

Flammability Regulations Standard for the Flammability of Clothing Textiles, 16 CFR 1610

ISSUE:

International Association of Users of Artificial and Synthetic Filament Yarns and of Natural Silk petitioned the Consumer Product Safety Commission (CPSC) to amend the flammability standard for general wearing apparel by changing the conditioning requirement for fabrics prior to testing. The change would enable more silk fabrics to pass the mandatory test but would weaken the regulation by allowing fabrics that do not currently comply to enter commerce. The change would reduce the safety aspect of the standard, and thus, would impact the overall fire safety of apparel items. Exemptions from testing that are in the current standard would likely be eliminated, thus the past half century of test data would become meaningless. Considerable added testing costs would also be incurred by U.S. textile manufacturers and others affected by the change.

BACKGROUND:

The Standard for the Flammability of Clothing Textiles, commonly known as the 45 degree angle test, dates back over half a century when Congress enacted the Flammable Fabric Act in 1953 (Public Law 83-88, 67 Stat. 111). The Act specified a test method known at that time as “Flammability of Clothing Textiles, Commercial Standard 191-53” to establish a basis for identifying fabric for use in general wearing apparel that were, “...so highly flammable as to be dangerous when worn by individuals.”

Though this standard has been reviewed by various organizations including government agencies, independent investigators and the public on numerous occasions, a suitable replacement standard has not been proposed; and 16 CFR Part 1610, which has been highly effective for its intended purpose, continues to be the only standard for flammability of general wearing apparel.

POSITION:

NCTO lead a coalition of U.S. Fiber and textile associations in opposition to the requested change. Comments identifying increased costs if the Petition is granted plus the fact that the change would enable some fabrics to be sold that would not pass the current federal requirement. If granted, the changes suggested by the Petition would affect the effectiveness of the current standard which has provided safe fabrics for more than 50 years. CPSC will consider all

comments regarding the standard and determine if it will begin a rulemaking to formally consider the changes contained in the petition.