

§ 1632.2

core drawn together at intervals by any other method which produces a series of depressions on the surface.

(i) *Manufacturer* means an individual plant or factory at which mattresses and/or mattress pads are produced or assembled.

(j) *Mattress prototype* means mattresses of a particular design, sharing all materials and methods of assembly, but excluding differences in mattress size. If it has been shown as a result of prototype qualification testing that an upholstery material or core will not reduce the ignition resistance of the mattress prototype, substitution of another material for such material shall not be deemed a difference in materials for prototype definition. (See §1632.31(c)(4) for records required to demonstrate that a change of materials has not reduced ignition resistance of a mattress prototype.) If it is determined or suspected that a material has influenced the ignition resistance of the mattress prototype, a change in that material, excluding an increase in thickness, shall be deemed a difference in materials for purposes of prototype definition unless it is previously shown to the satisfaction of the Consumer Product Safety Commission that such change will not reduce the ignition resistance of the mattress prototype. Ticking materials may be substituted in accordance with §1632.6. Tape edge materials may be substituted in accordance with §1632.7.

(k) *Mattress pad prototype* means mattress pads of a particular design, sharing all materials and methods of assembly, but excluding differences in mattress pad size. A change in existing material, except an increase in thickness, shall be deemed a difference in materials for purposes of prototype definition unless it is previously shown to the satisfaction of the Consumer Product Safety Commission that such change will not reduce the ignition resistance of the mattress pad prototype. Ticking materials may be substituted in accordance with §1632.6. Tape edge materials may be substituted in accordance with §1632.7.

(l) *Surface* means one side of a mattress or mattress pad which is intended for sleeping upon and which can be tested.

16 CFR Ch. II (1–1–02 Edition)

§ 1632.2 Purpose, scope, and applicability.

(a) *Purpose.* (1) This standard prescribes requirements for testing of prototype designs of mattresses and mattress pads before the sale in commerce or the introduction in commerce of any mattress or mattress pad which is subject to the standard. The standard prescribes a test to determine the ignition resistance of a mattress or a mattress pad when exposed to a lighted cigarette.

(2) The standard sets forth a test at §1632.6 which may be used to classify ticking materials for resistance to cigarette ignition.

(3) The standard sets forth a test at §1632.7 which may be used to demonstrate that the substitution of tape edge materials will not reduce the ignition resistance of a mattress prototype or a mattress pad prototype.

(b) *Scope.* (1) All mattresses, as defined in §1632.1(a), and all mattress pads, as defined in §1632.1(b), manufactured or imported after the effective date of this amendment are subject to the requirements of the standard as amended.

(2) All mattresses, as defined in §1632.1(a), and all mattress pads, as defined in §1632.1(b), manufactured or imported after June 22, 1973, and before the effective date of this amendment are subject to those requirements of the Standard for the Flammability of Mattresses (and Mattress Pads) (16 CFR part 1632) which were in effect before the effective date of this amendment.

(3) Manufacturers or importers desiring to use the ticking substitution procedure provided in §1632.6 may classify the ticking being used on each mattress prototype before or after the effective date of this amendment using the test procedure set forth in that section.

(4) One-of-a-kind mattresses and mattress pads may be excluded from testing under this standard in accordance with rules established by the Consumer Product Safety Commission. (See §1632.31(f): exemption for mattresses and mattress pads prescribed by a physician.)

(c) *Applicability.* (1) The requirements for prototype testing prescribed by this

standard are applicable to each “manufacturer” (as that term is defined in §1632.1(i)) of mattresses or mattress pads subject to the standard which are manufactured for sale in commerce. The requirements of this standard for prototype testing are also applicable to all other persons or firms initially introducing mattresses or mattress pads into commerce, including importers; each such firm shall be deemed to be a “manufacturer” for purposes of this standard.

(2) The test at §1632.6 for classification of ticking materials may be used by manufacturers of mattresses or mattress pads and by manufacturers of ticking materials. The test at §1632.7 may be used by manufacturers of mattresses to demonstrate that substitution of tape edge materials will not reduce ignition resistance of a mattress prototype or a mattress pad prototype. Use of the tests in §§1632.6 and 1632.7 is optional.

§ 1632.3 General requirements.

(a) *Summary of test method.* The method measures the ignition resistance of a mattress or mattress pad by exposing the surface to lighted cigarettes in a draft-protected environment. The surfaces to be tested include smooth, tape edge, and quilted or tufted locations, if they exist on the mattress or mattress pad surface. A two-sheet test is also conducted on similar surface locations. In the latter test, the burning cigarettes are placed between the sheets.

(b) *Test criterion.* When testing the mattress or mattress pad surface in accordance with the testing procedure set forth in §1632.4 *Mattress test procedure*, individual cigarette test locations pass the test if the char length is not more than 2 inches (5.1 cm) in any direction from the nearest point of the cigarette. In the interest of safety, the test operator should discontinue the test and record a failure before reaching the 2 inch char length if an obvious ignition has occurred.

(c) *Pre-market testing.* Each manufacturer required to perform prototype testing by the standard shall perform the testing required by the standard with acceptable results before selling in commerce or introducing in com-

merce any mattress or mattress pad which is subject to the standard.

(d) *Specimen selection and qualification.* (1) Each manufacturer required to perform prototype testing by the standard shall construct or select enough units of each proposed mattress prototype or proposed mattress pad prototype to provide six surfaces for testing. A minimum of three mattresses or mattress pads are required if both sides can be tested; six mattresses or mattress pads are required if only one side can be tested. Test each of the six surfaces according to §1632.4(d). If all the cigarette test locations on all six mattress surfaces yield passing results using the criterion specified in §1632.3(b), accept the mattress prototype. If all six surfaces of a mattress pad yield passing results using the criterion in §1632.3(b), and all other applicable requirements prescribed by §1632.5 are met, accept the mattress pad prototype. If one or more of the cigarette test locations on any of the six surfaces fail to meet the test criterion of §1632.3(b), reject the mattress prototype or the mattress pad prototype.

(2) Prototype qualification testing may be repeated after action has been taken to improve the resistance of the mattress prototype or the mattress pad prototype to cigarette ignition by changes in design, construction methods, materials selection, or other means. When prototype qualification is repeated after rejection of a prototype, such qualification testing shall be conducted in the same manner as original qualification testing.

(3) Each mattress prototype and each mattress pad prototype must be accepted in prototype qualification before any mattress or mattress pad manufactured in accordance with such mattress prototype or mattress pad prototype is sold in commerce or introduced in commerce. Any manufacturer required to perform testing by the standard may rely on prototype tests performed before the effective date of this amended standard, provided that such tests were conducted in accordance with all requirements of §§1632.1(i), 1632.3(d), and 1632.4, and yield passing results when the test criterion of §1632.3(b) is applied. If the