

31 January 2017

## **JOINT STATEMENT ON NEW CHINESE FURNITURE STANDARDS (TBT NOTIFICATION CHN 1094, 1095, 1096)**

The undersigned are concerned about the unnecessary obstacles to international trade that new Chinese standards on wood-based furniture, sofas and mattresses might cause, without benefits for the consumers' safety, health and the environment. We consider that the testing methods described in notified standards are immature, not elaborated on technically correct basis and, to our knowledge, not validated. Therefore, this new approach results in unsuitability to fulfill its mandate: protect consumers or the environment.

Moreover, the Chinese standards create a real technical barrier to trade, implying costs, double testing and unnecessary obstacles. The Chinese standards would obstruct trade and potentially impede EU companies to sell their products in China due to the test methods proposed.

The potential economic impact is highly worrying. China is a market of growing importance for European furniture producers. Significant investments have been made and are planned.

The undersigned are therefore jointly calling the Chinese authorities not to impose the proposed mandatory requirements and to accept equivalent international standards, in particular ISO standards, for the product categories covered by the notified drafts.

Product safety and quality is a top priority for European furniture producers, retailers and wholesalers. We take the legitimate Chinese authorities' concerns about the quality of the indoor environments very seriously. Therefore we welcome the European Commission's initiative to invite the Chinese authorities for a joint discussion under the existing international channels for that purpose, such as the ISO.

### **Background**

In July 2015, the Chinese government notified three standards to the WTO, covering a very large share of furniture products and imposing new and specific limits and testing methods:

- CHN 1094 Limits on the level of volatile organic compounds and the migration of heavy metals in wooden furniture
- CHN 1095 Upholstered furniture – Limits for volatile organic compounds, decomposable aromatic amine and flame retardants in mattresses
- CHN 1096 Upholstered furniture – Limits on the levels of volatile organic compounds and decomposable aromatic amines in sofas

A dialogue between European and Chinese authorities followed. The EU has addressed to China two written comments under the TBT notification procedure and has raised a new offensive case in the WTO TBT Committee. China has replied to one of the written comments, but still has not clarified key pending questions from European authorities in any of the fora where the issues have been raised by the EU.

### **Pending questions**

Three main issues are still awaiting reply:

- a) Legal force of the standards and of their content, with particular regard to the different chapters and limits set in the in the three notified standards;
- b) Date of entry into force;
- c) Acceptance of equivalent international standards, particularly ISO standards.

## Main concerns

### Legal

The differences between Chinese and international standards lead to unnecessary barriers and obstacles to trade. The potential effect of the Chinese national deviations would not only make trade in furniture more expensive but could even disrupt it significantly due to the high degree of uncertainty coming from a non-validated and immature regulation.

### Technical

The main concerns are related to the emission test methods and set requirements. The chosen approach has been scientifically ruled out by relevant technical European, American and international experts as suitable when it comes to measuring highly hazardous substances. The main concern with the proposed Chinese new test method is that a substance of high concern can be underestimated while a low-toxicity substance can be overestimated. The protection of human health cannot be considered a justification for the deviation from other international standards, as the three standards are not health based and there is no focus on hazardous substances<sup>1</sup>. Together with misleading results, the comparability and harmonization would be hampered.

### Economic

China is an export market of growing importance for EU furniture industries. It is also the largest furniture consumption market and the demand for EU products is growing. In only 10 years (2005-2015), furniture imports in China raised by 400%, mainly based on European companies, which invest strategically in China. However, the three Chinese standards have the potential to undermine the efforts and success made so far. Besides the additional costs and double testing imposed, they pose the risk for EU companies of not being able to sell their products in China, given the unpredictability of the test method proposed and its results.

## Our call

For all the reasons mentioned, we call China to:

- a) maintain CHN 1094-1095-1096 voluntary,
- b) equally recognize equivalent and well-recognised international standards, particularly ISO standard.

Methods ISO 16000-9 (chamber), ISO 16000-6 (VOC analysis), ISO 16000-3 (DNPH-method - formaldehyde and other carbonyl compounds), ISO 12460-1 (formaldehyde emission in chamber by acetylacetone-method) are the relevant ISO standards for thresholds and testing methods, agreed on the international level and fully assessed.

Any revision of the above-mentioned standards should be discussed with the ISO standardisation bodies where scientific validation and mutual interests can be fully examined.

*For full explanation of the relevant arguments, please refer to EFIC-IKEA Q&A on TBT Notifications CHN/1094-1095-1096, February 26th, 2016*

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<sup>1</sup> A relevant issue concerns TVOC measurement. TVOC consists of different mixtures of chemical substances, with varying biological effects. With the new method proposed by China, the importance of a toxicologically potent substance can be underestimated, while that of a low-toxicity substance can be overestimated. This lead to a misleading result which is not health and scientific-based.

## About us

### EBIA

EBIA, the European Bedding Industries' Association represents the interests of the national federations of major European bedding articles' manufacturers and suppliers. Mattresses are by far the most important product line. As it concerns an item that is in intimate and lasting contact with the user, all inherent aspects related to safety, health and environment are of utmost concern to our industry.

EBIA's Mission can be described as follows:

- represent its members' interest in matters related to environment, health and safety (regulated on European level)
- find practical solutions
- help with problems affecting its members

The business of the EBIA member companies ("EBIA members") is the development, production and supply of bedding systems (bed bases, mattresses, pillows, accessories ...), technologies and services. EBIA members strive to improve their competitive position by technological innovation and design, the quality of their products and through their customer service. EBIA members are committed without reservation to fair competition. <http://www.europeanbedding.eu>

### EFIC

EFIC – the European Furniture Industries Confederation - is the voice of the jointly united European Furniture industries.

EFIC was founded in 2006 by seven national federations representing the furniture industries in Belgium, Denmark, Germany, Italy, Slovakia, Spain and Turkey and it was later joined by Portugal, Sweden, Austria, Russia and Norway. Furthermore, Hungary, the Netherlands and France joined EFIC in 2015. EFIC now represents more than the 70% of the total turnover of the furniture industries in Europe. <http://www.efic.eu>

### EuroCommerce

EuroCommerce is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 31 countries and 5.4 million companies, both leading multinational retailers such as Carrefour, Ikea, Metro and Tesco and many small family operations. Retail and wholesale provide a link between producers and 500 million European consumers over a billion times a day. It generates 1 in 7 jobs, providing a varied career for 29 million Europeans, many of them young people. It also supports millions of further jobs throughout the supply chain, from small local suppliers to international businesses. EuroCommerce is the recognised European social partner for the retail and wholesale sector. <http://www.eurocommerce.eu>