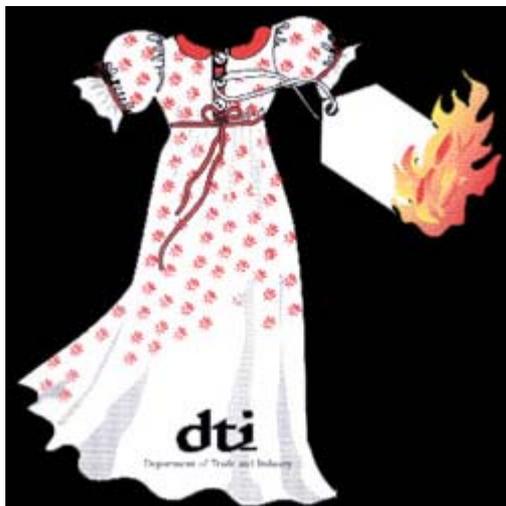


NIGHTWEAR AND FIRE

A Guide to Nightwear (Safety) Regulations



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THE REGULATIONS

Nightwear can burn rapidly, when accidentally set alight by contact with an open fire or a gas or electric fire or other heat source, and cause serious injury - children and the elderly being especially vulnerable.

In consequence, various mandatory and voluntary measures have been taken to control the fire performance of the fabrics used in nightwear and to make the public more aware of the dangers.

This Guide describes the main features of the Regulations.

- From 1 March 1987, tougher performance requirements regarding flammability came into force. They are compulsory for children's nightdresses and dressing gowns.

There are improved safety provisions for the full range of nightwear garments for babies, children and adults.

Enquiries about the contents of this guide may be made to:

In Great Britain:

Consumer & Competition Policy

Department of Trade and Industry

4th Floor

1 Victoria Street

London SW1H 0ET

Telephone: 020 7215 5576

In Northern Ireland:

The Trading Standards Branch

Department of Economic Development

176 Newtownbreda Road

Belfast BT8 4QS

Telephone: 028 90253900

The safety of daywear clothing (including flammability) is covered by the General Product Safety Regulations 1994 (SI 1994/No. 2328) which require suppliers of consumer products to take steps to ensure that their products are safe under normal or reasonably foreseeable conditions of use. DTI has issued separate guidance to the General Product Safety Regulations.

1. The Nightwear (Safety) Regulations 1985¹ apply to nightwear including garments which are commonly worn as nightwear. They came into effect on 1 March 1987 and replaced the Nightdresses (Safety) Regulations 1967 and the Nightdresses (Safety) Regulations (Northern Ireland) 1968.

Suppliers affected by the Regulations

2. The Regulations apply to all persons who supply nightwear and garments used for a similar purpose in the course of carrying on a business, whether or not that business is one of dealing in nightwear. Those affected include:

- manufactures
- importers
- wholesalers
- retailers (including mail order traders)

Exemptions

3. The Regulations **do not** apply to:
 - second-hand nightwear
 - nightwear intended for export

Main Requirements

4. From 1 March 1987 it has been an offence to 'supply, offer to supply, agree to supply, expose for supply, or possess for supply' nightwear which does not meet the new requirements.
5. Children's nightwear: ie garments for children over 3 months and under 13 years of age and not exceeding any of the following maximum measurements.
 - **Nightdresses**
Chest measurement: 91 cms (approx 36") Length: 122 cms (approx 48")
 - **Dressing Gowns, Bath Robes and other similar garments**
Chest measurement: 97 cms (approx 38") Sleeve measurement: 69 cms (approx 27")
 - Nightdresses, dressing gowns and other similar garments commonly worn as nightwear **must** satisfy the flammability

performance requirements specified in Clauses 3.1.1 and 3.2.1 of British Standard 5722.

- Pyjamas and cotton terry towelling bath robes **do not** have to comply with the flammability standard. However, they **must** carry a permanent label showing whether or not they meet the flammability standard.
6. Babies' garments ie garments exclusively for babies under 3 months and having a chest measurement not exceeding 53 centimetres (approx 21").
- Babies' garments must carry a permanent label showing whether or not they meet the flammability standard.
7. You should note the following:
- One-piece garments with legs should be treated as children's pyjamas.
 - Stretch garments which can be worn by an infant beyond 3 months should be treated as children's nightwear. If the garment has legs it should be treated as pyjamas.
 - Garments doubling as sleeping bags and dressing gowns which can be worn by an infant beyond 3 months should be treated as children's dressing gowns.
8. Adults' nightwear
- Adults' nightwear and garments commonly worn as nightwear **must** carry a permanent label showing whether or not they meet the flammability standard.
9. Garments commonly worn as nightwear

You should note that the Regulations apply to garments supplied as nightwear, **and** garments supplied otherwise than for nightwear, but which are similar in nature and are commonly worn as nightwear. For example:

- bath robes
- negligees
- snuggle wraps.

Other requirements

The following requirements also apply to nightwear garments:

10. The flammability performance requirements relate to the whole area of the garment including **all** threads, trimmings, decorations, and labels. However, elastic and elastic thread used for making gathers in material are exempt from the flammability requirements.
11. Nightwear made of and trimmed with synthetic fabric which melts without decomposing when ignited as part of the British Standard test can be taken to meet the flammability performance requirements (see paragraph 5 of page 7).

12. Nightwear which has been treated with flame retardant chemicals **must** carry the appropriate warning label about washing and suitability of the washing agent.
13. Advertisements in newspapers, magazines, catalogues etc which contain any direct ordering facility for readers must include information about the flammability performance of the nightwear described.
 - i The Nightwear (Safety) Regulations 1985
S1 1998/No. 2043.
The Stationary Office £1.35 net.

LABELLING REQUIREMENTS

Flammability performance

1. Nightwear which **does not** meet the flammability performance requirements **must** carry a label with the words:
 - 'KEEP AWAY FROM FIRE' (in red letters)
2. Nightwear which meets the flammability performance requirements **must** carry a label with one of the following forms of words:
 - '**LOW FLAMMABILITY TO BS 5722**' (in black letters), **or**
 - '**LOW FLAMMABILITY TO BS 5722**' (in black letters) and '**KEEP AWAY FROM FIRE**' (in red letters), **or**
 - '**KEEP AWAY FROM FIRE**' (in red letters).
3. All words **must** be in medium letters of 10 point in upper case.
4. You should note that children's nightdresses and dressing gowns which **must** meet the flammability performance requirements do not need to carry a label. However, suppliers may choose to confirm compliance using one of the above forms of words.

Washing instructions

5. Any nightwear which is treated with flame retardant chemicals **must** carry a label with the words:

'DO NOT WASH AT MORE THAN 50°C. CHECK SUITABILITY OF WASHING AGENT (in black letters).
6. The words must be in medium letters of 6 point in upper case.

Nightwear (Safety) Regulations 1985 - Examples of print sizes for Labelling Requirements

UNIVERS MEDIUM (55) 10pt 2.4 mm

KEEP AWAY FROM FIRE (in RED letters)

LOW

FLAMMABILITY

TO BS 5722 (in BLACK letters)

UNIVERS MEDIUM (55) 6 pt 1.8 mm

DO NOT WASH AT MORE THAN 50°C CHECK SUITABILITY OF WASHING AGENT (in BLACK letters)

HELVETICA MEDIUM 10pt 2.5 mm

KEEP AWAY FROM FIRE (in RED letters)

LOW

FLAMMABILITY

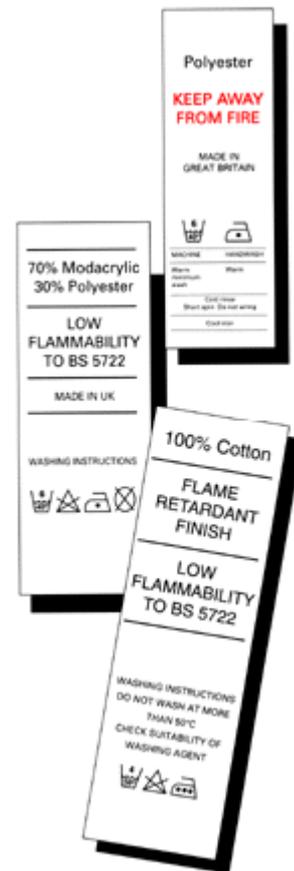
TO BS 5722 (in BLACK letters)

HELVETICA MEDIUM 6pt 1.7 mm

DO NOT WASH AT MORE THAN 50°C CHECK SUITABILITY OF WASHING AGENT (in BLACK letters)

Position of the labels

7. Labels showing flammability performance and washing instructions **must** be permanent and securely sewn into the garment.
8. The words may appear in a variety of positions providing that the information is not obscured by any other label or part of the garment. They may appear on:
 - a separate label on the inside of the neck of the garment; **or**
 - any label giving size details of the garment, in which case the wording **must** appear immediately below that information; **or**
 - a label immediately beside any other permanent label giving size details of the garment.
9. If both flammability performance information and washing instructions are required and are to appear on the same label the washing instruction warning **must** appear immediately below the flammability performance information.
10. The words **must** be in durable print and **must** appear on a label of sufficient - colour contrast to enable them to be clearly seen.
11. You should note that:
 - If a loop label is used we recommend that the flammability performance information should be given on the front of the label.
 - For pyjamas, we recommend that the flammability performance information and any washing instruction warning should be given **at least** on the jacket of the garment.



REQUIREMENTS FOR ADVERTISEMENTS

1. Any advertisement of the kind described in paragraph 13 of page 3 must include information about the flammability performance of each type of nightwear featured. It can give this information by using:
 - the appropriate specified words as for the flammability performance labels (see page 4) or
 - the appropriate symbol illustrated below.



Symbol (a)

2. The triangle must be equilateral and have red sides not less than 10mm long.

The phrase 'KEEP AWAY FROM FIRE' must be in black letters of at least 2 point in size.



Symbol (b)

3. The rectangle with green sides must not be less than 8mm long by 6mm wide. The phrase 'LOW FLAM' must be in black letters of at least 4 point in size.
4. For nightwear which does not meet the flammability performance requirements Symbol (a) must be used.
5. For nightwear which meets the flammability performance requirements, one of the following must be used:
 - symbol (b) alone, or
 - symbol (b) and symbol (a), or
 - symbol (a) alone.
6. An advertisement must not, however, contain a combination of both symbols and words. If the symbols are used, a clear explanation of the meaning of the symbol must be given within the confines of that advertisement, or in the case of an advertisement in a catalogue, the explanation may be given by means of a key appearing elsewhere in the catalogue

7. Advertisements do not need to contain information about the flammability performance of children's nightdresses and dressing gowns because they must meet the flammability performance requirements. However, suppliers may choose to confirm compliance by using the appropriate words or symbols.

THE TEST

1. Nightwear is tested to see whether or not it meets the flammability performance requirements which are specified in clauses 3.1.1 and 3.2.1 of British Standard 5722 ⁱ. These requirements are expressed at a rate of flame spread. The method of test to be used is Test 3 of British Standard 5438 ⁱⁱ. This specifies 6 test pieces of the garment each of 670mm x 170mm (approx 26" x 6 1/2"). These must include a sample of all threads trimming and decorations etc which are present on the full garment. However, elastic and elastic thread used for making gathers should be removed before testing. BS 5438 provides modified procedures for testing narrow fabrics and assemblies, including provision, when necessary, for trimmings to be tested separately.
 2. Before testing, test pieces must be washed once in accordance with the procedure specified in Clause 6.5.2 of British Standard 5651 ⁱⁱⁱ. If the fabric has been treated with flame retardant chemicals to make it safer from fire the test pieces must be washed twelve times as specified in Clause 6.5.2.7 of this British Standard. This is to ensure that the treatment is sufficiently durable.
 3. After drying and conditioning, each test piece is pinned to a vertical frame and is subjected to a small butane gas flame (equivalent to a match flame) which is applied to a point 45mm (approx 2") above the bottom edge of the fabric for a period of 10 seconds.
 4. If any test piece burns to a trip thread at 300mm (approx 12") above the flame point in less than 25 seconds, or to a second trip thread at 600 mm (approx 24") above the flame point in less than 50 seconds, the test is failed. In this event a second run of 6 test pieces is allowed. All 6 pieces must pass the test for the garment to meet the flammability performance requirements.
 5. You should note that:
 - Fabrics will react in different ways to the test. Treated cotton or viscose, for example, may char but not ignite or melt, and may pass the test.
 - Fabrics, such as nylon and polyester, which melt away cleanly from the flame (ie without decomposing) may pass the test providing that all threads, trimmings and decorations etc are also of a synthetic substance which behaves in this way.
- i BS 5722:1984 (Flammability performance of fabrics and fabric assemblies used in sleepwear and dressing gowns).
- ii BS 5438:1976 as amended on 30 April 1981 (Methods of test for flammability of vertically orientated textile fabrics and fabric assemblies subjected to a small igniting flame).

iii BS 5651 1978 (Cleansing and wetting procedures for use in the assessment of the effect of cleansing and wetting on the flammability of textile fabrics and fabric assemblies).

**Copies of these Standards can be obtained from:
The British Standards Institution,
Linford Wood, Milton Keynes MK14 6LE.**

ENFORCEMENT

1. The Regulations are made under the Consumer Safety Act 1978.
2. This Act makes it an offence to 'supply, offer to supply, agree to supply, expose for supply or possess for supply' any goods which contravene safety Regulations. A person who commits an offence under the Act is liable on summary conviction to imprisonment for a term not exceeding six months or a fine currently not exceeding £5,000 or both.
3. The Regulations are enforced by the trading standards departments in Great Britain, and by district council environmental health officers in Northern Ireland.
4. This guidance has been prepared to help manufacturers, importers, and others concerned in the supply of nightwear and similarly used garments understand the new Regulations.
5. It is not an authoritative interpretation of the Regulations.

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