



Primary Authority Partnership

Warwickshire County Council Trading Standards

Old Budbrooke Road, Warwick, CV35 7DP

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Propertymark

Arbon House, 6 Tournament Court, Edgehill Drive, Warwick, CV34 6LG

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The Property Ombudsman

Milford House, 43 - 55 Milford Street, Salisbury, Wiltshire, SP1 2BP

Primary Authority Advice

This advice is applicable to all member businesses. If you are contacted by a local authority enforcement body, please ensure that you inform them that you are a member of the scheme.

Advice requested:

Q1) What are the specific safety requirements for selling upholstered furniture at auction?

Legislation considered:

Consumer Protection Act 1987 (as amended) ("*CPA*")

The Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended) ("*FFR*")

General Product Safety Regulations 2005 ("*GPSR*")

Other Material considered:

Business Companion: New Upholstered Furniture In-Depth Guide (March 2018) ("*BC New*")

Business Companion: Second-hand Upholstered Furniture In-Depth Guide (September 2016) ("*BC2H*")

Assured Advice Issued:

Q1) Broadly, the rules relating to the safety of upholstered furniture intended for domestic use supplied in the course of a business, such as via an auction, are the same as those for such furniture that is supplied by retail.

Further detail on these requirements can be found in the relevant guides on the Business Companion website, but auctioneers should at least take the following precautions.

The FFR do not apply to:

- Furniture made before 1 January 1950;
- materials for upholstery of furniture made before 1 January 1950;
- goods for export.

Upholstered furniture should have a permanent label headed '*CARELESSNESS CAUSES FIRE*'. Usually these are sewn or stapled to the base. Mattresses and bed bases do not need this label, but should instead bear a label stating compliance with British Standard BS 7177, which is the specification for resistance to ignition of mattresses, mattress pads, divans and bed bases.

In addition to the specific rules on flammability, furniture must be safe in all other respects - for example, free from sharp edges and splinters. Therefore each piece should be examined carefully before being accepted for auction.

If any of these labels are missing from a product, it is possible that the furniture may not be compliant with the Regulations. We would advise that unlabelled furniture, not falling within the above exemptions, is not put up for auction.

Date Advice is Effective from:

14 05 2018

Reference and renewal:

The reference for this advice is: WTS/PM/TPOS/28

This advice will be reviewed annually; however it will remain valid until it is marked 'obsolete' on the Primary Authority Database. If any part of this document requires amendment following a review, a completely new version will be added to the database and the previous version shall be marked 'obsolete'.