

109TH CONGRESS  
1ST SESSION

# H. R. 943

To direct the Consumer Product Safety Commission to issue standards addressing open flame ignition of consumer products containing polyurethane foam.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. LANGEVIN (for himself, Mr. KENNEDY of Rhode Island, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To direct the Consumer Product Safety Commission to issue standards addressing open flame ignition of consumer products containing polyurethane foam.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Foam Fire Safety  
5       Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) More than two billion pounds of poly-  
2 urethane foam are sold in the United States every  
3 year.

4           (2) Polyurethane foam is found in mattresses,  
5 bedding, upholstered furniture, carpet padding,  
6 soundproofing materials, and countless other objects  
7 commonly found in homes and office buildings.

8           (3) Firefighters refer to polyurethane foam as  
9 “solid gasoline” because of its flammability, and  
10 when burning, it emits deadly gases including ar-  
11 senic.

12           (4) Between 1980 and 1998, mattress, bedding,  
13 and upholstered furniture fires killed almost 30,000  
14 people in the United States. During the same period,  
15 these fires injured more than 95,000 people.

16           (5) Direct property damage from foam fires  
17 over the same period was nearly \$10 billion.

18           (6) Exposed polyurethane soundproofing foam  
19 led to 100 deaths and 200 injuries at the Station  
20 nightclub fire in West Warwick, Rhode Island, on  
21 February 20, 2003.

22           (7) A typical room fire will reach “flashover”,  
23 the high temperature point at which all combustible  
24 materials in a room ignites, in 5 minutes or less  
25 from the time at which polyurethane foam filled fur-

1 niture catches fire. The National Fire Protection As-  
2 sociation's standard requires that 90 percent of the  
3 time, the first firefighters must arrive at the fire  
4 within 4 minutes.

5 (8) The United Kingdom and the State of Cali-  
6 fornia have enacted laws and regulations requiring  
7 that fire-retardant materials be added to the foam  
8 used in furniture, but nationally, the United States  
9 lags behind.

10 **SEC. 3. OPEN FLAME IGNITION STANDARDS.**

11 Not later than 1 year after the date of the enactment  
12 of this Act, the Consumer Product Safety Commission  
13 shall, pursuant to section 4 of the Flammable Fabrics Act  
14 (15 U.S.C. 1193(a)), promulgate safety standards that  
15 address open flame ignition of mattresses, bedding, uphol-  
16 stered furniture, sound proofing materials, and other ma-  
17 terials containing polyurethane foam, as the Commission  
18 considers appropriate. Such standards shall, at minimum,  
19 be consistent with the safety standards for polyurethane  
20 foam products of the State of California, as proposed in  
21 Technical Bulletin 117, issued by the California Depart-  
22 ment of Consumer Affairs in February 2002.

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