



# Flame Retardant Ordinance and Furniture Retailers



San Francisco has banned the sale of furniture containing flame retardant chemicals. Here's what furniture retailers need to know.

### Who must follow the new flame retardant ordinance?

This ordinance applies to any business or online retailer selling or distributing new upholstered furniture that complies with TB 117-2013 in San Francisco.

### Why ban flame retardants in these products?

Flame retardants are not necessary for fire safety and numerous studies have linked exposure to flame retardant chemicals to hormone disruption, lower IQ, attention problems, reproductive issues, and cancer. Some of these chemicals can persist in the environment and accumulate in the bodies of people and animals.

### What furniture can be sold in San Francisco after the ordinance goes into effect?

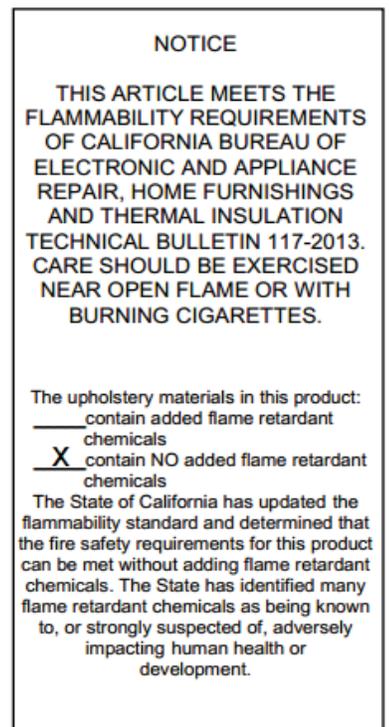
To be sold in San Francisco, all furniture must have a TB 117-2013 label, must utilize the wording provided in the California Business and Professions Code Section 19094, and must have an "X" next to "contain NO added flame retardant chemicals."

### What is the existing State furniture flammability law?

In 2013, California updated the flammability standard for upholstered furniture, replacing the old standard, TB 117. The new smolder-resistant standard requires testing of each covered component: fabric, foam, decking material, and barrier if required. This standard does not ban or restrict the use of flame retardant chemicals. Some product manufacturers still use flame retardant chemicals in upholstered furniture and juvenile products even though these chemicals are no longer necessary to meet the flammability standard.

### How can I tell if a piece of furniture contains flame retardant chemicals?

State law requires all furniture manufactured after 2015 and sold in California to have a label indicating whether the product contains added flame retardant chemicals. By having this label, SF Environment can verify if a furniture item is in compliance with the ordinance. Please see the label above for example.



Label showing no added flame retardant chemicals were added to the product





## Additional FAQs:

### Does this ordinance apply to used or second-hand furniture?

No, this ordinance only applies to newly sold furniture. However, this ordinance does apply to reupholstered furniture that contains new foam.

### When will the ordinance take effect?

For upholstered furniture, this ordinance will take effect on **January 1, 2019**. For any furniture that has electronic components, the ordinance will take effect on **July 1, 2019**.

### What products does this legislation cover?

The legislation applies to new, not previously owned seating made with soft materials including but not limited to fabric, padding, decking, barrier material, foam, and/or other resilient filling that is required to meet the flammability standards set forth in California Technical Bulletin 117-2013.

### What products are not covered by this legislation?

- Used or second-hand furniture that is not reupholstered
- Upholstered furniture products subject to California Technical Bulletin 133
- New or used bedding, pillows, and mattresses
- Outdoor furniture intended only for outdoor use

### Does this ordinance apply to futons?

Traditional futons without upholstered arms must only meet federal labeling requirements and therefore will not be regulated. Futons with upholstered arms must also meet TB117-2013 and SB1019 requirements and would be regulated by this ordinance.

### What if I am not able to sell my inventory and it becomes an economic hardship for my business?

An establishment or other person may petition the Director of the Department of the Environment to receive additional time for compliance, where they can demonstrate that timely compliance shall cause severe hardship or is otherwise infeasible. Such petitions must be submitted in writing. The Department of the Environment will evaluate and then may grant or deny petitions, in whole or part, on a case-by-case basis. A petition that does not receive a response from the Department within 60 days from the date it is received by the Department shall be deemed granted.

### How much time do I have if I receive a violation?

An establishment will have 30 days from receipt of a warning to correct a violation.

### Where can I get more information?

**SFEnvironment.org/FRordinance**

Por favor, llame a SF Environment al (415) 355-3700 para obtener más información sobre este tema.

請致電三藩市環境局 (415) 355-3700 獲取本主題相關資訊。

