

108TH CONGRESS  
1ST SESSION

# H. R. 3437

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

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2003

Mr. LANGEVIN (for himself, Mr. KENNEDY of Rhode Island, Mr. DELAHUNT, and Mr. MCGOVERN) 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.

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, the  
23          high temperature point at which all combustible ma-  
24          terials in a room ignites, in 5 minutes or less from  
25          the time at which polyurethane foam filled furniture

1 catches fire. National Fire Protection Association re-  
2 quirements state that 90 percent of the time fire-  
3 fighters must respond within 4 minutes. The abun-  
4 dance of foam makes it nearly impossible for first  
5 responders to arrive on the scene before it is too  
6 late.

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

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

13 Not later than 1 year after the date of the enactment  
14 of this Act, the Consumer Product Safety Commission  
15 shall, pursuant to section 4 of the Flammable Fabrics Act  
16 (15 U.S.C. 1193(a)), promulgate safety standards that  
17 address open flame ignition of mattresses, bedding, uphol-  
18 stered furniture, and sound proofing materials, and other  
19 materials containing polyurethane.

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