



**National Association of State Fire Marshals  
Comments on U.S. Consumer Product Safety Commission  
Advance Notice of Proposed Rulemaking  
Standard to Address Open Flame Ignition of Mattress/Bedding  
December 10, 2001**

The National Association of State Fire Marshals (NASFM) represents the most senior fire safety official in each of the fifty states and District of Columbia. Our mission is to protect life, property and the environment from fire. NASFM believes that four principles must be observed if that mission is to be achieved.

First, we must understand and address real-world fire scenarios -- how finished products perform when used by consumers. Second, as we pursue safer products we must take care to avoid unintended harm to health and environment. Third, we must rely on science for the questions as well as the answers. Finally, we believe that safety is most likely to be achieved when the public and private sectors work together.

The United States Consumer Product Safety Commission's Advance Notice of Proposed Rulemaking on a standard to address open flame ignition of mattresses/bedding authorizes work that corresponds in significant ways to the mission and principles described above. It falls short in just one respect.

The staff briefing materials demonstrate a clear understanding of the nature of mattress fires in the real world and acknowledge that bedding items, also known as bedclothes, are typically the first items ignited. Common sense dictates that in the real world mattresses are covered by pads, sheets, blankets, comforters and pillows. Science tells us that some of these items contribute little to the fuel load in a bedroom while some items of bedclothes contribute significantly. It follows logically that burning bedclothes are the primary ignition source of mattresses. But inexplicably, the briefing package does not propose to mitigate against the hazard posed by the most combustible of these bedclothes.

If the most combustible of these items were placed on a slab of cement and then ignited, science tells us that some would generate 150 kilowatts of energy for a sustained time. In the real world, no one chooses to sleep on cement pads. The only intended use of mattress pads, comforters, pillows and other bedclothes with highly combustible fillings is in conjunction with mattresses. One cannot logically separate the two. If we hope to save lives, then effective, science-based open flame standards should be set for the most combustible items of bedclothes as well as for the mattresses.

The briefing materials state that the Commission cannot protect people who are “intimate” with – that is, sleeping on – these materials. Indeed, an ignited comforter would burn rapidly and furiously, injuring or killing someone sleeping on it. We do not understand the Commission’s reasoning for refusing to protect those consumers unfortunate enough to be “intimate” with the fire. We are certain the Commission would prohibit the sale of children’s clothing made from the kinds of flammable materials that

many comforters and pillows contain. Yet children sleep with the most combustible of these bedding materials. No one is suggesting that bedclothes, mattresses or, for that matter, any product should be impervious to fire. But we would assert that common sense argues against using the most combustible materials in the deadliest of scenarios. In addition, a minimum open flame performance standard for bedclothes containing filling materials would likely increase the time it takes for the mattress to ignite, thus increasing the escape time of those in the household (both "intimate" with and more distant to the fire) and consequently saving more lives than the current proposal.

The briefing materials also suggest that bedclothes by themselves will not bring a room to flashover. Depending on the contents of a room, that may or may not be so. However, note that an electrical short circuit by itself will not bring most rooms to flashover, even though the Commission has encouraged the recall of scores of products that pose the problem.

We also observe that the Commission did not ignore the role of bedclothes when it addressed smoldering ignition – mattress pads, as well as mattresses, have their own standard in the Flammable Fabrics Act requirements for cigarette ignitions. It therefore seems inconsistent for the Commission to ignore the role of bedclothes in the case of open flame ignitions. Bedclothes that contain filling materials should have open flame ignition standards of their own. NASFM strongly urges the Commission to reconsider their decision, and include a separate flammability standard for bedclothes in this rulemaking.

Our criticism of the ANPR is limited to this one point. In so many other ways, we regard this project as a model for the way fire hazards should be addressed.

With the exception of bedclothes issue, the analysis and recommendations contained in the ANPR are based on honest, real-world scenarios and supported scientifically. The project is a model of cooperation. The International Sleep Products Association, representing mattress producers, and its affiliate, the Sleep Products Safety Council, funded the necessary research and chose the world's foremost fire scientists at the National Institute of Standards and Technology to conduct the research. They have worked cooperatively with the CPSC from the start. If the mattress industry were interested in anything less than an honest, scientific examination of the issues, it would not have gone to such lengths.

We congratulate the CPSC's technical staff for the quality of its work and express our appreciation to Commissioners Gall and Moore for their commitment to safety and their support of the ANPR. We are confident that the Commission will revisit the questions we have raised and, at the end the day, lives and property will be protected.