



Protecting our intellectual property

by Bob Panitzki, CEO Furntech-AFRDI

Like many businesses today, AFRDI finds its intellectual property, trade marks and logos are being abused.

In our case, it's occurring to an extent where we feel our certification program is being undermined by some in the trading community who are behaving in a less than scrupulous manner.

Our bottom line is that we won't tolerate this behaviour.

This is what's been happening:

There's a pattern that's repeated over and over, particularly by online traders. They advertise office chairs, claiming them:

- To be AFRDI certified.
- To have elevated weight ratings (frequently 150kg)
- To be Level 6 rated, and cap off this claim by using a 'manufactured' logo which is an analogue of, or similar to, AFRDI's

Another common play is to have one or two AFRDI certified chairs in a catalogue, and display the AFRDI logo in such a manner that it implies **ALL** chairs catalogued are AFRDI approved.

As well, it is common practice for chairs which may have been certified by AFRDI to have their names changed for marketing reasons. The result is that AFRDI staff often can't tell what is the true identity of a chair (until it's examined in person), and the public would have even less of a chance of knowing whether the chair is genuine, or has had vital components changed.

AFRDI's stance is that the public, along with architects, specifiers and interior outfitters, should be able to check the bona fides of a chair on the AFRDI website, where certificates are displayed. Without this ability to check, one of the strengths – and protections – of the certification process is lost.

It goes without saying that those who flaunt the certification process are diluting the value which honest traders associate with it.

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Season's Greetings from everyone at Furntech-AFRDI. Thanks for your business in 2011. We look forward to working with you again in 2012.

AFRDI staff member honoured by university

Like AFRDI to attend your sales conference?

There's always a great deal to be learnt on both sides when AFRDI staff go out into the field.

Case in point, a recent national sales conference in Sydney where, as well as being able to explain some of AFRDI's recent activities in developing new standards, our marketing manager was able to listen to a wide and varied input from the industry.

Nothing beats face to face contact for finding out what's making the world of furniture tick! There may be areas in which we can give assistance, or you may be concerned – as many seem to be – about the growing number of knock-off copies of branded and AFRDI certified chairs coming on to the market via online trading outlets.

So, if you're holding a sales conference or similar industry gathering, and would like to hear the latest from AFRDI, let us know. With your help, we may be able to attend.

Contact Julian Ridgers at AFRDI (03) 6326 6155 or email julian@furntech.org.au



AFRDI's Sustainability team leader Lee Bowkett has been awarded a doctorate by the University of Tasmania.

Dr Bowkett's thesis is entitled: "Epiphytic Relations of the Soft Tree Fern *Dicksonia antarctica* and the Vascular Plant Species Utilising Its Caudex." An epiphyte is a plant that grows on another plant upon which it depends for mechanical support but not for nutrients.

Dr Bowkett examines the Soft Tree Fern's ecological importance in native forests, identifying several native plant species that are generally considered terrestrial, but which are in fact reliant on the fibrous trunk of the living fern as a surface on which to germinate and grow safely to maturity. The thesis demonstrates the Soft Tree Fern's significant influence on the structure and plant diversity of north-eastern Tasmania's moist forests.

Lee has worked with AFRDI since 1999, as a general testing officer, then moving on to testing bunks and children's furniture. These days, Lee is engaged in AFRDI Standard 150 submission assessments, a fast growing sector of AFRDI's portfolio.

Congratulations Lee!

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For what traders should be doing in relation to AFRDI logo use:

see the AFRDI website www.furntech.org.au or if in doubt, call AFRDI on (03) 6326 6155.

What we're doing now:

For some time, AFRDI has been writing to people who choose to ignore the niceties that constitute normal commercial behaviour.

Not having noticed that the practice of logo misuse is diminishing, AFRDI is now escalating action. We are also investigating grounds for action under misleading advertising.

Tell AFRDI about further breaches:

Dobbing-in isn't the Australian way, but this practice of logo and trade mark misuse has gone far enough. We're hoping that if you are aware of misleading advertising practices, you'll let us know. Similarly, if you're aware that online traders or ordinary distributors and retailers are marketing 'knock-off' copies of AFRDI certified chairs (it's a claim that's been made to us lately) let us know.

To those who say, why bother?

We say certified furniture is a superior product which has won its spurs through some pretty tough testing. People who buy certified furniture generally appreciate this too. Further, if a chair or desk should fail, and somebody's injured, an employer or the person who's specified certified furniture can confidently claim that the best product was supplied.

You can't make that claim with furniture masquerading as the genuine article.



Don't be misled by big chair weight ratings (all is not always as it seems!)



There's a lot of advertising talk lately about office chairs having a 'weight rating' in some cases of more than 200kg. Some of these ratings are misleading, and light on for science, in our opinion.

Why is this so? It is the difference between having a mass of 200kg applied once slowly down onto a chair, compared with having the same mass applied with impact for thousands of load cycles. The difference between a static load and an impact one could be likened to having someone rest a hand on your cheek, compared with having that same person punch you forcefully on the cheek – the second application is load plus velocity, and that's a major difference.

AFRDI applies science in stating what loads an office chair can safely handle, and it does this in two ways – through testing and certification of chairs to AS/NZS 4438 and, in the case of chairs where more severe use or high loads are anticipated, through using AFRDI Standard 142, the Rated Load standard.

Chair tested to 4438 suits most people

The first standard mentioned, 4438, tests chairs for strength, durability and stability, along with conformance with ergonomic principles, and also for such factors as potential flammability. At AFRDI, we have adopted the standpoint that a 4438 chair is appropriate for a user with a body mass up to 110kg – and statistically, this assumption suits around 92.5% of the adult population.

What AFRDI 142 does

AFRDI Standard 142 principally aims at providing chairs for heavier people or more severe duty. When an office chair is to be used in a public place – where it's clearly impractical to sort potential users by body mass – AFRDI recommends that chairs tested and certified under the AFRDI Rated Load standard be used.

It's also a common-sense approach to avoiding potential injury and liability claims, and as a bonus, AFRDI Rated Load certified chairs will generally last longer as well.

The AFRDI Rated Load standard tests chairs at two loading points – 135kg and 160kg, and then further qualifies their performance under testing by separating them into those intended for normal daily shift use (SS), and those intended for around the clock heavy duty operations (MS).

Testing is severe

While 135kg and 160kg are the loading points that will appear on chair certificates, in fact they will have been static load tested at between 400kg to 500kg, to simulate the peak loading (impact loading) that occurs when someone sits down suddenly.

A new AFRDI Rated Load standard (AFRDI 151) will soon be able to test bariatric fixed height seating – chairs for very heavy people – right out to 300kg.

Assessing the risk

Let's return to two key words – **safely handle**: the ability of an office chair to cope with a certain load. If you think there's a risk that an office chair may fail because it's being used by a heavy person, you should trust the AFRDI chair rating system, particularly if you are catering for a person whose body mass is greater than 110kg – and that's quite a few in the workforce these days.

If you are presented with a chair and a load rating statement, ask to view the certificate or test report from an accredited laboratory that confirms the rating. Check also that the certificate is current – chair specifications can change.

If you are tendering, make sure purchase agents compare like with like when accepting chair certificates.

We say: buy office chairs with your head, considering the facts, and don't be confused by exaggerated 'load rating' claims.



Wilkhahn is first to gain Platinum AFRDI Green Tick certification

Two products from Wilkhahn Wilkening & Hahne Pty Ltd (trading as Wilkhahn) have been awarded the top Platinum level certification under AFRDI Standard 150 (Sustainability for Commercial Furniture).

It's a significant development for the Australasian furniture industry, as Platinum is the best practice level, and the Wilkhahn products are the first to achieve this level with AFRDI Green Tick.

The Wilkhahn products are:

- The **ON** chair, which differentiates itself in the marketplace through an ability to allow occupiers to swivel from side to side as well as fore and aft, and
- The **Confair** meeting table, which seats eight, and can be folded and rolled away when not in use

AFRDI's CEO, Bob Panitzki, said: "AFRDI congratulates Wilkhahn and their team for being the first to achieve the AFRDI 150 Platinum level."

Zenith gains dual certification

Zenith Interiors has become the first company to successfully simultaneously test an office chair – the Calor-N - to AFRDI's new Rated Load standard, AFRDI Standard 142, in addition to the 'traditional' standard AS/NZS 4438.

Under 4438, a nominal maximum user body mass of 110kg is assumed: AFRDI 142 tests at two higher points, 135kg and 160kg, and also further defines performance potential by qualifying chairs for either single or multi-shift duty cycles (SS & MS respectively).

When a chair is rated, it means that it is suitable for continuous use by people weighing up to the limit tested. It does not mean that the chair is likely to break if used occasionally by a person who weighs more than the stated limit.

Testing to the two standards at the same time potentially brings considerable savings. When 4438 is specified in addition to RL, testing incurs an additional cost of only around \$1300, and the combined testing protocols could be said to more fully describe the capabilities of a chair. The RL standard however does test for dynamic, or impact loadings, and it is this factor, coupled with extended fatigue and offset load testing, that sets it apart from the less severe 4438 regime.

Daniel Grilli, Wilkhahn Asia Pacific's Environmental portfolio manager, said: "We are very pleased to achieve the Platinum level, and being the first to do so.

"The thoroughness of AFRDI's Platinum requirements, while being a challenge, have already been – and will definitely continue to be – of great benefit to Wilkhahn."

Top level product certification will benefit consumers

Bob Panitzki added: "We are entering into a new era.

"There is a growing expectation that office furniture will be of the very highest standard to meet environmental and sustainability expectations on the one hand, but will also – by way of extended testing for strength and durability – offer some protection against potential litigation should personal injury occur through product failure.

"I am pleased that manufacturers are meeting these challenges in a positive manner, which can only serve to benefit the people who are the end-users of these products."

Q: How can a black office chair be green?

A: When it's been AFRDI Green Tick certified



ACCC shows it has teeth

The Australian Competition and Consumer Commission has led a national product safety surveillance program resulting in the recall or removal from sale of over 95,000 unsafe products including trolley jacks, children's nightwear, bunk beds, cots, hot water bottles, blinds and curtains.

"More than 95,000 unsafe products have been removed from the shelves and almost 100 retailers issued with warnings," ACCC deputy chair Peter Kell said.

"The results from this surveillance show the effectiveness of enhanced collaboration between the ACCC and state and territory consumer protection agencies in detecting and addressing noncompliant goods in the marketplace," Mr Kell said.

Between March and August 2011 over 1,300 retailers including major department stores, speciality stores, discount variety stores, small traders, online retailers and markets were targeted. More than 3,800 product lines were inspected across Australia.

"Some retailers may face court action for selling products that fail to meet mandatory product safety standards," Mr Kell said.

The ACCC will continue to take action against manufacturers, importers and retailers that do not comply with the mandatory standards.

Recent action includes fines of \$400,000 for selling non-compliant children's nightwear, and \$300,000 for supplying non-compliant bean bags.

The ACCC and state and territory consumer protection agencies have been working on the next national surveillance program focusing on toys and children's products.



Conventional wisdom turned upside down

It almost goes without saying in the Australian furnishing industry that if you want to source a product, you turn to China, India or Taiwan.

But Sydney-based Eccosit Industries found that their normal suppliers could not make a moulded plastic seat back at a price, or more importantly, at a quality, which appealed.

So they designed their own seat back, and commissioned a local company to injection-mould the product.

"It's simple," says Eccosit's Karl Kehrer, "but it has the finish and shape that we want, and the way we see it, little things like this mean a lot when you are projecting a quality image."

A cautionary tale from the U.S.

Australian furniture manufacturers might well take note of the findings of the U.S. Consumer Product Safety Commission (CPSC) following the recall of glider reclining chairs and accompanying ottomans.

The CPSC found that an exposed gap between the moving parts of the chair and the base framework could allow access to toddlers and infants, posing an entrapment hazard. The warning follows reports of two children under the age of two who were found trapped.

In both cases, adults were able to release the children who suffered no permanent injuries.

CPSC Adopts Independent Third Party Testing and Certification for Children's Products

The CPSC has ruled that domestic manufacturers, importers and private labelers will be required to test and certify that their children's products comply with product safety standards.

The commission has adopted a framework for third party periodic testing to ensure continued compliance.

If there is a material change to the product, such as changes in the product design, manufacturing process, or in the source component parts, firms must re-test and re-certify that the product complies with federal safety standards.

Firms will also be required to keep records on testing and certification.

UK investigation into fire retardant breakdown

The UK REACH Competent Authority is currently investigating a key fire retardant used to treat upholstery fabrics.

The Authority has become aware of recent scientific research that the decaBDE may degrade and form substances that may be harmful. This may result in the use of the substance becoming restricted, or being classed as a 'Substance of Very High Concern' (SVHC).

decaBDE is an essential fire retardant used for treating textile made from synthetic fibres, and fibre mixes such as polyesters fibre. Without such a fire retardant it would be very difficult for polyester and polyester blends to be made compliant with the UK's stringent fire safety legislation. At present there is no real alternative to the use of decaBDE that is as effective in both performance and cost.

Listing the chemical as a SVHC would cause a number of problems. Firstly it is likely that sourcing the chemical will become much more difficult. Secondly the use of the chemical as a fire retardant may have to be communicated throughout the supply chain, and additionally any waste materials both in the manufacturing supply chain, or post consumer waste, will have to enter discrete waste disposal channels.

The loss of decaBDE without a suitable replacement could jeopardise the ability of furniture manufacturers being able to satisfy the requirements of fire regulations.

Concern over HBCDD as flame retardant

The European Chemicals Agency has placed flame retardant Hexabromocyclododecane (HBCDD) on its latest list of Substances of Very High Concern (SVHC).

Published on 28 October, the list invokes *immediate* legal obligations on EU and EEA companies supplying such SVHC, either in articles, in preparations or as substances:

- Suppliers of **articles** with SVHC present above 0.1% w/w (by weight) must provide sufficient information to ensure safe use to their customers (and to consumers but only within 45 days of receiving a request for the information).

- Suppliers of **preparations** not classified as dangerous but with SVHC present individually above 0.1% w/w in non-gaseous preparations or 0.2% w/w in gaseous preparations must supply a Safety Data Sheet on request.



US government developing new guidelines for product-related sustainability standards

BIFMA, the Business and Institutional Furniture Manufacturers Association, is working with the United States Government to find appropriate environmental sustainability standards.

The survey covers the Ecolabel Program management, conformity assessment and market presence issues. BIFMA is one of nine non-government programs to be surveyed, along with seven government programs.

BIFMA has recently pointed to unfair competition issues arising from marketing of some emerging environmental sustainability programs.

In a parallel development to the government's initiative, work has been proceeding for the past year to support sustainability standards through the newly formed National Center for Sustainability Standards (NCSS). The centre develops life-cycle based multi-attribute sustainability standards.

Too many standards?

Is there such a thing as too many standards? In an effort to answer this long-standing question, the American National Standards Institute (ANSI) recently brought together nearly 200 representatives of industry, standards and conformance organisations, government, and consumer groups to discuss the issue.

After what's been described as a robust discussion, attendees agreed that while conflict and duplication in standards development are deserving of continual vigilance, the current U.S. standardisation system is strong, effective, and responsive to the country's diverse needs.

from ANSI newsletter

- Suppliers of **substances** included on the Candidate List must supply their customers with a Safety Data Sheet.

UK companies have been strongly advised to confirm their obligations under REACH (Registration, Evaluation, Authorisation and restriction of Chemicals) resulting from the publication of the Candidate List.

The Candidate List is updated periodically with additional SVHC. The list is available online here: http://echa.europa.eu/doc/press/pr_08_38_candidate_list_20081028.pdf

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