements: Resilient Filing Material Test

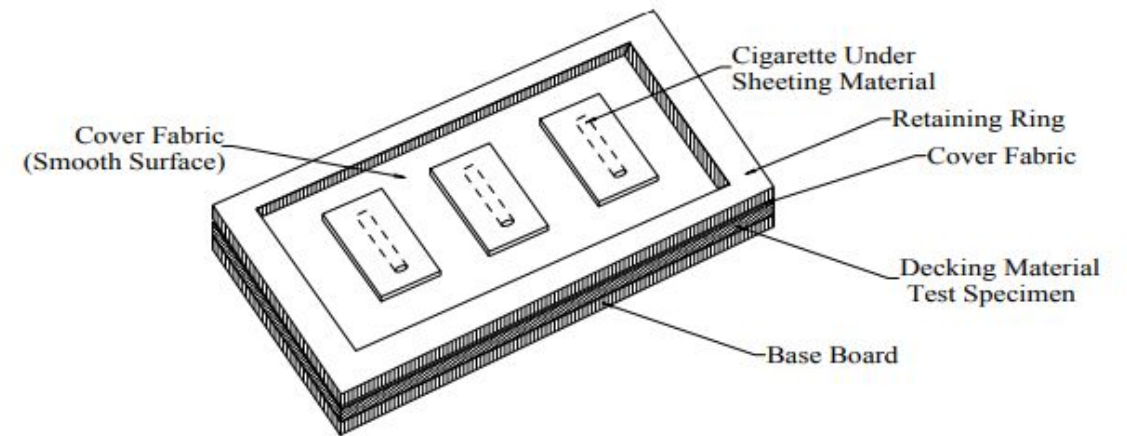
- “Resilient filling material” is the resilient filling material in the form of batting, pads or loose fills used or intended to be used in upholstered furniture.
- Resilient filling materials that fail this test can be used in upholstered furniture if a barrier (interliner) material that passes the Barrier Materials Test is used between the cover fabric and the filling materials.



Mock-up
Assembly for
Smoldering
Ignition
Resistance Test of
Resilient Filling
Component
Materials

Testing Requirements: Decking Material Test

- Decking in upholstered furniture is the upholstered support under the seat cushion in a loose seat construction.
- This test method measures the tendency of decking materials to smolder and contribute to fire propagation, when subjected to a smoldering ignition source.
- For decking materials that pass this test, the first layer of filling materials located below the decking material shall also meet the test requirements in the Resilient Filling Material Test.



Mock-up Assembly for Smoldering Ignition Resistance Test of Decking Materials