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## Legal action against furniture makers over fire risks

April 2004

**Two legal actions against US furniture manufacturers concerning the consequences of their products flammability have been settled out of court. The Attorney, Robin Foster, acting for a burns victim's family, has described the flammability of (non fire safety treated) foam in furniture as a "design flaw"**

Both [CBS News](#) and Extra-TV US have broadcast information on polyurethane foam (PUF) in furniture, including interviews of firefighters, and fire victims, fire tests and real fire video footage, and statements from the US PUF industry (transcripts and videos accessible free online at the TV stations' sites). The CBS video compares foam in domestic furniture with the PUF used as soundproofing material in the Station Nightclub, Rhode Island, where a tragic fire killed 99 people and injured 190 on 23<sup>rd</sup> February 2003. Firefighters accuse PUF in furniture of being "solid gasoline".

[Extra-TV](#) also carried out comparative burn tests, showing that fire-safety treated foam in furniture melts in contact with a flame but does not burn, whereas untreated foam goes up in flames.

Robin Foster, attorney acting for a fire victims' family states that deaths due to furniture fires are "occurring about two times a day in America because of upholstered furniture and the polyurethane foam within. I don't believe that's an accident. I believe that's a design flaw". Ikea, Spiegel and [Serta](#) are cited as furniture manufacturers who voluntarily are applying the California State requirements for domestic furniture fire safety across the US. The cost of fire proofing a settee is quoted as US\$25 "the price of three pizzas". The US PUF Association is quoted as declining an interview but stating that even FR materials can burn.

Foster is quoted by [Extra-TV](#) as stating that "many furniture makers throw away warning labels that come attached to the foam" and that the furniture company with which this lawsuit was settled "admitted to removing labels so as not to frighten consumers"

A similar story has also been run by [WXIA-TV](#) Atlanta, including fire tests carried out on mattresses and furniture by Atlanta Fire Department. The case of a fire victim who suffered grievous burns following a fire starting in a Love Seat is presented. This case was brought by the two Attorneys Robin Foster and [Kirk Morgan](#). The furniture manufacturer is cited as having agreed to settle a lawsuit filed by the victim. A follow up story on the same channel presented [Serta](#) Mattress Company's policy of fire safe mattresses.

[Keloland TV](#), South Dakota, has shown a comparative test of non-FR furniture and furniture treated with a spray on fire retardant ([NFC Flamex](#)). The programme blames upholstered furniture for fire fatalities. Firefighters of Sioux Falls Fire Rescue are quoted: "We don't like furniture fires they are really nasty, a lot of people get hurt because of the toxic gasses".

CBS News (Early Show 17<sup>th</sup> February 2004): transcript, free access to full video of programme including interviews, fire test and real fire footage ... :

<http://www.cbsnews.com/stories/2004/02/16/earlyshow/contributors/tracysmith/main600532.shtml>

Home: [www.cbsnews.com](http://www.cbsnews.com)

EXTRA-TV coverage : [http://extratv.warnerbros.com/cmp/spotlight/2000/02\\_10a.htm](http://extratv.warnerbros.com/cmp/spotlight/2000/02_10a.htm)

Station Nightclub fire (West Warwick, Rhode Island, Maine) 2003: <http://www.cefic-efra.com/pdf/0503/Nightclub.pdf> and <http://www.cefic-efra.com/pdf/2003.06/nightclubfilm603.pdf>

Serta Mattress Company: safer mattresses press release (use of FireBlocker FR):

<http://www.serta.com/pages/fireblocker.html>

WXIA-TV "11-Alive" 11<sup>th</sup> March 2004 "Designs Address Flammable Foam":

[http://www.11alive.com/help/search/search\\_article.aspx?storyid=44082](http://www.11alive.com/help/search/search_article.aspx?storyid=44082)

WXIA-TV "11-Alive" 23<sup>rd</sup> February 2004: "Furniture Foam Highly Flammable"

[http://www.11alive.com/news/news\\_article.aspx?storyid=43149](http://www.11alive.com/news/news_article.aspx?storyid=43149)

"Eye on Keloland" furniture fire programme, 1<sup>st</sup> March 2004:

<http://www.keloland.com/News/EyeonKELOLAND/NewsDetail2308.cfm?Id=22.30327>

National Fireproofing Company (NFC) Flamex (includes fire test demo video): <http://www.natfire.com/products.htm>