



GCR 12-957

A Guide to United States Furniture Compliance Requirements



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Patrick D. Gallagher, Director

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A Guide to United States Furniture Compliance Requirements

HOW TO USE THIS GUIDE

- Regulations are mandatory
- Standards are voluntary (unless “Incorporated by Reference” in a regulation)
- Guidelines may be voluntary (but are often *de facto* industry standards)
- “Red” text highlights mandatory requirements
- “Blue” text indicates a hyperlink to a website, page or document on the web

SCOPE

This guide addresses children’s furniture, upholstered furniture and other types of furniture. This document does **NOT** address mattresses or other home furnishings such as carpets and rugs.

OVERVIEW OF U.S. FEDERAL REGULATORY FRAMEWORK

Once a law has been enacted by Congress, the appropriate federal agency (e.g., the Consumer Product Safety Commission, the Federal Trade Commission, the National Highway Traffic and Safety Administration, *et al.*) may create the regulations to implement the law. Before such regulations can be adopted, the appropriate federal agency ordinarily will issue a notice of proposed rulemaking (NPR) to solicit public comments on the proposed rules. To provide opportunity for public comment, the appropriate federal agency must issue draft regulations or “Proposed Rules” that are published in the [Federal Register](#) and as a WTO TBT notification. The agency reviews the comments and can then issue a “Final Rule” that also is published in the *Federal Register*, and later, published annually in the [Code of Federal Regulations \(CFR\)](#). Together, the enabling acts/laws [published in the [United States Code \(USC\)](#) once passed] and the final regulations (published in the *Code of Federal Regulations*) provide a framework for the implementation and enforcement of most federal laws in the United States.

FEDERAL REGULATORY AUTHORITIES AND TECHNICAL REGULATIONS (MANDATORY)

Several U.S. federal agencies administer regulations associated with furniture. Specific requirements exist at the federal level for children’s furniture. Several states have regulations relative to upholstered furniture.

Agency	Scope
Customs and Border Protection (CBP)	Country of origin for most imported products
Consumer Product Safety Commission (CPSC)	Flammability of upholstered furniture (proposed); lead containing surface coatings; children's furniture
Environmental Protection Agency (EPA)	Formaldehyde in wood
Federal Trade Commission (FTC)	Labeling
United States Department of Agriculture (USDA)	Organic fibers

[Consumer Product Safety Commission \(CPSC\)](#)

Consumer Product Safety Act (CPSA)

[Title 15, United States Code, Chapter 47, Sections 2059-2089](#)

The Consumer Product Safety Act, entered into law on October 27, 1972, was enacted to establish the Consumer Product Safety Commission and define its authority with the purpose of protecting the public against unreasonable risks of injury associated with consumer products; assisting consumers in evaluating the comparative safety of consumer products, developing uniform safety standards for consumer products; and to promote research and investigation into the causes and prevention of product-related deaths, illnesses, and injuries.

Upholstered Furniture: Pending Regulation of Note

Flammable Fabrics Act (FFA)

[Title 15, United States Code, Chapter 25, Sections 1191-1204](#)

16 CFR 1634, Standard for the Flammability of Residential Upholstered Furniture

[ACTION: Notice of proposed rulemaking](#)

The CPSC has proposed flammability standards for residential upholstered furniture under the Flammable Fabrics Act (FFA). The proposal would establish performance requirements and certification and labeling requirements for upholstered furniture. Manufacturers of upholstered furniture would choose one of two possible methods of compliance: (1) using cover materials that are sufficiently smolder-resistant to meet a cigarette ignition performance test; or (2) placement of fire barriers that meet smoldering-and open flame-resistance tests between the cover fabric and interior filling materials. Manufacturers of upholstered furniture would be required to certify compliance with the standard and to comply with recordkeeping requirements as specified in the proposal.

Consumer Product Safety Improvement Act of 2008 (CPSIA)

[Public Law 110-314, August 12, 2008](#)

On August 12, 2011, President Obama signed into law amendments to the Consumer Product Safety Improvement Act of 2008 (CPSIA) designed to address longstanding complaints about some aspects of the CPSIA.

[Public Law 112–28, August 14, 2011](#), An Act to provide the Consumer Product Safety Commission with greater authority and discretion in enforcing the consumer product safety laws, and for other purposes.

Children’s Furniture Items

The Consumer Product Safety Commission (CPSC) regulates lead in consumer goods, especially children’s products. The [Consumer Product Safety Improvement Act of 2008 \(CPSIA\)](#) establishes new lead content limits for children’s products (**for most children’s products the limit is 100 parts per million (ppm)**) and a lower lead limit for paint and surface coatings on furniture and children’s products.

[16 CFR 1303, Lead in Paint on Certain Furniture Articles \(Children’s Furniture\)](#)

The Consumer Product Safety Commission declares that paint and similar surface-coating materials for consumer use that contain lead or lead compounds and in which the lead content (calculated as lead metal) is in excess of 0.009 percent (90 ppm) of the weight of the total nonvolatile content of the paint or the weight of the dried paint film (such paint and similar surface-coating materials are referred to hereafter as “lead-containing paint”) are banned hazardous products under Sections 8 and 9 of the Consumer Product Safety Act (CPSA), *15 USC 2057 and 2058*. (Note also Section 101(f) of the Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110-314; and **children’s furniture articles for consumer use that bear “lead-containing paint” are declared to be banned hazardous products under Section 2(g) of the Federal Hazardous Substances Act (FHSA)**).

Bunk Beds, Full-Size Cribs, Non-Full-Size Cribs and Toddler Beds

The CPSC has set standards for bunk beds, full-size cribs, and non-full-size cribs. These standards were recently revised.

16 CFR Parts [1213](#) and [1513](#), Safety Standards for Entrapment Hazards in Bunk Beds Beginning June 19, 2000, **it is a prohibited act to manufacture for sale, offer for sale, distribute in commerce, or import into the United States a bunk bed subject to the standard** that does not meet the standard’s requirements. See *15 USC Section 2068*. CPSC can seek a civil penalty for each prohibited act, not to exceed \$10,000 for each violation up to a maximum of \$15 million for a related series of violations.

In addition to the CPSC’s regulation, there is a voluntary standard, ASTM F 1427, that addresses additional hazards, for example, foundation and guardrail structural integrity. For hazards other than entrapment that are addressed in the ASTM standard, CPSC staff will consider the ASTM standard when investigating whether a bunk bed presents a substantial risk of injury to children that may require some type of corrective action under the statutes administered by the Commission. Bunk beds are also subject to tracking label requirements, certification requirements, and lead content requirements.

For more detailed information, see CPSC’s:

[Bunk Bed Regulatory Summary](#) and [Bunk Bed Test Manual](#)

Cribs

The CPSC issued new regulations for full-size and non-full-size baby cribs and third-party testing. The crib rules were effective on June 28, 2011 for manufacturers, importers, and retailers.

[16 CFR 1219, Safety Standard for Full-Size Baby Cribs \(Eff. June 28, 2011\)](#)

[16 CFR 1220, Safety Standard for Non-Full-Size Baby Cribs \(Eff. June 28, 2011\)](#)

Toddler Beds

The CPSC issued new regulations for toddler beds and requirements for third-party testing. The toddler bed rules were effective on October 20, 2011.

[Federal Register, Volume 76, Number 76 \(Wednesday, April 20, 2011\), Pages 22019-22030](#)

16 CFR 1217, Safety Standard for Toddler Beds

ACTION: Final rule

The Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the United States Consumer Product Safety Commission (Commission, CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be substantially the same as applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. The Commission is issuing a safety standard for toddler beds in response to the CPSIA. The safety standard addresses entrapment in bed end structures, entrapment between the guardrail and side rail, entrapment in the mattress support system, and component failures of the bed support system and guardrails. The standard also addresses corner post extensions that can catch items worn by a child and increase the risk of strangulation.

For more detailed information, see CPSC's:

[Detention of Products at Import \(updated June 30, 2010\)](#) and [Certificate of Conformity](#)

Flammability of Mattress Sets, Mattresses, and Mattress Pads

[16 CFR 1632, Standard for the Flammability of Mattresses and Mattress Pads](#) and

[16 CFR 1633, Standard for the Flammability \(Open Flame\) of Mattress Sets set forth the](#)

[flammability requirements for mattress sets, mattresses, and mattress pads.](#) 16 CFR 1632

requires prototype designs of mattresses and mattress pads, before the sale in commerce or the introduction in commerce, to **comply with the flammability requirements of this standard.** The standard prescribes a test to determine the ignition resistance of a mattress or a mattress pad when exposed to a lighted cigarette.

Additionally, **each mattress or mattress pad must be permanently labeled with the city and state location and the month and year of manufacture. Mattress pads treated with a chemical flame retardant must be labeled prominently with the letter "T" and with**

instructions on how to protect the pads from chemicals that will reduce the flame resistant properties.

16 CFR 1633 establishes flammability requirements that all mattress sets must meet before sale or introduction into commerce. The test method set forth in this regulation measures the flammability (fire test response characteristics) of a mattress specimen by exposing the specimen to a specified flaming ignition source and allowing it to burn freely under well-ventilated, controlled environmental conditions. All mattress sets must meet the flammability requirements of this regulation.

Each mattress or mattress set shall bear a permanent, conspicuous, and legible label(s) containing the following information (and no other information) in English:

- Name of the manufacturer, or for imported mattress sets, the name of the foreign manufacturer and importer.
 - For mattress sets produced in the United States, the complete physical address of the manufacturer.
 - For imported mattress sets, the complete address of the foreign manufacturer, including country, and the complete physical address of the importer or the United States location where the required records are maintained if different from the importer.
- Month and year of manufacture.
- Model identification.
- Prototype identification number for the mattress set. A statement identifying whether the manufacturer intends the mattress to be sold alone or with a foundation.
 - For mattresses intended to be sold without a foundation, the label shall state “THIS MATTRESS IS INTENDED TO BE USED WITHOUT A FOUNDATION.”
 - For mattresses intended to be sold with a foundation, the label shall state “THIS MATTRESS IS INTENDED TO BE USED WITH FOUNDATION(S): < Foundation ID >.”
- For mattresses intended to be sold both alone and with a foundation, the label shall state “THIS MATTRESS IS INTENDED TO BE USED WITHOUT A FOUNDATION OR WITH FOUNDATION(S): < Foundation ID >.”
- A certification that the mattress complies with this standard.
 - For mattresses intended to be sold without a foundation, a certification stating “This mattress meets the requirements of 16 CFR Part 1633 (federal flammability (open flame) standard for mattresses) when used without a foundation.”
 - For mattresses intended to be sold with a foundation, a certification stating “This mattress meets the requirements of 16 CFR Part 1633 (federal flammability (open flame) standard for mattresses) when used with foundation < ID >.” Such foundation(s) shall be clearly identified by a simple and distinct name and/or number on the mattress label.
 - For mattresses intended to be sold both alone and with a foundation, a certification stating “This mattress meets the requirements of 16 CFR Part 1633

(federal flammability (open flame) standard for mattresses) when used without a foundation or with foundation(s) < ID >.” Such foundation(s) shall be clearly identified by a simple and distinct name and/or number on the mattress label.

For more detailed information see CPSC’s:

[Test Manual](#)

[Regulatory Summary for Mattresses and Mattress Pads](#)

[76 FR 59014 -- 16 CFR Part 1632 -- Standard for the Flammability of Mattresses and Mattress Pads; Technical Amendment -- 23 September 2011](#)

(Note: 1632.4(a)(2) – ignition source – is revised) and

[75 FR 72944 -- 16 CFR Parts 1632 and 1633 -- Third Party Testing for Certain Children’s Products; Mattresses, Mattress Pads, and/or Mattress Sets: Revisions to Terms of Acceptance of Children’s Product Certifications Based on Third Party Conformity Assessment Body Testing Prior to Commission’s Acceptance of Accreditation -- 29 November 2010](#)

Federal Hazardous Substances Act (FHSA)

[Title 15, United States Code, Chapter 30, Sections 1261-1278](#)

[16 CFR 1500, Federal Hazardous Substances Act \(FHSA\) Regulations](#)

FHSA regulations set forth requirements for hazardous household substances. The FHSA **requires** household substances that meet the definition of hazardous (as defined in the Act) **to bear cautionary labeling to warn the consumer of the hazard(s) associated with the use of the product, that would enable the consumer to safely use and store the product, first aid instructions where applicable, and the statement “Keep out of the reach of children.”** Whether a product must be labeled depends on its formulation and the likelihood that consumers will be exposed to any hazards it presents in customary use which includes ingestion by children. The FHSA also defines as banned hazardous substances those products that are intended for use by children that present an electrical, mechanical, or thermal hazard, with some exceptions. The Act also allows the Consumer Product Safety Commission to ban certain products that are so dangerous or the nature of the hazard is such that the labeling act requirements are not adequate to protect consumers.

For more detailed information, see CPSC’s:

[Regulatory Summary for Requirements under the Federal Hazardous Substances Act: Labeling and Banning Requirements for Chemicals and Other Hazardous Substances](#)

Environmental Protection Agency (EPA)

Many laws and regulations govern import and export requirements of materials which may pose a risk to human health and the environment. EPA works with the states, other federal agencies, and foreign governments to ensure compliance with laws governing the import and export of many of these materials.

Antimicrobial Textiles: The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

[Title 7, United States Code, Chapter 6, Section 121-134](#)

This Act provides for federal regulation of the distribution, sale, and use of pesticides to protect human health and the environment. Products that kill or repel bacteria or germs are considered pesticides, and must be registered with the EPA prior to distribution or sale. The EPA will not register a pesticide until it has been tested to show that it will not pose an unreasonable risk when used according to the directions. This includes pesticides used on textiles to provide antimicrobial or other pesticidal characteristics.

FIFRA does not allow companies to make public health pesticidal claims for any product distributed or sold unless the product has been approved and registered by EPA or is covered by an exemption from registration. The EPA will take action against companies that make such claims.

For more detailed information see EPA's:

[Federal Insecticide, Fungicide, and Rodenticide Act \(FIFRA\)](#)

[Consumer Products Treated with Pesticides](#)

[Notice to Manufacturers, Formulators, Producers and Registrants of Pesticide Products](#)

[Regulating Pesticides](#)

[Pesticide Product Labels](#)

Toxic Substances Control Act (TSCA)

The [Toxic Substances Control Act of 1976](#) provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics and pesticides.

EPA is proposing to designate as a significant new use any use of Hexabromocyclododecane and 1,2,5,6,9,10-Hexabromocyclododecane (HBCD), which are used as flame retardants, in consumer textiles; Benzidine dyes, which are used to dye textiles; Polybrominated diphenylethers (PBDE), which are used as a flame retardant. The proposed rule would add a section to 40 CFR 721 to require persons who intend to manufacture (including import) or process these chemicals for an activity preliminarily designated as a significant new use by this action to notify EPA at least 90 days before commencing that activity. The required notification would provide EPA with the opportunity to evaluate the intended use and, if appropriate, to prohibit or limit that activity before it occurs.

For more detailed information see EPA's:

[PBDE Significant New Use Rules](#)

[Hexabromocyclododecane \(HBCD\)](#)

[Benzidine dyes](#)

Wood in Furniture: Formaldehyde in High Density Fiberboard (HDFB)

On July 7, 2010, President Obama signed the Formaldehyde Standards for Composite Wood Products Act into law. This legislation, [which adds a [Title VI \(Limiting Formaldehyde Emissions\) to the Toxic Substances Control Act \(TSCA\)](#)], establishes limits for formaldehyde emissions from composite wood products: hardwood plywood, medium-density fiberboard, and particleboard. The national emission standards in the Act mirror standards previously established by the California Air Resources Board for products sold, offered for sale, supplied, used, or manufactured for sale in California. **The U.S. Congress passed legislation that directs EPA to promulgate final regulations implementing the Act by January 1, 2013.** These regulations will address the following topics, among others:

- sell-through provisions (including a prohibition on stockpiling)
- ultra-low emitting formaldehyde (ULEF) resins
- no-added formaldehyde (NAF)-based resins
- finished goods
- third-party testing and certification
- auditing of and reporting for third-party certifiers
- chain of custody requirements
- recordkeeping
- labeling
- enforcement
- laminated products
- hardboard
- other provisions aside from the emissions limits.

For more detailed information, see EPA's:

[Formaldehyde Emissions from Pressed Wood Products International Compliance and Enforcement Activities](#)

Customs and Border Protection (CBP)

Marking Of Imported Articles and Containers

[Title 19, United States Code, Chapter 4, Section 1304](#)

All products imported into the U.S. **must conform** to [19 CFR 134, Country of Origin Marking](#) regulations. This regulation requires that every article of foreign origin (or its container) imported into the U.S. be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or container) will permit, and in such a manner as to indicate to the ultimate purchaser in the U.S., the English name of the country of origin of the article at the time of importation.

For more detailed information, see the www.aftermarket.org white paper: [U.S. Customs Marking Required](#)

Federal Trade Commission (FTC)

Federal Trade Commission Act (FTC Act)

[15 United States Code, Chapter 2, Subchapter I, Sections 41-58](#)

The FTC Act broadly prohibits unfair or deceptive acts or practices in or affecting commerce. The commission will find deception if, either by the inclusion or exclusion of information, it is likely to:

- Mislead consumers acting reasonably under the circumstances, or
- Affect the consumer's choice or conduct, thereby leading to injury.

The FTC Act allowed the FTC to enact several Acts and Regulations intended to prohibit unfair or deceptive act or practices.

Used or Secondhand Stuffing

Textile Fiber Products Identification Act

[16 CFR 303, Rules And Regulations Under The Textile Fiber Products Identification Act](#)

Any **upholstered product, mattress, or cushion which contains stuffing which has been previously used as stuffing in any other upholstered product, mattress, or cushion shall have securely attached thereto a substantial tag or label**, at least 2 inches (5.08 cm) by 3 inches (7.62 cm) in size, and statements thereon conspicuously stamped or printed in the English language and in plain type not less than 1/3 inch (8.38 mm) high, indicating that the stuffing therein is composed in whole or in part of "reused stuffing," "secondhand stuffing," "previously used stuffing," or "used stuffing."

For more detailed information, see FTC's:

[Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts](#)

Environmental Marketing Claims

[16 CFR 260, Guides for the Use of Environmental Marketing Claims](#)

These guides apply to environmental claims included in labeling, advertising, promotional materials and all other forms of marketing, whether asserted directly or by implication, through words, symbols, emblems, logos, depictions, product brand names, or through any other means, including marketing through digital or electronic means, such as the Internet or electronic mail. The guides apply to any claim about the environmental attributes of a product, package, or service in connection with the sale, offering for sale, or marketing of such product, package or service for personal, family or household use, or for commercial, institutional, or industrial use.

United States Department of Agriculture (USDA)

Organic Fibers: Organic Foods Production Act of 1990 (OFPA)

[Title 7, United States Code, Chapter 94, Organic Certification, Sections 6501-6523](#)

The USDA regulates the term organic as it applies to agricultural products through the National Organic Program (NOP) Regulation, [7 CFR Part 205](#). Raw natural fibers, such as cotton, wool,

and flax are agricultural products and are covered under the NOP crop and livestock production standards. Any textile product produced in full compliance with the NOP regulations may be labeled as NOP certified organic and display the USDA organic seal. Products produced in accordance with the Global Organic Textile Standard (GOTS) may be sold as organic in the U.S. but may not refer to NOP certification or display the USDA organic seal.

For more detailed information, see USDA's:
[Policy Memorandum](#)

The Lacey Act

[Title 16, United States Code, Chapter 53, Control of Illegally Taken Fish and Wildlife \(sections 3371-3378\)](#)

Amendments:

[Food, Conservation & Energy Act of 2008, Public Law No: 110-234, Section 8204, Preventing Illegal Logging Practices](#)

[Food, Conservation, and Energy Act of 2008, Public Law 110–246, Sec. 8204. Prevention of illegal logging practices](#)

The Lacey Act was enacted to prevent trade in illegally harvested lumber and prevent trade in wood products made from illegally harvested lumber. It is unlawful to import certain plants and plant products without an import declaration. Imports from all countries are subject to the provisions of the Lacey Act. This includes imports of materials whose origin is the United States.

For more detailed information, see USDA's webpage:
[Lacey Act](#)

OVERVIEW OF U.S. STATE REGULATORY FRAMEWORKS

A growing number of areas are covered by both state and federal statutes, including consumer protection, employment, and food and drug regulation. (State laws give way to stricter federal laws that address the same issue.) When the state's Governor signs a bill, it becomes a state law. Once a law has been enacted by a state, it is the responsibility of the appropriate state agency to create the regulations necessary to implement the law.

STATE REGULATORY AUTHORITIES AND TECHNICAL REGULATIONS (MANDATORY)

In the U.S., some state laws and regulations are enacted which are more stringent than the federal laws. These laws include regulations for products, labeling, packaging, chemical restrictions, etc. California and New York are heavily regulated for many consumer products.

Agency	Scope
State Authorities Responsible for Weights and	Labeling

Measures	
Toxics in Packaging Clearinghouse (TPCH)	Packaging
International Association of Bedding and Furniture Law Officials (IABFLO)	Labeling
California Air Resources Board (ARB or CARB)	Formaldehyde emissions from wood
California Bureau of Electronics and Appliance Repair, Home Furnishings and Thermal Insulation (BEARHFTI)	Flammability of upholstered furniture
California Office of Environmental Health Hazard Assessment (OEHHA)	Toxic chemicals
Illinois Department of Public Health	Lead labeling
Several states	Flame retardants
Washington Department of Ecology	Lead, cadmium and phthalates in children's furniture

Packaging and Labeling

The [Uniform Laws and Regulations](#) in the areas of Legal Metrology and Engine Fuel Quality (UPLR), *NIST Handbook 130, Uniform Packaging and Labeling Regulation (UPLR)*, have been adopted into law in 45 of the 50 U.S. states. The purpose of these regulations is to provide accurate and adequate information as to the identity and quantity of contents of packages so that purchasers can make price and quantity comparisons.

UPLR requires that consumer packaging bear a label specifying the identity of the commodity; the name and place of business of the manufacturer, packer, or distributor; and the net quantity of contents in terms of weight or mass measure, or numerical count in a uniform location upon the principal display panel.

Toxics in Packaging Legislation

This legislation was originally drafted by the Source Reduction Council of the Coalition of Northeastern Governors (CONEG) in 1989. It was developed in an effort to reduce the amount of heavy metals in packaging and packaging components that are sold or distributed throughout the United States. The law is designed to phase out the use and presence of mercury, lead, cadmium, and hexavalent chromium in packaging. The legislation has been successfully adopted by nineteen states.

For more detailed information, see [Toxics in Packaging Clearinghouse white paper: Toxics in Packaging Fact Sheet](#)

Uniform Law Label

Filled bedding, furniture, sleeping bags and toys sold in the United States require a special label. Thirty-one states, including California, Massachusetts, New York, Ohio, and Pennsylvania, have established laws requiring labeling of bedding and upholstered furniture. In order to simplify compliance with the various state bedding and upholstered furniture labeling laws, the International Association of Bedding and Furniture Law Officials (IABFLO, an association made up of state officials responsible for the enforcement of bedding and furniture laws in their respective states), established a uniform law labeling system to assist manufacturers.

Law labels must describe the filling materials of the article as a percentage of those filling materials by weight. Example: 80% Polyurethane Foam, 20% Polyester Fibers. It also specifies that "UNDER PENALTY OF LAW THIS TAG IS NOT TO BE REMOVED EXCEPT BY CONSUMER" when used for bedding and furniture. Thirty-one states require law labels. The products requiring law labels in each state vary, as do the labeling requirements. Uniform law labels can be produced to satisfy the different requirements of each state.

Law labels are **also required in most states to display a Uniform Registry Number** which identifies the manufacturing facility that produced the product. This can be any company in the world whose products are sold in the United States. A law label may **NOT** be combined with another label. However, it is acceptable to have a bold black line between a law label and the California flammability label (printed side by side to show as two separate labels).

[International Association of Bedding and Furniture Law Officials \(IABFLO\)](#)

IABFLO is made up of U.S. state officials who are responsible for the enforcement of consumer-oriented bedding and furniture laws in their respective states.

For more detailed information, see IABFLO's: [Uniform Law Labels for Furniture](#)

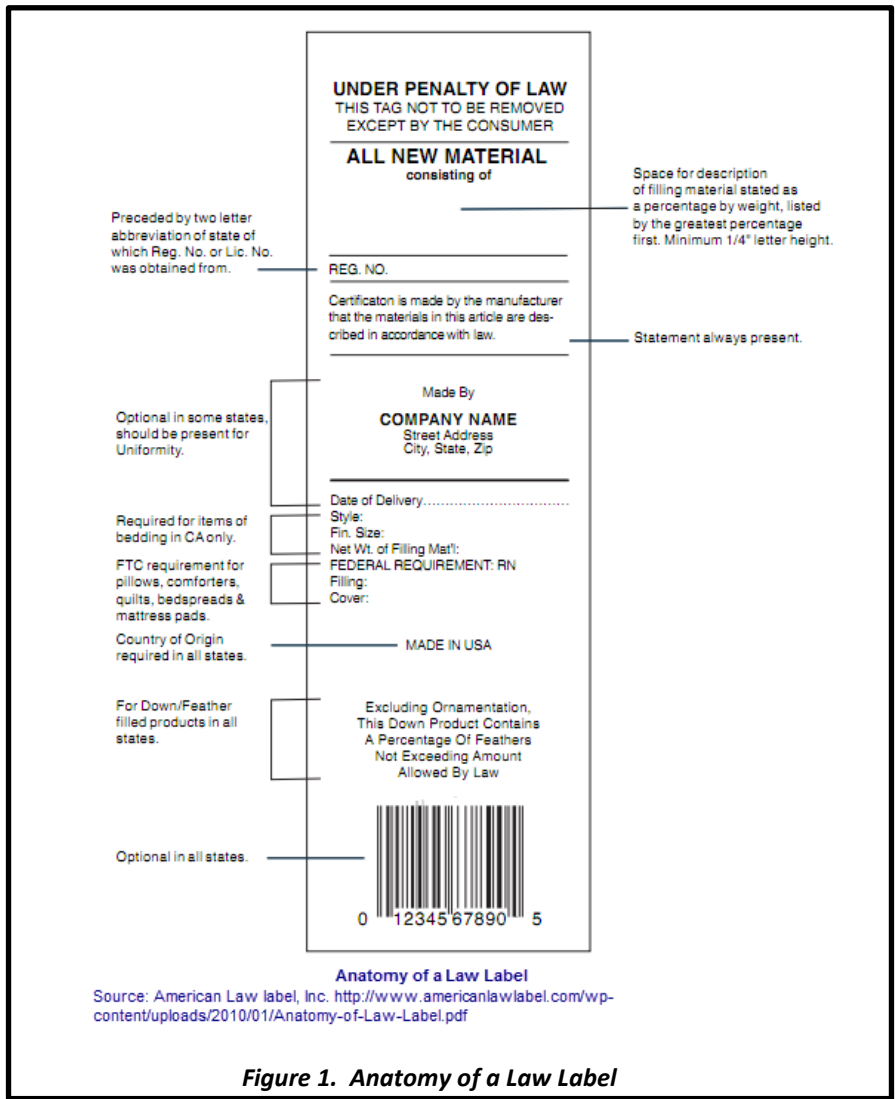


Figure 1. Anatomy of a Law Label

For more detailed information, see:

- **American Law Labels white paper:** [American Law Label, Inc. \(includes applicable products and exemptions\)](#)
- **IABFLO white paper:** [USA Labels](#)
- **Bureau Veritas white paper:** [Uniform Law Label FAQ](#)

State of California

[California Air Resources Board \(CARB\) - Formaldehyde Emissions](#)

On April 26, 2007, the state Air Resources Board (CARB) approved an airborne toxic control measure (ATCM) to reduce formaldehyde emissions from composite wood products, including hardwood plywood (HWPW), particleboard (PB), medium density fiberboard (MDF), and also

furniture and other finished products made with composite wood products. For manufacturers of HWPW, PB, and MDF, **compliance with emission standards specified in the ATCM must be verified by using a third-party certifier approved by CARB.** Third-party certifiers **are required to ensure that manufacturers of composite wood products verify compliance with the applicable emissions standards** under the ATCM for their manufactured products.

[17 CCR 93120 - ATCM to Reduce Formaldehyde Emissions from Composite Wood Products](#)

Adopted: April 18, 2008

The ATCM applies to all hardwood plywood (HWPW), particleboard (PB), and medium density fiberboard (MDF), including thin MDF (≤ 8 mm), and finished goods that contain these products, that are sold, offered for sale, supplied, used, or manufactured for sale in California.

[Sell-through Provisions That Apply to Manufacturers, Importers, Distributors, Fabricators, and Retailers of Composite Wood Product Panels and Finished Goods](#)

CARB has created a listing of the sell-through provisions and dates for all regulated entities involved with the sale of composite wood product panels and finished goods in California. Under the sell-through provisions, composite wood products and finished goods manufactured before each applicable effective date may be legally sold, supplied, or offered for sale in California for specified periods of time after the effective date. Such products and finished goods do not need to comply with labeling requirements specified in the ATCM, unless these products comply with the emission standards in the ATCM. (If a composite wood product was manufactured after an applicable effective date, the product must meet the applicable emission standard and there is no sell-through period.)

For more detailed information, see CARB's:

- [Frequently Asked Questions \(FAQs\) on Formaldehyde Emission Regulations](#)
- [Test Methods for Composite Wood Products](#)
- [Final versions of the approved Regulation Order and fact sheets in five languages \(Chinese, Indonesian, Portuguese, Russian, and Spanish\)](#)

Lead and Other Toxic Substances

California regulates lead and numerous other substances and chemicals, in both adult and children's products through their Safe Drinking Water and Toxic Enforcement Act of 1986, more popularly known as **Proposition 65 or Prop 65** ([California Health and Safety Code, Section 25249.6, et seq.](#)) There have been several settlements relative to chemicals such as lead, DEHP (phthalates), and flame retardants in furniture. These settlements provide guidelines for suggested limits. [Prop 65's List of Hazardous Substances](#) is maintained and updated as new chemicals are identified.

The following warning language **is required on products sold in California if they contain chemicals on the Proposition 65 list** and the amount of exposure caused by the product is not within defined safety limits.

WARNING: This product contains chemicals known to the State of California to cause cancer and birth defects or other reproductive harm.

For more detailed California official information on Proposition 65, see: [Office of Environmental Health Hazard Assessment \(OEHHA\)](#), [Proposition 65 in Plain Language](#), and [Prop65 News](#) from [Prop 65 News](#)

Upholstered Furniture Flammability Requirements

The [California Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation](#) (BHFTI) regulates the flammability of upholstered furniture. These regulations include **specific testing and labeling requirements** which are specified in the regulations and [Technical Bulletin 117 - Requirements, Test Procedures and Apparatus for Testing the Flame Retardance of Resilient Filling Materials Used in Upholstered Furniture](#).

For more detailed information, see BHFTI's: [Rules and Regulations](#) and [Order of Adoption -- Criteria for Exemptions](#)

State of Illinois

Lead

[Public Act 097-0612, The Lead Poisoning Prevention Act](#)

The Act makes it illegal to sell, or give away any lead-bearing substance that may be used by the general public, **unless it bears a warning statement as prescribed below, or as prescribed by any other federal regulation**. The statement shall be located in a prominent place on the item or package ([16 CFR 1500.121](#)) and shall include at least the following:

Warning Statement:

“WARNING: CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. MAY GENERATE DUST CONTAINING LEAD.”

If no regulation is prescribed, the warning statement shall be as follows when the lead-bearing substance is a lead-based paint or surface coating:

“WARNING-CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. See Other Cautions on (Side or Back) Panel. Do not apply on toys, or other children’s articles, furniture, or interior or exterior exposed surfaces of any residential building or facility that may be occupied or used by children. KEEP OUT OF REACH OF CHILDREN.”

The warning statement does not apply to any product for which federal law governs warning in a manner that preempts state authority.

Other States

A Washington state law, “Children’s Safe Products,” **bans** lead, cadmium, and phthalates from all children’s products (including furniture) and went into effect on July 31, 2009.

Formaldehyde has been classified as a chemical of concern for children in Maine, Minnesota, and Washington. At this time there are no mandatory requirements for formaldehyde in furniture.

Flame Retardant Regulations

Several U.S. states have legislation **banning the use of** PentaBDE and/or OctaBDE in products, including upholstered furniture. The states include: Maine, Maryland, Minnesota, Oregon, and Washington. Brominated flame retardant limits have been proposed in the following states: California, Connecticut Hawaii, Illinois, Massachusetts, Michigan, New York, Rhode Island, and Wisconsin.

OVERVIEW OF THE U.S. VOLUNTARY STANDARDS FRAMEWORK

The U.S. system of standards development is driven by the private sector. The majority of U.S. standards are voluntary and developed through consensus methods that reflect the needs of producers and manufacturers, users and consumers, and the government. The [American National Standards Institute](#) (ANSI) (a non-governmental, not-for-profit organization) coordinates the activities of the standards development community in the U.S. There are hundreds of standards developing organizations in the United States responsible for standardization in many different industries and business sectors. The National Institute of Standards and Technology (NIST), a part of the U.S. Department of Commerce, is the national metrology laboratory for the United States. NIST provides the technical measurement infrastructure to support global trade and the commercial measurement system. NIST, through its Standards Coordination Office, advises on and coordinates federal participation in standards setting.

STANDARDS DEVELOPING ORGANIZATIONS (SDOS)

ASTM International (ASTM) is the main standards developer that develops and maintains consensus standards and test methods pertaining to furniture. A number of the ASTM standards or test methods are “Incorporated By Reference” in the *CFR* (as cited above under CPSC), and are **mandatory**.

[ASTM International](#)

100 Barr Harbor Drive
P.O. Box C700
West Conshohocken, PA 19428-2959 USA
Telephone: + 1.610.832.9500

[Staff Directory](#)

The ASTM Committee responsible for furniture is [Committee F15](#) on Consumer Products.

The following ASTM Subcommittees are relevant to furniture:

F15.16	High Chairs, Hook-On Chairs and Expandable Gates
F15.17	Carriages, Strollers, Walkers, and Stationary Activity Centers
F15.18	Cribs, Toddler Beds, Play Yards, Bassinets, Cradles, and Changing Tables
F15.30	Bunk Beds
F15.42	Furniture Safety
F15.50	Baby Changing Tables - Commercial
F15.59	Children's Folding Chairs

Examples of ASTM furniture standards include:

F404 - 10	Standard Consumer Safety Specification for High Chairs
F1169-11	Standard Consumer Safety Specification for Full-Size Baby Cribs
F1427-07	Standard Consumer Safety Specification for Bunk Beds
F1561-03(2008)	Standard Performance Requirements for Plastic Chairs for Outdoor Use
ASTM F1561 - 03(2008)	Standard Performance Requirements for Plastic Chairs for Outdoor Use
F1821-11a	Standard Consumer Safety Specification for Toddler Beds
F1838-98(2008)	Standard Performance Requirements for Child's Plastic Chairs for Outdoor Use
F1858-98(2008)	Standard Performance Requirements for Multipositional Plastic Chairs with Adjustable Backs or Reclining Mechanisms for Outdoor Use
F1988-99(2008)	Standard Performance Requirements for Plastic Chaise Lounges, With or Without Moving Arms, With Adjustable Backs, for Outdoor Use
F2057-09b	Standard Safety Specification for Chests, Door Chests, and Dressers
F2194-10	Standard Consumer Safety Specification for Bassinets and Cradles
F2388-09	Standard Consumer Safety Specification for Baby Changing Tables for Domestic Use

F2598-09	Standard Consumer Safety Specification for Clothing Storage Chests
F2613-10	Standard Consumer Safety Specification for Children's Folding Chairs
F406-11b	Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards
WK22334	New Specification for Consumer Safety for Glass Furniture

[Business and Industrial Furniture Manufacturing Association \(BIFMA International\)](#)

678 Front Avenue, NW
Suite 150
Grand Rapids, MI 49504-5368 USA
Telephone: +1.616.285.3963
E-mail: email@bifma.org

ANSI/BIFMA Safety and Performance Standards are developed by the BIFMA Engineering Committee. BIFMA is accredited by ANSI to be the administrator of the U.S. Technical Advisory Group (TAG) to the [ISO Technical Committee \(TC\) 136](#) on Furniture.

ANSI-approved standards include:

- ANSI/BIFMA X5.1-2011 General Purpose Office Chairs - Tests
- ANSI/BIFMA X7.1-2011 Standard for Formaldehyde and TVOC Emissions of Low-Emitting Office Furniture and Seating
- ANSI/BIFMA M7.1-2011 Standard Test Method for Determining VOC Emissions from Office Furniture Systems

For more detailed information, see BIFMA's:
[Standards in Development](#) and [Complete List of Standards](#)

[ANSI/BIFMA e3-2012 Furniture Sustainability Standard](#)

BIFMA International and [NSF International](#) have released an open, consensus-based method to evaluate the sustainable attributes of furniture products. The standard includes criteria for evaluating materials selection and usage; energy and atmosphere; human and ecosystem health; and social responsibility impacts.

The e3 standard represents a structured methodology to evaluate the "sustainable" attributes of furniture products and constitutes the technical criteria of BIFMA's "the level™ product certification program."

A copy of the e3 standard may be obtained from BIFMA using their [Order Form](#). [BIFMA's Sustainability Guidelines \(2005\)](#) are available online.

Furniture Product Category Rules in Development

BIFMA International, in conjunction with NSF International, plans to develop Product Category Rules for the furniture industry. The [National Center for Sustainability Standards \(NCSS\)](#), founded by NSF, will serve as the Program Operator for developing the furniture Product Category Rules (PCR). PCRs help meet the growing demand for science-based support to verify environmental product claims and eliminate green washing. Product Category Rules (PCRs) define how to conduct a lifecycle assessment (LCA) for a particular product group and what to include in the resulting report. A lifecycle assessment measures inputs, outputs, and environmental impacts of a product across its lifespan, from cradle to grave. An Environmental Product Declaration (EPD) is the ISO-compliant third-party-verified report that functions like a nutrition label to explain the data generated from a lifecycle assessment. Adopted by European countries and growing in recognition in the U.S., PCRs and EPDs provide an international method of communication to compare and report a product's environmental impact throughout its entire lifecycle.

For more detailed information, see BIFMA'S press release:

[BIFMA International Partners with NSF International to Develop Product Category Rules for Furniture](#)

[National Fire Protection Association \(NFPA\)](#)

1 Batterymarch Park
Quincy, MA 02169-7471 USA
Telephone: +1.617.770.3000
Email: custserv@nfpa.org

NFPA develops, publishes, and disseminates more than [300 consensus codes and standards](#) intended to minimize the possibility and effects of fire and other risks. For example:

- NFPA 260 – Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
- NFPA 261 – Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition By Smoldering Cigarettes

TESTING AND CERTIFICATION BODIES

Testing

For children's furniture, see the list of [Labs Recognized by the CPSC](#). Labs can be searched by product (e.g., children's bunk beds, cribs, lead in paint, etc.).

Numerous laboratories test furniture to recognized industry standards; some may be accredited. A listing of accredited testing laboratories can be found at [A2LA Listing of Accredited Labs by Test](#). Listings of other testing laboratories can be found at [ASTM Directory of Testing Laboratories](#) and [BIFMA Listing of Testing Labs](#). Search on the keyword 'furniture' or on a specific ASTM or BIFMA standard.

Certification

California Air Resources Board (CARB) Third-Party Certification Program

In California, manufacturers of hardwood plywood (HWPW), particleboard (PB), medium density fiberboard (MDF), and also furniture and other finished products made with composite wood products **must demonstrate compliance with emission standards specified in the ATCM, and which must be verified by using a third-party certifier approved by CARB**. Third-party certifiers **are required to ensure that manufacturers of composite wood products verify compliance with the applicable emissions standards** under the ATCM for their manufactured products.

For more detailed information, see CARB's: [List of Approved Third-Party Certifiers](#)

[BIFMA Sustainability Certification Level®](#)

As a multi-attribute, sustainability standard developer, and third-party certification program for the furniture industry, BIFMA-approved certifiers include:

- [Bureau Veritas](#)
- [Intertek](#)
- [LGA](#)
- [Scientific Certification Systems \(SCS\)](#)
- [UL Environment](#)

Juvenile Products Manufacturers Association (JPMA)

15000 Commerce Parkway
Suite C
Mt. Laurel, NJ 08054 USA
Telephone: +1.856.638.0420
Fax: +1.856.439.0525
E-mail: jpma@jpma.org

Currently, more than 2,000 products are JPMA Certified in 20 categories. The JPMA Certification Seal on a product tells consumers this product has been verified as conforming to the requirements established by ASTM, through independent laboratory testing and follow-up onsite inspection of the manufacturer's production line. In order for a manufacturer to be JPMA Certified, they must submit an application and contract to the Juvenile Products Manufacturers Association (JPMA) to participate in the certification program. They can be either a member or non-member of the association. They must have all of their models in a product category tested by the official certification laboratory. The testing is done to voluntary standards that are developed and published by ASTM International.

***For more detailed information on JPMA certification, see JPMA's:
[Certification 2.0 Resource Center](#)***

RELEVANT U.S. GOVERNMENT AGENCIES

U.S. Customs and Border Protection (CBP)

1300 Pennsylvania Avenue, NW
Washington, D.C. 20229 USA
Telephone: +1.703.526.4200
[List of Contacts](#)

***For more detailed information, see U.S. International Trade Commission's (USITC):
[Harmonized Tariff Schedule of the United States](#) – [Chapter 94 on Furniture](#)***

U.S. Consumer Product Safety Commission (CPSC)

4330 East West Highway
Bethesda, MD 20814 USA
Telephone: +1.301.504.7923
Email Online Form: <http://www.cpsc.gov/cgibin/info.aspx>

CPSC Office	Telephone
Office of International Programs and Intergovernmental Affairs	+1.301.504.7071
Office of Compliance and Field Operations	+1.301.504.7915
Deputy Director	+1.301.504.7520
Office of Import Surveillance	+1.301.504.7677

[U.S. Environmental Protection Agency \(EPA\)](#)

Imports Program
 2000 Traverwood Drive
 Ann Arbor, MI 48105 USA
 Telephone: +1.734.214.4100
 Fax: +1.734.214.4676

[List of Contacts](#)

U.S. FURNITURE INDUSTRY AND MARKET DATA

Trade Associations

[American Home Furnishings Alliance](#)

317 West High Avenue
 10th Floor
 High Point, NC 27260 USA
 Telephone: +1.336.884.5000
 Fax: +1.336.884.5303

[List of Contacts](#)

[Upholstered Furniture Action Council](#)

P.O. Box 2436
 High Point, NC 27261 USA
 Telephone: +1.336.885.5065
 Fax: +1.336.885.5072
 Email: info@ufac.org

Furniture Market Data

Business and Institutional Furniture Manufacturer's Association

[The U.S. Office Furniture Market \(2012\)](#)

Office of Household Consumer Goods (OHCG)

International Trade Administration (ITA)

U.S. Department of Commerce

[2010 Industry Assessment for Consumer Goods \(Includes Furniture\)](#)

The NIST Standards Information Center (NCSCI) makes every effort to provide accurate and complete information; various data such as names, telephone numbers, links to websites, etc., may change prior to updating. We welcome suggestions on how to improve this Guide and correct errors. NCSCI provides this information "AS-IS." NIST and NCSCI make NO WARRANTY OF ANY TYPE, including NO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. NIST makes no warranties or representations as to the correctness, accuracy, completeness, or reliability of the information Guide. As a condition of using the information Guide, you explicitly release NIST/ NCSCI from any and all liabilities for any damage of any type that may result from errors or omissions in the Guide or other data. Some of the documents referenced point to information created and maintained by other organizations. NCSCI does not control and cannot guarantee the relevance, timeliness, or accuracy of these materials.

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Standards Coordination Office (SCO)

National Institute of Standards and Technology (NIST)

+1.301.975.4040

<http://www.nist.gov/ncsci>