

Informative guide

Export requirements

on British, German, French and US markets for Swedish furniture companies



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Introduction

This document was developed in 2023 with the aim of clarifying the export requirements regarding environmental, fire, technical and ethical standards that Swedish furniture companies need to comply with for the markets in France, Germany, the United Kingdom and the United States. Limitations have been made to domestic, non-domestic, office and outdoor environments. In cases where requirements occur only to one of these areas, this is mentioned in connection with the requirement.

The requirements in this document are not exhaustive for each market; there may be more requirements than those listed below. If you find any errors or come across other requirements, please inform Linda LÖf at TMF. The ambition is to keep this document updated and as comprehensive as possible.

The work has been carried out by Tomas Ekström at onSOLIDground and Tomas Reibring at Trengo, on behalf of TMF.

READING INSTRUCTIONS:

The content is divided into one chapter per country, as well as a chapter with relevant European legislation.

This is further divided into:

- Environmental and social aspects.
- Technical requirements.

Which are divided into:

- Mandatory requirements – Legal requirements.
- Voluntary requirements – Well-regarded and widely used.
- Certifications to be aware of – Requirements that one may encounter.



EUROPEAN UNION

ENVIRONMENTAL AND SOCIAL ASPECTS | MANDATORY REQUIREMENTS

MANDATORY REQUIREMENTS

Corporate Sustainability Reporting Directive (CSRD)

Since 2017, the law on sustainability reporting has been in effect, with requirements incorporated into the Annual Accounts Act. This includes pre-existing provisions regarding the information to be disclosed in a company's financial reporting. Starting from January 1, 2024, updated requirements for sustainability reporting will be introduced with the EU directive CSRD (Corporate Sustainability Reporting Directive).

The purpose of sustainability reporting is to provide financial markets with access to reliable, relevant, and comparable information on environmental, social responsibility, and corporate governance aspects. The reporting aims to guide capital towards sustainable investments to achieve sustainable growth. Additionally, it should facilitate the management of financial risks arising from climate change, depletion of natural resources, environmental degradation, and deficiencies in social conditions.

CSRD is a directive designed to create conditions for the EU to meet its goals of net-zero emissions by 2050 by legislating on corporate sustainability reporting. The directive takes effect from January 1, 2024, initially applying to large publicly traded companies. Each year, more companies will be covered, and even smaller businesses may be affected at an early stage, especially as suppliers to large companies where they need to provide data for CSRD reporting. For further information, please refer to TMF's website, which is regularly updated.

EU Timber regulation (EUTR)

The EU Timber Regulation (EUTR) is designed to prevent illegally harvested timber and timber products from being placed on the EU market. Implemented in March 2013, the regulation applies to wood and wood products being placed for the first time on the EU market. Its key elements include:

- **Due Diligence Requirements:** The EUTR requires operators who place timber products on the EU market for the first time to exercise due diligence. This process involves assessing the risk of illegal timber in their supply chain and taking steps to mitigate this risk.
- **Monitoring Organizations:** These are third-party organizations recognized by the EU, which provide due diligence systems that operators can use.
- **Traceability:** The regulation requires traders (those who buy and sell timber already on the market) to keep records of their suppliers and customers, ensuring traceability of timber products through the supply chain.

Certification according to FSC or PEFC can to a certain degree be used as a basis to ensure compliance with the requirements of the EU Timber Regulation (EUTR). However, it's important to note that while FSC or PEFC certification is a strong indicator of compliance and is highly regarded, it does not automatically guarantee EUTR compliance. Operators still need to conduct their own due diligence and not solely rely on certification, as the EUTR requires them to assess and mitigate risk in their specific supply chains.

EU Deforestation Regulation (EUDR)

The EUDR is an upcoming EU legislation that is planned to enter into force on 30 December 2024. The EUDR will replace the EUTR and significantly expand the scope of the current framework against deforestation. Major improvements include strengthened obligations for operators and merchants. While the EUTR only dealt with timber, the EUDR deals with live-stock, cocoa, coffee, oil palm, rubber soy and wood, plus some of their by-products. Both EUDR and EUTR require due diligence; However, the EUDR maintains higher requirements for transparency and traceability, emphasizing proof of geolocation.

Swedish furniture companies that import or sell products covered by EUDR (including wood and wood products) will need to ensure that these goods do not contribute to deforestation. This will involve implementing more rigorous traceability systems and monitoring processes to demonstrate that their products come from sustainable sources. This could also mean increased costs and the need to reevaluate and possibly adjust supply chains.

Traceability certifications such as FSC and PEFC will likely be beneficial in meeting EUDR requirements.

REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals)

REACH is an EU regulation aimed at protecting human health and the environment from the risks posed by chemicals. Manufacturers and importers of chemicals must register these substances with the EU's chemical agency ECHA, if they exceed 1 ton per year.

For companies that are solely users of chemical products, such as Swedish furniture companies that use paint, glue, or other chemical substances in their products, these registration requirements usually do not apply. However, the companies must ensure that the chemicals they use are registered by their suppliers. Additionally, users of chemicals have other obligations under REACH, such as:

- Following the safety instructions provided in the safety data sheets.
- Notifying ECHA if they use substances that are on the candidate list for particularly hazardous substances in their products.
- Taking measures to limit risks related to the use of chemicals in their operations.

The EU Candidate List of Substances of Very High Concern (SVHC) is maintained by the European Chemicals Agency (ECHA). The candidate list is a list of substances that may have serious effects on human health or the environment and that are identified as candidates for possible inclusion in the authorization list (Annex XIV) under REACH.

SVHC can be carcinogenic, mutagenic, toxic for reproduction (CMR), persistent, bio accumulative and toxic (PBT), very persistent and very bio accumulative (vPvB) or of equivalent concern (eg. endocrine disruptors).

When a substance is included in the authorization list (Annex XIV) according to REACH, it means that the use of this substance may require a special permit from ECHA for it to be used in products on the European market. Companies that manufacture or import products containing substances from the authorization list (Annex XIV) must apply for a permit if they wish to continue using these substances in their products after the established permit period. If permission is not granted or if companies choose not to apply, the substances must be phased out.

Recommendation:

The use of SVHC should be avoided by Swedish furniture companies, as these are prohibited above 0.1 weight% in environmental labels such as Möbelfakta, Nordic Swan, and EU Ecolabel. Also, Swedish tenders often have environmental requirements that limit the use of SVHC.



For Swedish furniture companies, this means:

- ▶ **Information Obligation:** If products contain SVHC substances in concentrations above 0.1% (weight by weight), the companies must inform their customers and users about this. This also applies to articles, such as furniture. In the case of products that consist of many different parts (e.g. furniture), companies that manufacture, import or distribute these products must be aware of the content of SVHC in each part of the product. The definition of "part of the product" in the context of REACH refers to specific components, materials or parts that form a physical and distinct part of a product.
- ▶ **Substitution:** Furniture companies are advised to evaluate the possibility of replacing SVHC substances with less dangerous alternatives in order to reduce the risks and also meet future regulatory requirements. However, there are no prohibitions against using SVHC, only requirements that information must be shared with customers and users.
- ▶ **Supply Chain Communication:** The companies must have good communication along their supply chain to ensure that they are aware of the presence of SVHC substances in their products and that they comply with applicable regulations.
- ▶ **Potential Business Impact:** The presence of SVHC in products can affect the sales and marketing of these products, especially if they are later included in Annex XIV and require authorization.



Formaldehyde

The EU regulation 2023/1464, introduced in 2023, amends Annex XVII of the REACH regulation, by setting new restrictions on the emission of formaldehyde from various products as furniture and wood-based products.

After the 6th of August 2026 products shall not be placed on the market if the concentration of formaldehyde released from those articles exceeds 0,062 mg/m³ for furniture and wood-based articles. This limit value corresponds to “½ E1”.

The formaldehyde released from such articles shall be measured in the air of a test chamber under the specific cumulative reference conditions (temp 23± 0,5°C; 45± 3 RH%; Loading factor 1 m²/m³; air exchange rate 1± 0,05h⁻¹). The formaldehyde concentration in the air of the test chamber shall be measured at least twice per day throughout the test until sufficient data are available to determine the steady state but shall not exceed 28 days. These conditions correspond to EN717-1 but the standard is not explicitly mentioned in the annex. The loading factor of 1 m²/m³ corresponds to the testing of wood-based panels but if such a loading factor is clearly not realistic then loading factors in accordance with Section 4.2.2 of EN 16516 may be used.

The significant difference from today's requirements, which cover incoming, flat wood details such as MDF, HDF, Plywood, and particleboard, is that the new legislation includes the finished end product.

It is not entirely clear from the published legislation how manufacturers must demonstrate compliance with the requirements as the entire end product is subject to the restriction. Measurements on the entire end product can be both costly and technically complicated to perform. The European furniture industry has requested guidance on how alternative approaches can be taken, for example measuring constituent components instead of entire end products. To provide clear directives on how this should be verified, the European Chemicals Agency (ECHA) has been tasked with developing guiding documents or standards which are expected to be published in good time before the requirements come into force in August 2026.

The requirements do not apply to articles in which formaldehyde or formaldehyde releasing substances are exclusively naturally present in the materials from which the articles are produced. A possible interpretation of this exception could be that solid wood and wood products where only formaldehyde-free products (e.g. glue, varnish) have been used in production should be exempted.

Products intended for outdoor use only and also second-hand products are excluded.

In Möbelfakta, the current requirements are:

- 50% of E1 for particle- and fibre boards.
- 65% of E1 HDF and MDF.
- Not applicable to form-pressed and moulded components.

Möbelfakta will likely be revised as soon as guidance from ECHA is available.

Since it is currently unclear whether the requirement can be verified in the same way as today, at the component level, the following measures are recommended:

- Use wood-based, including form-pressed and moulded components that do not emit more than 50% of E1 according to EN 13986 or EN 717-1.
- To avoid testing a finished product, use only formaldehyde free additives.

MANDATORY REQUIREMENTS

2001/95/EG, General Product Safety Directive (GPSD)

EU rules on product safety are defined in the General Product Safety Directive (GPSD), which ensures that only safe products are sold on the market.

The legislation is implemented in all European countries through national legislation.

Note that products under the GPSD does not requires CE-labelling.

The directive is implemented in Sweden by "Produktsäkerhetslagen (2004:451)" https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/produktsakerhetslag-2004451_sfs-2004-451/

Under the Directive, a product is safe if it meets all statutory safety requirements under European or national law.

If there are no regulations or EU standards referenced in the Official Journal of the European Union, the product's compliance is determined according to other reference documents such as other European standards, national or international standards, or codes of practice.

The General Product Safety Directive complements sector specific legislation such as specific rules that apply to toys, electrical and electronic goods, chemicals and other specific product groups.

In general, this directive is applicable to furniture in general except for the sector specific directives described below.

Very few EN standards are harmonized under the GPSD and referenced in the OJEC, mainly almost all are related to children's furniture, such as cribs and highchairs. However, it is worth noting that the European Commission has mandated CEN to develop harmonized standards for furniture for children (up to 14 years old). Currently, only one project has been completed, 'Seating furniture for children,' and a new project is starting for 'Tables for children.' These standards are not yet cited in the OJEC, but a process is underway.

When a specific standard is published in the OJEC, it provides a presumption of compliance with the relevant directive. One could somewhat casually say that it becomes a legal requirement for the product to meet the standard.

The GPSD (General Product Safety Directive) does not actually require a product to be tested, but the fundamental intention is that only safe products should be placed on the market. Therefore, as a manufacturer, you must be able to demonstrate the measures you have taken.

Action:

A Möbelfakta-labelled product meets the product-specific safety requirements. However, there are some specific requirements on the operator that Möbelfakta does not cover.

The following steps are recommended:

- Collect all technical documentation for the product, including drawings, exploded views, or certificates, which should be available for five years.
- Perform a risk assessment, document it, and ensure it is accessible.

- A test report is always beneficial; if unavailable, ensure there is a documented statement on how the product's safety has been verified, such as in a risk assessment.
- Mark the product or packaging with the manufacturer's name and contact information, along with a clear reference to the product.
- Swedish legislation also requires the manufacturer to establish a register of received complaints about safety-related risks. These should be regularly reviewed and stored together with the technical documentation."

Remark:

In May 2023, the EU Commission decided to replace the GPSD with a new regulation, EU 2023/988 GPSR, General Product Safety Regulation, which will come into effect on December 13, 2024. In principle, it has no significant impact on furniture manufacturers within Sweden, and the assessment is that following current legislation in Sweden will comply with the new regulation.

However, note the following tightening:

- Requirement to keep technical documentation for 10 years.
- Higher requirements for traceability marking, which should be done on the product if possible.
- Increased responsibility for businesses to notify authorities themselves if safety deficiencies are identified.

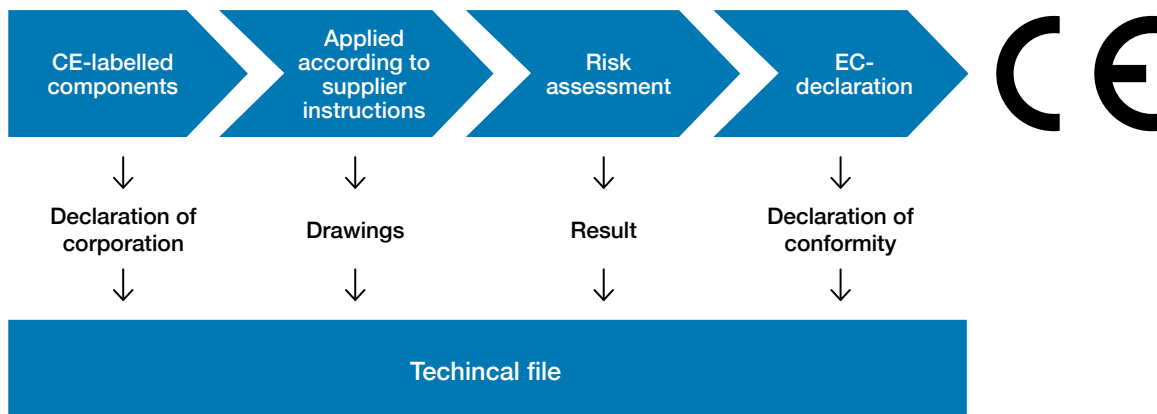
2014/35/EU Low voltage directive (LVD)

The *low voltage directive* (LVD) covers health and safety risks on electrical equipment operating with an input or output voltage of between:

- AC 50 and 1000 V
- DC 75 and 1500 V

Independent if it is electrical equipment for consumer and professional usage, such as: household appliances, cables or power supply units.

In this case, a piece of furniture with a fixed electrical installation is considered a household appliance and should consequently bear the CE marking.



Action:

- Ensure the use of only CE-marked components and request a CE declaration from the supplier.
- Clearly specify to the supplier the intended function and application.
- Perform a risk assessment and document it.
- Issue your own CE declaration, which should be available upon request.
- CE mark the furniture.
- Collect the technical documentation, which should be available for potential market surveillance by regulatory authorities.



MD (Machinery Directive)

<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:157:0024:0086:en:PDF>

The Machinery Directive specifies the fundamental health and safety requirements applicable to all machines placed on the market within the EU. An electrically driven piece of furniture is, by definition, considered a machine under the law and must therefore be CE-marked.

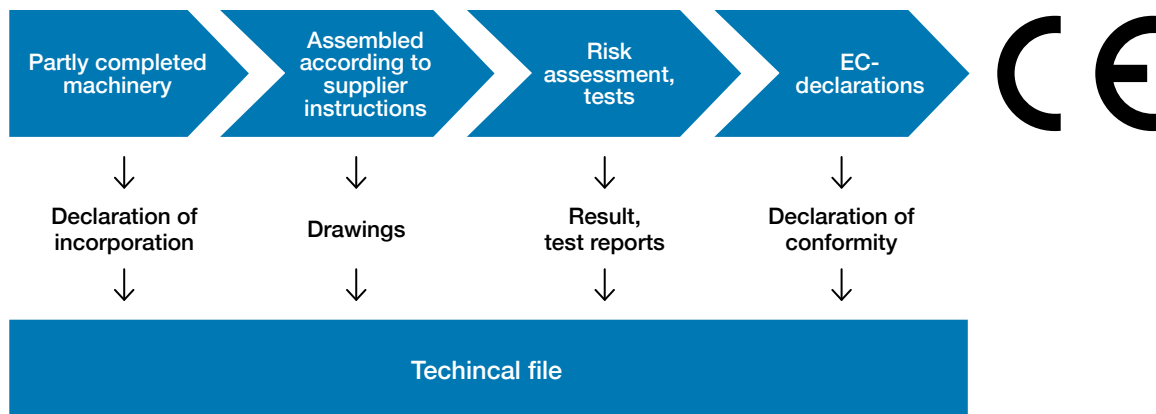
The Machinery Directive imposes extensive requirements on all types of machines through a large number of Essential Health and Safety Requirements (ESHR), some of which may not be relevant to furniture. For furniture, the most critical issues to address are related to pinch risks and the control systems used. Currently, there are no specific European standards related to mechanical risks in electrically driven furniture, so the responsibility lies with the manufacturer to identify which relevant standards they use to meet the applicable safety requirements in the Machinery Directive (MD).

This means that merely testing the product according to Möbelfakta requirements is not sufficient. Manufacturers must identify the risks associated with the product, particularly in relation to the Machinery Directive.

Note that the Machinery Directive (MD) has a clear hierarchy for approaching risks:

- eliminate or reduce risks as far as possible by design,
- take the necessary protective measures in relation to risks that cannot be eliminated,
- inform users of the residual risks due to any shortcomings of the protective measures adopted,

If you are a manufacturer developing both control systems and/or electrically driven mechanisms, you bear the entire responsibility for the CE marking process. A somewhat



Action:

- Use partly completed machines.
- Follow the supplier's instructions.
- Request complete test results.
- Assess and document any risks.
- Issue a CE declaration, which should physically accompany the product.
- Note that any user manual should also accompany the product.
- CE mark the product.
- Collect the technical documentation, which should be available for potential market surveillance by regulatory authorities.



simpler path is to use a supplier of control systems and/or electrically driven mechanisms that has already done a significant part of the work. In this case, you are using a 'partly completed machine.' The supplier has performed the basic tests, and as the manufacturer, you take over with what remains. This does not diminish your responsibility for the product, but it can reduce the workload.

Remark:

During 2024, two new standards will be published, and these will be relevant for electrically operated furniture:

- EN 17684:2024, Electrically operated furniture, Stability, strength, durability and mechanical safety requirements.
- EN 60335-2-116: A11:2024, Particular requirements for furniture with electrically motorized parts.

Both standards will be harmonized under the MD and published in the OJEC. Tested products according to these standards will give presumption that the product fulfils the directive.





FRANCE

ENVIRONMENTAL AND SOCIAL ASPECTS | MANDATORY REQUIREMENTS

MANDATORY REQUIREMENTS

For EU legislation that applies in France, please see the EU chapter.

REP (Extended producers' responsibility)

France has implemented an extended producer's responsibility for furniture. It is possible to take care and establish an own system for taking care of your own products but there are established two non-profit organisations, one for consumer products and one for business to business, concerning building and construction materials and includes furniture. They are financed by the participating organisations fees based on weight and material content. Both organisations have established a system for taking back products at the end of life, either for recycling or re-selling.

Ecomaison (consumer market)

The obligation to register and reporting is only applicable to an organisation defined as a "producer".

If you are a manufacturer and export your products to France, under your own brand, through a domestic dealer or agent you are not defined as the producer. The obligation for fulfil the legislation is on the dealer or agent.

Note that you can be asked from your dealer concerning the material content of the product based on weight (Metal, wood, stone, glass, plastic, or others).

<https://espace-services.eco-mobilier.fr/>

Guide: https://espace-services.eco-mobilier.fr/cms/sites/default/files/2023-04/Ecomaison_DEA_Guide%20du%20contrat%20de%20services_Version-avril-EN.2023_BD.pdf

Action:

Regulate this in contract and agreement with any dealer or retailer.



Valdelia (non domestic market)

The obligation to register and reporting is only applicable to an organisation defined as a “producer”. If you are a manufacturer and export your products to France, under your own brand, through a domestic dealer or agent you are not defined as the producer. The obligation for fulfil the legislation is on the dealer or agent. Foreign companies that sell remotely directly to French users (individuals and professionals) have the status of producers.

Action:

If you have obligation under the legislation you need to sign for a membership in Valdelia

> <https://www.valdelia.org/devenir-adherent/>



Triman labelling

The French Environmental Code stipulates that any product placed on the market for household use, excluding household glass packaging for drinks, must include signage to inform the consumer that this product is subject to sorting regulations.

Applicable to all producers, subject to an extended producer responsibility (EPR)

system and intended for households. It includes information specifying the methods for sorting or returning the used product.

It includes a standardized logo that must be placed as close as possible to the product: on the product, on its packaging or in the documents supplied with the product. You are still able to have the information on a website, but it does not replace the obligation to inform the customer with one of the three elements above.

The responsibility for labelling the product or any packaging primarily lies with the operator in France, for example an agent or a retailer. But in cases where delivery is made directly to the customer, from Sweden or via dropship, it is the Swedish manufacturer that is responsibility to ensure that relevant labelling is present on the product.

It may be worth regulating this in contracts and agreements with any agents or retailers.

Action:

Label the product and possible packaging material

> [Triman user guide for furniture and bedding.](#)



VOLUNTARY REQUIREMENTS

NF-Environnement

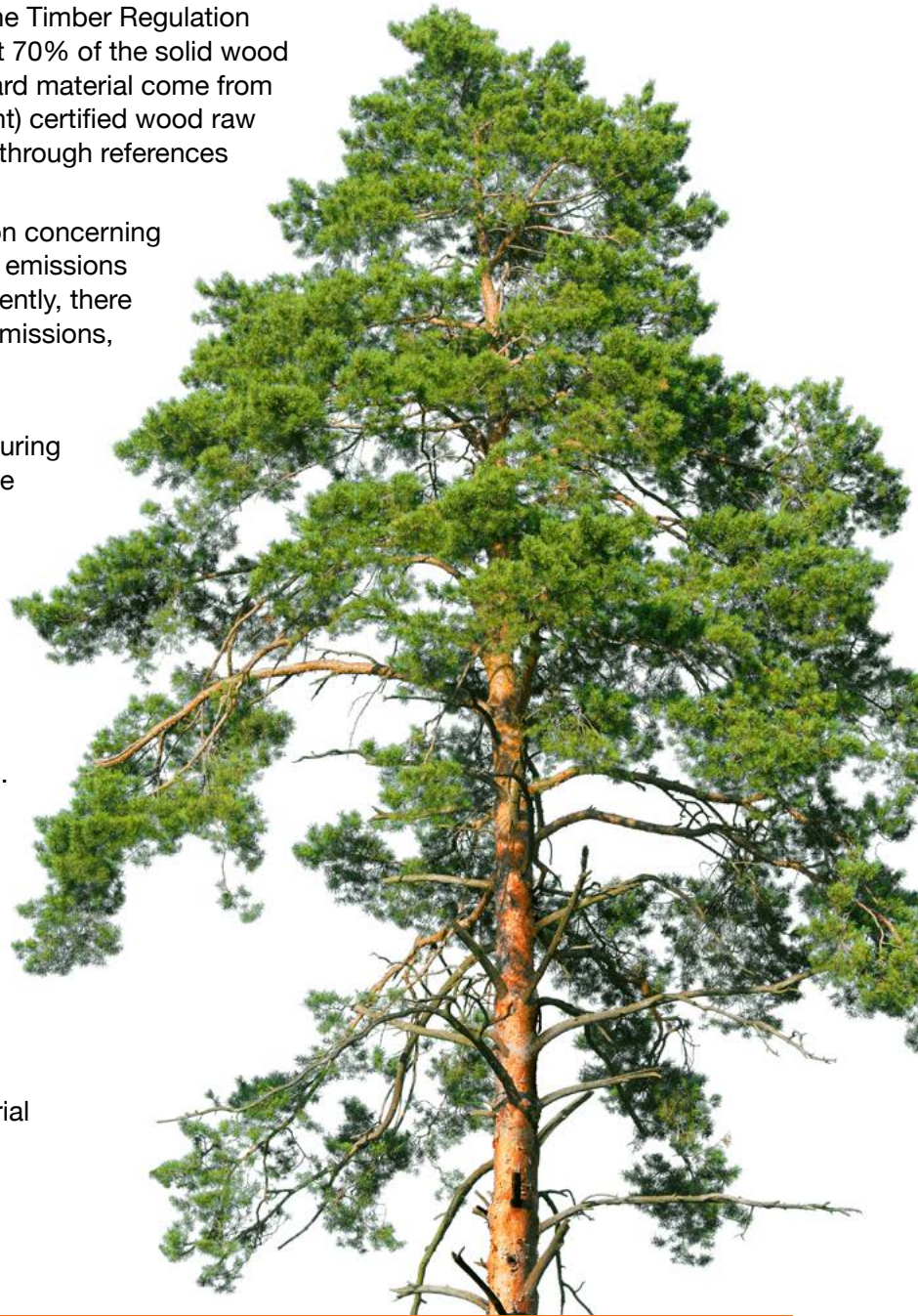
A French national environmental label that is most closely comparable to the Nordic Swan in its organization. The abbreviation hints at its origin, the French national standardization organization NF. This label can be found on various types of products and services in France, and for furniture specifically, there are specific criteria established, distributed in the areas of:

- Content of the product
- Wood- and wood based materials
- Indoor air quality
- Plastic
- Fabrics- and coverings
- Packaging
- Transport optimization
- Quality aspects
- Energy consumption, lighting products
- Warranties
- Separability

To obtain the certification and label, an application must be submitted to an accredited organization, and on-site audits are required. Most criteria can be claimed to comply if the product has a Möbelfakta label, with essentially the same verification. However, there are differences in the following areas:



- In addition to compliance with the Timber Regulation (EUTR), it is required that at least 70% of the solid wood raw material and 50% of the board material come from either PEFC or FSC (or equivalent) certified wood raw material. This should be verified through references on invoices from suppliers.
- Relevant formaldehyde legislation concerning board material is applied, but an emissions report on TVOC is required. Currently, there are no defined levels for TVOC emissions, except for beds and mattresses.
- The designation of the relevant isocyanate used in the manufacturing of the padding material should be disclosed.
- Intentional addition of nano-materials in surface treatment and plastic materials is not allowed.
- The company must be able to provide a plan to reduce its transport-related CO2 emissions.
- The product must meet the relevant technical requirements for each product group.
- Lighting in furniture must be at least class A according to (EU) 874/2012.
- All components, regardless of material, with a weight of over 50g must be separable for material recycling.



Recommendation

The label is mainly used in public procurement or B2B projects, but it cannot be said to be widely used. In cases where this label is required, certification needs to be carried out. Some of the Environmental requirements are met through Möbelfakta, but you should prepare to address the deviations as outlined above. Regarding the technical requirements, they are essentially met with a Möbelfakta label and their related requirements, but you need to consider that some product groups are subject to French legislation (see Technical Requirements, legal requirements).

Note the certification system does not require that the technical requirements shall be verified by a French laboratory, you can use other labs as long as you are using the relevant European test methods for the product in mind.

<https://certification-ameublement.fcba.fr/documents/174-plaquetterv-nfe-version-gb.pdf>

CERTIFICATIONS TO BE AWARE OF

FSC

FSC (Forest Stewardship Council) is an independent, international membership organization. FSC encourages environmentally, socially, and economically responsible use of the world's forests through a certification system.

The system is based on the forest being certified according to a national or regional standard, where the criteria are decided in consensus by environmental, economic, and social stakeholders. The remaining chain must undergo traceability certification of their operations so that the final product can bear the FSC label (Chain of Custody certification, CoC).

In France, both awareness and customer demand for FSC-labelled products are increasing. This applies to home, office, and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

Recommendation

When choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting a CoC certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in France but within the EU in general.

For small organisations (maximum 15 employees or 25 employees and 1 million USD turnover) there is an option to apply for a group certificate to simply and ease the investment of resources.

<https://se.fsc.org/se-sv/grup-per-for-sparbarhetscertifiering>

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications such as ISO 9001 or ISO 14001.

<https://se.fsc.org/se-sv/kontroll-certifiering/certifieringsorgan>

PEFC

PEFC (Programme for the Endorsement of Forest Certification) is a non-profit organization working to promote long-term sustainable forestry in line with the definition by the United Nations Food and Agriculture Organization (FAO).

The system differs slightly from FSC in that it is the organization and its members who develop and decide on the level of the forestry standard. At regular intervals, other stakeholders are also invited to influence the process. Otherwise, the system is based on the same principle: the forest must be certified, and the remaining chain must undergo traceability certification of their operations so that the final product can bear the PEFC label.

In France, both awareness and customer demand for PEFC-labelled products are increasing. This applies to office and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

Recommendation:

When choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting traceability certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in France but within the EU in general.

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications, such as ISO 9001 or ISO 14001.

<https://www.pefc.se/marknad/det-har-ar-sparbarhetscertifiering>

MANDATORY REQUIREMENTS

For EU legislation that applies in France, please see the EU chapter.

Product safety

The French implementation of the legislation has transferred the GPSD (General Products Safety Directive) as the European concept of harmonized standards. Concerning products not covered by any harmonized standard the French implementation of GPSD formulates a general safety requirement, which can be specified in national standards (NF) and technical specifications. In France there are some additional product groups that fall under the national implementation of the legislation.

Bunkbeds

Bunkbeds placed on the French market need to fulfil:

- EN 747-1:2012+A1:2015 Furniture – Bunkbeds and high beds – Safety requirements
- EN 747-2:2012+A1:2015 Furniture – Bunkbeds and high beds – Test methods
- NFD 62-100 Bunkbeds for domestic use – Safety requirements and test methods

In addition, the bunk bed shall be labelled with: ””Le couchage en hauteur ne convient pas à des enfants de moins de six ans” (Sleeping at an elevated height is not suitable for children under six years of age).

The test must be performed by an accredited laboratory.

<https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000737486>

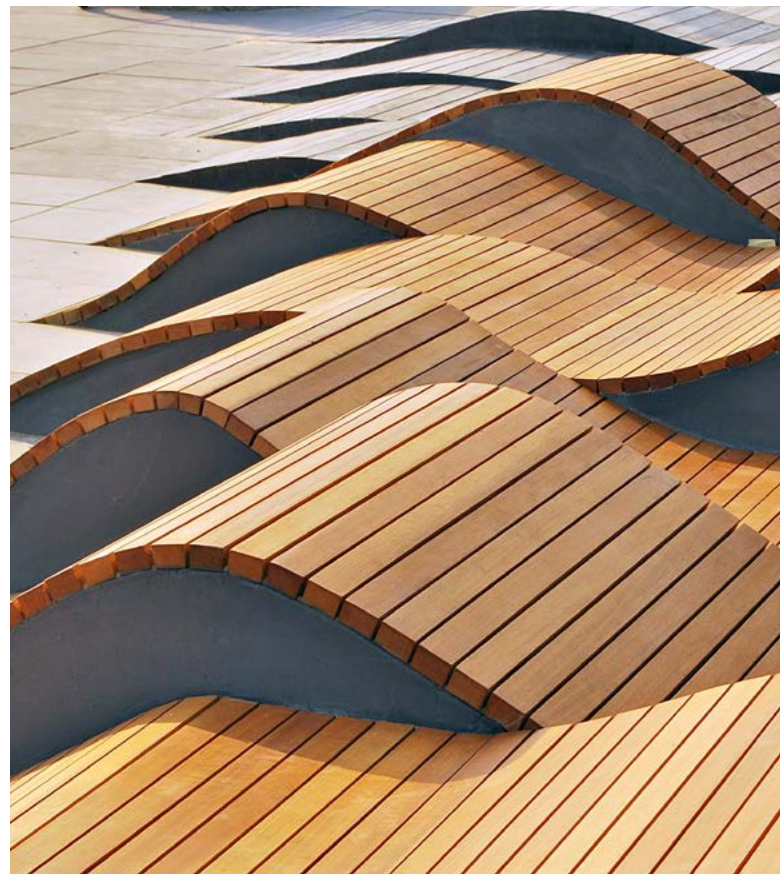
Outdoor furniture

The legislation is only applicable to folding chairs as follows:

- Chaise longue-type seats: Portable folding seats that can be used in a sitting or reclining position.
- Transatlantic chairs: Chaise lounges with an armrest.
- Flâneuse-type seats: Transatlantic chairs equipped with an extension or footrest, which may or may not be connected to the frame.

These types of outdoor chairs placed on the French market need to fulfil:

- EN 581-1:2017 Outdoor furniture – Seating and tables for camping, domestic and contract use – General safety requirements.
- EN 582-2:2015 Outdoor furniture – Seating and tables for camping, domestic and contract use – Mechanical safety requirements and test methods for seating.



Additional tests:

Static vertical load on seat according to EN 1728:2012, 8.2

- Camping: 1.650 N
- Domestic: 2.400 N
- Non-domestic: 3.000 N

In addition, the folding chairs defined above must be accompanied, at all stages of their commercialization, by the following information:

- Main materials or materials used.
- Model reference.
- Name or legal entity and address of the manufacturer or distributor, or their conventional identification issued by the authority responsible for consumer protection.
- Usage precautions, particularly for adjusting positions.
- Maximum permissible load, expressed in kg.

The information required can be provided, at the choice of the manufacturer or the organisation responsible for the initial placement on the market, either on a technical identification sheet accompanying the product at all stages of the commercial cycle, or directly on the product or its packaging in a visible, readable, and indelible manner.

<https://www.legifrance.gouv.fr/loda/id/JORFTEXT000000577418>

Action:

Test a worst-case outdoor seating according to the above stated requirement.

Test institutes: <https://www.ri.se/sv/vad-vi-gor/test-demo/mobler>

Flammability

ERP (Etablissement recevant du public) Public areas

The French legislation regarding fire requirements for furniture is limited to public spaces through a classification based on, among other things, type of facility, number of floors and/or number of permitted visitors. Based on these conditions, which requirements are to be applied to each product are defined.

Note that an office is defined as a public space.

The products that are regulated in the legislation are in only upholstered furniture and products that are either connected to each other, attached to the floor, wall or in other ways that make it difficult or prevent a possible escape.

Ranked seating must fulfil:

- Underframe or other structure, at least classification M3 according to NF P 92-504, testing and evaluation of flame propagation, which corresponds to Euro class D s1(2)d0 according to EN 13501-1, Fire classification of constructions products and buildings elements.
- Fabric and padding together must comply with NF D 60-013, Evaluation of the flammability of upholstered furniture according to AM18

Action:

The product needs to be tested; no other method correlates with this one.

- Solid wood generally meets class M3 and often do not need to be tested, particle boards, MDF or HDF is possible to source in the relevant Euro class.
- Current material combination of fabric and padding must be tested in its entirety. Note that it usually requires a Trevira CS fabric together with a CMHR foam.

Large and heavy furniture:

Products like reception counters, fixed storage units etc. must fulfil:

- NF P 92-504, testing and evaluation of flame propagation, Class M3.

Remark:

This requirement is also applicable on lighter products that its intention is to be placed in area for emergency exits, note also that this kind of furniture's shall be fixed to the floor, wall or similar.

Test institutes: <https://www.fcba.fr/en/secteurs/furniture/>

Recommendation:

The manufacturer should be able to at least provide evidence of compliance to at least:

- EN 1021-1:2014, Furniture – Assessment of the ignitability of upholstered furniture - Part 1: Ignition source smouldering cigarette

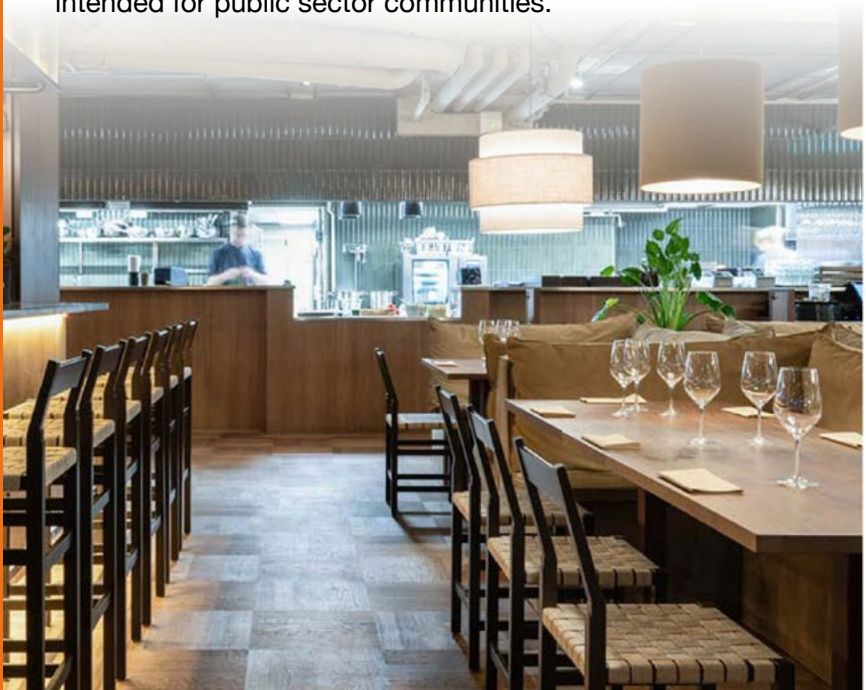
This is equivalent to Möbelfakta and it is possible to obtain the requirement in the same way by testing the fabric with a standard foam with low density.

Be aware that this is not a static situation, it is the client that decide the classification, it is therefore recommended to use a combination of foam and fabric that meets:

- EN 1021-2:2014, Furniture – Assessment of the ignitability of upholstered furniture - Part 2: Ignition source match flame equivalent

All other upholstered furniture:

Upholstered furniture other than fixed one is not under any legislation. That does not mean that no flammability requirement will be applied to those products. The authorities have issued a guideline to inform public buyers about the requirements, methods of compliance and evaluation to be established on upholstered seats intended for public sector communities.



VOLUNTARY REQUIREMENTS

NF Office Excellence

NF OEC is a certification system historically developed from the two systems that existed in the market for Quality and Environmental requirements, NF-Ameublement and NF Environnement. The system is structured similarly to Möbelfakta, with both environmental and quality requirements. It is a certification process with requirements for regular retesting, and the certified organization undergoes annual visits, including a factory inspection. Unlike NF-Environnement, where quality requirements can be verified by another accredited organization, quality requirements must be verified within the framework of the certifying organization.

Technical requirements

The quality requirements are largely based on established European standards, with some additional requirements regarding properties not covered by European standards.

Many of the quality requirements are considered met, but there are several deviations, with the following standing out:

Office Chairs:

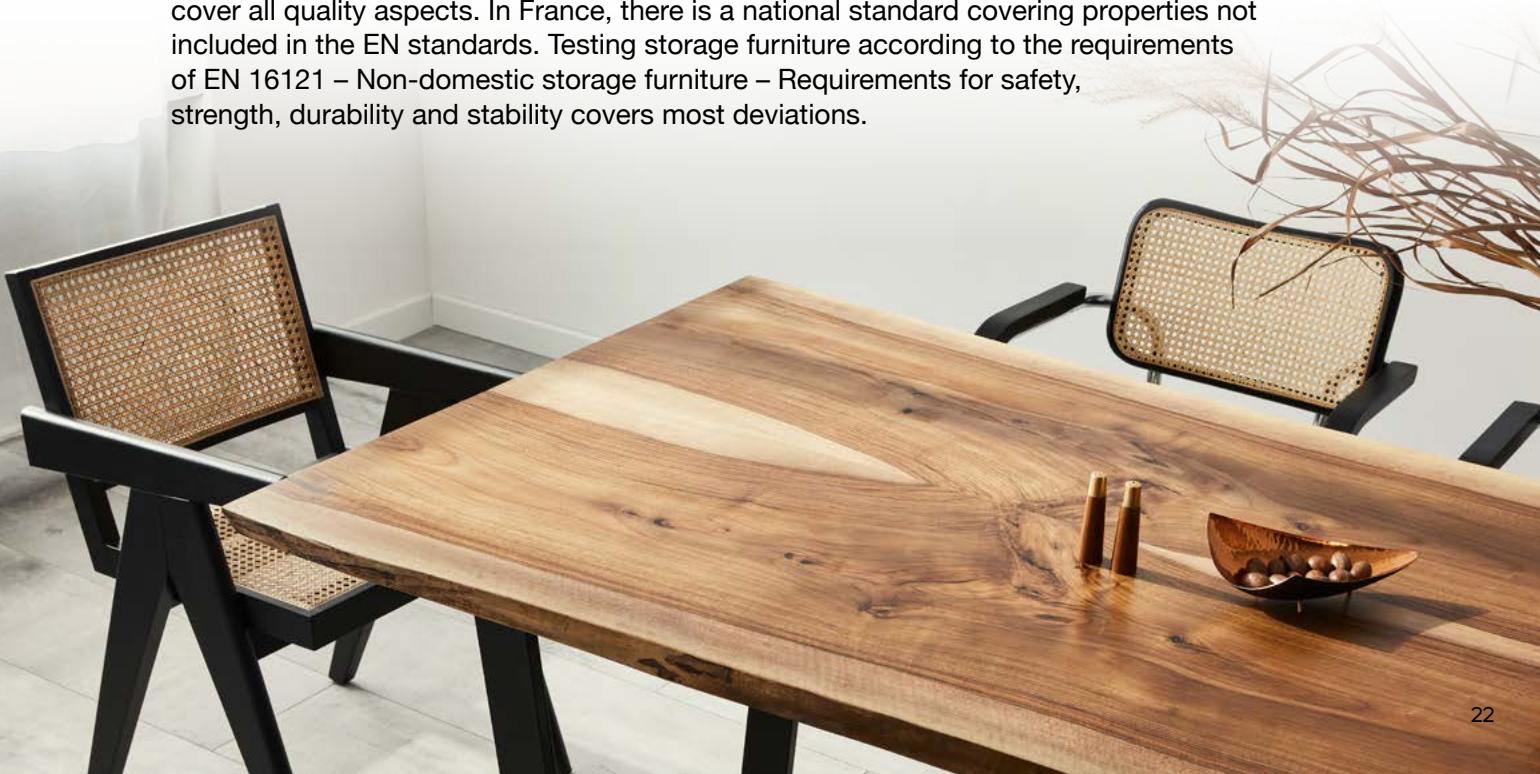
In addition to EN 1335-2, an office chair with a rocking mechanism must undergo an additional 100,000 cycles against a stop, with the force applied when the mechanism is half tightened. Furthermore, chair bases must be tested with a load of 11,000N.

Tables, in general:

A static load of 75 kg, 100mm from the front edge, must act for one hour. After the test, the remaining deformation should not exceed 0.125% of the table's length. Additionally, feet or end finishes should not cause a higher floor pressure than 3MPa with a load of 75kg.

Storage Furniture:

In Europe, there is a series of standards for office storage, but these are old and do not cover all quality aspects. In France, there is a national standard covering properties not included in the EN standards. Testing storage furniture according to the requirements of EN 16121 – Non-domestic storage furniture – Requirements for safety, strength, durability and stability covers most deviations.



It's worth noting that a new edition of EN 16121 is expected in 2024, with the scope to include office storage furniture, this may lead to the withdrawal of the French national standards.

For other product groups such as partition screens, whiteboards, and visitor chairs, the requirements are essentially identical.

Textiles, Leather, and Synthetic Leather:

Generally, the requirements are one level higher than in Möbelfakta. For example, light-fastness for textiles according to EN ISO 105 B02 should be 6 or higher, and resistance to pilling, Martindale, should be 90,000 revolutions or higher.

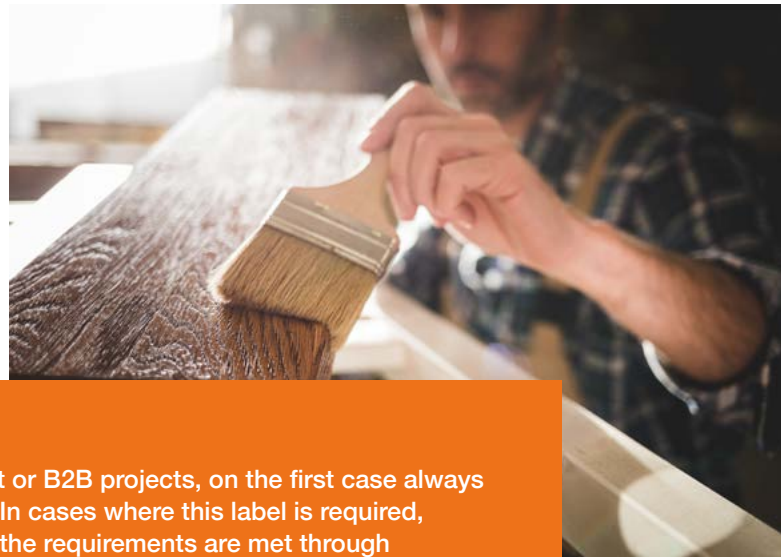
Surface Treatment, Coating:

Regarding surface requirements, there is a significant difference. Laminates are generally used in offices, and the requirements are defined accordingly. Extensive requirements are also imposed on painted metal surfaces, whether it's a base or a work surface.

Environmental requirements:

The environmental requirements are entirely based on selected criteria from the environmental label NF-Environnement and therefore most criteria can be claimed to comply if the product has a Möbelfakta label, with essentially the same verification. However, there are differences in the following areas:

- ▶ In addition to compliance with the Timber Regulation (EUTR), it is required that at least 70% of the solid wood raw material and 50% of the board material come from either PEFC or FSC (or equivalent) certified wood raw material. This should be verified through references on invoices from suppliers.
- ▶ The designation of the relevant isocyanate used in the manufacturing of the padding material should be disclosed.
- ▶ Intentional addition of nanomaterials in surface treatment and plastic materials is not allowed.
- ▶ The company must be able to provide a plan to reduce its transport-related CO2 emissions.
- ▶ Lighting in furniture must be at least class A according to (EU) 874/2012.
- ▶ All components, regardless of material, with a weight of over 50g must be separable for material recycling.



Recommendation:

The label is widely used in public procurement or B2B projects, on the first case always accompanied with the statement "or similar". In cases where this label is required, certification needs to be carried out. Some of the requirements are met through Möbelfakta, but you should be aware of the deviations as outlined above. Despite its similarity, it cannot be claimed that Möbelfakta fully meets the requirements of that system. However, the resemblance is so significant that it may be worth arguing that Möbelfakta can be considered an equivalent system.

<https://certification-ameublement.fcba.fr/nf-office-excellence-certifie>

CERTIFICATIONS TO BE AWARE OF

NF certifications

NF Ameublement, NF Mobilier Education, NF Mobilier Collectivite, NF Mobilier Sante and NF Mobilier Creches.

The same organization that oversees the previously mentioned voluntary certifications, NF Office Excellence and NF Environnement, also administers other certifications for different product categories.

- › Domestic furniture
- › Non-domestic furniture
- › Furniture for educational institutions
- › Furniture for healthcare facilities
- › Furniture for preschools

These systems are solely based on requirements related to technical aspects and do not include any environmental requirements. Primarily, the technical requirements are based on established European standards, but in the absence of such standards, reference is made to national standards or other specifications. The system requires certification with annual follow-ups, similar to the other certifications administered by the organization.

<https://certification-ameublement.fcba.fr/les-certifications>





GERMANY

ENVIRONMENTAL AND SOCIAL ASPECTS | MANDATORY REQUIREMENTS

MANDATORY REQUIREMENTS

For EU legislation that applies in Germany, please see the EU chapter.

Formaldehyde emissions

BAnz AT 26.11.2018 B2

The legislation regulates the Formaldehyde emissions for all types of wood-based panel materials, such as chipboards, MDF, plywood, laminated veneers such as components as seats, backs, armrests etc. Note that it is also apply to finished products as veneered or painted components.

The requirement is a halving of the existing E1 standard:

- 0.1 ppm (120 µg/m³) according to EN 16516
- 0.05 ppm according to EN 717-1

If a coated wood-based materials meet the requirements in their raw state and if not, any further formaldehyde sources have been added as adhesive, laminate or surface treatment, no further test need to be conducted.

Comparison to Möbelfakta:

With exception of form pressed components, the requirement are in line with the new requirement in Möbelfakta from 1st of January 2024.

<https://www.umweltbundesamt.de/themen/wirtschaft-konsum/produkte/bauprodukte/studien-zur-messung-vermeidung-bewertung-von-formaldehydemissionen-pruefbedingungen-fuer-faq-zu-regelungen-von-formaldehyd-in#0-hinweis-zur-rechtlichen-verbindlichkeit-der-informationen>

Action:

Use wood-based components that do not emit more than 50% of E1 according to EN 13986 or EN 717-1.

- To avoid testing a finished product, use only formaldehyde free additives.
- In deviation to Möbelfakta this requirement is also applicable to form-pressed components.

Packaging

Verpackungsgesetz (Packaging Act)

The producer of a product also takes producer responsibility for the packaging and the German market the implementation of this responsibility is assured by the Verpackungsgesetz (Packaging Act) through the Zentrale Stelle Verpackungsregister (Central Agency Packaging Register – ZSVR).

Companies that place packaged goods on the German market for the first time have to bear financial producer responsibility for their packaging's recycling by participating that packaging in a system.

There are two situations where a foreign manufacturer is responsible to the legislation:

- Foreign manufacturer that delivers and invoices directly to the end customer.
- Foreign manufacturer delivers the goods directly to the end customer by drop shipping on behalf of an importer.

Example of company that organize the administration of this is: <https://www.lizenzero.de/>

If the products are supplied to be sold under an importers own brand, the importer is responsible to the legislation.

If the products are supplied under its own brand through a German dealer or agent, it depends how the contract between the two parts are set up in the subject of delivery terms.

To avoid being responsible to the legislation, avoid registration and reporting it is important to regulate this with the dealer or agent. If not, you are the producer and are responsible under the legislation.

Action:

Register your company in LUCID Packaging register.

Conclude an agreement with one or more system operator(s).

Report the packaging volumes.

➤ <https://www.verpackungsregister.org/en>



VOLUNTARY REQUIREMENTS

FEMB Level

The certification is based on the sustainability requirements for office and non-domestic furniture for indoor use that were developed by FEMB, the European Office Furniture Federation, using as a basis the American standard ANSI/BIFMA e3 together with the European criteria for Green Public Procurement and the specifications of several voluntary ecolabels.

Level has three thresholds of certification. Products can be awarded a Level 1, Level 2 or Level 3 conformance mark based on the combined score they achieve in their sustainability evaluation. Currently the highest achievable rank is Level 3.

In the Level certification process, not only the Product, but the Facility or Facilities that produced it, and the organisation itself are all scored according to sustainability criteria in the four impact areas:

- Materials
- Energy & Atmosphere
- Management of chemicals
- Social Responsibility

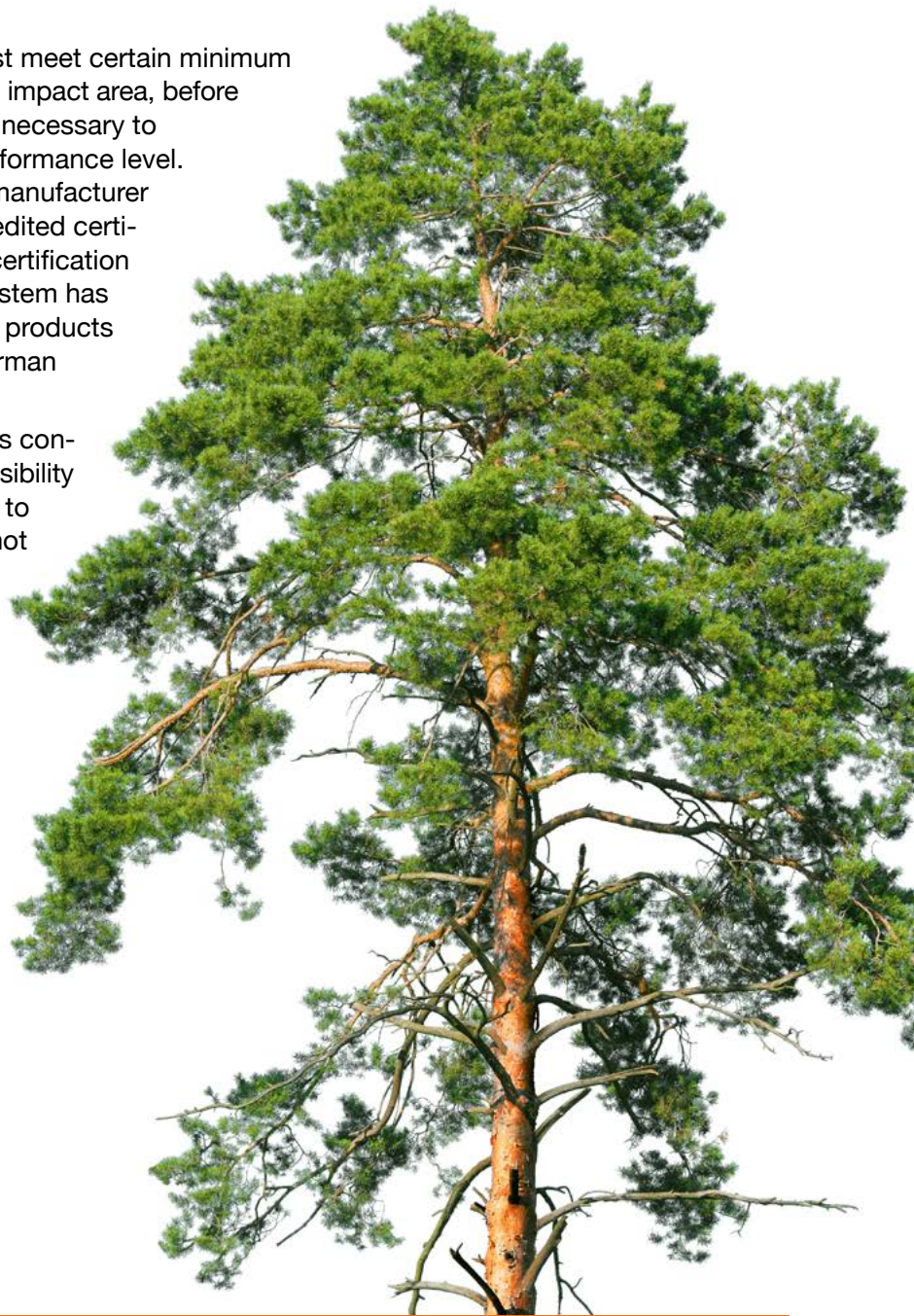


Requirements

To be Level certified, products must meet certain minimum requirements (prerequisites) in each impact area, before going on to earn additional credits necessary to achieve certification at a given conformance level. To achieve a Level certification, a manufacturer must have a contract with an accredited certification body and then undergo a certification process with annual audits. The system has for the moment some 500 certified products or product ranges, mainly from German manufacturer.

Möbelfakta covers the prerequisites concerning materials and social responsibility but the lack of requirements linked to Energy and Atmosphere makes it not possible to use Möbelfakta as an equivalent certification.

https://www.levelcertified.eu/site/assets/files/8052/femb_01_standard_2023_en.pdf



Recommendation

The FEMB level certification is increasing in Germany on the market for the office furniture, especially in the private sector. If consider a FEMB level certification it's also appropriate to consider combining this with a certification according to the American Level, as there are several synergistic effects with this. The evaluation is based on the same principles, many requirements are similar, and most certifiers are accredited for both systems.

Certifiers:

- TUV-Rheinland: <https://www.tuv.com/world/en/femb-level%C2%AE-certification.html>
- SCS: <https://www.scsglobalservices.com/services/femb-level>

PEFC

PEFC (Programme for the Endorsement of Forest Certification) is a non-profit organization working to promote long-term sustainable forestry in line with the definition by the United Nations Food and Agriculture Organization (FAO).

The system differs slightly from FSC in that it is the organization and its members who develop and decide on the level of the forestry standard. At regular intervals, other stakeholders are also invited to influence the process. Otherwise, the system is based on the same principle: the forest must be certified, and the remaining chain must undergo traceability certification of their operations so that the final product can bear the PEFC label.

In Germany, both awareness and customer demand for PEFC-labelled products are increasing. This applies to office and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

PEFC is more used and well-known in Germany than FSC.

Recommendation

When choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting traceability certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in Germany but within the EU in general.

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications, such as ISO 9001 or ISO 14001.

<https://www.pefc.se/marknad/det-har-ar-sparbarhetscertifiering>

CERTIFICATIONS TO BE AWARE OF

Blue Angel

Blue Angel (Blauer Engel in German) is a German environmental label, one of the oldest in the world, established in 1978. The label is well-known and respected both in Germany and internationally. Like the Nordic Swan and the EU Ecolabel, Blue Angel covers many product groups, not just furniture.

Blue Angel is similar to Möbelfakta, the Nordic Swan, and the EU Ecolabel as it is a comprehensive labelling system with requirements in several areas. The label focuses on various environmental aspects, including energy efficiency, material usage, pollution levels, recyclability, and contributions to reducing environmental impact throughout the product or service's entire life cycle.

Blue Angel is an independent Type 1 ecolabel according to ISO 14024. This means that Möbelfakta, the Nordic Swan, and the EU Ecolabel, which are also Type 1 labels, can be considered equivalent. If a customer requires Blue Angel, they should accept Möbelfakta, the Nordic Swan, or the EU Ecolabel as alternatives.

<https://www.blauer-engel.de/en>



FSC

FSC (Forest Stewardship Council) is an independent, international membership organization. FSC encourages environmentally, socially, and economically responsible use of the world's forests through a certification system.

The system is based on the forest being certified according to a national or regional standard, where the criteria are decided in consensus by environmental, economic, and social stakeholders. The remaining chain must undergo traceability certification of their operations so that the final product can bear the FSC label (Chain of Custody certification, CoC).

In Germany, both awareness and customer demand for FSC-labelled products are increasing. This applies to home, office, and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

Recommendation:

If Germany is your main export market, you may consider a PEFC certification may be more valuable than a FSC certification. However, when choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting a FSC CoC certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in Germany but within the EU in general.

For small organisations (maximum 15 employees or 25 employees and 1 million USD turnover) there is an option to apply for a group certificate to simply and ease the investment of resources.

<https://se.fsc.org/se-sv/grup-per-for-sparbarhetscertifiering>

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications such as ISO 9001 or ISO 14001.

<https://se.fsc.org/se-sv/kontroll-certifiering/certifieringsorgan>

MANDATORY REQUIREMENTS

For EU legislation that applies in Germany, please see the EU chapter.

Product safety

ProdSG (Product safety act)

The German implementation has transferred the GPSD (General Product Safety Directive) as European concept of harmonized standards. Concerning products not covered by any harmonized standard the German implementation of GPSD formulates a general safety requirement, which can be specified in national standards (DIN) and technical specifications. After determination by the Committee for Product Safety (AfPS) and the publication of the sources by the Federal Institute for Occupational Safety and Health in the Joint Ministerial Gazette, these standards and technical specifications have a presumption for fulfilling the legislation.

[https://www.gesetze-im-internet.de/englisch_prodsg/#:~:text=Act%20on%20Making%20Products%20Available,Product%20Safety%20Act%20%2D%20ProdSG\)*](https://www.gesetze-im-internet.de/englisch_prodsg/#:~:text=Act%20on%20Making%20Products%20Available,Product%20Safety%20Act%20%2D%20ProdSG)*)

The consequence of this is that following standards and technical specification are applicable and give a presumption of compliance to Prod SG:

DIN 4556:2017	Footrests for the office workplace
DIN 4573:2021	Seating for higher user weight
DIN 68930:2009	Kitchen furniture, Usability
DGUV Grundsatz 315-410	Safety requirements for office worktables, office cabinets and screens ¹

¹ <https://publikationen.dguv.de/widgets/pdf/download/article/4260>

Action:

In general tests performed according to Möbelfaktas technical requirements is enough to demonstrate compliance to the Prod SG with the exception of the above mentioned standards, are not covered by Möbelfakta, additional tests need to be done. A test according to Geprüft Sicherheit (GS) will cover these requirements, see: Technical aspects, voluntary requirements,

Note:

The Prod SG requires sample testing consumer products available on the German market, the type of sample testing to be carried out depends on the risk level related to the products and on the possibility to prevent the risk.



VOLUNTARY REQUIREMENTS

Gepprüft Sicherheit (GS)

GS certification is a voluntary third-party testing carried out by accredited test institutes. In Germany, the market demand for the GS mark is high. The GS symbol indicates that the product has been inspected and meets the requirements of ProdSG (See above under Mandatory requirement). The GS certification has a strong connection to the occupational and health legislation and is recommended by the insurance companies.

Recommendation:

Ensure the use of upholstery material tested against a standard polyether and capable of meeting EN 1021-1; this satisfies most situations.

Recommendation:

GS certification is almost a hygiene factor for office furniture, not as common in general non-domestic environments. To obtain GS approval for a product, the certification and testing must be carried out by a GS-accredited laboratory. The majority of the laboratories are German institutes as TUV-Rheinland, TUV SUD, INTERTEK or one of their subsidiaries located outside Germany. There are for the moment no GS-accredited laboratory in Sweden.

However, note that GS testing can be used to verify the technical requirements in Möbelfakta.

<https://go.tuv.com/Furniture-Testing-from-TUV-Rheinland>

<https://www.tuvsud.com/en/services/testing/furniture-inspection-and-testing-services>

The requirements are based on published CEN standards but also refer to some national DIN standards and technical specifications, see also: Technical aspects, mandatory requirements.

In addition to testing the product according to the relevant standards, GS certification also includes requirements for a management system based on ISO 9001, with an emphasis on the design, development, and production of the certified products. There are also requirements for how complaints and deviations are handled, and any changes on the product must be reported to the certifier. Certificates are valid for five years and are maintained through annual visits, known as factory inspections.

The system is not entirely dissimilar to Möbelfakta in terms of technical requirements. Just like in Sweden, there is a technical committee that decides on transition periods for old standards, interpretations, and



additional requirements. This is done centrally by the ZLS (Zentralstelle der Länder für Sicherheitstechnik) since GS certification applies to most product categories.

The following list as of May 2023 lists all transition periods, additions, and changes regarding established EN standards, national DIN standards, and technical specifications per 1 January 2024

https://www.zls-muenchen.bayern.de/beschluesse/ek_zek_beschluesse/doc/ek5/ek5-ak3-beschluesse_230525.pdf

Furthermore, there is a requirement that all accessible plastic parts should not contain any Polycyclic Aromatic Hydrocarbons (PAHs).

Deutsche Gutegemeinschaft Möbel

Also known as 'The golden M,' establishes and monitors quality standards for furniture. Their requirements and standards cover various aspects of furniture, including construction, durability, material quality, safety and possible emissions. Only furniture that meets these requirements and is certified by the organization can carry the quality mark.

The labelling is primarily used by entities operating in the consumer market, with a focus on kitchen and bathroom furniture, as well as upholstered furniture, including beds, in the upper price segment.

The labelling is comparable to Möbelfakta in that it encompasses several aspects beyond just safety and quality. The certification process includes random sample checks and follow-up visits.

The requirements can be obtained at: https://www.ral-guetezeichen.de/gz-einzelansicht/?gz=gz_430

<https://www.das-goldene-m.de/en/quality-community/the-golden-m>

Recommendation

As the requirements are not publicly available, it is difficult to make a comparison with, for example, Möbelfakta. On one hand, Möbelfakta includes social requirements in the supply chain that are not found in the 'Golden M,' but the latter also includes an assessment regarding material quality and precision in manufacturing. One simply has to undergo a certification.

Certifiers:

<https://www.eco-institut.de/en/portfolio/goldenes-m/>



Flammability

Furniture for domestic use

Just like in Sweden, there are no legal requirements regulating the flammability of furniture in a the domestic area. In cases where requirements do exist, they are based on the existing European standards, EN 1021-1 and EN 1021-2.

- Ensure the use of upholstery material tested against a standard polyether and capable of meeting EN 1021-1; this satisfies most situations.

Recommendation

- Ensure the use of upholstery material tested against a standard polyether and capable of meeting EN 1021-1; this satisfies most situations.

Comparison to Möbelfakta

Equivalent to Möbelfakta.

Furniture for non-domestic use

The fire safety requirements that are applicable to furniture are set out in legislation and regulations linked to the building.

It means that the responsibility for ensuring that furniture and interior meet any fire requirements lies with those specifying the furniture purchases, both in public environments and in offices. This often implies an indirect requirement to meet specifications, for example, in tenders.

For Germany, it is not uncommon for the procurer to stipulate that products must meet Class B1 or B2 according to DIN 4102, a well-known German standard for building materials. This is not correct, as DIN 4102 is a classification standard for individual components. Thus, it is possible to test individual stuffing materials but not an entire product.

Since 2021, there is an updated standard, DIN 66084, "Classification of burning behavior of upholstered products." This standard specifies requirements, methods, and a classification system that is useful and can be used as an argument in cases where a procurer incorrectly refers to DIN 4102.

- Cigarette test – DIN 66084 class P-c, identical to EN 1021-1
- Match flame – DIN 66084 class P-b, identical to EN 1021-2
- Paper cushion test – DIN 66084 class P-a

The latter of these, class P-a, has no equivalent counterpart, and one must entirely test the material combination in a laboratory accredited for the method.

Comparison to Möbelfakta

Currently, Möbelfakta only require compliance with EN 1021-1.

CERTIFICATIONS TO BE AWARE OF

TUV-Certification

TUV, Technischer Überwachungsverein, roughly translates to “Technical Inspection Association”. It is the name and expression for German testing and inspection organizations. The different organizations have historically origin from different regions of Germany, such as Sud, Nord, or Rheinland. (TUV-sud, TUV-nord or TUV-Rheinland)

Despite the names, they are not the same organization but entirely independent of each other. Most of them are large organizations with a global presence today. In addition to offering GS certification, which is closely linked to occupational health and safety legislation in Germany, they also provide other types of certifications.

Here are a few examples:

- ▶ <https://go.tuv.com/Furniture-Testing-from-TUV-Rheinland>
- ▶ <https://www.tuvsud.com/en/services/product-certification/ps-cert/certification-mark-for-furniture>

These certifications are primarily used in retail, especially in the lower price segments.





UNITED KINGDOM

ENVIRONMENTAL AND SOCIAL ASPECTS | MANDATORY REQUIREMENTS

MANDATORY REQUIREMENTS

For EU legislation that applies in the UK, please see the EU chapter.

Modern Slavery Act

Companies selling furniture to the United Kingdom are subject to the Modern Slavery Act, which aims to combat slavery and human trafficking within companies' supply chains. The legislation encompasses companies with a turnover of at least £36 million per year. However, even companies with lower turnover are affected since larger customers are subject to the law and have requirements for their supply chain.

The Modern Slavery Act is complex legislation, and the following advice is TMF's assessment of how the legislation should be interpreted for Swedish furniture companies. It may be necessary to consult a legal expert for detailed advice and guidance.

Furniture companies that adhere to Möbelfakta's requirements for responsible supply chains (previously referred to as social responsibility) have a solid foundation for complying with the Modern Slavery Act. Möbelfakta is based on the United Nations Global Compact and the ILO's eight core conventions, which include fundamental human rights concerning forced labour and child labour.

- Companies with a turnover lower than £36 million per year: The preventative work required within Möbelfakta, involving risk analysis and follow-up, should according to the TMF's assessment be in line with what's needed.
- Companies with a turnover greater than £36 million per year: These companies need to annually publish a declaration in which they describe the measures they have taken to ensure that slavery and human trafficking do not occur in their business operations and supply chains. They must explain, among other things:
 - The organization's structure, business model, and supply chains.
 - Policies related to slavery and human trafficking.
 - Due diligence processes in relation to slavery and human trafficking in the business and supply chains.
 - Risk areas and how the risks are managed.
 - Training on slavery and human trafficking for the staff.
 - The effectiveness of the measures taken, measured with relevant key indicators.

This declaration can be integrated into the company's annual sustainability report.

<https://www.lawsociety.org.uk/topics/human-rights/modern-slavery-act-2015>



VOLUNTARY REQUIREMENTS

Wood

Example of requirements:

All timber and wood derived products originate from an independently verifiable legal and sustainable source in line with the Governments Timber Procurement Policy which can include:

- a** Independently verified legal and sustainable sources; or
- b** Forest Law Enforcement, Governance and Trade (“FLEGT”); or
- c** Recycled timber.

<https://www.crowncommercial.gov.uk/agreements/RM6119>
- Document “RM6119 Specification”.

Recommendation:

FSC certified wood is recommended to meet the timber requirement.

- › Some customers may require FSC certified products, which means you as a furniture producer must be FSC certified.
- › Other customers are satisfied with agreements that FSC certified wood are used in the production, even if you as a furniture company are not FSC certified yourself.

Recommendation:

Chemical products, such as adhesives and lacquers as well as chemicals in fabrics, foams etc, that meet the requirements of Möbelfakta or Nordic Swan fulfil the Hazardous materials requirement.

Hazardous materials

Example of requirements:

The Supplier shall ensure that all internal finishes, including solvents and paints are inert and meet best practice Standards for using low levels of Volatile Organic Compounds (“VOC”) during their manufacture.

The Supplier shall use products that contain low levels of solvents or are solvent-free, such as water-based paints, varnishes and/or glues.

<https://www.crowncommercial.gov.uk/agreements/RM6119>
- Document “RM6119 Specification”.

Waste prevention

Example of requirements:

The Supplier shall provide information on the methods of disposal of waste, showing clear evidence of using disposal methods which are environmentally preferable as required.

<https://www.crowncommercial.gov.uk/agreements/RM6119>
- Document “RM6119 Specification”.

Recommendation:

The disassembling instruction used for Swedish tenders and Möbelfakta, including information about what components/materials of the furniture that can be replaced and how to recycle each item, can be used to meet the Waste prevention requirement.

CERTIFICATIONS TO BE AWARE OF

WELL

WELL certification, originating from the USA, focuses on improving health and wellbeing through building design, covering aspects like air quality and ergonomics. For furniture, it promotes the use of healthy and sustainable materials. In the UK, the importance of WELL certification has been increasing, driving demand for WELL-adapted furniture in line with the trend towards health-conscious design.

Comparison with Möbelfakta:

There are some overlaps within WELL certification and Möbelfakta, particularly in environmental and health-related aspects, but the two certifications are not directly interchangeable. A Möbelfakta certified product can contribute to a WELL-certified environment, but having a Möbelfakta-certified product does not automatically mean that all WELL requirements are met. For a product to contribute to WELL certification, it must meet specific criteria set by the International WELL Building Institute.

<https://www.wellcertified.com/>



BREEAM

BREEAM (Building Research Establishment Environmental Assessment Method) is an environmental certification from the UK, established in 1990 to assess the environmental performance of buildings. Its influence extends to the furniture industry, where sustainable manufacturing methods and eco-friendly materials are becoming increasingly important to meet BREEAM standards and score higher BREEAM points.

Areas which score BREEAM points:

- ▶ **Eco-Friendly Materials:** Furniture made from recycled, recyclable, or renewable materials.
- ▶ **Low Emission:** Furniture that emits low levels of volatile organic compounds (VOCs) can improve indoor air quality, which is a key component of BREEAM assessment.
- ▶ **Energy-Efficient Production:** Furniture manufactured using energy-efficient processes supports BREEAM's focus on reduced energy usage.
- ▶ **Durability and Longevity:** Furniture that is durable and has a long lifespan reduces the need for frequent replacements, thereby minimizing waste and resource consumption.
- ▶ **Responsible Sourcing:** Furniture made with consideration for ethical and sustainable forestry practices, such as FSC-certified wood, supports BREEAM's requirements for responsible material sourcing.
- ▶ **Reusability and Recyclability:** Design that facilitates the reuse and recycling of furniture at the end of its life cycle supports BREEAM's goals of a circular economy.

It's important to note that while these aspects can contribute to a higher BREEAM score, it's the overall performance of the building, rather than individual products like furniture, that is assessed in a BREEAM certification.

A product certified by Möbelfakta or Nordic Swan can contribute positively to a building's BREEAM assessment.

<https://www.sgbc.se/certifiering/breeam-se/>

<https://bregroup.com/products/breeam/>



FISP

FISP (Furniture Industry Sustainability Programme) certification is a scheme designed for the furniture industry to promote sustainable practices. This program is specific to the UK furniture industry and aims to demonstrate a company's commitment to corporate social responsibility in terms of environmental and social aspects.

The FISP certification requires a comprehensive audit of a company's business operations, focusing on areas such as:

- **Sustainable Sourcing:** Ensuring that materials used in furniture production are sourced responsibly and sustainably.
- **Environmental Management:** Implementing and maintaining an effective environmental management system.
- **Waste Management and Recycling:** Strategies for reducing waste and effectively recycling materials.
- **Energy Efficiency and Carbon Footprint:** Measures to improve energy efficiency and reduce the carbon footprint of manufacturing processes.
- **Social and Ethical Aspects:** Ensuring that the company adheres to ethical practices in its dealings with employees, suppliers, and clients.

Companies that successfully meet these criteria and pass the FISP audit are granted certification. This not only helps in improving their environmental and social impact but also often leads to increased efficiency, cost savings, and a better corporate image. The FISP certification is recognized as a mark of sustainability and responsible practices in the UK furniture industry.

FISP focus on the company, unlike most ecolabels like Möbelfakta, Nordic Swan and EU Ecolabel which focus on the products. Thereby, FISP is not a Type 1 Ecolabel according to ISO 14024 and should not be compared with Möbelfakta, Nordic Swan and EU Ecolabel.

<https://www.fispfurniture.com>



Cradle to Cradle (C2C)

Cradle to Cradle is an international environmental certification sometimes requested in the United Kingdom. C2C is administered by the non-profit, American based organization Cradle to Cradle Products Innovation Institute.

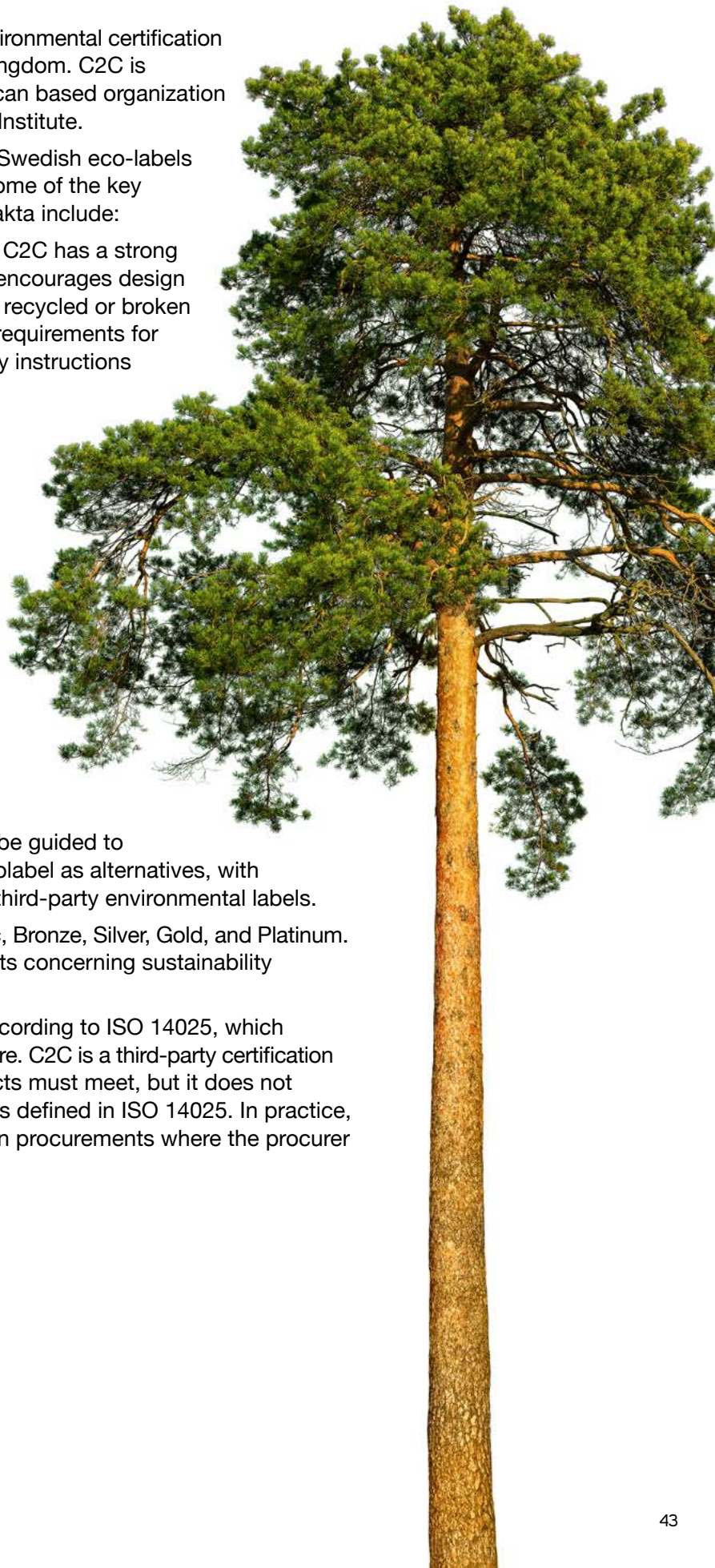
Direct comparison between C2C and Swedish eco-labels like Möbelfakta can be challenging. Some of the key differences between C2C and Möbelfakta include:

- ▶ **Material use and circular economy:** C2C has a strong focus on the circular economy and encourages design that enables each component to be recycled or broken down safely. Möbelfakta has some requirements for circular design, such as disassembly instructions and spare parts.
- ▶ **Energy:** C2C focuses on the use of renewable energy in the production process, while Möbelfakta has no such requirements.
- ▶ **Water usage:** C2C encompasses aspects of water usage and management, which are not stipulated by Möbelfakta.
- ▶ **Social responsibility:** Both certifications include aspects of social responsibility and fair working conditions, but the application and specific requirements are not exactly the same.

Customers who demand C2C should be guided to accept Möbelfakta, Svanen, or EU Ecolabel as alternatives, with the justification that they are credible third-party environmental labels.

C2C is available at various levels; Basic, Bronze, Silver, Gold, and Platinum. Each level imposes higher requirements concerning sustainability aspects.

Note that C2C is not a Type 1 label according to ISO 14025, which Möbelfakta, Svanen, and EU Ecolabel are. C2C is a third-party certification and there are strict criteria that products must meet, but it does not follow the same structure and methods defined in ISO 14025. In practice, this means that C2C cannot be used in procurements where the procurer requires a Type 1 label.



FSC

FSC (Forest Stewardship Council) is an independent, international membership organization. FSC encourages environmentally, socially, and economically responsible use of the world's forests through a certification system.

The system is based on the forest being certified according to a national or regional standard, where the criteria are decided in consensus by environmental, economic, and social stakeholders. The remaining chain must undergo traceability certification of their operations so that the final product can bear the FSC label (Chain of Custody certification, CoC).

In United Kingdom, FSC demand has been used for many years and are increasing. This applies to home, office, and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

Recommendation:

When choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting a CoC certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in the UK but within the EU in general.

For small organisations (maximum 15 employees or 25 employees and 1 million USD turnover) there is an option to apply for a group certificate to simplify and ease the investment of resources.

<https://se.fsc.org/se-sv/grupp-per-for-sparbarhetscertifiering>

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications such as ISO 9001 or ISO 14001.

<https://se.fsc.org/se-sv/kontroll-certifiering/certifieringsorgan>

PEFC

PEFC (Programme for the Endorsement of Forest Certification) is a non-profit organization working to promote long-term sustainable forestry in line with the definition by the United Nations Food and Agriculture Organization (FAO).

The system differs slightly from FSC in that it is the organization and its members who develop and decide on the level of the forestry standard. At regular intervals, other stakeholders are also invited to influence the process. Otherwise, the system is based on the same principle: the forest must be certified, and the remaining chain must undergo traceability certification of their operations so that the final product can bear the PEFC label.

In the UK, both awareness and customer demand for PEFC-labelled products are increasing. This applies to office and public environments, as well as public procurement and B2B.

Please note that FSC and PEFC are two separate systems. You cannot use PEFC certified material in your FSC certification and vice versa.

Recommendation:

When choosing between FSC or PEFC certification, it's recommended to check which certification your suppliers of wooden materials are certified for and go for the same. If your suppliers are not certified for the same system as your company, the chain of custody is broken and the value of your certification will be much lower.

Conducting traceability certification provides many benefits for demonstrating compliance with both legal requirements and other requirements in various environmental labels, not only in the UK but also in the EU in general.

Traceability certification is carried out by accredited certification bodies, often by the same certification companies that perform other certifications, such as ISO 9001 or ISO 14001.

<https://www.pefc.se/marknad/det-har-ar-sparbarhetscertifiering>

MANDATORY REQUIREMENTS

For EU legislation that applies in UK, please see the EU chapter.

Application of relevant EU-Directives

Application of relevant EU directives. The requirement for products exported to the UK to be marked with UKCA labelling has been postponed indefinitely. Therefore, CE marking can still be used for products covered by the directives relevant to furniture.

- ▶ MD (Machinery Directive)
- ▶ LVD (Low Voltage Directive)

The UKCA marking established by the United Kingdom means that products should be labelled with the new British product mark, UKCA (United Kingdom Conformity Assessed). UKCA marking is intended to completely replace CE marking in the UK, and transition rules have applied until now. According to decisions from British authorities, CE marking will be accepted for the majority of products for the foreseeable future.

This means that products placed on the market in the UK can be labelled with CE, UKCA, or both markings for the foreseeable future.

Flammability

The fire safety requirements in the UK differ significantly between the domestic and public environments. There is clear legislation related to furniture for the home environment, while the legal requirements for the public environment should be considered in conjunction with the building or space in which they are used. It's worth noting that if a product intended for the public environment ends up in a home environment, it is subject to the legal requirements for domestic furniture.

Furniture for domestic use

The Furniture and Furnishing (Fire)(Safety) regulations 1988 (as amended in 1989, 1993 and 2010).

<https://www.legislation.gov.uk/ukSI/1988/1324/contents/made>

The law is designed to ensure that upholstered components and composites used for furniture supplied in the UK meet specified ignition resistance levels.

There are six main areas within the legislation.

- ▶ Filling materials must meet specified ignition requirements.
- ▶ Upholstery composites must be cigarette resistant.
- ▶ Covers must be match resistant with some exceptions.
- ▶ A permanent label must be fitted to every item of new furniture.
- ▶ A display label must be fitted to every item of new furniture at the point of sale.
- ▶ The first supplier of domestic upholstered furniture must maintain records for five years to prove compliance.

The legislation applies to all persons in the business supply chain, from the supply of materials through to the supply of the finished product as well as re-upholstery and re-covering but it is the UK-based manufacturer or the importer of the furniture that have responsibilities under the regulation.

The requirements are described in five different test schemes and each test scheme are divided in different parts based on the component and the function of it. The different parts specify test methods and requirement for each component.

A permanent label shall be affixed to the product and its intention is to assist enforcement officers and show compliance with the specific ignition requirements for the different components. The regulation states two different labels to be used, one that giving the full information about the content of the furniture or a shorter one with only minimum information.

In order to give the end customer proper information there shall also be a display label at the point of sales, it shall show the ignitability performance of the product.

For beds, see the below section concerning “non-domestic beds” where the requirement specified for Low hazard is applicable to domestic beds.

Action:

Laws in the UK regarding fire safety for furniture can be complex, with requirements directly formulated in legislation and often referring to national standards and testing methods. As it is the responsibility of the operator on site in the UK to ensure compliance with the legislation and that products are correctly labelled, it is strongly recommended to maintain an open dialogue with retailers or importers. Additionally, having good communication with suppliers of upholstery and padding materials is crucial, as they typically possess the necessary knowledge to offer the right materials.

General recommendations:

- ▶ Use padding material that meets BS5852, crib 5, usually CMHR foam.
- ▶ Use covering material that passes cigarette and open flame tests, EN 1021-1 and -2, in combination with CMHR foam.
- ▶ Use interliners, padding, or other components, both visible and non-visible, that meet cigarette ignition tests.
- ▶ If you intend to use interliners as fire protection, they should meet BS 5852, crib 5.

Keep in mind that the legislation requires documentation to be available for at least 5 years after the product is sold.

Possible change of the regulation:

During 2023 a new proposal for revision the legislation has been out for consultation, the proposal contains a target date for publication in the end of 2024 with a two-year transition period. The major changes in the proposal are:

- ▶ Instead of component test, the final product or a representative model shall be tested.
- ▶ A flame-retardant hierarchy are introduced.
- ▶ All flame retardants shall be listed at the permanent level.
- ▶ New standard will be developed, based on technical bulletin TB117:2013.
- ▶ Outdoor furniture is excluded if they are clearly marked.

Furniture for non-domestic use

The Regulatory Reform Fire Safety Order 2005 (RRFSO)

The legislation focus om on fire prevention and protection measures. Its prime emphasis centres on risk assessment, with the most important duty of a “Responsible person” being

undertake a suitable, and sufficient, fire risk assessment. The responsible person is either the employer, occupier or owner of the building.

The RRFSO does not specify any precise ignition resistance requirements for furniture. It does, however, require that a fire safety risk assessment takes account of:

- Materials and construction used.
- Firefighting.
- Escape routes.
- The building contents.
- Fire detection.

Based on this the “Responsible person” will identify and specify appropriate ignition resistance levels for the furniture. Information of on the required level ignition resistance will be passed to the specifier or purchaser to ensure furniture within the building meets the appropriate requirements. The resistance levels that the furniture shall achieve will be expressed in different hazard levels.

The hazards can then be expressed in requirement documents and the most frequently used in the UK is:

- BS 7176:2007 + A1: 2001 Specification for resistance to ignition of upholstered furniture for non-domestic seating by testing composites.
- BS 7177:2008+ A1: 2001 Specification for resistance to ignition of mattresses’, mattress pads, divans and bed bases.

In broad principle, the standards set requirements for the ignitability of upholstered seatings and beds for different end use application.

Compliance with the standards involves three key elements:

- Meeting technical requirements for ignitability resistance
- Frequency of testing
- Product labelling

Non-Domestic seating

BS 7176 Typical example of premises in each hazard category:

Low Hazard	Medium Hazard	High Hazard	Very High Hazard
Colleges	Casinos	Offshore installations	Looked psychiatric accommodation
Day centres	Hospital	Sleeping accommodation in certain hospital wards	Prison cells
Exhibitions	Hostels		
Museums	Hotel bedrooms		
Offices	Place of entertainment		
Schools	Public buildings		
Universities	Public halls		
	Public houses and bars		
	Restaurants		
	Services messes		

BS 7176 does not state categorically the ignition resistance requirements for different categories of end-use as offices, pubs, hotels and so on. Instead, the standard relates the

requirements to the perceived hazard in each individual end-use environment. Hence the ignition resistance levels are set out in low, medium, high and very high hazards.

BS 7176 Hazard categories, ignition requirements and test methods:

Hazard category	Ignition resistance requirements	Test method
Low Hazard	Smouldering cigarette – IS 0 Match flame – IS 1	EN 1021-1:2006
Medium Hazard	Smouldering cigarette – IS 0 Match flame – IS 1	EN 1021-2:2006
High Hazard	Flame source – IS 5 for upholstery components Smouldering cigarette – IS 0 Match flame – IS 1	EN 1021-1:2006 EN 1021-2:2006 BS 5852:2006 Clause 11
Very High Hazard	Smouldering cigarette – IS 0 Match flame – IS 1 Flame source – IS 7 for upholstery components Flame source – IS 7 for complete item	EN 1021-1:2006 EN 1021-2:2006 BS 5852:2006 Clause 11 BS 5852:2006 Clause 12

Note: IS = Ignition source

To claim compliance with BS 7176 it is necessary to conduct repeat test on products, either once a month or every 2.500 unit, whichever is more practicable. BS 7176 does not provide any requirement for frequency of testing component suppliers, but it is recommended to have a risk-based testing process for component.

Product labelling

Full compliance with BS7176 require that each item bears a permanently attached label, positioned so that it is clearly visible. The minimum dimensions of the label and the size of the lettering is specified in the standard. Labels for the different hazards are available from many suppliers.



Action:

As the legislation focuses on the building and its conditions, it is not possible to set an absolute minimum level for products that are not project specific. It is important to be attentive to the established requirements for the specific project in question. If this is not clear, it may be beneficial to develop a strategy for products intended to be sold on the UK non-domestic market.

As mentioned earlier, meeting the technical fire safety requirements alone is not sufficient to claim compliance with BS 7176. The product must be labelled with the intended label, and its components must be systematically tested.

In cases where standard products are intended for the UK non-domestic market, it is recommended

to focus only on Low- and Medium-hazard levels. Other levels usually require significant changes compared to products sold in other markets.

The following steps are recommended:

- Use padding material that meets BS5852, Crib 5, usually CMHR foam.
- Use fabrics that meet BS 5852, Crib 5, tested with a CMHR foam of lower density than that used in the product.
- Ensure regular follow-up and request fresh testing reports from fabric and padding material suppliers.
- Systematically test the specific material combination according to BS 5852, Crib 5

Examples of requirements:

Additional Marking for Contract Seating:

Seating shall be marked in accordance with clause 6 of BS 7176:2007+A1:2011: “Complies with BS 7176: 2007 +A1:2011 direct test medium hazard areas (not recommended for use in higher hazard areas)”. The Supplier shall amend the label appropriately should there be a requirement for a higher or lower hazard area.

Non-Domestic beds

BS 7177 Typical example of premises in each hazard category:

Low Hazard	Medium Hazard	High Hazard	Very High Hazard
Domestic dwellings (Including non-motorized caravans)	Boarding schools	Certain hospital wards	Looked psychiatric accommodation
	Day centres	Hostels	Prison cells
	Halls of residence at universities and colleges	Offshore installations	
	Hospitals	Old peoples’ home	
	Hostels		
	Hotels		
	Old peoples’ home		
	Residential schools		
	Services messes		

BS 7177 does not state categorically the ignition resistance requirements for different categories of end-use as hotel or hospital applications. Instead, the standard relates the requirements to the perceived hazard in each individual end-use environment.

BS 7177 Hazard categories, ignition requirements and test methods:

Hazard category	Ignition resistance requirements	Test method
Low Hazard	Smouldering cigarette – IS 0 Match flame – IS 1	EN 1021-1:2006
Medium Hazard	Smouldering cigarette – IS 0 Match flame – IS 1 Flame source – IS 5 for upholstery components	EN 597-1:2016 EN 597-2:2016 BS 6807:2006 Clause 9
High Hazard	Smouldering cigarette – IS 0 Match flame – IS 1 Flame source – IS 7 for upholstery components	EN 597-1:2016 EN 597-2:2016 BS 6807:2006 Clause 9
Very High Hazard	Smouldering cigarette – IS 0 Match flame – IS 1 Flame source – IS 7 for upholstery components Additional requirements at the discretion of the specifier with high hazard requirements as a minimum.	EN 1021-1:2016 EN 1021-2:2016 BS 6807:2006 Clause 9

Note: IS = Ignition source

In order to claim compliance with BS 7177 it is necessary, depending on units produced per month, to conduct repeat test on products:

- ▶ > 2.400 1 per month
- ▶ 400 – 2.400 1 per 2.400
- ▶ < 400 1 every 6 months

BS 7177 does not provide any requirement for frequency of testing component suppliers, but it is recommended to have a risk-based testing process for components.



Product labelling

Full compliance with BS7177 require that each item bears a permanently attached label, positioned so that it is clearly visible. The minimum dimensions of the label and the size of the lettering is specified in the standard. Labels for the different hazards are available from many suppliers.

The following steps are recommended:

- ▶ Use filling materials that separately fulfil Annex A to E in BS7177
- ▶ Test the finished product according to BS 6807, ignition source 5, Clause 9
- ▶ Systematically test the specific material combination according to BS 6807, ignition source 9

Action:

As the legislation focuses on the building and its conditions, it is not possible to set an absolute minimum level for products that are not project specific. It is important to be attentive to the established requirements for the specific project in question. If this is not clear, it may be beneficial to develop a strategy for products intended to be sold on the UK non-domestic market.

As mentioned earlier, meeting the technical fire safety requirements alone is not sufficient to claim compliance with BS 7177. The product must be labelled with the intended label, and its components must be systematically tested.

In cases where standard products are intended for the UK non-domestic market, it is recommended to focus only on Low- and Medium-hazard levels. Other levels usually require significant changes compared to products sold in other markets.

Examples of requirements:

Bed Requirements:

Divan bed bases shall comply with BS 7177:2008 + A1:2011 (medium Hazard) and BS EN 1725:1998.



VOLUNTARY REQUIREMENTS

Recommendation:

When you are testing your products for Möbelfakta use the higher test level for the products aiming for the UK market.

EN standards in general

The EN standards generally used in Europe are also applicable in the UK and are referred to with the prefix 'BS' for EN. There are some exceptions, with the most notable ones listed below. Furthermore, it should also be mentioned that many EN standards refer to a higher testing level than what we have in Möbelfakta.

Example of voluntary requirements:

Latest tender from Crown Commercial (CCS) central contracting authority in the UK and handles several public sector procurements, including furniture for public buildings.

Dining chairs shall meet the strength and stability performance of BS EN 16139:2013 (Test level 3).

Dining tables shall meet the strength and stability performance of BS EN 15372:2016 (Test level 3).

Office work chair

The standard commonly used to verify the technical requirements for Office work chairs in Europe is EN 1335-2, safety requirements for office work chairs. It encompasses and specifies requirements for 8 hours of use for users up to 110kg. Widely used in the UK is BS 5459-2. This standard specifies technical requirements for office work chairs for use by persons weighing up to 150 kg and up to 24 hours a day.

Recommendation:

The load rating for higher user weights in Möbelfakta is not comparable to the test methods or requirements in BS 5459, therefore, specific testing according to this standard is necessary.

For the moment are there no accredited laboratory in Sweden that can perform this test.

Test laboratories:

<https://www.fira-international.com/?origin=fira>

<https://new.satra.com/markets/furniture/>





THE UNITED STATES

ENVIRONMENTAL AND SOCIAL ASPECTS | MANDATORY REQUIREMENTS

MANDATORY REQUIREMENTS

Ban of Lead

16 CFR part 1303 – Ban of Lead – containing paint and certain consumer products bearing Lead – Containing paint.

Regulates the use of lead-containing paint on certain types of furniture, with a particular emphasis on items that are accessible or frequently used by children. This regulation aims to reduce the risk of lead poisoning, especially in young children, by controlling the lead content in paints used on furniture.

It applies to all products that is intended to be used by children which include school furniture. Note that it is also applicable to furniture that children maybe come into contact with as regular domestic furniture.

The paint and/or surface treatment shall not contain lead or lead compounds > 90 ppm of the weight of the total non-volatile content of the paint or the weight of the dry paint film.

Action:

Lead and their components are classified as a substance of very high concerns by REACH and the use is either regulated or banned depending on the area of use. The risk of not be in compliance with this legislation is very small when using surface treatment origin from the EU.

A product that conforms to the environmental requirements in Möbelfakta fulfils the legislation.

Restriction of antimicrobial treatments

FIFRA, Antimicrobial Textiles, Title 7, United States code, chapter 6, section 136

Products that eliminate or repel bacteria or germs are considered pesticides and must be registered with the EPA prior to distribution or sale. This includes pesticides used on covering materials to provide antimicrobial or other pesticides characteristics.

This cover also any kind of public health pesticidal statement for any product.

Recent list: <https://www.epa.gov/system/files/documents/2023-03/EPA-HQ-OPP-2020-0260-001.pdf>

Action:

If you use any kind of antimicrobial treatment in your product, check that the substance is registered and approved by EPA.

Action:

Keep records as Safety data sheet of the chemicals used in your product and get confirmation from your suppliers that the chemicals they use are registered by EPA and that they do not use any prohibited chemicals in accordance with the legislation.

Chemicals TSCA

TSCA, Toxic Substances Control Act, Title1 (Testing of chemicals)

The Toxic Substances Control Act (TSCA), governing the use of chemicals in industry and commerce. It is administered by the Environmental Protection Agency (EPA). The primary focus of TSCA is to provide the EPA with authority to require reporting, record-keeping, testing and restrictions relating to chemical substances and/or mixtures.

As a manufacturer, your obligations under the Toxic Substances Control Act (TSCA) primarily relate to the chemicals and substances used in your manufacturing process. You need to ensure these chemicals are listed on the TSCA Inventory. This inventory lists all chemicals that are legally allowed to be manufactured or processed in the United States. Maintain records of the chemicals used in your manufacturing processes. This is crucial for compliance with TSCA, as the EPA may require you to provide information about the chemicals you use.

Recent list: <https://www.epa.gov/tsca-inventory/how-access-tsca-inventory>

Formaldehyde emissions

TSCA, Toxic Substances Control Act, Title VI (Limiting formaldehyde emissions)

All particleboards, HDF/MDF boards and flat plywood boards (with some exceptions until March 2024) need to comply with the formaldehyde emission requirement.

The requirement is identical to California Air Resources Board Regulation: § 93120, Phase II.

The board shall be labelled with “TSCA Title VI Compliant” and the manufacturer shall record and keep traceability from the used board to the final product and keep them for at least 3 years.

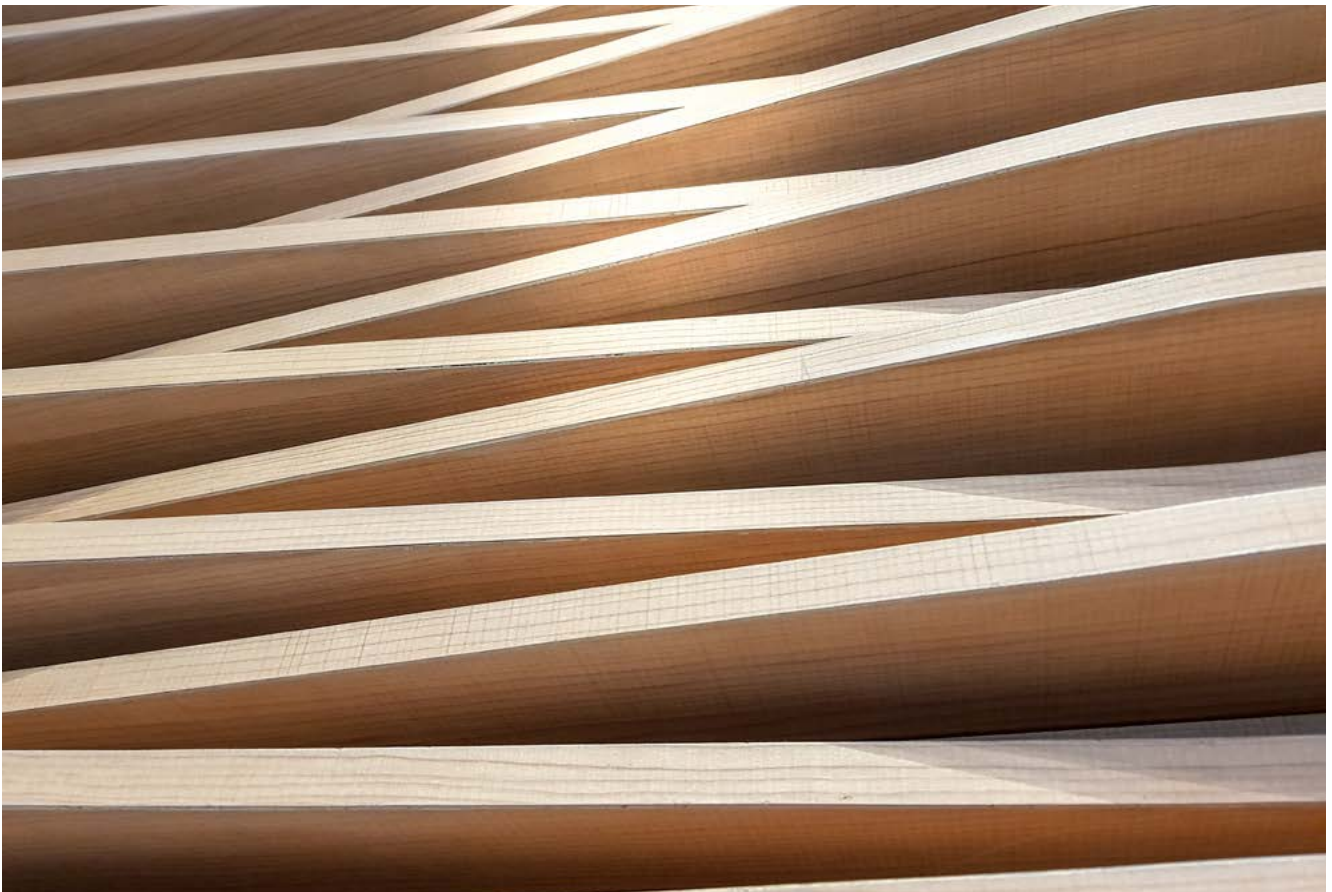
The final product itself do not need to be labelled.

Note that if the board used is faced with veneer or laminate by other than the board manufacturer that part of the process will be included in the legislation from March 2024. Depending how this will be implemented there is a risk/chance that veneered and laminated boards will be classified as to be compliant itself. A proactive action can be to assure that a formaldehyde free adhesive is used.

Action:

Let your supplier test the board by an EPA approved laboratory.
<https://ww2.arb.ca.gov/resources/documents/certified-mills-list-september-5-2023>

If the board in your products is veneered or laminated by another supplier, it is recommended to use a formaldehyde free adhesive to avoid further testing.



Wood and wood-based materials

Lacey Act

The Lacey Act is a significant piece of environmental legislation in the United States that was originally enacted in 1900. It was the first federal law to protect wildlife, and over the years The Act has been amended several times. One of the major amendments from 2008 was to combat illegal logging and the associated trade. It requires importers to declare the country of origin and species of any wood products, aiming to prevent the import and sale of illegally sourced wood and wood products.

The Lacey Act in the United States and the European Union Timber Regulation (EUTR) share similarities, particularly regarding the regulation of wood-based products. Both are designed to combat illegal logging and promote the legal and sustainable trade of timber and timber products.

Illegal Logging and Trade Prevention:

Both the Lacey Act and the EUTR aim to prevent the trade of illegally harvested timber and timber products.

Due Diligence Requirements:

Under the Lacey Act, importers must declare the species and country of origin of imported wood products, ensuring compliance with legal standards. Similarly, the EUTR requires operators who place timber products on the EU market to exercise due diligence to ensure that the timber is legally harvested. This includes maintaining records of their suppliers and ensuring traceability.

Scope of Applicability:

Both regulations cover a wide range of wood products, from raw timber to processed items like furniture.



Action:

As for EUTR, FSC or PEFC certified wood can be used to meet the requirements of the Lacey Act. Regulation. However, it's important to note that while FSC or PEFC certification is a strong indicator of compliance and is highly regarded, it does not automatically guarantee compliance. Importers still need to conduct

their own due diligence and maintain the origin of the wood, and wood-based material in the products.

A useful tool for this is the result of a risk assessment in line with Möbelfaktas social requirement which includes both mapping the supply chain and identification of risks.

VOLUNTARY REQUIREMENTS

LEVEL

LEVEL certification is a program that aims to certify furniture, buildings or other products based on their compliance with certain eco-friendly and sustainable criteria within production and design.

LEVEL is the certification program that assesses compliance with the BIFMA e3 standard. LEVEL certification has three tiers – LEVEL 1, LEVEL 2, and LEVEL 3 – indicating increasing degrees of achievement or compliance with the BIFMA e3 standard. LEVEL 3 represents the highest level of sustainability performance under this program.

In the Level certification process, not only the Product, but the Facility or Facilities that produced it, and the organisation itself are all scored according to sustainability criteria.

In order to be LEVEL certified, products must meet certain minimum requirements (prerequisites) in each impact area, before going on to earn additional credits necessary to achieve certification at a given conformance level. To achieve a Level certification, a manufacturer must contract with an accredited certification body and then undergo a certifications process with annual audits.

The system has for the moment some 5000 certified products or product ranges, all main manufactures for office and non-domestic have certified products. The certification has a lot in common with the European certification, FEMB Level but it is not possible to claim compliance with the US Level by the European one.

<https://www.bifma.org/page/level>

Möbelfakta covers most of the requirements concerning materials and social responsibility, but the lack of requirements linked to LCA (lifecycle analysis) or Emission tests of the whole product makes it not possible to use Möbelfakta as an equivalent certification.



Recommendation:

The level certification is widely used in the the US and if one is considering entering the American market for office and public environments, it might be advisable to pursue a Level certification. In such cases, it's also appropriate to consider combining this with a certification according to FEMB Level, as there are several synergistic effects with this. The evaluation is based on the same principles, many requirements are similar, and most certifiers are accredited for both systems.

Certifiers:

<https://www.intertek.com/furniture/bifma-level/>

<https://www.scsglobalservices.com/services/bifma-level>

<https://www.tuv.com/world/en/bifma-level%C2%AE-certification.html>

ANSI/BIFMA e3

The BIFMA e3 standard is a framework developed by the Business and Institutional Furniture Manufacturers Association (BIFMA) for the sustainable design and manufacture of furniture products. It provides guidelines for manufacturers to assess and improve the environmental performance of their products and business practices. The standard covers various aspects of sustainability and environmental responsibility in furniture manufacturing.

The BIFMA e3 standard is also the base for the Level certification.

BIFMA e3 focuses on reducing the environmental impact of furniture products throughout their lifecycle, including material sourcing, manufacturing, use, and end-of-life disposal or recycling. It also considers the health and wellness impacts of furniture products, including the use of harmful chemicals and the indoor air quality impacts of furniture.

BIFMA e3 includes criteria for social responsibility in manufacturing processes, ensuring that furniture production meets certain ethical and labour standards.

<https://cdn.ymaws.com/www.bifma.org/resource/resmgr/standards/ANSI-BIFMA-e3-2019.pdf>

ANSI/BIFMA X7.1

Standard for Formaldehyde and TVOC Emissions of Low-emitting Office Furniture and Seating.

BIFMA X7.1 is a standard developed by the Business and Institutional Furniture Manufacturers Association (BIFMA). It focuses on air quality, specifically addressing the emissions of volatile organic compounds (VOCs) from office furniture systems, components and seating. It specifies methods for determining the emission and outline acceptable levels of various VOCs from furniture.

The requirements in ANSI/BIFMA X7.1 is also applicable in BIFMA e3.

The requirement is based on the method determined in BIFMA M7.1 Standard for Formaldehyde and TVOC Emissions of Low-emitting Office Furniture and Seating. The test methods are different from the established systems in Europe and therefore a specific test is necessary.

Certifiers: <https://www.dti.dk/testing/indoor-emissions-laboratory/42164?cms.query=BIF-MA+M7%2E1>

SIN list (chemicals)

The SIN (Substitute It Now!) List is an initiative by the non-profit organization ChemSec (the International Chemical Secretariat), based in the the US. It identifies chemicals that are deemed to be particularly hazardous to human health or the environment.

When exporting to the US, customers may require no chemicals from the SIN list in the furniture.

Comparison with REACH Candidate List:

- ▶ **Regulatory vs. Voluntary:** The REACH Candidate List is part of a legal framework within the EU, with specific legal obligations for companies. In contrast, the SIN List is not legally binding but serves as a voluntary tool for companies aiming to go beyond legal compliance.
- ▶ **Scope of Substances:** The SIN List often includes substances that are believed to be hazardous but may not yet be regulated under REACH. It is generally seen as more proactive and expansive in identifying potential risks.
- ▶ **Business Implications:** While adherence to the REACH Candidate List is a legal requirement for EU companies, compliance with the SIN List in the the US is more about market positioning and brand reputation, especially for companies targeting eco-conscious consumers.

Recommendation:

SIN list and REACH candidate list do not include the same chemicals, which means the customer do not need to accept no chemicals from REACH candidate list as an alternative to SIN list. If a customer demands no chemicals from the SIN list, you need to get confirmation from all your relevant suppliers.

<https://sinlist.chemsec.org/>



CERTIFICATIONS TO BE AWARE OF

Cradle to Cradle (C2C)

Cradle to Cradle is an international environmental certification. C2C is administered by the non-profit, American based organization “Cradle to Cradle Products Innovation Institute”.

Direct comparison between C2C and Swedish eco-labels like Möbelfakta can be challenging. Some of the key differences between C2C and Möbelfakta include:

- **Material use and circular economy:** C2C has a strong focus on the circular economy and encourages design that enables each component to be recycled or broken down safely. Möbelfakta has some requirements for circular design, such as disassembly instructions and spare parts.
- **Energy:** C2C focuses on the use of renewable energy in the production process, while Möbelfakta has no such requirements.
- **Water usage:** C2C encompasses aspects of water usage and management, which are not stipulated by Möbelfakta.
- **Social responsibility:** Both certifications include aspects of social responsibility and fair working conditions, but the application and specific requirements are not the same.

Customers who demand C2C should be guided to accept Möbelfakta, Svanen, or EU Ecolabel as alternatives, with the justification that they are credible third-party environmental labels.

C2C is available at various levels; Basic, Bronze, Silver, Gold, and Platinum. Each level imposes higher requirements concerning sustainability aspects.

Note that C2C is not a Type 1 label according to ISO 14025, which Möbelfakta, Svanen, and EU Ecolabel are. C2C is a third-party certification and there are strict criteria that products must meet, but it does not follow the same structure and methods defined in ISO 14025. In practice, this means that C2C cannot be used in procurements where the procurer requires a Type 1 label.

Declare

Declare offers a platform to share detailed product information on easy-to-understand labels. These labels contain important information about the materials of the furniture, health-related aspects, and environmental impact. Using Declare may increase access to the market for the world's greenest buildings, including those certified under LEED, WELL, and other green building standards. There is a cost associated with a Declare label; as of December 2023, it costs \$1,000 USD for a 12-month license, with discounts for multiple labels: \$850 per label for 2-9 products and \$750 per label for 10 or more products.

<https://living-future.org/declare/>

GreenGuard

GreenGuard is an environmental certification that focuses on reducing chemical emissions from products, which contributes to improved indoor air quality. The certification imposes strict requirements for low levels of volatile organic compounds (VOCs) in products such as furniture, building materials, and other goods used indoors. To certify a product with GreenGuard, a chamber test of the entire product is required to measure the levels of for example VOCs.

Möbelfakta, The Nordic Swan and EU Ecolabel all limits the emissions of VOCs. However, because a chamber test of the entire product is not needed in any of these certifications, they cannot automatically be considered equivalent to GreenGuard.

<https://www.ul.com/services/ul-greenguard-certification>

GreenScreen

GreenScreen is an environmental labelling and a method used to assess the safety and environmental impact of chemicals. This is done by analysing and ranking chemicals based on their potential health and environmental risks. The method focuses on identifying high-risk chemicals and encouraging the use of safer alternatives.

<https://www.greenscreenchemicals.org/certified>

Greenhealth Approved

Greenhealth Approved is an eco-label targeting the healthcare sector. The label focuses on eco-friendly materials and production, energy-efficient and climate-smart solutions, and the avoidance of harmful chemicals.

<https://greenhealthapproved.org>

Indoor Air Quality Certification

Indoor Air Quality Certification is a certification program focused on ensuring that interior products and materials meet strict standards for low chemical and particle emissions. These standards are designed to promote healthier indoor environments. Products that achieve this certification have been tested and proven to contribute to better indoor air quality, reducing the risk of airborne contaminants. To certify a product with Indoor Air Quality Certification, a chamber test of the entire product is required to measure the levels of for example VOCs.

Möbelfakta, The Nordic Swan and EU Ecolabel all limits the emissions of VOCs. However, because a chamber test of the entire product is not needed in any of these certifications, they cannot automatically be considered equivalent to Indoor Air Quality Certification.

<https://www.scsglobalservices.com/services/indoor-air-quality-certification>

LEED

LEED (Leadership in Energy and Environmental Design) is a globally recognized green building certification program developed by the U.S. Green Building Council (USGBC) in 2000. It sets standards for environmentally responsible and efficient buildings. Like BREEAM in the UK, LEED assesses the overall performance of buildings, but it also extends to the design, construction, maintenance, and operation phases.

Key areas contributing to LEED certification include:

- ▶ **Energy Efficiency:** Implementing energy-saving measures and renewable energy sources to minimize a building's environmental impact.
- ▶ **Water Efficiency:** Reducing water consumption through efficient appliances and recycling systems.
- ▶ **Sustainable Site Development:** Minimizing impact on ecosystems and water resources during construction and operation.
- ▶ **Materials and Resources:** Using sustainable, recycled, and locally sourced materials in construction.
- ▶ **Indoor Environmental Quality:** Ensuring good indoor air quality, access to natural light, and comfortable interior environments.
- ▶ **Innovation in Design:** Encouraging innovative strategies that go beyond standard practices for sustainability and environmental health.

Buildings earn points in these categories and can achieve different levels of LEED certification (Certified, Silver, Gold, Platinum) based on their total score. LEED certification is used not only in the US but also globally.

Furniture can play a significant role in achieving LEED points for a building:

- ▶ Furniture made from recycled, recyclable, or renewable materials can contribute towards points for the use of sustainable materials.
- ▶ Furniture that contributes to a healthy indoor environment, such as those with low emissions of volatile organic compounds (VOCs), can help achieve points for indoor environmental quality.
- ▶ Furniture that is sustainably manufactured, has a long lifespan, and is produced with consideration for ethical and sustainable forestry practices can also contribute to the LEED certification's requirements for sustainability and responsible material sourcing.

A product certified by Möbelfakta or The Nordic Swan can contribute positively to a building's LEED assessment.

<https://www.usgbc.org/leed>

<https://www.sgbc.se/certifiering/leed/>

WELL

WELL certification focuses on improving health and wellbeing through building design, covering aspects like air quality and ergonomics. For furniture, it promotes the use of healthy and sustainable materials. In the US, the importance of WELL certification has been increasing, driving demand for WELL-adapted furniture in line with the trend towards health-conscious design.

Comparison with Möbelfakta:

There are some overlaps within WELL certification and Möbelfakta, particularly in environmental and health-related aspects, but the two certifications are not directly interchangeable. A Möbelfakta certified product can contribute to a WELL-certified environment, but having a Möbelfakta-certified product does not automatically mean that all WELL requirements are met. For a product to contribute to WELL certification, it must meet specific criteria set by the International WELL Building Institute.

<https://www.wellcertified.com/>



MANDATORY REQUIREMENTS

Product safety

CPSA (Consumer product safety act, incl amendments)

General

The basis for CPSA is the same as for the GPSD in EU, only safe products shall be put on the US market. Generally, there is no requirement to explicitly test the product according to a standard, but you shall always be able to demonstrate that you fulfil the intention of the legislation.

CPSC [Consumer Product Safety Commission] has the authority to issue specific legal binding requirements concerning the safety. The requirements are described in a legal act but often, the CPSC delegates a standardization task to one of the various standardization organizations to develop a standard for a specific product, which is then cited in the legislation. ASTM [American Society for Testing and Materials] is an organization that often has developed safety standards for furniture, primarily furniture related to children.

All standards developed by ASTM to cover specific legislation is available at:

<https://www.astm.org/products-services/reading-room.html>

Certificate and mandatory third-party testing

All consumer products that are subject to any product safety rule enforced by CPSC requires the manufacturer or importer to issue a general certificate of conformity based on testing.

It requires the manufacturer or importer of children products, designed, and intended use for children of 12 years or less to issue a children product certificate.

Consumer product safety regulations:

<https://www.ecfr.gov/current/title-16/chapter-II/subchapter-B>

Part 1261 – Safety standard for clothing storage units

The requirements are intended to protect children up to 72 months of age from tip-over-related death or injury.

Clothing storage unit means any free-standing furniture item manufactured in the United States or imported for use in the United States that is intended for the storage of clothing, typical of bedroom furniture.

Action:

Test a worst-case sample of the clothing storage unit according to ASTM F2057-23.

Test institute: <https://www.dti.dk/specialists/furniture-testing/39658>

Flammability

(FFAR) Flammable Fabrics Act regulation

<https://www.ecfr.gov/current/title-16/chapter-II/subchapter-D>

Part 1632 Standard for the Flammability of Mattresses and Mattress Pads (FF2-70)

Part 1632 specifies a standardized test method to evaluate the flammability of mattresses and mattress pads. This test assesses how a mattress or mattress pad behaves when exposed to a specified ignition source, typically a smouldering cigarette.

The legal act does not refer to any standard and the test method is determined in the legislation.

Mattresses and mattress pads that comply with Part 1632 must be labelled to indicate that they meet the standard.

Part 1633 Standard for the Flammability (Open flame) of Mattress sets (FF4-72, Amended)

Part 1632 specifies a standardized test method to evaluate the flammability of mattresses and mattress pads. This test assesses how a mattress or mattress pad behaves when exposed to a specified ignition source, typically a smouldering cigarette.

Action:

- › Test the actual product composition.
- › Label the product.

Test institute: <https://www.ri.se/en/what-we-do/expertises/fire-safety-in-furniture-and-furnishings>

Part 1640 – Standard for the flammability of Upholstered furniture

This part establishes the standard for the flammability of upholstered furniture, as set forth by the Technical Bulletin 117–2013, entitled “Requirements, Test Procedure and Apparatus for Testing the Smoulder Resistance of Materials Used in Upholstered Furniture,”

All upholstered furniture must comply with the requirements in the Californian standard, Technical Bulletin (TB) 117–2013, “Requirements, Test Procedure and Apparatus for Testing the Smoulder Resistance of Materials Used in Upholstered Furniture,” Outdoor furniture excluded.

Action:

- › Test the actual product composition, or;
- › Use an already tested and approved fabric with a worst case polyurethane foam.
- › Label the product.

Test institute: <https://www.ri.se/en/what-we-do/expertises/fire-safety-in-furniture-and-furnishings>

Each manufacturer of a product that is subject to the standard shall include the statement “Complies with U.S. CPSC requirements for upholstered furniture flammability” on a permanent label located on the product, which shall be a certification that the product complies with that standard.

COMPLIES WITH U.S. CPSC REQUIREMENTS FOR UPHOLSTERED FURNITURE FLAMMABILITY

VOLUNTARY REQUIREMENTS

BIFMA

BIFMA, or the Business and Institutional Furniture Manufacturers Association, is a non-profit organization that develops and maintains standards for commercial and institutional furniture. While compliance with BIFMA standards is voluntary, adherence is often viewed as a mark of quality and reliability in the industry and is widely used globally. To make the standards more independent from the manufacturer association all BIFMA standards are going through the approval process within ANSI (American National Standards Association) to ensure that BIFMA standards are developed in an open, transparent manner that allows for balanced input and consensus among various stakeholders.

ANSI/BIFMA standards concern only commercial and office furniture including standards for small- and home offices. The methods and the process for testing differs significantly from the one in CEN (Europe) and generally it does not possible to claim compliance between the methods and requirements, at least for tables, desks and seating.

Following standards are most used:

- ANSI/BIFMA X5.4-2020 Public and Lounge Seating: Comparable to EN 16139
- ANSI/BIFMA X5.41-2021 Large Occupant Public and Lounge Seating: Comparable to EN 16139, but applicable a user weight up to 350 kg
- ANSI/BIFMA X5.5-2021 Desk and Table Products: Comparable to EN 527-2
- ANSI/BIFMA X5.9-2019 Storage Units: Comparable to EN 16121
- ANSI/BIFMA X5.1-2017(R2022) General-Purpose Office Chairs – Tests: Comparable with EN 1335-2
- ANSI/BIFMA X5.11-2015(R2020) General-Purpose Large Occupant Office Chairs: Comparable with EN 1335-2, but applicable to a user weight up to 180kg including relevant dimensions.

Recommendation:

Even if the standards are strictly voluntary, and not always are asked for, it is recommended to only export tested products to the US market. For “Office work chair” and “Public and lounge seating” it is strongly recommended to test according to the relevant BIFMA standards, If EN standards is used, generally test according to the highest level where appropriate.

Test institutes:

<https://catas.com/en-GB>

<https://www.ri.se/sv/vad-vi-gor/test-demo/mobler>

<https://www.dti.dk/specialists/furniture-testing/39658>



UL

UL (Underwriters Laboratories) is a globally recognized safety certification company that plays a significant role in furniture testing, particularly in the areas of safety, quality, and sustainability.

The furniture standards developed by UL is typically emphasize electrical and fire safety for furniture, especially for items that incorporate electrical components or are used in environments where fire safety is a critical concern. Include specific guidelines and tests for furniture with electrical components, like powered seating or desks with built-in charging ports with a broader scope that includes household and commercial furnishings.

There are three UL standards relevant for furniture:

- ▶ UL 962 Household and commercial furnishings
- ▶ UL 1286 Office furniture systems
- ▶ UL 2999 Standard for individual Commercial Office furnishings

Recommendation:

As a base make sure that you are in compliance with the European requirements in the LVD and/or MD. Many of the European requirements and those in the UL standards are based on the same international standards, nevertheless in order to comply with the requirements in the UL standards you need to test the products:

Test institutes: <https://www.intertek.com/furniture/safety/ul-standards/>

A product that is LVD or MD approved in Europe is not automatically in compliance with UL standards and vice versa. The LVD is regulatory in Europe and involves assessment of the product according to European harmonized standards. The manufacturer can self-declare compliance with the LVD for CE-marking (See chapter 1. EU).

UL-certification is a North American scheme and are applicable to products designed to comply with North American standards. It requires testing by UL itself or a UL certified body.



