

Congress of the United States
Washington, DC 20510

March 5, 2021

Mr. Robert Adler
Acting Chairman
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Acting Chairman Adler:

We write today as the original sponsors of S. 1341 and H.R. 2647, the Safer Occupancy Furniture Flammability Act (SOFFA). As you know, SOFFA was enacted into law late last year as the COVID-19 Regulatory Relief and Work From Home Safety Act, Title XXI of the Consolidated Appropriations Act of 2021. SOFFA establishes that the standard set forth by the Department of Consumer Affairs of the State of California entitled “Requirements, Test Procedure and Apparatus for Testing the Smolder Resistance of Materials Used in Upholstered Furniture,”¹ shall be the national standard for furniture flammability beginning 180 days after the enactment of the Act.² The Consumer Product Safety Commission is charged with enforcing this new nationwide standard.

The flammability of upholstered furniture presents a serious risk to consumers. Because the materials that commonly fill upholstered furniture can burn rapidly, flammable upholstered furniture can lead to a faster spread of fires in homes.³ According to the National Fire Protection Association, upholstered furniture has been at least a contributing factor in nearly 20 percent of all fire deaths in recent years.⁴ The prompt enforcement of the new federal safety standard will be a major benefit to consumers and will help save lives. In addition, a consistent nationwide standard will bring certainty into the market for furniture manufacturers who sell their products across state lines.

¹ California Technical Bulletin 117-2013.

² Pub. L. No. 116-260.

³ Ahrens, Marty. “Home Fires That Began With Upholstered Furniture.” National Fire Protection Association, February 2017.

⁴ *Id.*

For these reasons, we urge you to consider issuing guidance to help businesses understand how to comply with the new law without delay.

Thank you for your prompt attention to this important matter.

Sincerely,



Roger F. Wicker
United States Senator



Richard Blumenthal
United States Senator



Doris Matsui
United States Representative



H. Morgan Griffith
United States Representative



Bobby L. Rush
United States Representative



Tony Cárdenas
United States Representative

CC: The Honorable Dana Baiocco, Commissioner
The Honorable Peter Feldman, Commissioner
The Honorable Elliot Kaye, Commissioner