



# The New California TB117-2013 Regulation

## Fact Sheet

Provided by the Green Science Policy Institute - [www.greensciencepolicy.org](http://www.greensciencepolicy.org)

### Technical Bulletin 117-2013 (TB117-2013)

TB117-2013 is a new regulation regarding the flammability of upholstered furniture in California. It replaces the 1975 standard, Technical Bulletin 117 (TB117).

#### What kind of tests does TB117-2013 require?

- TB117-2013 contains smolder tests for fabric, filling, decking and barriers if used, similar to the current voluntary industry standard UFAC/ NFPA 260. There is no open flame test.
- Components are tested together with standard fabric and/or foam.
- About 85% of furniture currently on the market is believed to already comply with TB117-2013.
- For fabrics that do not pass the smolder test, a compliant barrier may be used between fabric and foam. Polyester batting is an example of a material that will usually meet the barrier requirements.

#### What are the benefits of voluntary compliance in 2014?

- Manufacturers can discontinue use of flame retardant-treated components, such as flame retardant foams.
- By complying early, retailers and customers will have confidence that products are ready for the 2015 mandatory compliance date.

#### Important Dates

##### ***January 1, 2014***

Furniture sold in California may comply with TB117-2013 instead of TB117

##### ***January 1, 2015***

Compliance with TB117-2013 is MANDATORY in California

## Flame retardant chemicals:

TB117-2013 can be met without flame retardant chemicals.

#### What are the benefits of meeting TB117-2013 with components free of flame retardant chemicals?

- Consumers: Although the new standard can be met without flame retardants, it does NOT ban their use. Consumers can look for a TB117-2013 tag on furniture, and verify with retailers that products do not contain flame retardants.
- Retailers: There is increasing demand for flame retardant-free products from consumers. Extensive media coverage, and actions by the Environmental Protection Agency (EPA) have informed consumers and retailers regarding concerns associated with flame retardant chemicals.
- Manufacturers: Create a safer and healthier workplace for employees by reducing contact with harmful flame retardant chemicals.
- Liability: Manufacturers were subject to lawsuits after the furniture flame retardant, "chlorinated Tris" or TDCPP, was listed on California's Proposition 65 in 2012. For products without added flame retardants, liability concerns are reduced regarding TDCPP and other flame retardant chemicals that might be banned or listed.



*The North American Home Furnishings Association is committed to championing the causes and issues that matter to home furnishings retailers.*



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## Frequently Asked Questions

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### Q TB117 versus TB117-2013-What's different?

#### A **TB117-2013 testing method**

- Smolder only testing of cover fabric, filling material, decking and barrier if used
- No small open flame testing of filling
- Tests components together with standard fabric and/or foam
- Based on ASTM-E1353-08a/ NFPA 260 and similar to UFAC, though TB117-2013 method details are different

#### **Labeling**

- Under TB117-2013, exempted products, such as juvenile products, will not require an exemption label

#### **Juvenile products**

- Strollers, infant carriers and nursing pillows were previously exempted
- TB117-2013 exempts 15 additional items

### Q Does my product pass TB117-2013?

- #### A
- During 2014, furniture can be labeled to meet either TB 117 or TB 117-2013. Components that have previously been tested under UFAC, ASTM or NFPA smoldering standards can be used in furniture without the need for re-testing them under TB 117-2013 test method. As of January 1, 2015 all new materials used in upholstered furniture will be required to meet TB 117-2013.

### Q What is the impact on selling my product to retailers?

- #### A
- There is no sell through provision for retailers – they may continue to sell furniture that meets the old standard until their stock is depleted.

***Starting January 1, 2015, California retailers MUST purchase products that meet the new TB117-2013.***

### Q Will voluntarily meeting TB117-2013 and removing flame retardant chemicals conflict with a possible federal standard from the Consumer Product Safety Commission (CPSC)?

- #### A
- CPSC has been directed that their new standard should not conflict with California's. The Senate Appropriations Committee Report accompanying the bill with the CPSC's 2014 budget states, "As the Commission considers new upholstered furniture flammability standards, CPSC should take steps to reduce or limit the use of flame retardant chemicals... The Committee urges the CPSC to continue work on a furniture flammability standard that addresses smoldering ignition risk and does not impede the eventual adoption of, and compliance with, California's new proposed standard."

### Where can I learn more?

You can read the full regulation at <http://www.bhfti.ca.gov/about/laws/propregs.shtml>.

More about the California standard, flame retardant chemicals, and fire safety at [www.greensciencepolicy.org](http://www.greensciencepolicy.org).



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