



# NEW YORK STATE DEPARTMENT OF STATE

Division of Code Enforcement and Administration

Phone : (518) 474-4073

[www.dos.state.ny.us](http://www.dos.state.ny.us)

Fax : (518) 486-4487

E-mail: [info@dos.state.ny.us](mailto:info@dos.state.ny.us)

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## TECHNICAL BULLETIN

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**Code Effective Date:** January 1, 2008

**Source Document:** 19NYCRR 1225.1, Fire Code of New York State Section 803.5.2

**Topic:** Use of the State of California Technical Bulletin 133,  
*Standard Method for Fire Testing of Real Scale Upholstered Furniture Items*

**Question:** Is it appropriate for a Code Enforcement Official to accept upholstered furnishings in Group I-2 occupancies that pass the fire testing requirements of California Technical Bulletin 133 (TB 133)?

**Answer:** Yes. The *Fire Code of New York State* (FCNYS) Section 803.5.2 requires that all newly introduced upholstered furnishings in Group I-2 hospitals and nursing homes be tested to NFPA 266 or ASTM E 1537. NFPA 266 Section 1-1.4 specifically states that compliance with TB 133 provides comparable results to NFPA 266 for heat release rates under 600 kilowatts (kW).

FCNYS Section 803.5.2 sets two performance requirements, independent of the test method chosen. The California TB 133 test requires a maximum peak heat release rate of 80 kilowatts (kW) and a total energy (heat) release of 25 megajoules (MJ) after 10 minutes. Both of the requirements in TB 133 are substantially more restrictive than the requirements within the FCNYS Section 803.5.2.

It should be noted that NFPA 266 will not be further developed by the NFPA and is not part of the current edition of the *National Fire Codes*. Furthermore, the *International Fire Code, 2006 edition* has replaced the NFPA 266 heat release requirement with California TB 133.

It is our opinion that, under FCNYS Section 103.3, alternative methods and materials, California TB 133 (1992 edition) meets the requirements of FCNYS Section 803.5.2 and is appropriate for approval by Code Enforcement Officials.

Ronald E. Piester, AIA, Director  
Division of Code Enforcement and Administration