

§ 1630.63

16 CFR Ch. II (1-1-07 Edition)

4. Commercial cleaning: Use Roll-A-Jet equipment (or equivalent) with water not exceeding 105 °F. Avoid use of excessive pressure or reciprocating brushes. Drying temperatures should not exceed 200 °F.

(d) The alternative procedure is as follows:

(1) Cut test specimens to an oversize of 12"×12" before the procedure is initiated.

(2) Vacuum specimens or shake vigorously to remove any loose fibers, dust or possible accumulated debris.

(3) Place individual specimen face down in a shallow pan which has been filled to a depth of 2" with a wash solution of 1.1 grams of AATCC (American Association of Textile Chemists and Colorists) Standard Detergent as specified in AATCC Method 124-1996 (or equivalent) per liter of water preheated to 105 °F. Knead the back of the specimen with hand for 1 minute. Water level and temperature should be maintained for each specimen.

(4) Thoroughly rinse specimen face down with warm water at 105 °F. for 1 minute under a faucet with strong pressure.

(5) Remove excess liquor by use of a wringer, hydroextractor or gentle hand squeezing and dry in circulating air oven at 200 °F. until dry.

(6) Repeat the above procedure 10 times using fresh detergent and fresh water for each set of eight specimens.

(7) Subject the dry specimens to the test procedures in FF 1-70.

(e) This washing procedure and labeling provisions are subject to revocation should it be determined that such procedure is inadequate to fully protect the public.

[40 FR 59931, Dec. 30, 1975, as amended at 65 FR 12933, Mar. 10, 2000]

**§ 1630.63 Suspension of washing requirements for carpets and rugs with alumina trihydrate in the backing.**

(a)(1) The Standard for the Surface Flammability of Carpets and Rugs (FF 1-70) at § 1630.4(b)(1)(ii) provides that if a carpet or rug has had a fire-retardant treatment, or is made of fibers which have had a fire-retardant treatment, the sample or oversized specimens thereof selected for testing under the standard shall be washed prior to the cutting of test specimens either 10

times under the washing and drying procedure prescribed in Method 124-1996 of the American Association of Textile Chemists and Colorists or such number of times under such other washing and drying procedure as shall previously have been found to be equivalent by the Consumer Product Safety Commission. AATCC Test Method 124-1996 "Appearance of Fabrics after Repeated Home Laundering," is found in Technical Manual of the American Association of Textile Chemists and Colorists, vol. 73, 1997, which is incorporated by reference. Copies of this document are available from the American Association of Textile Chemists and Colorists, P.O. Box 12215, Research Triangle Park, North Carolina 27709. This document is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Alternatively the selected sample or oversized specimens thereof may be washed, dry-cleaned, or shampooed 10 times, prior to the cutting of test specimens, in such manner as the manufacturer or other interested party has previously established to the satisfaction of the Consumer Product Safety Commission is normally used for that type of carpet or rug in service.

(2) Section 1630.5 of the Standard provides that if a carpet or rug has had a fire-retardant treatment or is made of fibers which have had a fire-retardant treatment, it shall be labeled with the letter "T."

(b) On April 10, 1972, the Federal Trade Commission, which then had responsibility for enforcement of the Flammable Fabrics Act, announced that the use of alumina trihydrate in adhesives, foams, or latexes in carpet backings or elsewhere in the backings will be considered as a fire-retardant treatment. Therefore, the provisions of §§ 1630.4(b)(1)(ii) and 1630.5 of the Standard apply to carpets with alumina trihydrate in the backings. This interpretation continues in effect.

(c) On May 19, 1972, the Federal Trade Commission published a notice in the FEDERAL REGISTER (37 FR 10104) temporarily suspending the washing requirements under FF 1-70 for carpets and rugs containing alumina trihydrate in the backing. This temporary suspension was extended a number of times. On March 28, 1973 the Federal Trade Commission proposed in the FEDERAL REGISTER (38 FR 8101) an alternative laundering procedure for such carpets and rugs and gave notice that the suspension of the laundering requirement was extended until the completion of the proceeding to establish an alternative laundering procedure. The suspension continues in effect.

[40 FR 59931, Dec. 30, 1975, as amended at 65 FR 12933, Mar. 10, 2000]

### Subpart D—Interpretations and Policies

#### §1630.81 Policy on recall of noncomplying carpets and rugs.

(a) *Purpose.* The purpose of this section is to state the policy of the Commission concerning recall of carpets and rugs which are subject to and fail to comply with the Standard for the Surface Flammability of Carpets and Rugs (FF 1-70) (16 CFR part 1630, subpart A). In this policy statement, the Commission reaffirms that provisions of the Flammable Fabrics Act (FFA) authorize recall of any product which fails to comply with an applicable flammability standard issued under that Act. Additionally, this policy statement announces general principles which will be followed by the Commission in exercising the authority contained in the FFA to require recall of carpets and rugs from various levels of distribution, including carpets and rugs in the possession of the ultimate consumer.

(b) *Recall from distributors and retailers.* The Commission will exercise the authority contained in the FFA to order recall of carpets and rugs which fail to comply with the Standard for the Surface Flammability for Carpets and Rugs and which are in the possession of any distributor, retailer, or other person or firm in the chain of distribution, where the facts, including the number and pattern of test fail-

ures, indicate that such action is necessary and appropriate.

(c) *Recall from consumers.* (1) In cases involving carpets and rugs distributed in commerce by a domestic manufacturer, or imported into the United States, after July 11, 1978, the Commission will exercise the authority contained in the FFA to order recall of carpets and rugs which fail to comply with the Standard for the Surface Flammability of Carpets and Rugs and which are in the possession of ultimate purchasers, including installed carpet, where the facts, including the number and pattern of test failures, indicate that such action is necessary and appropriate.

(2) The Commission may exercise the authority of section 15 of the Consumer Product Safety Act (15 U.S.C. 2064) to order the repair, replacement, or repurchase of any carpets or rugs in the possession of ultimate purchasers, including installed carpet, if such carpets and rugs present a "substantial product hazard" as that term is used in the Consumer Product Safety Act in any case involving carpets or rugs which were distributed in commerce by a domestic manufacturer or imported into the United States, on or before July 11, 1978, or any time thereafter.

(Sec. 5, 15 U.S.C. 1194, 67 Stat. 112, June 30, 1953; sec. 5, 15 U.S.C. 45(b), 38 Stat. 719, Sept. 26, 1914; sec. 15, 15 U.S.C. 2064, 86 Stat. 1221, Oct. 27, 1972)

[44 FR 2169, Jan. 10, 1979]

## PART 1631—STANDARD FOR THE SURFACE FLAMMABILITY OF SMALL CARPETS AND RUGS (FF 2-70)

### Subpart A—The Standard

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