

# June 23, 2016 Advisory Council Meeting Materials Packet

## Table of Contents

<b>Meeting Agenda .....</b>	<b>1</b>
<b>Agenda Item 3: Southern California Enforcement Sweeps .....</b>	<b>3</b>
<b>Agenda Item 5: Service Contract Working Group Update .....</b>	<b>5</b>
<b>Agenda Item 9: Regulatory Update .....</b>	<b>7</b>
<b>Agenda Item 10: Licensing and Enforcement Update .....</b>	<b>11</b>
<b>Agenda Item 11: Bureau Outreach Update.....</b>	<b>14</b>
<b>Agenda Item 14: Summary of Home Furnishings Shared Responsibility.....</b>	<b>23</b>
<b>Agenda Item 15: Furniture Reimbursement Statistics and Goals .....</b>	<b>28</b>
<b>Agenda Item 16: TB 117-2013 and SB 1019 Compliance.....</b>	<b>30</b>
<b>Agenda Item 18: Barrier Research Study Update .....</b>	<b>33</b>
<b>Agenda Item 19: Home Furnishings Retail Advertisement Survey Update.....</b>	<b>38</b>

*Note: Meeting Material Page numbers are underlined and found at the bottom center of each page.*



**BUREAU OF ELECTRONIC AND APPLIANCE REPAIR  
HOME FURNISHINGS AND THERMAL INSULATION**  
4244 S. Market Ct, Suite D, Sacramento, CA 95834-1243  
P (916) 999-2041 F (916) 921-7279 / www.bearhfti.ca.gov

**ADVISORY COUNCIL MEETING  
NOTICE & AGENDA**

**Teleconference Meeting**

**Thursday, June 23, 2016, 9:00 a.m.**

Bureau of Electronic and Appliance Repair,  
Home Furnishings and Thermal Insulation

**Meeting Location:** Department of Consumer Affairs  
DCA HQ 2, Hearing Room 186  
1747 North Market Blvd., Sacramento, CA 95834

**Teleconference Phone Number: (866) 842-2981  
Participant Passcode #: 4598662**

**Advisory Council Members**

Sharron Bradley, Industry (HFTI)  
Burt Grimes, Industry (HFTI)  
Judy Levin, Public (HFTI)  
Joanne Mikami, Public (EAR & HFTI)  
David Spears, Industry (EAR)  
David Yarbrough, Industry (HFTI)

Donald Erwin, Industry (EAR)  
Timothy Hawkins, Industry (EAR)  
Donald Lucas, Public (HFTI)  
Leonard Price, Public (EAR)  
David Velasquez, Industry (EAR)

Unless noticed for a specific time, items may be heard at any time during the period of the Council meeting. The Bureau welcomes and encourages public participation in its meetings. The public may take appropriate opportunities to comment on any issue before the Bureau at the time the item is heard. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

1. Welcome and Introductions
2. Administrative Update

***Electronic and Appliance Repair Agenda Items***

3. Southern California Enforcement Sweeps
4. La Puente Adult Education Program
5. Service Contract Working Group Update
6. Summary of Professional Servicers Organization of California 2016 Convention and R-600 Repair Issues
7. Public Comment on Electronic and Appliance Repair Items not on the Agenda

***General Bureau Business Agenda Items***

8. Legislative Update
9. Regulatory Update
10. Licensing and Enforcement Update
11. Bureau Outreach Update
12. Public Comment on Items not on the Agenda

**Recess until 1:00 p.m.**

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**The Advisory Council will reconvene at 1:00 p.m.**

***Home Furnishing and Thermal Insulation Agenda Items***

13. Summary of 2016 IABFLO Conference and National and International Furniture News
14. Summary of Home Furnishings Shared Responsibility Laws (Business and Professions Code sections 19072 & 19072.5) and Red Tags (section 19202)
15. Furniture Reimbursement Statistics and Goals
16. TB 117-2013 and SB 1019 Compliance
17. Technical Bulletin 133 Status
18. Barrier Research Study Update
19. Home Furnishing Retail Advertisement Survey Update
20. Thermal Insulation Regulation Update
21. Public Comment on Home Furnishings and Thermal Insulation Items not on the Agenda
22. Adjournment

**This meeting facility is accessible to the physically disabled. A person who needs a disability-related accommodation or modifications in order to participate in the meeting may make a request by contacting Victoria Hernandez at (916) 999-2055 or for the hearing impaired, TDD (800) 326-2297; or by sending a written request to the Bureau at 4244 South Market Court, Suite D, Sacramento, CA 95834-1243, Attention: Victoria. Providing at least five working days' notice before the meeting will help ensure the availability of accommodations or modifications.**

Interested parties should call the Bureau at (916) 999-2055 to confirm.

Agenda Item 3: Southern California  
Enforcement Sweeps



## Southern California Enforcement Sweeps

- I. Bureau's efforts to exercise enforcement pertaining to unlicensed activity in San Diego (2 phases).
  - A. Phase 1 - February 8-12, 2016
    1. Conducted extensive research including delinquent reports, web searches, and placed calls to businesses. The Bureau's research efforts identified 140 delinquent licenses.
    2. Phase 1 of enforcement sweep was to follow up on 140 delinquents.
    3. Results:
      - a. 81 inspections conducted;
      - b. 60 licenses determined "out-of-business;"
      - c. 21 \$0 citations written - 16 businesses have renewed/complied, five businesses required issuance of \$250 citation during Phase 2;
      - d. After this work was completed, the Bureau still had a list of 59 businesses that required field visits for follow up to gain compliance.
  - B. Phase 2 - May 9-13, 2016
    1. Goal was to finish enforcement pertaining to all delinquents on the list of 140 from beginning of Phase 1.
    2. 59 businesses with delinquent licenses remained after Phase 1. During Phase 2, all 59 were visited and have complied or were issued a \$250 citation.
    3. Field Enforcement Teams also identified and cited 15 unlicensed businesses. These were random finds unrelated to the existing list of delinquents.
- II. Future Sweeps
  1. The Bureau will be doing an enforcement sweep in Sacramento/Bay Area and greater Northern California in the coming seven months. The Bureau will bring the field team from Southern California up north to assist in following up on outstanding delinquent licenses and other enforcement issues.
  2. The Bureau will be conducting research efforts prior to the enforcement sweep to gain solid insight as to what businesses will require a visit.
- III. Bureau Recruiting - Working to fill two Field Representative positions in Northern California.

Agenda Item 5: Service Contract Working  
Group Update

## **Service Contract Working Group Update**

### **Tentative Time Line for Report Development:**

- Week of May 31, 2016: Review outline and topic sections. Make revisions and additions to what the report should contain. Further assignments as needed.
- Week of July 1, 2016: First rough draft of report. Solicit additional comments and revisions.
- Week of August 1, 2016: Second rough draft of report. Additional comments and revisions.
- Week of September 1, 2016: Third rough draft of report. Additional comments and revisions.
- Week of October 1, 2016: Adjust and finalize report.
- October 13, 2016: Present report to Advisory Council

### **Currently Identified Areas of Discussion:**

- Regulated offerings vs. non-regulated – examples
  - Bureau-regulated offerings
  - Department of Insurance regulated offerings
  - Non-regulated offerings
- Adequacy of consumer protection and recourse
  - Service contractor responsibility
    - Program dissolution
    - Record keeping/reporting
    - Filing contracts before use
  - Bankruptcy
  - Notification of insurance policy termination
- Consumer perception and expectation
  - Survey review
  - Bureau market condition findings
  - Mason-Dixon National Warranty survey results
- Future of the market (growth, marketing, potential offerings)
- Relevancy of current statute and regulations to current and future marketplace
  - Where is Bureau regulation lacking?
  - Recommendations regarding product coverage (list, vs. generic)
  - Inconsistencies in Song-Beverly Consumer Warranty Act
  - Civil Code §1793.2 restricts the length of term of warranty service contracts (Agreement between independent repair facilities and the manufacturer) to one year.

## Agenda Item 9: Regulatory Update



## BEARHFTI Regulatory Update

Program	Subject	Issue	CCR Section(s)	Priority	Status
HFTI	Licensing Fee Increases	Raise HFTI licensing fees following passage of AB1175	4 CCR 1107	High	To be noticed by Office of Administrative Law June 26, 2016.
EAR	Registration Fee Increases	Raise EAR registration fees following passage of AB1175	16 CCR 2760	High	In Departmental Review
EAR	Citation Fee Cap Increase	Align citation fees with allowed fines in general statute	16 CCR 2771 and 2772	High	In Departmental Review
EAR	Service Contract Application	Revise to no longer require in regulation	16 CCR 2756	High	Bureau currently drafting
HFTI	Advertising	Update advertising regulations to address current market practices	4 CCR 1300 et seq.	High	Research and discussion phase - Retailer Surveys In Progress
HFTI	Thermal Insulation	Revise to make language current	Title 24, Part 12	High	Bureau finalizing draft, planned submittal to Department, July 1, 2016.
<b>HFTI</b>	<b>TB 133 Reference Removal</b>	<b>Remove TB 133 standard requirement for certain high occupancy buildings.</b>	<b>4 CCR 1374, 1374.3 Title 24 Part 9</b>	<b>High</b>	<b>Bureau conducting further research.</b>

<b>HFTI</b>	<b>Law Label Update</b>	<b>Update appropriate use of filling material terms and improve conformity with national trends.</b>	<b>Numerous provisions within Title 4.</b>	<b>Medium</b>	<b>Stakeholder discussion and drafting to commence 2017.</b>
HFTI	Citation Fee Cap Increase	Align citation fees with allowed fines in general statute	4 CCR 1383.2	Medium	Bureau currently drafting
EAR	Disciplinary Guidelines	Update with additional probationary provisions	16 CCR 2775	Medium	Bureau currently drafting
HFTI	Disciplinary Guidelines	Update with additional probationary provisions	4 CCR 1379	Medium	Bureau currently drafting
EAR	Advertising	Update advertising regulations to address current market practices and to require registration numbers in advertisement	16 CCR 2751 et seq.	Medium	Research and discussion phase
HFTI	Labeling Updates	Revise to make language current, add plumage label example	4 CCR 1125 et seq.	Medium	Research and discussion phase
HFTI	Laboratory Terminology	Update to include current materials	TBD	Medium	Research and discussion phase

## BEARHFTI Regulatory Update

Program	Subject	Issue	CCR Section(s)	Priority	Status
EAR	Obsolete technology	Remove references to picture tube grading and other technology that is no longer relevant	16 CCR 2727 et seq.	Low	Bureau currently drafting
HFTI	Water Beds	Remove and update references	TBD	Low	To be incorporated into law label rulemaking
HFTI	Plumage	Update cleanliness requirements, evaluate oxygen standard, update citation regulations to remove obsolete fine authority for section 1192.1, and add fine authority for section 1193.	4 CCR 1193(h), 1383.2	Low	To be incorporated into law label rulemaking
HFTI	Damaged Feathers	Assess current damaged feather failure rate and evaluate changing current standard to sliding scale	4 CCR 1193(b), 1193(c)	Low	To be incorporated into law label rulemaking
HFTI	Mattresses	Update flammability regulations to include smoldering resistance requirements of 16 CFR 1632	TBD	Low	Under consideration
HFTI	Obsolete Regulations	Repeal obsolete language within the general provisions and citation regulations	4 CCR 1114-1121, 1383.2	Low	To be incorporated into law label rulemaking
EAR	Registration Renewals	Update registration renewal regulations and applications to include criminal history inquiry	TBD	Low	Under consideration

**Home Furnishing and Thermal Insulation Proposed Fee Changes  
(Expected Effective October 2016)  
Renewed Every Two Years**

(1) Importer's License	\$650	\$750	\$100 (15.38%)
(2) Furniture and Bedding Manufacturer's License	\$650	\$750	\$100 (15.38%)
(3) Wholesale Furniture and Bedding Dealer's License	\$540	\$625	\$85 (15.74%)
(4) Supply Dealer's License	\$540	\$625	\$85 (15.74%)
(5) Custom Upholsterer's License	\$360	\$420	\$60 (16.67%)
(6) Sanitizer's License	\$360	\$420	\$60 (16.67%)
(7) Retail Furniture Dealer's License	\$120	\$140	\$20 (16.67%)
(8) Retail Bedding Dealer's License	\$120	\$140	\$20 (16.67%)
(9) Retail Furniture and Bedding Dealer's License	\$240	\$280	\$40 (16.67%)

**Electronic and Appliance Repair Proposed Fee Changes  
(Expected Effective January 2017)  
Renewed Annually**

<b>Registration Type</b>	<b>Current Fee</b>	<b>Proposed Fee</b>	<b>Amount of Increase</b>
Electronic Service Dealer - E	\$165	\$190	\$25 (15.15%)
Appliance Service Dealer - A	\$165	\$190	\$25 (15.15%)
Combination Types E and A Service Dealer - C	\$325	\$375	\$50 (15.38%)
Service Contract Seller - S	\$75	\$95	\$20 (26.67%)
Service Contract Administrator - SA	\$75	\$95	\$20 (26.67%)

## Agenda Item 10: Licensing and Enforcement Update

## LICENSING STATISTICS

February – May 2016

<b><i>EAR Registrations</i></b>	Feb 2016	March 2016	April 2016	May 2016
Appliance Service Dealer	2,575	2,603	2,616	2,629
Electronic Service Dealer	5,058	5,094	5,083	5,056
Combination Electronic/Appliance Service Dealer	492	576	579	572
Service Contract Administrator	43	43	44	44
Service Contract Seller	10,610	10,675	10,877	11,191
<b><i>Total EAR Registrations</i></b>	<b>18,778</b>	<b>18,991</b>	<b>19,199</b>	<b>19,492</b>

<b><i>HFTI Licenses</i></b>	Feb 2016	March 2016	April 2016	May 2016
Furniture Retailers	2,259	2,300	2,307	2,314
Bedding Retailers	1,614	1,580	1,592	1,605
Furniture & Bedding Retailers	11,665	11,673	11,729	11,692
Custom Upholsterers	483	487	490	493
Supply Dealers	133	134	134	135
Importers (includes overseas Manufacturers)	4,553	4,569	4,601	4,667
Manufacturers	1,470	1,472	1,477	1,475
Sanitizers	15	15	13	13
Wholesalers	150	154	162	167
Thermal Insulation Manufacturers	117	116	115	115
<b><i>Total HFTI Licenses</i></b>	<b>22,459</b>	<b>22,500</b>	<b>22,620</b>	<b>22,676</b>

- There have been 3 cases forwarded to the Attorney General's Office in 2016, and 2 cases pending from prior years.
- There are currently 6 licenses on Probation.

<b>Citations Issued</b>			
<b>Year</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>
2012-13	442	26	468
2013-14	1,047	488	1,535
2014-15	1,007	489	1,496
*2015-16	916	502	1,418

<b>Telephone Disconnects Ordered</b>			
<b>Year</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>
2012-13	3	5	8
2013-14	0	0	0
2014-15	19	4	23
*2015-16	76	21	97

<b>Consumer Complaints</b>						
<b>Opened</b>				<b>Closed</b>		
<b>Year</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>
2012-13	703	263	966	734	276	1,010
2013-14	730	272	1,002	718	277	995
2014-15	739	307	1,046	705	297	1,002
*2015-16	647	276	923	734	288	1,022

<b>Internal Cases (Investigations)</b>						
<b>Opened</b>				<b>Closed</b>		
<b>Year</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>	<b>EAR</b>	<b>HFTI</b>	<b>Total</b>
2012-13	646	332	978	700	278	978
2013-14	1,336	670	2,006	1,301	685	1,986
2014-15	1,155	622	1,777	1,215	626	1,841
*2015-16	1,055	598	1,653	1,066	638	1,704

\*through May 31, 2016

## Agenda Item 11: Bureau Outreach Update

Bureau of Electronic and Appliance  
Repair, Home Furnishings and  
Thermal Insulation

Home
The Bureau
Bureau Activities
Applicants and Licensees
Consumers
Publications

## >Welcome to the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation (BEARHFTI)

At the Bureau, we strive to protect consumers, work with and educate businesses so we can be mutually successful in today's challenging marketplace.

The Bureau is comprised of a group of skilled individuals, many coming from the industry itself, who conduct inspections, process licenses and enforce compliance with the law. Our dedicated team has an open communication with the public and the industry, welcoming feedback, suggestions, and innovative ideas to continually improve our services.

Please let us know how we can better serve you. We are here to help.

**What's new**

- May 2016: Notice of Advisory Council Meeting
- May 2016: Subcontractor's Brochure
- May 2016: Labeling Brochure
- **NEW!** – BEARHFTI 2016 Outreach Plan
- October 2015: Approved Regulation- Ignition Interlock Devices

**Governor**  
**Edmund G. Brown Jr.**  
[Visit His Webpage](#)

**Acting Secretary**  
**Alexis Podesta**  
[SCSN](#)

**Director**  
**Awet Kidane**  
Department of  
Consumer Affairs

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Applicants and Licensees

HFTI

- ◊ Applications
- ◊ Labeling
- ◊ Testing the Smolder Resistance of Materials Used in Upholstered Furniture (TB-117-2013)
- ◊ Flame Retardant Chemical Disclosure (relating to SB 1019)
  - ◊ Industry Advisory, SB-1019
  - ◊ SB-1019 FAQs
  - ◊ Inter-Agency Agreement (IAA)
  - ◊ Department of Toxic Substances Control (for information concerning testing)

◊ Additional Information

EAR

- ◊ Applications
- ◊ Additional Information

Additional Forms and Information

- ◊ Declaration of Business Activities
- ◊ Change of Address or Name

Quick Links

- ◊ License Search
- ◊ Contact Us
- ◊ Council Meetings
- ◊ File a Complaint
- ◊ License Application
- ◊ Renew a License
- ◊ Join Our Interested Parties List

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BUREAU OF ELECTRONIC & APPLIANCE REPAIR,  
HOME FURNISHINGS & THERMAL INSULATION

STATE OF CALIFORNIA

The logo for the Department of Consumer Affairs (dca) consists of the lowercase letters "dca" in a stylized, blocky font. The "d" and "a" are blue, and the "c" is green.

DEPARTMENT OF CONSUMER AFFAIRS

## SPANISH (ESPAÑOL)

Para ayudarle mejor, por favor llame al (916) 999-2079 y deje un breve mensaje y su información de contacto. Un representante de la Oficina y un traductor se pondrá en contacto con usted tan pronto como sea posible.



BEARHFTI

BUREAU OF ELECTRONIC & APPLIANCE REPAIR,  
HOME FURNISHINGS & THERMAL INSULATION

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

## MANDARIN CHINESE (普通话)

为了更好的服务，请拨打  
(916) 999-2050 并留言。请留下  
您的联系方式，我们的代表和翻  
译人员会尽快联系您。

## LICENSING REQUIREMENTS

### Who Gets Licensed?

If you conduct business in the home furnishings and bedding industry, you are required to maintain a valid license issued by BEARHFTI. Businesses are required to be licensed **BEFORE** they can operate or provide a service (Business and Professions Code section 19049).

If you are unsure what type of license you need or have any questions about the different license types available, contact BEARHFTI by e-mail at [homeproducts@dca.ca.gov](mailto:homeproducts@dca.ca.gov) or by calling (916) 999-2041. You may seek additional information on the BEARHFTI website at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov).



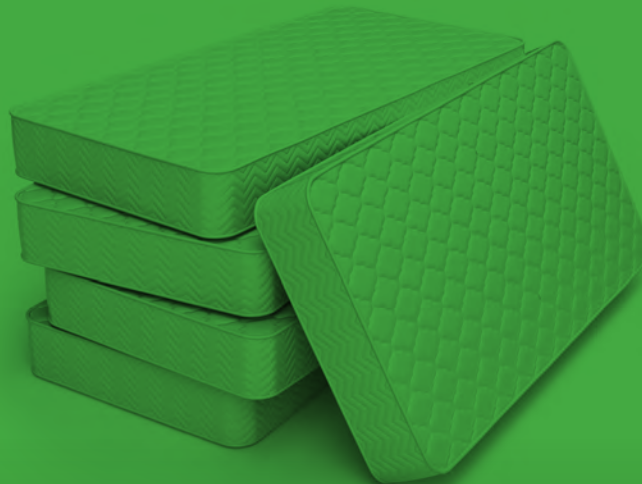
STATE OF CALIFORNIA

**dca**

DEPARTMENT OF CONSUMER AFFAIRS

## ENFORCEMENT

BEARHFTI laws and regulations are enforced through routine inspections. Enforcement also includes the flammability testing of products and the review of product labels, which is performed at BEARHFTI's laboratory. If a licensee refuses to correct violations identified by BEARHFTI, citations and penalties will be assessed or legal action may be taken against the business.



**BEARHFTI**

BUREAU OF ELECTRONIC & APPLIANCE REPAIR,  
HOME FURNISHINGS & THERMAL INSULATION

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**CALIFORNIA  
UPHOLSTERED  
FURNITURE AND  
BEDDING LAWS**

**BEARHFTI**

BUREAU OF ELECTRONIC & APPLIANCE REPAIR,  
HOME FURNISHINGS & THERMAL INSULATION

## BUREAU OF ELECTRONIC & APPLIANCE REPAIR, HOME FURNISHINGS & THERMAL INSULATION

The Bureau of Electronic & Appliance Repair, Home Furnishings & Thermal Insulation (BEARHFTI/Bureau) is the regulatory agency, under the California Department of Consumer Affairs, that oversees the licensing and inspection of businesses that sell upholstered furniture and bedding products to California consumers. BEARHFTI enforces the Home Furnishings and Thermal Insulation Act, which requires all upholstered furniture and bedding products meet certain flammability standards and labeling requirements before they can be offered for sale to consumers.

## STATE REGISTRY NUMBERS

BEARHFTI issues a registry number to manufacturers, custom upholsterers, and supply dealers when they are licensed. The registry number is used to identify the business that manufactured the product and the business' location. Consumers can look up the registry number on the Bureau's website [www.bearhfti.ca.gov/enforcement/lookup.shtml](http://www.bearhfti.ca.gov/enforcement/lookup.shtml) to obtain manufacturing information.

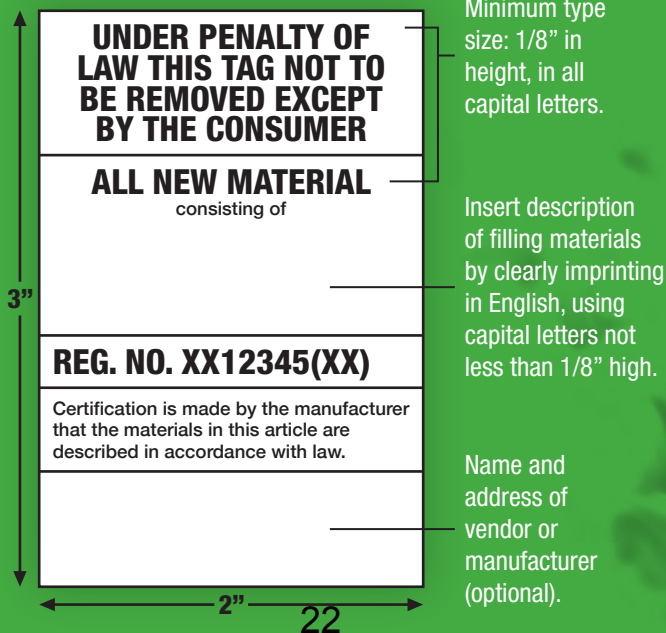


## LABELING REQUIREMENTS

Articles of upholstered furniture and bedding must be properly labeled before they can be offered for sale. Labels must be securely attached to the product and easily visible at the point of sale. For all labels required by BEARHFTI, the size of the label must be a minimum of 2" x 3" and the type must be in black ink and a minimum of 1/8" in size.

## LAW LABELS

Every article of upholstered furniture and bedding products must have a law label to identify the manufacturer, their location, and the filling materials that were used during the making of the product. White law labels are used for products made with new material, red law labels are used for products made with secondhand material, and green law labels are used for products made with the consumers' own material. This is an example of a law label for upholstered furniture with new material:



## FLAMMABILITY LABEL AND FLAME RETARDANT CHEMICAL STATEMENT

In addition to a law label, flammability labels must be attached to upholstered furniture products to describe which flammability standard it meets. Products meeting Technical Bulletin 117-2013 must also have the flammability chemical statement on the label. The flammability chemical statement describes whether articles used to make the product contains flame retardant chemicals. This is an example of a flammability label for products that meet Technical Bulletin 117-2013:

**NOTICE**

THIS ARTICLE MEETS THE FLAMMABILITY REQUIREMENTS OF CALIFORNIA BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION TECHNICAL BULLETIN 117-2013. CARE SHOULD BE EXERCISED NEAR OPEN FLAME OR WITH BURNING CIGARETTES.

The upholstery materials in this product:

contain added flame retardant chemicals  
 contain NO added flame retardant chemicals

The State of California has updated the flammability standard and determined that the fire safety requirements for this product can be met without adding flame retardant chemicals. The State has identified many flame retardant chemicals as being known to, or strongly suspected of, adversely impacting human health or development.

If consumers want to check if furniture is free of added flame retardant chemicals, they can ask the retailers to show them this label. Retailers are obligated to tip furniture or take other steps to make sure consumers can see this label.

For more label examples, go to BEARHFTI's website at [www.bearhfti.ca.gov/industry/label\\_examples.pdf](http://www.bearhfti.ca.gov/industry/label_examples.pdf)

Agenda Item 14: Summary of Home Furnishings and Thermal  
Insulation Shared Responsibility



# Shared Responsibility

## **BUSINESS AND PROFESSIONS CODE**

### **19072.**

Responsibility for compliance with this chapter rests not only with the manufacturer but also with the importer, wholesaler, retailer, or any person having in his or her possession any article of upholstered furniture or bedding, or filling materials with intent to resell contrary to the provisions of this chapter.

*(Amended by Stats. 1996, Ch. 1137, Sec. 44. Effective January 1, 1997.)*

1

## **BUSINESS AND PROFESSIONS CODE**

### **19072.5.**

Importers, wholesalers, and retailers shall not sell or resell in California unlabeled upholstered furniture or bedding. Importers, wholesalers, and retailers shall obtain labels from the manufacturer of those articles and shall affix the labels before offering any upholstered furniture or bedding for sale. This does not include furniture used exclusively for the purpose of physical fitness and exercise.

*(Amended by Stats. 1996, Ch. 1137, Sec. 45. Effective January 1, 1997.)*

2

# California Code of Regulations

## § 1110. "Withhold from Sale" Tag.

A "Withhold from Sale" tag attached by the Bureau to the material or article of upholstered furniture and bedding withheld from sale shall not be concealed or obstructed from view in any manner. The licensee shall not remove or allow the removal of the withhold from sale tag without the express approval of the Bureau.

Note: Authority cited: Sections 19034 and 19081, Business and Professions Code. Reference: Sections 19081, 19202, 19203 and 19204, Business and Professions Code.

3

STATE OF CALIFORNIA - DEPARTMENT OF INDUSTRIAL RELATIONS

**BUREAU OF ELECTRONIC AND APPLIANCE REPAIR**  
**HOME FURNISHINGS AND THERMAL INSULATION**  
4901 O. MARKET COURT, SUITE 111  
SACRAMENTO, CA 95834-1102  
TELEPHONE: (916) 999-3934 • FAX: (916) 999-3278  
Website: [www.dca.ca.gov](http://www.dca.ca.gov)

**INSPECTION REPORT** IR-102581

**Home Furnishings and Thermal Insulation** Subject: CR

Licensee Name	License No.	Station No.	Site (Address)

City	State (From Place No.)	Area Code (For No.)

Business Name	City	State (From No.)	Business No.

Trade Name	Trade No.

INSPECTION TYPE:  Routine  Inspection  Maintenance  Withdrawal  Other

SUBJECT COMPLAINT: Description:  Sample Taken  Sample No.:

**BUSINESS & PROFESSIONS CODE SECTIONS:**  
 19081 (a) and (b)(1) - Labeling  
 19081 (b)(2) - Attachment position  
 19081 (c) - Labeling label or use site info.  
 19081 (d) - Labeling label or use site info.  
 19081 (e) - Labeling label or use site info.  
 19081 (f) - Labeling label or use site info.  
 19081 (g) - Labeling label or use site info.  
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 19081 (w) - Labeling label or use site info.  
 19081 (x) - Labeling label or use site info.  
 19081 (y) - Labeling label or use site info.  
 19081 (z) - Labeling label or use site info.

**CALIFORNIA CODE OF REGULATIONS SECTIONS:**  
 11801 (a) - Regulatory Authority  
 11801 (b) - Licensee Requirements  
 11801 (c) - Administrative Law  
 11801 (d) - Administrative Law  
 11801 (e) - Administrative Law  
 11801 (f) - Administrative Law  
 11801 (g) - Administrative Law  
 11801 (h) - Administrative Law  
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 11801 (t) - Administrative Law  
 11801 (u) - Administrative Law  
 11801 (v) - Administrative Law  
 11801 (w) - Administrative Law  
 11801 (x) - Administrative Law  
 11801 (y) - Administrative Law  
 11801 (z) - Administrative Law

**LICENSE REQUIREMENTS:**  I have a California License for this activity.

Failure to license where required by law may subject you to civil or other legal penalties.

Comments:

Business Name	Business Registration No.	Date	Page 1 of 1

For Official Use: For Official Use: For Official Use: For Official Use: For Official Use: For Official Use: For Official Use: For Official Use: For Official Use: For Official Use:

4

STATE OF CALIFORNIA - STATE AND COUNTY OFFICES AND SERVICES DIVISION

**BUREAU OF ELECTRONIC AND APPLIANCE REPAIR,  
HOME FURNISHINGS AND THERMAL INSULATION**

4343 S. MARKET COURT, SUITE C  
SACRAMENTO, CA 95831-0343  
TELEPHONE: (916) 847-1219 FAX: (916) 847-1219  
www.besra.ca.gov

CR 70641

**CONTACT REPORT** Date: \_\_\_\_\_

INSPECTION  COMPLAINT  INVESTIGATION  DIRECTED INSPECTION  UNLICENSED

Inspection Pursuant to Sections 15206, 15209.5, 15282 and 15213 of the Business and Professions Code

Business/Individual		License No.	Registry No.	Expiration Date
Address		City	State/County	Zip Code
Person in Charge	Owner	Area Code/Phone No.	Area Code/FAX No.	
Sampling Record	History of Work	Inspection Contact Report	B-Best Address Available	

The contact report does not constitute a representation of satisfaction on your part. The following information is provided for use as a guide in writing and where you are the applicant and under regulations under the jurisdiction of the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation. If you have further questions regarding the report, please contact BEARPT (Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation), 4343 S. Market Court, Suite C, Sacramento, CA 95831-0343. Be advised that the information on this form is public.

Business & Professions Code \_\_\_\_\_  
 California Code of Regulations \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**A SIGNATURE REPRESENTATIVE HAS EXPLAINED THIS CONTACT REPORT TO ME AND I HAVE RECEIVED A COPY.**

**ALL LICENSED FURNITURE AND BEDDING PRODUCTS SOLD IN CALIFORNIA MUST BE MADE OR IMPORTED BY LICENSED MANUFACTURERS / IMPORTERS**

Product Name	Registration	Model No.	Model No. (N/A)
Importer Name	Importer Registration	Year	Year (N/A)
Part (N/A) Serial	Part (N/A) Serial (N/A)	Part (N/A) Part (N/A)	Part (N/A) Part (N/A)

5

STATE OF CALIFORNIA - STATE AND COUNTY OFFICES AND SERVICES DIVISION

**BUREAU OF ELECTRONIC AND APPLIANCE REPAIR,  
HOME FURNISHINGS AND THERMAL INSULATION**

4343 S. MARKET COURT, SUITE C SACRAMENTO, CA 95831-0343  
TELEPHONE: (916) 847-1219 FAX: (916) 847-1219  
www.besra.ca.gov

WH 7326

CR \_\_\_\_\_

**NOTICE OF "RED TAG" WITHHELD FROM SALE**

All items described on this form are withheld from sale by order of the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation until further notice.

Business/Individual		License Number
Address		City, State/County, Zip Code
Person in Charge	Owner	Area Code/Phone No., Area Code/FAX No.
Manufacturer	License No.	Registry No., Exp. Date

Items Withheld	Qty	Red Tag No.	Reason for Withhold

Pursuant to Sections 73002 and 73005 of the Business and Professions Code

All items listed on this Notice are hereby withheld from sale and are to remain on these premises until further notification. The Bureau has affixed a "Withhold From Sale" tag (Red Tag) to the items listed above. The Red Tag shall not be concealed, obliterated from view, removed or allowed to be removed without the express approval of the Bureau. (Title 4, California Code of Regulations, Section 1118.)

If you have any questions regarding this "Red Tag Withhold from Sale" notice you may contact the Field Operations Manager at the address below.

Product Name	Registration	Model No.	Model No. (N/A)
Importer Name	Importer Registration	Year	Year (N/A)

Part (N/A) Serial, Part (N/A) Serial (N/A), Part (N/A) Serial (N/A) Part (N/A) Serial (N/A) Part (N/A) Serial (N/A) Part (N/A) Serial (N/A)

6

**WITHHOLD  
FROM SALE  
NOTICE**

This product withheld from sale  
pursuant to California Business &  
Professions Code Section 19202  
Red Tag # S-23102

**DO NOT REMOVE**



Bureau of Electronic and Appliance  
Repair, Home Furnishings  
and Thermal Insulation  
4244 S. Market Court, Suite D  
Sacramento, CA 95834-1243  
(916) 999-2041 [www.beafti.ca.gov](http://www.beafti.ca.gov)

## Agenda Item 15: Furniture Reimbursement Statistics and Goals

**PRODUCT REIMBURSEMENT**  
**(Products Secured 11/1/2015-Current)**

Year	# of Items	# Tested	Fails	Passed	Sent AP
2015	48	22	4	18	2
2016	167	16	13	3	1
<b>TOTAL</b>	<b>215</b>	<b>38</b>	<b>17</b>	<b>21</b>	<b>3</b>

**TIMEFRAME**

Analysis	Date Secured	1st Notice	Final Notice	Invoice Rec'd	Sent AP
0463-15	11/23/15	02/25/16	03/31/16	No Response	N/A
0464-15	11/23/15	02/18/16	03/31/16	No Response	N/A
0466-15	11/18/15	02/26/16	03/31/16	No Response	N/A
0468-15	11/25/15	03/01/16	04/14/16	No Response	N/A
0469-15	11/25/15	03/14/16	04/14/16	No Response	N/A
0470-15	11/25/15	03/14/16	04/14/16	05/12/16	05/13/16
0471-15	12/07/15	05/25/16	N/A	No Response	N/A
0479-15	12/03/15	02/03/16	03/16/16	No Response	N/A
0480-15	12/03/15	05/20/16	N/A	No Response	N/A
0484-15	12/10/15	02/04/16	03/16/16	No Response	N/A
0485-15	12/10/15	05/19/16	N/A	No Response	N/A
0486-15	12/20/15	02/23/16	N/A	03/15/16	03/16/16
0487-15	12/01/15	02/22/16	04/15/16	No Response	N/A
0488-15	12/14/15	05/19/16	N/A	No Response	N/A
0489-15	12/09/15	05/19/16	N/A	No Response	N/A
0493-15	12/21/15	05/20/16	N/A	No Response	N/A
0494-15	12/21/15	05/20/16	N/A	No Response	N/A
0498-15	12/22/15	05/26/16	N/A	No Response	N/A
0020-16	12/30/15	02/26/16	N/A	03/21/16	03/28/16
0115-16	04/11/16	05/12/16	N/A	Unresolved	N/A
0117-16	04/11/16	05/10/16	06/14/16	No Response	N/A

**BEARHFTI Processing**

From Pickup To Notice	3 Months
From Notice to Accounts Payable (AP)	1 Month

Remaining State Processing

From AP to State Controller's Office (SCO)	1 Month (Small Business 15 days)
From SCO to Check Mailed to Licensee	15 Days

**TOTAL PROCESSING TIME: 5 Months and 15 Days**

## Agenda Item 16: TB 117-2013 and SB 1019 Compliance

## LABORATORY ANALYSIS STATISTICS

### FR CHEMICAL LABELING

Samples Received with the Flame Retardant Chemical Statement 2015					
Month	"NO" Chemicals Checked	Contains Chemicals	No Box Checked	FR Doc Request Sent	DTSC Analysis (sample mail date)
January	0	0	0	0	0
February	1	1	0	0	0
March	2	1	0	0	0
April	5	2	0	0	0
May	6	0	0	8	0
June	9	5	3	3	0
July	9	1	1	0	0
August	11	4	0	1	0
September	3	3	0	0	0
October	0	0	0	0	0
November	2	0	0	0	0
December	13	4	0	0	0
Total	61 (71%)	21 (24%)	4 (5%)	12 (20% of those marked "NO")	0
Total TB117-2013 Samples Received: 208 (86 w/SB1019 or 41%)					

Samples Received with the Flame Retardant Chemical Statement 01/01/2016 – 05/31/2016					
Month	"NO" Chemicals Checked	Contains Chemicals	No Box Checked	FR Doc Request Sent	DTSC Analysis (sample mail date)
January	14	3	1	0	5
February	12	4	0	5	0
March	19	9	1	5	5
April	12	10	0	5	0
May	5	6	1	2	0
Total	62 (64%)	32 (33%)	3 (3%)	17 (27% of those marked "NO")	10
Total TB117-2013 Samples Received: 117 (97 w/SB1019 or 83%)					



Samples Analyzed with the "NO" Flame Retardant Chemical Statement Results as of 5/31/2016				
Type Test	Pass		Fail	
	No.	%	No.	%
DTSC Analysis (10)	7	70	3	30
FR Doc Review (29)	N/A	N/A	N/A	N/A

## LAB TEST RESULTS

Data for FYTD 15/16:

Completed Samples 07/01/15 - 05/31/16				
Type Test	Pass		Fail	
	No.	%	No.	%
TB117-2013 (upholstered furniture)	131	91	13	9
16CFR1633 (mattress/mattress sets)	36	67	18	33
16CFR1632 (Mattress/mattress pads)	3	100	0	0
Plumage (Feather & Down)	1	50	1	50
Thermal Insulation	18	90	2	10
*Bedding (no flam)	(25)	N/A	0	N/A
**Labeling	36	16	<b>192</b>	<b>84</b>
Total <sup>2</sup>	189	85	34	15

\*Comforter, bed pillows, decorator pillows, quilts, body pillow or any other type of product that does not require flammability testing or plumage analysis.

\*\*This category includes labeling results for products with the exception of Thermal Insulation products.

<sup>2</sup>Total results do not include bedding, labeling or FR Doc.

Agenda Item 18: Barrier Research Study Update

## Open Flame Barrier Study

### Full-Scale Validation Mockup Open Flame Tests

The full scale validation tests will be conducted in the full-scale fire testing facility (burn room) under the calorimeter exhaust hood. The heat release rate and the total heat release will be measured and determined in these tests. The test duration will not be pre-determined. The test will continue until either the test specimen self-extinguishes, or is fully consumed by the fire. The test duration will not exceed one hour.

#### **Test Facility:**

The mockup test specimen consisting of seat/back/arm cushions will be placed on a mockup chair metal test frame.

#### **Conditioning:**

Condition all specimens at a temperature of greater than 18°C (65°F) and less than 25°C (77°F) and less than 55% for at least 48 continuous hours prior to test.

#### **Mockup Test Specimen:**

The mockup test specimen consists of a seat, a back and two arm cushions as shown in Figure 1. The seat and the back cushions shall be 24" X 24" X 4". The arms shall be 24" X 12" X 4". The back cushion shall rest on the top of the seat cushion. The mockup assembly shall be placed on a metal test frame (the TB 133 mockup test frame shown in Figure 2 or a similar metal frame) during the test.

#### **Test Procedure:**

The butane flame ignition source will be applied to the middle of the seat/back crevice for a period of 70 seconds. The heat release rate (kW) and the total heat release (MW) will be recorded continuously during the test.

Lighting the igniter flame: (1) Open the butane tank slowly and light the end of the burner tube. Adjust the gas flow to the appropriate rate to achieve a 240 mm flame. (2) Allow the flame to stabilize for at least 2 minutes.

Starting and performing the test: (1) Place the lit burner tube in the crevice of the mockup so that the end of the igniter is at the center of the mockup equidistant from either edge. (2) Apply the flame for  $70 \pm 1$  seconds, then immediately remove ignition source from the mockup.

Cessation of Test: Allow the specimen to burn out or suppress the fire at any time due to safety concerns.

Reporting the results: The heat release rate shall be recorded during the test. Report the maximum heat release rate and total heat release for the first 10 minutes of the test.

**Materials to be used:**

Cover Fabrics - Three cover fabrics:

- A fully synthetic
- A blend
- A smolder prone (natural fiber)

Barriers - Numbers to be decided. Possibly 5.

Foam - A low density non-FR polyurethane foam

All tests are done in triplicates.

Note: The seat, back and arm mockup cushions shall be sewn on all sides. No zippers shall be used.

**Amount of Materials Needed for Full-Scale Evaluation Tests:**

Needs 5 yd<sup>2</sup> of the cover fabric for each test run.

Needs 5 yd<sup>2</sup> of the barrier material for each test run.

Needs three 24" X 24" X 4" blocks of foam for each test run.

Cover Fabric Needed:

Total amount of each cover fabric needed (15+15 x N) yd<sup>2</sup> where N is the number of barriers selected for the full-scale tests.

Barrier Materials Needed:

Total amount of each barrier material needed: 47.5 yd<sup>2</sup>. Obtain a minimum of 50 yd<sup>2</sup> or 50 lineal yards.

Non-FR Foam Needed:

Total number of foam blocks needed: (27+27xN) where N is the number of barriers selected for the full-scale tests.

**Butane gas flame ignition source:**

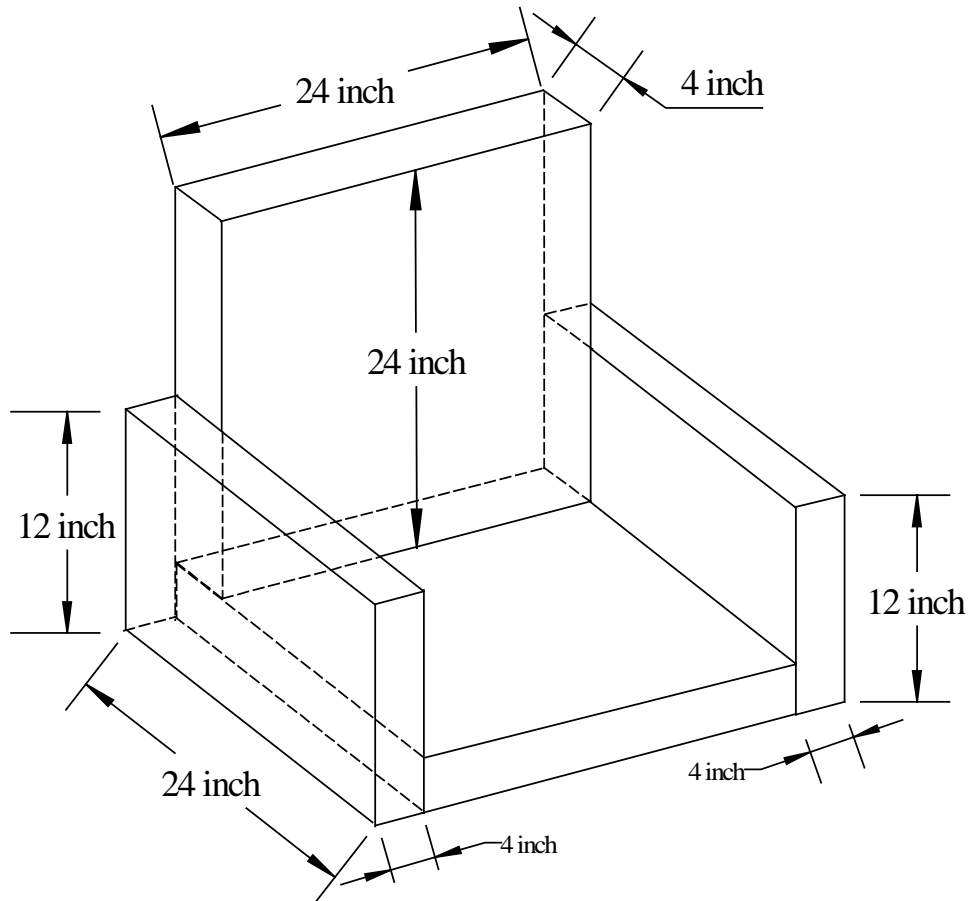
(With flame height and impingement time used by CPSC)

The following ignition source will be used for the full-scale mockup validation tests:

Butane gas burner tube flame ignition source:

- The burner tube will consist of a stainless steel tube,  $8.0 \pm 0.1$  mm ( $0.315 \pm 0.004$  inch) outside diameter,  $6.5 \pm 0.1$  mm ( $0.256 \pm 0.004$  inch) internal diameter.
- A nominal 240 mm butane flame (10 inch) will be used. The nominal 240 mm butane flame is obtained by establishing a flow rate of butane gas that is  $350 \pm 10$  ml/min at  $25$  °C ( $77$  °F) and  $101.3$  kPa ( $14.7$  psi).
- Flame height is measured from the center end of the burner tube when held horizontally and the flame is allowed to burn freely in air.

**Figure 1. Full-Scale Mockup**  
(Back cushion rests on the top of the seat cushion)



**Figure 2. Photo of the Metal Test Frame**



**Figure 3. Photo of a Tube Burner showing a 240 mm flame:**



Agenda Item 19: Home Furnishings Retail  
Advertisement Survey Update

