



Jersey

**CONSUMER PROTECTION (SAFETY OF
FURNITURE AND FURNISHINGS)
(JERSEY) ORDER 1989**

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CONSUMER PROTECTION (SAFETY OF FURNITURE AND FURNISHINGS) (JERSEY) ORDER 1989

Arrangement

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CONSUMER PROTECTION (SAFETY OF FURNITURE AND FURNISHINGS) (JERSEY) ORDER 1989¹

THE ECONOMIC DEVELOPMENT COMMITTEE, in pursuance of Articles 2 and 3 of, and the Schedule to, the Consumer Protection (Jersey) Law 1964² and after consultation with such persons and bodies of persons as appear to it to be requisite, orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation³

(1) In this Order, unless the context otherwise requires –

“authorized person” means a person authorized by the Minister under paragraph 1 of the Schedule to the Law;

“BS 3379” means British Standard Specification BS 3379: 1975 published on 30th May 1975;

“BS 5651” means British Standard Specification BS 5651: 1978 published on 29th December 1978;

“BS 5852: Part 1” means British Standard BS 5852: Part 1: 1979 which came into effect on 30th November 1979;

“BS 5852: Part 2” means British Standard BS 5852: Part 2: 1982 which came into effect on 31st August 1982;

“BS 6807” means British Standard BS 6807: 1986 which came into effect on 31st December, 1986;

“cushions” (except in paragraph (a) of the definition of “relevant ignitability test” and in the definition of “invisible part” in relation to covers and permanent covers) means scatter cushions and cushions of the kind commonly used on the seats of wooden chairs;⁴

“dwelling” includes any caravan, but does not include boats or any other vessels or motor vehicles;

“filling material” means any material used for filling or stuffing the upholstered parts of furniture or for filling, bulking-out or stuffing such articles as cushions, mattresses and pillows;

“furniture” means –

- (a) furniture of any description which is ordinarily intended for private use in a dwelling and includes beds and divans (including the bases and headboards of both), sofa-beds, children’s furniture, cots (including carry-cots, playpens, prams and pushchairs and any other article of a like nature and use designed to contain a baby or small child), cushions, high-chairs, mattresses (of any size) and pillows, but does not include bedding or floor coverings (including carpets and mats);
- (b) furniture which is ordinarily intended for private use in the open air but which is also suitable for use in a dwelling; and
- (c) any collection of components designed or intended to be assembled into any article of furniture defined in paragraphs (a) and (b) hereof;

and “furniture” includes furniture mentioned in Article 12(1) –

in Articles 2, 5 and 13, from 1st July 1989;

in Articles 6(4), 7 and 12, from 1st March 1990;

in Articles 3, 4 and 6(1) to (3), from 1st March 1993;

“invisible part” in relation to covers and permanent covers means –

- (a) any part of the cover on that part of the furniture on which any back, arm or seat cushions are intended to rest;
- (b) the underside or reversible side of any seat or back cushions which are not designed to be reversible;
- (c) the underside of any arm cushions which are not designed to be reversible and which are secured in such a way that they cannot be displaced in normal use; and
- (d) the dust cover on the under side of the article of furniture,

and “visible part” in relation to covers and permanent covers means any part of the cover other than an invisible part;⁵

“Law” means the Consumer Protection (Jersey) Law 1964;⁶

“relevant ignitability test” in relation to any filling which –

- (a) consists solely of polyurethane foam in slab or cushion form means the test specified in Part 1 of Schedule 1;
- (b) consists solely of polyurethane foam in crumb form means the test specified in Part 2 of Schedule 1;
- (c) consists solely of latex rubber foam means the test specified in Part 3 of Schedule 1;

- (d) consists of a single filling material other than the materials mentioned in paragraph (a), (b) or (c) means the test specified in Part 1 of Schedule 2;
- (e) consists of more than one filling material means either –
 - (i) the test specified in Part 1 of Schedule 2 for each individual filling material tested separately, or
 - (ii) the appropriate test specified in Part 2, 3 or 4 of that Schedule for the filling material tested as a composite:

Provided that if the filling material includes foam of any of the kinds mentioned in paragraph (a), (b) or (c), the relevant ignitability test for that part of the filling which consists of such foam shall be the test (or tests) specified in the said paragraph (a), (b) or (c), as the case may be;

“supply”, where the context so admits, includes offering and agreeing to supply and exposing and possessing for supply, and cognate expressions shall be construed accordingly;

“United Kingdom Regulations” means the Furniture and Furnishings (Fire) (Safety) Regulations 1988 of the United Kingdom.

- (2) References in this Order to British Standards or British Standard Specifications are references to the Standards or Specifications published by the British Standards Institution, with such amendments thereto as are current for the time being.

2 Exclusion of goods made before 1950 and of supply of materials for re-upholstery of furniture made before that date and of goods for export

The requirements of this Order do not apply –

- (a) in relation to the supply of any goods manufactured before 1st January 1950; or
- (b) in relation to the supply of materials when the person supplying them knows or has reasonable cause to believe that they will be used for recovering or re-upholstering furniture manufactured before 1st January 1950.

3 Upholstery⁷

- (1) Subject to paragraph (2), no furniture to which this Article applies shall include upholstery which does not pass the cigarette test in Part 1 of Schedule 4.
- (2) An invisible part of the cover on any part of furniture which includes upholstery shall not be required to pass the test in paragraph (1) if that upholstery (including such invisible part of the cover) passes the cigarette test in Part 2 of Schedule 4.
- (3) This Article applies to all furniture (except mattresses, bed-bases, pillows and cushions).

4 Filling material

- (1) Subject to paragraphs (3) and (4), no furniture shall include any filling material which fails the relevant ignitability test.
- (2) No furniture shall include as filling any foam in crumb form unless both –
 - (a) the foam from which the crumb is derived passes the ignitability test specified in Part 1 of Schedule 1; and
 - (b) the foam in crumb form itself passes the ignitability test specified in Part 2 of that Schedule.
- (3) A cushion may include filling material which does not pass the ignitability test specified in Part 1 or 2 (or both such Parts) of Schedule 2 if the cushion has a primary cover and, with that cover, passes the ignitability test in Part 3 of that Schedule.
- (4) A pillow may include filling material which does not pass the ignitability test specified in Part 1 or 2 (or both such Parts) of Schedule 2 if the pillow, when tested with its primary cover, passes the ignitability test in Part 3 of that Schedule.

5 Loose fillings⁸

- (1) No person shall supply –
 - (a) any polyurethane foam in slab or cushion form which fails the test specified in Part 1 of Schedule 1;
 - (b) any foam in crumb form which may not be included in furniture by virtue of Article 4(2); or
 - (c) any latex rubber foam which fails the test specified in Part 3 of Schedule 1,

in any case where the person knows or has reasonable cause to believe that the material will be used –

 - (i) for filling a cushion or a pillow; or
 - (ii) for the purpose of upholstering or re-upholstering furniture.
- (2) Without prejudice to paragraph (1), no person shall supply any other filling material which fails test (d) or (e) in the definition of “relevant ignitability” in Article 1(1) in any case where the person knows or has reasonable cause to believe that the material will be used, otherwise than in the course of business, for a purpose mentioned in paragraph (1)(i) or (ii).

6 Permanent covers⁹

- (1) Subject to paragraph (2), if furniture specified in paragraph (5)(b) which contains filling material is supplied with a cover on it (whether or not the cover is over the filling material), any visible part of the cover shall pass the match test in Part 1 of Schedule 5 and any invisible part of the cover shall pass the match test in Part 3 of that Schedule.

- (2) Where furniture is supplied with a cover on it and there is between it and any part of the cover an interliner which passes the test in Schedule 3 then, provided that such part of the cover is made of a relevant material, it need not pass the match test which would otherwise have been applicable to it under paragraph (1).
- (3) Subject to paragraph (4), no person shall supply any cover or fabric knowing or having reasonable cause to believe that it will be used to provide or replace –
 - (a) a visible part of the permanent cover of any furniture specified in paragraph (5)(b) which contains filling material; or
 - (b) an invisible part of such a permanent cover,unless the cover or fabric passes, in the case of (a), the match test in Part 1 of Schedule 4 or, in the case of (b), the match test in Part 2 of that Schedule.
- (4) Paragraph (3) does not apply if the fabric or cover supplied is made of a relevant material and the person who supplied it knows or has reasonable cause to believe that it will be used to replace or provide any part (whether visible or invisible) of the permanent cover on furniture and that there is or will be between the furniture and such part an interliner which passes the test in Schedule 3.
- (5) In this Article –
 - (a) a “relevant material” means a material containing at least 75% by weight of cotton, flax, viscose, modal, silk or wool, used separately or together and not coated with polyurethane or a polyurethane preparation; and
 - (b) “furniture” means any furniture other than the following: mattresses, bed-bases, pillows, cushions and insulated bags designed for carrying infants under the age of 6 months.

7 Covers other than permanent covers

- (1) Loose covers (other than stretch covers) for any furniture specified in paragraph (3) shall pass the match test in Part 1 of Schedule 5.
- (2) Stretch covers for any furniture specified in paragraph (3) shall pass the match test in Part 2 of that Schedule.
- (3) In this Article, “furniture” means any furniture other than mattresses, bed-bases, pillows and cushions.

8 Display labels

- (1) Subject to paragraph (3), there shall be attached to furniture to which Schedule 6 applies and which is exposed for supply by retail the appropriate display label specified in that Schedule.
- (2) The label mentioned in paragraph (1) shall be so attached to the furniture as to be clearly visible to anyone inspecting the furniture and to enable

him or her to read both the front and the back of the label with as little inconvenience as is reasonably practicable.

(3) It shall be sufficient compliance with paragraph (1) if the label mentioned in that paragraph is in the form specified in Schedule 6 to the United Kingdom Regulations.

9 Permanent labels

(1) Subject to paragraph (2), furniture and covers to which Schedule 7 applies shall bear the permanent labelling specified in Part 2 or Part 3 of that Schedule in accordance with the provisions of Part 2 or Part 3 of that Schedule, as the case may be, (and if the furniture or cover does not bear the permanent labelling specified in Part 2 of that Schedule the requirements of Article 10 shall also be complied with in relation to such furniture or cover).

(2) It shall be sufficient compliance with paragraph (1) if the permanent labelling mentioned in that paragraph meets the requirements of Part II or Part III, as the case may be, of Schedule 7 to the United Kingdom Regulations.

10 Requirement to give information

(1) This Article applies to any person who supplies or has supplied within the period of 5 years (or, if shorter, so much of that period as falls after 1st July 1989) immediately prior to the person being required to give the information in question any furniture or cover to which Schedule 7 applies in relation to which the requirements of Part 3 of that Schedule and not those of Part 2 of that Schedule are satisfied.

(2) The information which may be required by paragraph (4) is the following information in respect of the furniture or cover specified in paragraph (1) –

- the name and the address of the principal place of business of the manufacturer or importer who first supplied the article in Jersey;
- the date on which the article was manufactured or imported (in its finished form) into Jersey;
- the description of all the filling materials included in the article;
- the description of all the covering materials included in the article.

(3) The information specified in paragraph (2) need not be given in relation to –

- cushions and pillows (except for information required by paragraph (2)(a) and (c));
- cots, carry-cots, playpens, prams and pushchairs (except for information required by paragraph (2)(a), (c) and (d));
- any other article similar in its nature and use to any article in subparagraph (b) and designed to carry a baby or small child (except for information required by paragraph (2) (a), (c) and (d));

- (d) covers (except for information required by paragraph (2)(a) and (d)).
- (4) Any person to whom this Article applies shall give to an authorized person the information specified in paragraph (2) on his or her being required to give such information at a reasonable time.

11 First suppliers: requirement to give information

- (1) Any person to whom paragraph (3) applies shall give to an authorized person such information as the authorized person may reasonably require for the purpose of enabling the authorized person to enforce any of the requirements of this Order relating to any furniture other than mattresses, bed-bases, pillows and cushions.
- (2) Without prejudice to the generality of paragraph (1), information may be required to be given, in accordance with that paragraph, relating to any of the following matters –
 - (a) the results of any test prescribed by this Order carried out on the furniture in question or any of its components;
 - (b) the means by which those results are attributed to furniture or components of a particular description or batch;
 - (c) the correspondence of any records with labels, batch numbers or marks appearing on or relating to any goods.
- (3) This paragraph applies to any manufacturer or importer who supplies or has supplied within the period of 5 years (or, if shorter, so much of that period as falls after 1st July 1989) immediately prior to the manufacturer or importer being required to give the information in question any furniture specified in paragraph (1).

12 Second-hand furniture

- (1) This Article applies to furniture which has previously been supplied (whether before or after 1st March 1990, provided that it is not excluded by Article 2, and whether in Jersey or elsewhere) to any person who acquired it otherwise than for the purposes of a business of dealing in furniture.
- (2) Furniture to which this Article applies shall satisfy the requirements of Articles 3, 4 and 6(1) and (2) subject to the exceptions to those requirements for certain furniture specified in those Articles.¹⁰
- (3) Subject to paragraphs (4) and (5), no person shall supply any furniture to which this Article applies in the period before 1st March 1993 unless there is attached to the furniture the display label specified in Schedule 8 so as to be clearly visible to anyone inspecting the furniture and to enable the person to read both the front and the back of the label with as little difficulty as is reasonably practicable.

- (4) The display label specified in Schedule 8 need not be attached to the furniture if the furniture meets all the requirements of this Order which would have had to be met if paragraph (2) had been in force.
- (5) It shall be sufficient compliance with paragraph (3) if the label mentioned in that paragraph is in the form specified in Schedule 8 to the United Kingdom Regulations.

13 Prohibition on supply

- (1) Subject to paragraph (2), no person shall supply any furniture or other article in respect of which any of the requirements of this Order is not satisfied.
- (2) Paragraph (1) does not apply where the furniture or other article is supplied as part of the fixtures and fittings of a caravan which is being supplied at the same time and which has previously been supplied (whether before or after 1st July 1989 and whether in Jersey or elsewhere) to any person who acquired it otherwise than for the purpose of a business of dealing in caravans.

14 Goods obtained under hire purchase agreement

As respects furniture to which this Order applies, Article 3(1) to (3) of the Law shall apply in relation to that furniture as if references to selling or to a sale included references to letting under a hire purchase agreement or on hire, and the reference to a sale under a credit sale agreement were a reference to letting under a hire purchase agreement.

15 Goods manufactured before commencement of Order

As respects the requirements of this Order, Article 3(1) and (2) of the Law shall apply, subject to Articles 2 and 12 of this Order, in relation to goods and component parts manufactured before the coming into force of this Order notwithstanding anything in Article 3(4) of the Law.

16 Application of Schedule to Law

- (1) The Schedule to the Law shall have effect in relation to goods to which this Order applies.
- (2) Any test of goods to which this Order applies being a test such as is referred to in paragraph 2 of the Schedule to the Law, shall be carried out, at the Minister's expense, by the Official Analyst or by any of the bodies specified in Schedule 9.

17 Citation and commencement

- (1) This Order may be cited as the Consumer Protection (Safety of Furniture and Furnishings) (Jersey) Order 1989.
- (2) This Order shall come into force as follows –

- (a) this Article and Articles 1, 2, 5, 14, 15 and 16 shall come into force on 1st July 1989;
- (b) subject to sub-paragraph (e), Articles 3, 4, 9, 10, 11 and 13 shall come into force as regards the duties of manufacturers and importers on 1st July 1989;
- (c) subject to sub-paragraph (e), Articles 3, 4 and 8, Articles 9 and 10 (insofar as they relate to furniture) and Article 13 shall come into force as regards the duties of retailers on 1st July 1989;
- (d) Articles 6, 7, 8, 9, 10, 11 and 13 (insofar as they are not already in force) shall come into force on 1st March 1990;
- (e) insofar as Article 3, 4, 8, 9, 10 and 11 apply to or in respect of –
 - (i) furniture (whether ready-assembled or in component form) which is ordinarily intended for private use in the open air but which is also suitable for use in a dwelling,
 - (ii) furniture which is ordinarily intended to be affixed to and form part of a caravan,they shall come into force on 1st March 1990;
- (f) Article 12(2) shall come into force on 1st March 1993;
- (g) otherwise on 1st March 1990.

SCHEDULE 1

(Articles 1, 4 and 5)

PART 1**IGNITABILITY TEST FOR POLYURETHANE
FOAM IN SLAB OR CUSHION FORM**

1. The foam shall be tested in accordance with the method set out in BS 5852: Part 2 using cover fabric corresponding to the specification set out in paragraph 2.

2. The fabric shall be made of 100% flame retardant polyester fibre. Its construction shall be woven to a plain weave. The yarn in the warp shall be of 1.6 decitex fibre, spun to a linear density of 37 tex, Z twist at 420 turns per metre. The fabric shall be woven to 20.5 yarn threads per centimetre in the warp.

The yarn in the weft shall be of 3.3 decitex fibre spun to a linear density of 100 tex, Z twist at 550 turns per metre. The fabric shall be woven to between 12.6 and 13 threads per centimetre in the weft.

The fabric finish shall be scoured and heat set. Its mass shall be 220g per m² plus or minus 5%.

3. The test rig as specified in clause 6.1.1 of BS 5852: Part 2 shall have expanded steel platforms of not less than 28 x 6 mm mesh size. The test rig is placed on a metal tray of sufficient dimensions to collect any debris falling from specimens being tested. The rig and debris tray shall be mounted on a weighing balance with a remote readout having a full-scale deflection of at least 0 to 20 kg to an accuracy of 2g.

4. The foam under test, cut to the specified dimensions is placed on the test rig, covered with the fabric specified in paragraph 2 and tensioned with clips as set out in BS 5852: Part 2. An ignition source 5 crib is placed in position. The mass of the complete assembly is determined ("initial mass"). The test shall be carried out in accordance with BS 5852: Part 2. In particular flaming or smouldering failure shall be determined against the criteria of clause 4 of BS 5852: Part 2.

After flaming and smouldering has ceased, any debris which has become detached from the specimen shall be removed. The remaining mass of the assembly ("final mass") is then recorded.

5. If failure against the criteria of clause 4 of BS 5852: Part 2 has occurred but only by way of damage exceeding the limits defined in clause 4.1(e), 4.1(f) and 4.2(f) and provided that the resultant mass loss (initial mass less final mass) is less than 60g the foam passes the ignitability test.

PART 2

IGNITABILITY TEST FOR POLYURETHANE FOAM IN CRUMB FORM

1. The foam shall be tested in accordance with the method set out in BS 5852: Part 2 using cover fabric corresponding to the specification set out in paragraph 2.
2. The fabric shall be made of 100% flame retardant polyester fibre. Its construction shall be woven to a plain weave. The yarn in the warp shall be of 1.6 decitex fibre, spun to a linear density of 37 tex, Z twist at 420 turns per metre. The fabric shall be woven to 20.5 yarn threads per centimetre in the warp.
The yarn in the weft shall be of 3.3 decitex fibre spun to a linear density of 100 tex, Z twist at 550 turns per metre. The fabric shall be woven to between 12.6 and 13 threads per centimetre in the weft.
The fabric finish shall be scoured and heat set. Its mass shall be 220g per m² plus or minus 5%.
3. The test rig panels are lined with the fabric specified in paragraph 2. Sufficient crumb foam shall be placed upon the seat and back panels so that when the cover fabric piece is placed over them, both are stuffed to the density used in the furniture as intended. The test is then carried out in accordance with BS 5852: Part 2 using ignition source 2 as specified therein.
4. If smouldering or flaming failure against the criteria of clause 4 of BS 5852: Part 2 has not occurred or has occurred only by way of damage exceeding the limits defined in clause 4.1(e), 4.1(f) and 4.2(f), the crumb foam passes the ignitability test.

PART 3**IGNITABILITY TEST FOR LATEX RUBBER FOAM**

1. The foam shall be tested in accordance with the method set out in BS 5852: Part 2 using cover fabric corresponding to the specification set out in paragraph 2.
2. The fabric shall be made of 100% flame retardant polyester fibre. Its construction shall be woven to a plain weave. The yarn in the warp shall be of 1.6 decitex fibre, spun to a linear density of 37 tex, Z twist at 420 turns per metre. The fabric shall be woven to 20.5 yarn threads per centimetre in the warp.

The yarn in the weft shall be of 3.3 decitex fibre spun to a linear density of 100 tex, Z twist at 550 turns per metre. The fabric shall be woven to between 12.6 and 13 threads per centimetre in the weft.

The fabric finish shall be scoured and heat set. Its mass shall be 220g per m² plus or minus 5%.

3. The foam under test cut to the specified dimensions is placed on the test rig, covered with the fabric specified in paragraph 2 and tensioned with clips as set out in BS 5852: Part 2. The test is then carried out using ignition source 2 as specified therein.
4. If smouldering or flaming failure against the criteria of clause 4 of BS 5852: Part 2 does not occur, the latex rubber foam passes the ignitability test.

SCHEDULE 2

(Articles 1, 4 and 5)

PART 1

IGNITABILITY TEST FOR NON-FOAM FILLING MATERIALS SINGLY

1. The filling material shall be tested in accordance with the method set out in BS 5852: Part 2 using cover fabric to the specification in paragraph 2 of Part 1 of Schedule 1.
2. The specimen comprising the filling material to be tested and the specified cover fabric shall be tested with ignition source 2 as specified in BS 5852: Part 2. Where the filling material is loose it shall be packed as indicated in paragraph 3 of Part 2 of Schedule 1.
3. If smouldering or flaming failure against the criteria of clause 4 of BS 5852: Part 2 has not occurred or has occurred only by way of damage exceeding the limits defined in clause 4.1(e), 4.1(f) and 4.2(f) the non-foam filling passes the ignitability test.

PART 2

**IGNITABILITY TEST FOR COMPOSITE FILLINGS FOR FURNITURE
OTHER THAN MATTRESSES, BED-BASES, CUSHIONS AND PILLOWS**

The composite fillings, covered with the primary cover are built up on the test rig as described in BS 5852: Part 2. The covering fabric shall be that specified in paragraph 2 of Part 1 of Schedule 1. The test procedure with the use of ignition source 2 specified in BS 5852: Part 2 and the criteria of failure shall be as specified therein.

PART 3

**COMPOSITE TEST FOR IGNITABILITY OF PILLOWS AND CUSHIONS
WITH PRIMARY COVERS**

1. For pillows the test specimen shall comprise the filling and the primary cover of the pillow. Where the filling is of a loose nature the specimen shall be prepared as set out for loose fillings in paragraph 3 of Part 2 of Schedule 1. The test procedure using ignition source 2 shall be as specified in BS 5852: Part 2. If smouldering or flaming failure against the criteria of clause 4 of BS 5852: Part 2 has not occurred or has occurred only by way of damage exceeding the limits defined in clause 4.1(e), 4.1(f) and 4.2(f), the composite pillow filling passes the ignitability test.

2. For cushions with primary covers the test specimen shall be made up of filling, the primary cover and standard fabric as set out in paragraph 2 of Part 1 of Schedule 1. Where the filling is loose, it shall be packed as set out in paragraph 3 of Part 2 of Schedule 1. The test procedure using ignition source 2 shall be as specified in BS 5852: Part 2. If smouldering or flaming failure against the criteria of clause 4 of BS 5852: Part 2 has not occurred or has occurred only by way of damage exceeding the limits defined in clause 4.1(e), 4.1(f) and 4.2(f) the composite cushion filling passes the ignitability test.

PART 4

IGNITABILITY TEST FOR COMPOSITE FILLINGS OF MATTRESSES AND BED-BASES

1. The test specimen shall be prepared as set out in BS 6807. It may be constructed from the filling materials to be used or by removing existing ticking from a mattress or upholstered divan or bed-base.
2. The specified test fabric as set out in paragraph 2 of Part 1 of Schedule 1 shall be used as the cover fabric. It shall be fitted so as to reproduce the tension in the original article where this is being tested.
3. The test shall be carried out according to Section Four of BS 6807 using ignition source 2 as specified in BS 5852: Part 2. Smouldering or flaming failure shall be as defined in BS 5852: Part 2.

SCHEDULE 3

(Article 6(2))

IGNITION RESISTANCE TEST FOR INTERLINER

1. An interliner which is a fabric that has been treated with a fire-retardant chemical to reduce the ignitability of the upholstery shall, before it is conditioned in accordance with clause 7.1 of BS 5852: Part 1, be subjected to the water-soaking procedure set out in clause 4.2 to 4.5 of BS 5651, save that for the second sub-clause of clause 4.5 there shall be substituted the following –

“After 30 minutes, remove the specimen, rinse in water (4.2.1) using a liquor ratio of 1:20 for 2 minutes, then dry the specimen by any method suitable for the fabric type.”

2. The interliner, water-soaked or not as the case may be, shall be tested using cover fabric corresponding to the specification set out in paragraph 3 and foam filling corresponding to the specification set out in paragraph 4. The test shall be conducted using ignition source 5 of BS 5852: Part 2.
3. The fabric shall be made of 100% flame retardant polyester fibre. Its construction shall be woven to a plain weave. The yarn in the warp shall be of 1.6 decitex fibre, spun to a linear density of 37 tex, Z twist at 420 turns per metre. The fabric shall be woven to 20.5 yarn threads per centimetre in the warp.

The yarn in the weft shall be of 3.3 decitex fibre spun to a linear density of 100 tex, Z twist at 550 turns per metre. The fabric shall be woven to between 12.6 and 13 threads per centimetre in the weft.

The fabric finish shall be scoured and heat set. Its mass shall be 220 g per m² plus or minus 5%.

4. The filling material for the test shall be non fire-retardant polyurethane foam corresponding to the specification set out in BS 3379 Type B Hardness grade 130 and of a density of 20–22 kg per m³.
5. The criteria of failure shall be those specified in clause 4 of BS 5852: Part 2.

SCHEDULE 4

(Article 3)

THE CIGARETTE TEST¹¹**PART 1**

The smouldering cigarette test specified in BS 5852: Part I shall be conducted subject to the following modifications

1. Appendix A of BS 5852: Part 1 shall be disregarded.
2. All braids and other trimmings shall be removed from material upon which a test is to be conducted.
3. Any covering fabric or fire-barrier material which has been treated with a fire-retardant chemical to reduce the ignitability of the upholstery shall, before it is conditioned in accordance with clause 7.1 of BS 5852: Part 1, be subjected to the water-soaking procedure set out in clause 4.2 to 4.5 of BS 5651, save that for the second sub-clause of clause 4.5 there shall be substituted the following –

“After 30 minutes, remove the specimen, rinse in water (4.2.1) using a liquor ratio of 1:20 for 2 minutes, and then dry the specimen by any method suitable for the fabric type.”
4. Where a test is to be conducted in respect of furniture which has no upholstered back and no upholstered arms, the materials on the test rig shall be arranged as if the furniture had an upholstered back the upholstery of which consisted of the same materials as the upholstery of the seat; and where a test is to be conducted in respect of furniture which has an upholstered back or upholstered arms but no upholstered seat, the materials on the test rig shall be arranged as if the furniture had an upholstered seat the upholstery of which consisted of the same materials as the upholstery of the back or arms.
5. Where the upholstery to be tested is such that the materials in one part of the furniture are not the same as those in another part, separate tests shall be conducted in respect of each part as if each part were the seat of furniture which had no upholstered back and no upholstered arms, save that no test shall be conducted in respect of a part the upholstery of which consists of the same materials as the upholstery of a part in respect of which a test has already been conducted; and in this paragraph, “part” means the back, the seat or the arms.
6. Where seams are exposed as part of the design of the covering material, at least one seam in respect of each test to be conducted shall be so aligned on the test rig that it crosses the junction of the back and the seat at approximately right angles thereto and not less than 50 mm from the nearest side edge, and the test (or, in the case of a test which is repeated,

the first test) shall be conducted with the cigarette placed across the seam at that junction.

PART 2

Cigarette test for invisible parts¹²

The cigarette test for invisible parts of covers shall be conducted in the way set out in Part 1 of this Schedule except that those parts need not be subjected to the water-soaking procedure set out in paragraph 3 thereof.

SCHEDULE 5

(Articles 6 and 7)

THE MATCH TEST**PART 1**

1. All braids and other trimmings shall be removed from material upon which a test is to be conducted.
2. Any covering fabric which has been treated with a fire-retardant chemical to reduce the ignitability of the upholstery shall, before it is conditioned in accordance with clause 7.1 of BS 5852: Part 1 be subjected to the water-soaking procedure set out in clause 4.2 to 4.5 of BS 5651, save that for the second sub-clause of clause 4.5 there shall be substituted the following –

“After 30 minutes, remove the specimen, rinse in water (4.2.1) using a liquor ratio of 1:20 for 2 minutes, and then dry the specimen by any method suitable for the fabric type.”
3. The test shall be carried out in accordance with those provisions of BS 5852: Part 1 which relate to butane flame ignition source 1. The filling material for this test shall be non-fire retardant polyurethane foam corresponding to the specification set out in BS 3379 Type B Hardness grade 130 and of a density of 20–22 kg per m³.
4. The criteria of failure shall be those specified in clause 9 of BS 5852: Part 1.

PART 2**THE MATCH TEST FOR STRETCH COVERS**

The test for stretch covers shall be conducted in the same way as for other cover materials except that the filling material over which the fabric is tested shall be a foam which passes the ignitability test in Part 1 of Schedule 1 and which has a density of 24–26 kg per m³.

PART 3**THE MATCH TEST FOR INVISIBLE PARTS OF COVERS¹³**

1. The test shall be carried out in accordance with those provisions of BS 5852: Part 1 which relate to butane flame ignition source 1. The filling material for this test shall be a foam which passes the ignitability test in Part 1 of Schedule 1 and which has a density of 24 – 26 kg per m³.

2. The criteria of failure shall be those specified in clause 9 of BS 5852: Part 1.

SCHEDULE 6

(Article 8)

DISPLAY LABELS**PART 1**

1. This Schedule applies to all furniture except mattresses, bed-bases, pillows and cushions.
2. The appropriate display labels are set out in Parts 2, 3 and 4 of this Schedule.
3. The display label shall be substantially in the form (including size, colours used and size and type of print used) of the label in Part 2, 3 or 4 of this Schedule, as the case may be.
4. In the case of furniture sold as a collection of pieces (such as three-piece suites) the appropriate display label shall be attached to each individual piece.

PART 2

Where the requirements of Articles 3, 4 and 6(1) are complied with the appropriate display label is –



**Filling material(s) and covering
fabric(s) meet the requirements
for resistance to cigarette and
match ignition in
the 1989 Safety Order**

**CARELESSNESS
CAUSES FIRE**

(Permitted alternative: The display label specified in Part II of Schedule 6 to the United Kingdom Regulations).

PART 3¹⁴

Where the furniture has a permanent cover which does not (or part of which does not) comply with Article 6(1) and which (or that part of which does not comply) is made of a relevant material within the meaning of Article 6(5)(a) and there is between the furniture and the cover (or any part of the cover which does not comply) an interliner which passes the test in Schedule 3; and the furniture satisfies the requirements of Articles 3 and 4 the appropriate display label is –



(Permitted alternative: The display label specified in Part III of Schedule 6 to the United Kingdom Regulations).

PART 4¹⁵

From the 1st September 1990 for insulated bags designed for carrying infants under the age of 6 months where in any case only the requirements of Articles 3 and 5 are complied with the appropriate display label is –



(Permitted alternative: The display label specified in Part IV of Schedule 6 to the United Kingdom Regulations).

SCHEDULE 7

(Article 9)

PERMANENT LABELLING REQUIREMENTS**PART 1**

1. This Schedule applies to all furniture (except mattresses and bed-bases) which includes upholstery, and to the covers referred to in Article 7(1) and (2).

PART 2

1. Subject to paragraphs 2, 3 and 4, articles mentioned in Part 1 shall bear a label which sets out, in order, the following –
 - (a) the words “CARELESSNESS CAUSES FIRE”;
 - (b) the name and the address of the principal place of business of the manufacturer or importer who first supplied the article in Jersey;
 - (c) the batch number or identification number (if any) of the article in question;
 - (d) the date on which the article was manufactured in, or imported (in its finished form) into, Jersey;
 - (e) the description of all the filling materials included in the article;
 - (f) the description of all the covering materials included in the article; and
 - (g) whether or not the article includes an interliner which passes the test in Schedule 3.
2. The matters set out in paragraph 1(c), (d), (f) and (g) need not appear on labels required for cushions and pillows.
3. The matters set out in paragraph 1(c), (d) and (g) need not appear on labels required for –
 - (a) cots, carry-cots, playpens, prams and pushchairs;
 - (b) any other article similar in its nature and use to any article in subparagraph (a) and designed to contain a baby or small child.
4. The matters set out in paragraph 1(c), (d), (e) and (g) need not appear on labels required for covers.
5. The labels specified in this Part may, in the case of covers, appear anywhere on the cover and, in the case of other articles, shall appear on an external surface of the article but in every case the labels shall not appear so as to obscure any label or mark required to appear on the article by or under any enactment.

6. In the case of furniture sold as a collection of pieces (such as 3-piece suites) and in the case of covers which are so sold the label shall be attached to each individual piece.
7. The wording and numbering specified in this Part shall appear in medium letters of at least 10 point in upper or lower case and shall be set out in legible and durable form on a background of a sufficiently contrasting colour to enable the wording and numbering to be clearly seen.

The label on which the wording and numbering appears shall itself be durable and shall be securely attached to the article in question.

PART 3

1. Subject to paragraphs 2 and 3, articles mentioned in Part 1 shall bear a label which sets out, in order, the following –
 - (a) the words “CARELESSNESS CAUSES FIRE”;
 - (b) the batch number or identification number (if any) of the article in question;
 - (c) whether or not the article includes an interliner which passes the test in Schedule 3; and
 - (d) a summary of the measures which have been taken to ensure that the article complies with the requirements of this Order.
2. The matters set out in paragraph 1(b) and (c) need not appear on labels required for –
 - (a) cushions and pillows;
 - (b) cots, carry-cots, playpens, prams and pushchairs;
 - (c) any other article similar in its nature and use to any article in subparagraph (b) and designed to contain a baby or small child;
 - (d) covers.
3. The labels specified in this Part may, in the case of covers, appear anywhere on the cover and, in the case of other articles, shall appear on an external surface of the article but in every case the labels shall not appear so as to obscure any label or mark required to appear on the article by or under any enactment.
4. In the case of furniture sold as a collection of pieces (such as 3-piece suites) and in the case of covers which are so sold the label shall be attached to each individual piece.
5. The wording and numbering specified in this Part shall appear in medium letters of at least 10 point in upper or lower case and shall be set out in legible and durable form on a background of a sufficiently contrasting colour to enable the wording and numbering to be clearly seen.

The label on which the wording and numbering appears shall itself be durable and shall be securely attached to the article in question.

(Permitted alternative: Permanent labelling which meets the requirements of Part II or Part III, as the case may be, of Schedule 7 to the United Kingdom Regulations).

SCHEDULE 8

(Article 16(2))

BODIES AUTHORIZED TO CARRY OUT TESTS

British Standards Institution
Hemel Hempstead Test House
Maylands Avenue
Hemel Hempstead
HERTS, HP2 4SQ

Fire Insurers' Research and Testing Organisation
Melrose Avenue
Borehamwood
HERTS, WD6 2BJ

Furniture Industry Research Association
Maxwell Road
Stevenage
HERTS, SG1 2EW

WIRA
Wira House
West Park Ring Road
LEEDS, LS16 6QL

Yarsley International Ltd.,
Trowers Way
REDHILL, WD6 2BJ

ENDNOTES**Table of Legislation History**

| Legislation | Year and No | Commencement |
|-------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------|
| Consumer Protection (Safety of Furniture and Furnishings) (Jersey) Order 1989 | R&O.7894 | 1 July 1989 (various exceptions listed in Article 17(2)) |
| Consumer Protection (Safety of Furniture and Furnishings) (Amendment) (Jersey) Order 1990 | R&O.8094 | 1 October 1990 |
| Transfer of Functions (Economic Development Committee) (Jersey) Act 2003 | R&O.101/2003 | 14 October 2003 |
| States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005 | R&O.44/2005 | 9 December 2005 |

Table of Renumbered Provisions

| Original | Current |
|-----------------|------------------------------------------|
| 1(2),(3) | spent, omitted from this revised edition |
| 1(4) | 1(2) |
| FIRST SCHEDULE | SCHEDULE 1 |
| PART I | PART 1 |
| PART II | PART 2 |
| PART III | PART 3 |
| SECOND SCHEDULE | SCHEDULE 2 |
| PART I | PART 1 |
| PART II | PART 2 |
| PART III | PART 3 |
| PART IV | PART 4 |
| THIRD SCHEDULE | SCHEDULE 3 |
| FOURTH SCHEDULE | SCHEDULE 4 |
| PART I | PART 1 |
| PART II | PART 2 |
| FIFTH SCHEDULE | SCHEDULE 5 |
| PART I | PART 1 |
| PART II | PART 2 |
| PART III | PART 3 |
| SIXTH SCHEDULE | SCHEDULE 6 |
| PART I | PART 1 |
| PART II | PART 2 |
| PART III | PART 3 |
| PART IV | PART 4 |
| SEVENTH | SCHEDULE 7 |

| Original | Current |
|-----------------|------------------------------------------|
| SCHEDULE | |
| PART I | PART 1 |
| PART II | PART 2 |
| PART III | PART 3 |
| EIGHTH SCHEDULE | spent, omitted from this revised edition |
| NINTH SCHEDULE | SCHEDULE 8 |

Table of Endnote References

¹

This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.

²

³ Article 1(1) definition “cigarette test” and “match test” deleted by R&O.8094

⁴ Article 1(1) definition “cushions” amended by R&O.8094

⁵ Article 1(1) definition “invisible part” and “visible part” inserted by R&O.8094

⁶ chapter 05.100

⁷ Article 3 substituted by R&O.8094

⁸ Article 5 substituted by R&O.8094

⁹ Article 6 substituted by R&O.8094

¹⁰ Article 12(2) amended by R&O.8094

¹¹ Schedule 4, Part 1 amended by R&O.8094

¹² Schedule 4, Part 2 inserted by R&O.8094

¹³ Schedule 5, Part 3 inserted by R&O.8094

¹⁴ Schedule 6, Part 3 amended by R&O.8094

¹⁵ Schedule 6, Part 4 amended by R&O.8094