

Corporate Product Safety Situations Managed Brief Summaries – Tom Graham

Led technical activities

Below are three examples of product safety situations in which he led the technical evaluation including hands-on testing, and worked with legal in the development of the company position.

Description of situation: Company sued for wrongful death caused by company's product.

Main points of claim: 16 year-old male high school student who had been listening to company brand portable radio was found dead in his bedroom. Engineering analysis of radio performed for the family by a major university engineering school said that under certain conditions high electrical voltages were present on metal FM antenna of radio.

Company response: Supervised in-depth lab testing that confirmed the high voltage claims were not harmful to humans. Prepared detailed report as part of defense documents.

Final result: Settled out of court - company was not liable.

Description of situation: Attorney for consumer contacted company about fire that allegedly started in a child's audio/video learning/entertainment product and subsequently caused damage to personal property.

Main points of claim: Product overheated during use resulting in a fire inside the product and damage to a desk on which it was sitting.

Company response: Met with plaintiff's attorney for examination of the product in question, and found that an immersion-type electric water heater (for making individual cups of coffee) had been left, plugged-in, on top of the product. The heater melted through the plastic top of the product into the interior of the product making it appear that there was an internal fault in the product.

Final result: Based on above analysis and conclusion, plaintiff's attorney recommended dropping of all claims against company.

Description of situation: Attorney for consumer contacted company about fire that allegedly started in a teenager's compact portable phonograph/audio system and subsequently caused damage to personal property.

Main points of claim: This product, consisting of a record changer, stereo speakers and an audio amplifier all in one unit, overheated in the record changer portion during use, causing a fire inside the product and damage to a desk, carpeting, and sneakers.

The product had been sitting on the front edge of a desk. Plastic from the product melted and ran down the desk into a sneaker on the floor. When the company viewed the unit, a sneaker was firmly attached to it by a 28 inch plastic stalactite.

Company response: Met with plaintiff's attorney for product examination, and using simple test instruments concluded that there was nothing wrong with the electrical portion of the product. With the permission of the plaintiff's skeptical attorney, plugged it in, hit the ON switch and the turntable immediately started turning and operating normally. Upon closer physical examination, found that under the rear of the product there had been an ashtray with something smoldering in it that eventually caused the product to burn

Final result: Based on above analysis and conclusion, plaintiff's attorney recommended dropping of all claims against company.

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Overall senior management

Below are three examples of product safety situations in which he provided the overall situation senior management covering all aspects including technical evaluation, corporate position, legal coordination, outside negotiations, and even hands-on testing.

Description of situation: Company received several consumer reports of fires in an expensive, top-of-the-line audio/video receiver.

Main points of claim: The consumers' descriptions were almost identical – the product suddenly failed with “flames shooting out of the top”.

Company response: Based on initial conversations with the consumers and initial company testing, reported the incidents to the CPSC. After in-depth testing of the product in its application, numerous phone calls and a face-to-face meeting with the CPSC in its Washington, DC headquarters, demonstrated that 1) the incidents were caused by a problem in an add-on accessory (another brand); and 2) there was no hazard produced nor any chance of fire external to the product even with the faulty accessory connected. The key was showing the CPSC that it was impossible for flames to ever go outside of the product cabinet.

Final result: The CPSC agreed that no recall was necessary.

Description of situation: Company received several consumer and product service reports of “black smoke coming out of the subwoofer” part of a Home-Theater-in-a-Box audio system made for the company by a famous OEM subcontractor. The product was no longer functional after each incident. There were no reports of property damage.

Main points of claim: The product is a safety hazard because the observation of smoke implies the existence of fire.

Company response: After initial direct conversations with the consumers and quick, initial company testing, reported incidents to the CPSC. Identified the problem as an under-designed, main AC power supply section component that could drastically overheat when certain kinds of music were played, bursting into flame and destroying itself causing the product to fail.

Through in-depth testing and videotapes of problem simulations, convinced the CPSC that it was impossible for the particle-board product enclosure to burn and create a hazard. Any flames or overheating were totally contained, and when it failed, it failed safe.

Final result: The CPSC agreed that no recall was necessary. The company required OEM vendor to rework all inventory with a redesigned coil.

Description of situation: Company started receiving reports that heavy, in-ceiling installed loudspeakers were falling out of the ceiling.

Main points of claim: There was a definite risk of severe injury if a consumer were to be hit with one of the falling loudspeakers.

Company response: Immediately notified the CPSC and immediately organized a voluntary recall even before the CPSC decided that one was warranted. Led investigation that revealed an unauthorized change of the plastic material of the speaker mounting tabs had been made. Designed and launched a CPSC-approved all-out notification and product recall program to all levels of product distribution channels. Issued monthly reports to the CPSC and reviewed with them as needed.

Final result: After nearly sixth months of closely managing the recall, petitioned the CPSC and they agreed that the recall was quite successful and it was not necessary to continue it further. All returned products were destroyed since they could not be reworked.