



**STATE FIRE MARSHAL
Flame Retardant Advisory Committee
April 5, 2023, Meeting Minutes
Wednesday, April 5, 2023
Office of the State Fire Marshal, 9th Floor
VIRTUAL MEETING VIA TEAMS
09:00 A.M. to 12:00 P.M. Pacific Day Time (PDT)
Office of the State Fire Marshal
715 P Street Sacramento, CA 95814**

MEMBERS PRESENT

Huntington Beach Fire, Shannon Sanders
Fort Irwin Fire, Almeda Hall
Fire Tect, Kathy Newman
Impact Imagines, Mike Ohirko
Flamecheck, Chris Lovato
Diversified Testing, Brian Dement
Intertek, Duraisamy Revichandran
Advanced Textiles Association John Kardos

MEMBERS ABSENT

Ellen Atkins, Delta Pacific Technologies, Inc.
Disney Live Entertainment, Johnathan Ramos
SGS North America, Bobby Brown

OSFM STAFF

Chairperson DSFM III, Patricia Setter
Assistant Deputy Director, Frank Bigelow
Division Chief, Greg Andersen
Supervising DSFM III, Jeff Schwartz
Program Assistant, Von Costa

PUBLIC GUESTS

None

1. CALL TO ORDER

A. Welcome

The meeting was called to order by Chairperson Patricia Setter at 09:03 A.M. PDT on April 5, 2023.

B. Roll Call/Determine Quorum

Roll call was conducted by Yevonne Costa and Chairperson Patricia Setter determined that a quorum of members was established at 09:15 A.M. PDT.

C. Introductions

All attendees introduced themselves.

D. Announcements

Chief Bigelow Introduced himself to the membership and announcement regarding his appointment to the Division and enthusiasm to get to know the committee and the Flame Retardant and Program.

Chief Andersen welcomed the committee and thanked them for the Committee Members participation.

Chief Schwartz welcomed the committee and expressed he has no pressing announcements.

2. CONTINUED BUSINESS: Title. Title 19, Chapter 8, Proposed Regulation Update

Chairperson Setter announced 1180 "A" Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed.

"AATCC" American Association of Textile Chemists and Colorists has been added. as used herein means The American Association of Textile Chemists and Colorists, to define an organization in the fabric industry.

"Add Fabric" has been added to this location for application option program use.

"Applicator" has been added to this location and amended to add "the Office of the State Fire Marshal" to define the title of a person who performs chemical applications.

"Approved" has been added to this location and amended to add the "Office of the

State Fire Marshal” to define the approve if that of the State Fire Marshals’ Office.

“Approved Laboratory” has been added to this location, to define there are specific laboratories approved by the State Fire Marshal.

“ASTM American Society for Testing Materials International”, Inc. has been added to this location to define an organization in the fabric industry.

“Accelerated Weathering” has been added to this location to define the meaning of aging a fabric.

Chairperson Setter asked if any member wish to open this for discussion? No response.

Chairperson Setter requested a motion to approve the language in A Definitions as it is written?

Motion to approve the language in A Definitions as it is written was initiated by Member Almeda Hall. Motion seconded by Member Kathy Newman Motion was unanimously approved at 09:45 A.M. PDT.

Chairperson Setter announced 1180 “B” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no B definitions.

Chairperson Setter announced 1180 “C” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

“Chemical” has been added to this location to define the meaning of chemical as they are determined in the regulations.

“Chemical Registration” has been added to this location, to define the meaning of chemicals Registration as they are determined in the regulations.

“Concern” has been added to this location to define the meaning of concern as they are determined in the regulations.

Member Kathy Newman requested “Concern” Definition to replace “person” be with “Sole Proprietor” as a concern is limited to an ownership of a company.

Committee Discussion concur and requested adding “that is licensed by the Office of the State Marshal as a company providing flame retardant certifications”. Amendments to section to replace “Person” with “Sole Proprietor and “that is licensed by the Office of the State Marshal as a company providing flame retardant certifications”.

Chairperson Setter announced 1180 “D” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

Member Mike Ohirko request to add Distributor.

Chief Andersen requested “Distributor” to be tabled for further discussion, to see where it will fit into regulatory language.

Chairperson Setter announced 1180.4 “E” Definitions have been added. Currently we have no E definitions.

Chairperson Setter announced 1180.5 “F” Definitions have been added. the following definition have been relocated from previous sections or relocated and amended or proposed:

“Fabricator” as used herein means any entity that produces a product that is required by law to be flame resistant as required in Health and Safety Code Section 13115 and 13119. Tabled for further discussion.

Member Chris Lovato suggested to replace person with entity, to establish the requirement is required regardless of company or individual status.

Committee discussion concur, amendments to section made to replace “person” with “entity.”

Chief Andersen asked if fabricator currently in the regulations?

Chairperson Setter responded fabrication is in section 1325 under Labeling Required, that reads:

1325. Labeling Required. No drape, hanging, curtain, drop or similar decorative material or exterior fabric which has been treated by a registered flame-retardant application concern, either as yardage or after fabrication, or which is made from a registered approved fabric shall be installed after the effective date of these rules and regulations in any place or under any condition governed by Section 13115 and 13119 of the Health and Safety Code unless such drape, hanging, curtain, drop, or similar decorative material or exterior fabric shall be labeled as required by Section 1324.

Member Shannon Sanders expressed that many times, a school may have the booster club make drapery for a play or event, and even if the booster club fabricates the drapery or decorative item. We place the responsibility on the school for maintaining the flame-retardant condition.

Member Almeda Hall expressed her jurisdiction additionally places the responsibility on the establishment.

Chief Andersen requested “Fabricator” tabled for further discussion.

Chairperson Setter announced “Fill” as used herein means yarn running from selvage to selvage at right angles to the warp of a woven fabric” has been added to this location to define the meaning of fill as it is determined in the regulations.

Committee discussed the seamstress terms such as selvage may not be very clear to local jurisdictions and suggested adding (Also referred as weft of yarn) to make the term clear. Committee concur, amendments to section to add (Also referred as weft of yarn).

Committee discussed correction of the word pass to passed. The committee also requested the word test to be exchanged for examination. Committee concur, amendments to replace testing with examination.

Chairperson Setter announced 1180 “F” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed.

“Flame-Retardant Chemical” has been added to this location to define the meaning of Flame-Retardant Chemical as they are determined in the regulations.

“Flame-Retardant Application Concern” has been added to this location to define the meaning of Flame-Retardant Application Concern as they are determined in the regulations.

“Flame-Retardant Chemical, Exterior” added to this location to define the meaning of Flame-Retardant Chemical, Exterior as they are determined in the regulations.

“Flame-Retardant Chemical, Interior” added to this location, location to define the meaning of Flame-Retardant Chemical, Interior as they are determined in the regulations.

Committee discussion suggested to remove “need not” of and replace with and does not. Committee concur, amendments made to remove “need not” and replace with “does not”.

Chairperson Setter announced the additional 1180 F Definitions.

“Flock” has been added to this section and amended to add (Christmas Trees). And very short or pulverized fiber used to form a velvety pattern on cloth or paper or a protective covering (Fabrics)” to define the meaning of Flock as it is determined in the regulations.

Chairperson Setter announced 1180 “G” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no G definitions.

Chairperson Setter announced 1180 “H” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

“Health and Safety Code” has been relocated to this section. “Health and Safety Code” as used herein means the Health and Safety Code of the State of California, to define the meaning of Flock as it is determined in the regulations.

Chairperson Setter announced 1180 “I” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no I definitions.

Chairperson Setter announced 1180 “J” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no J definitions.

Chairperson Setter announced 1180 “K” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no K definitions.

Chairperson Setter announced 1180.11 “L” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no L definitions.

Chairperson Setter announced 1180 “M” Definitions section have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

1180.12 “M” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

“Manufacturer” has been relocated to this location, and amended to add “chemical in California”, and “material and advertising the finished product for sale, that is required to be flame resistant as outline in the California Health and Safety Code, Section 13115 and 13119”.

Committee discussion request to review how the term manufacture will be used in regulatory language prior to approval.

Chief Andersen: “Manufacturer” revisions tabled for further discussion, to see where it will fit into regulatory language, and to clearly distinguish the difference between a manufacturer and a distributor.

“Moss” has been added to this location “Moss” as used herein means any of various plants resembling moss in appearance or habit of growth, to define the meaning of Moss as it is widely used decorative item in modern designs.

Chairperson Setter announced 1180.13 “N” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

“Nonflammable Material” has been relocated to this section to define the meaning of Nonflammable Material as it is determined in the regulations.

“NFPA” has been added to this location “NFPA” as used herein means National Fire Protection Association has been added to this location to define an organization in the fabric industry.

Member Chris Lovato asked if this was being added for NFPA 701?

Chief Schwartz replied the State Fire Marshal Office has not adopted NFPA 701.

Chairperson Setter announced, to reserve the option to examine NFPA 705 for field testing. Field Testing has not been placed into the regulations. A CAL FIRE information bulletin was issued for field testing in 2010. and would like the committee to have the option to examine both field testing options.

Chairperson Setter announced 1180.14 “O” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no O definitions.

Chairperson Setter announced 1180.15 “P” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no P definitions.

Chairperson Setter announced 1180.16 “Q” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no Q definitions.

Chairperson Setter announced 1180.17 “R” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed:

“Rental” has been added to this section. “Rental” as used herein means any company that manufactures and is paid to provide a finished product that is required to be flame resistant as required in Health and Safety Code Section 13115 and 13119. The revenue collected for this service is conducted through rental funding. Any rental company that modifies and replaces the registered manufacturer name with their company name is considered as a manufacturer as described under Section 1180.12.

Chief Andersen tabled “Rental” for further discussion, to see where it will fit into regulatory language, suggesting clarifying installer or provider or owner.

Chairperson Setter resumed R definitions announcing “Regulations” has been added to this section. “Regulations” as used herein means the regulations adopted

by the Office of the State Fire Marshal to define the meaning of Flame-Retardant Chemical, Interior as they are determined in the regulations.

Chairperson Setter announced 1180.18 “S” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed.

“Safety Data Sheet (SDS)” has been added to this section “Safety Data Sheet (SDS)” as used herein means a document that provides comprehensive information about a substance or mixture for use in the workplace.

“Secondary Registration” has been added to this location. “Secondary Registration” as used herein means a company or fabricator which desires to have registered product listed under their own trade or brand name.

“Selvedge” has been added to this location to define the meaning of the direction of a fabrics weave as they are determined in the regulations.

Chairperson Setter announced 1180.19 “T” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed.

“Technical Revision” has been added to this location “Technical Revision” as used herein means any revision that requires a review of any technical data.

Chairperson Setter announced 1180.20 “U” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no U definitions.

Chairperson Setter announced 1180.21 “V” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no V definitions.

Chairperson Setter announced 1180.22 “W” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, the following definition have been relocated from previous sections or relocated and amended or proposed.

“Warp” has been added to this location. “Warp” as used herein means the yarn running lengthwise in a woven fabric.

Chairperson Setter announced 1180.23 “X” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no X definitions.

Chairperson Setter announced 1180.24 “Y” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no Y definitions.

Chairperson Setter announced 1180.25 “Z” Definitions have been added to the CCR, Title 19, Chapter 8 regulation revisions, there are currently no Z definitions.

Chief Andersen request a motion to approve the language in B through Z definitions with the exclusion of the tabled definitions Manufacture, Fabricator and Rental?

Chairperson Setter asked if any member wish to open this for discussion?

Motion to approve the language in B through Z definitions with the exclusion of the tabled definitions Manufacture, Fabricator and Rental Definitions was initiated by Member Shannon Sanders. Motion seconded by Member Kathy Newman Motion was unanimously approved at 11:47 A.M. PDT.

Chief Andersen request the Committee Members to present definitions for Limited and General Applicator to proposed to the committee for individual review. Additionally requesting to make note we will be determining where the terms fabricator and manufacturer will be used in the regulations and determining requirements for an applicator to express the expiration date of a chemical application on the Certificate of Flame Resistance”.

3. OPEN FORUM

Member Shannon Sanders expressed she felt the meetings were going well and appreciation for Chief Andersen’s attendance and contributions to the discussions.

Member Kathy Newman expressed feeling the TEAMS forum is working great and provides her the opportunity to research while participating.

Member Kathy Newman: Request to make a motion that the Committee schedule a meeting every four weeks.

Motion to schedule meetings every 4 weeks was initiated by Member Kathy Newman. Motion seconded by Member Shannon Sanders Motion was unanimously approved at 11:55 A.M. PDT.

3. PUBLIC COMMENT

No public members in attendance.

5. MEETING ADJOURNMENT

Chief Andersen requested a motion to adjourn the meeting?

Motion to adjourn meeting was initiated by Member Kathy Newman. Motion seconded by Member Chris Lovato. Motion was unanimously approved at 12:02 P.M. PDT.