

Why the Toymaker got it Right and the Smoke Alarm Industry has got it Wrong

Faulty toys and inadequate smoke alarms both put our children at risk, but while the toymaker has responded quickly, the smoke alarm industry continues to drag its heels.

By Karl Westwell, World Fire Safety Foundation

17 August 2007

Yesterday, Mattel, Inc., announced a voluntary recall of millions of its toys because the paint used on some toys has small amounts of lead in it, and other toys have high-powered magnets that may come loose and cause a choking hazard for young children.

I don't think Mattel did anything more than it *should* do, but I can't help but contrast their response with that made by the smoke alarm industry who have done as little as they *could* do. And it is our children that are at risk.

Faulty toys and inadequate smoke alarms both put our children at risk.

I am a parent. I am not writing this as a dispassionate observer; I am writing this as a father who is concerned about the safety and well-being of his children.

So, as a parent, I want to point out to those in the smoke alarm industry, three critical points of difference between how Mattel have reacted and how the smoke alarm industry has responded.

Firstly, Mattel has acted swiftly.

Mattel has openly stated the problem and issued a voluntary recall and immediately enacted a new 3-point check system.

The smoke alarm industry has continued to prevaricate, obfuscate, and pontificate; there is so much smoke and so many mirrors in play that even the woefully inadequate ionization alarms should be sounding.

By the late-1970's the industry was aware they had a problem; 30 years on they are yet to act.

In recent tests conducted by Indiana State Fire Marshal, Roger Johnson, ionization smoke alarms still had not sounded their alarms 42 minutes after photoelectric alarms had sounded.

Roger Johnston went on record and on air warning the citizens of Indiana. Sadly, within the smoke alarm industry, Roger Johnson is the exception rather than the rule.

John Dregenberg, Consumer Affairs Manager, Underwriter's Laboratories, Inc (UL), the world's largest standards organization, typifies the general attitude of the industry. When shown footage of the test conducted by Roger Johnson and asked if there should be an alarm sounding, he admitted: "There should be an alarm sounding..."

But there wasn't.

He then tried to defend the silent ionization alarms by saying: "The reality is, if it's a UL listed smoke alarm, when that smoke hits the alarm, it will sound the alarm."

Hey John, you already said that the alarms should be sounding, and the alarms used in those tests were UL listed alarms - so why aren't they going off?

John's response: "I don't know."

UL calls itself the world leader in product safety standards, yet after thirty years they still don't have any answers.

For decades there have been repeated calls for action and UL have repeatedly promised that something will be done, and yet thirty years on all UL's standards committee has been able to agree on is that, "the current testing process for smoke alarms is long overdue for change."

Maybe UL can set-up a meeting with Bob Eckert and his team from Mattel, so they can give the UL standards committee some pointers on how to put people ahead of profits.

Actually, come to think of it, isn't the whole point of UL people's safety and not profits? If you guys at UL can't get that right, doesn't it make a mockery of your organization?

Secondly, Mattel put children ahead of profits.

Bob Eckert, Chairman & Chief Executive Officer, Mattel said, "Nothing is more important than the safety and well-being of children."

Hey! You guys in the smoke alarm industry, did you get that? Let's repeat it: "Nothing is more important than the safety and well-being of children."

All of you should write that out a thousand times until you get the point. Because I think you just are not getting it.

Mattel make toys - *and they get it.*

You make a safety product - and despite what should be an even greater sense of responsibility on your part, you just don't seem to get it.

Bob Eckert, made a decision - "Nothing is more ***important*** than the safety and well-being of children." The smoke alarm industry referred the matter to committee and has once again proved that nothing is more ***impotent*** than endless rounds of committee meetings and continual calls for more and more tests.

Bob didn't call for more tests. Bob didn't try to hide the problem. Bob took action - he put our children first.

Finally, Mattel alerted the public.

In addition to saying, "Nothing is more important than the safety and well-being of children." Bob Eckert, also said: "We want every parent to be aware of these issues."

At the time of the recall, no injuries or illness relating to the lead paint had come to Mattel's attention, and three children had suffered injuries requiring surgery to remove the magnets from their intestines.

Mattel weren't required to recall their products; they did so because they put our children first. Yet every year people die needlessly in fires in homes supposedly protected by ionization smoke alarms – many of them children – and the smoke alarm industry says ... nothing.

Nathan and Jennifer Mercer had a working smoke alarm in their home. Yet when a baby monitor in their boys' room short-circuited and fire broke out, the alarm remained silent until it was too late.

Travis Mercer is disfigured as a result of that fire. His brother Bradley is dead.

The alarm in the Mercer home was manufactured by BRK Brands, Inc., – the makers of First Alert. The Mercers sued BRK. Gary Lederer, acting Chief Executive Officer, BRK Brands, testified at that trial that the reason why his company had not explained the difference between photoelectric and ionization alarms was: "If we were to try to educate the consumer to that degree we are going to confuse them."

There are only two things about ionization alarms that confuse the public: one, how the smoke alarm industry has got away with this for so long, and two, how it is they can go off when you we cooks toast, but remain silent while our homes fill with smoke.

I have no answer to the first. Quite frankly, how the smoke alarm industry has got away with this for 30 years has me baffled. Even more baffling is why confusing someone could possibly be thought of as a worse case scenario than a child being killed by fire because the smoke alarm in the home didn't alert the parents of the child in time for them to rescue him.

The second is easier. Toast, steam and cigarette smoke produce the right size particulate matter in the right quantities. Smoke we can see is too big and too scattered. Few people I talk to are confused. Even less are confused about what to do when they see the World Fire Safety Foundation's film (www.SmokeAlarmWarning.org).

The ionization alarm will sound when someone cooks toast or lights up a cigarette, but remain silent while a smoldering fire fills their home with thick, toxic smoke.

The problem with ionization-type alarms has been hushed up for so long that few in the front line are even aware of it. One of the firefighters who witnessed the recent tests conducted in Indiana said: "I had no idea there was such a big difference. It's a real eye opener. I'm going to change my smoke detectors."

The jury in the Mercer case wasn't confused; the Mercers were awarded \$21.3 million. In his summation, Chief Judge David E. Schoenthaler, stated, **"A smoke detector that sounds 19 minutes after smoke reaches its sensing chamber is like an airbag that deploys 19 minutes after a car accident."** BRK appealed and eventually settled out of court.

When the parents of children who die in fires in homes protected by smoke alarms sue the makers of those alarms, the response of the manufacturers is:

First, try to find something else to blame - other than the known limitations of the ionization type alarm - for their alarm's failure to sound;

Second, try to defend themselves by pointing out that the alarm was manufactured to industry best practice standards and was certified by UL or some other standards organization –

while ignoring the fact the manufacturers themselves established 'industry best practice' and had a major part to play in the wording and amendment of the standards and have repeatedly vehemently opposed calls for changes to those self-serving standards, and;

Finally, settle out of court with confidentiality orders – in effect, gagging the plaintiffs from warning other parents.

I'm sorry, but it appears to me that the only confusion here is that the smoke alarm industry has had to redefine 'smoke' because the ionization alarm you try to excuse, defend and when that fails, which you effectively gag parents from warning others about - doesn't detect what we non-smoke alarm industry people, and the dictionaries, call smoke.

Maybe Mattel could have followed the smoke alarm industry's lead by redefining 'lead' and 'choking hazard' in the same way that the smoke alarm industry redefined 'smoke' and thereby avoided an embarrassing recall and a drop in the value of their shares.

Mattel sells fun, the smoke alarm industry sells safety, and yet Mattel take safety more seriously.

Mattel has faced up to the fact its image may be tarnished, but they put our children's safety first.

Mattel did the right thing, regardless of the impact on their bottom line.

I challenge the smoke alarm industry to have the guts to do what is right - I challenge you to put our children ahead of your profit, your image and your reputation.

Indiana State Fire Marshall, Roger Johnson has already taken this step – he is not making excuses for the ionization-type alarm, or for the industry's past shortcoming.

It is time for you to stop making excuses.

It is time for you to stop the needless and senseless deaths and injuries.

It is time for you to step up to the plate and say, "Nothing is more important than the safety and well-being of children."

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