

SPRING

WHITEMORE
FIRE CONSULTANTS, INC.



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Issue

A Quarterly Publication Focusing on Fire-Related Issues

Inside fire



No Abuse Excluding Expert Testimony U.S. Court of Appeals, Eastern District of Missouri

In Missouri, in a civil products liability case, the District court did not abuse its discretion in excluding expert testimony relating to cause of fire because the district court found that experimental evidence was designed to recreate the fire rather than to demonstrate scientific principles and the district court considered proper relevant factors, did not give weight to any improper factors and committed no clear error of judgment in deciding so. District court did not err in granting summary judgment because, absent expert testimony, no evidence of product defect was produced, even though circumstantial evidence, and plaintiffs did not plead res ipsa loquitur theory of liability. The following is a reprint of this decision.

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No Abuse Excluding Expert Testimony

Reprint of Eastern District of Missouri District Court Decision

Fail Safe Protections & The Law

*By E. Curtis Roeder, Esq.
Hellmuth & Johnson, PLLC*

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Following a fire at the residence of Thomas and Thelma Dunn (the Dunns), the Dunns filed a complaint against Nexgrill Industries, Inc. (Nexgrill), the manufacturer of the propane fired gas grill they used on the night of the fire, claiming that the fire was caused by a design defect in the cabinet of the grill which allowed a rubber regulator hose to come into contact with a heated grease tray, then to melt and become breached, thereby allowing propane vapors to escape and become ignited by the grill's burners. As part of their case, the Dunns wanted to establish that the grill was defective by presenting expert testimony, including evidence of certain tests that had been performed. Nexgrill filed a motion to bar the testimony and opinions (O&C investigator's evidence), which the district court granted. Nexgrill then filed a motion for summary judgment, which the district court also granted. The Dunns appealed, arguing that the district court abused its discretion in excluding the expert

fire investigator and erred in granting the motion for summary judgment. After careful review of the record, we affirm the district court's judgment.

In May 2009, the Dunns purchased a new Jenn-Air gas grill (the grill) that was designed, manufactured, and sold by Nexgrill. The grill produces heat for cooking by the combustion of propane vapors. A portable replaceable cylinder shaped tank located in the bottom of the grill cabinet stores liquid propane under pressure until the propane is delivered to the grill's manifold through a regulator and hose assembly. The propane tank is equipped with a pressure relief valve which allows propane to be released in substantial quantity from the tank when the tank's internal pressure rises to the point where the tank might explode. In normal operation, propane vapors are delivered to the three main burners via control valves located on the

front panel. A heat shield is located above the propane tank to protect the tank from the heat emanating during normal cooking from the bottom of the burners and from the grease tray located underneath the burners.

On the evening of August 24, 2006, Mrs. Dunn used the grill to cook dinner for herself, her husband, their daughter and granddaughter. She testified that she started the grill around 6:45 PM that evening, stopped grilling around 7:00 PM, and at that time turned the burner control knobs to the "off" position on the grill. Mrs. Dunn then testified that her daughter and granddaughter left at approximately 8:30 PM and the Dunns went to bed at approximately 8:45 PM. She then awoke to "glass popping and breaking and trees popping and cracking" and "a big ball of orange." Mrs. Dunn then called 911 and escaped their home. The record indicates that the fire alarm was activated at 9:42 PM.

Following the fire, Grinnell Mutual Reinsurance Company (Grinnell), the Dunns' insurer, carried out an initial investigation of the fire on August 28, 2006. The fire scene was examined a second time on October 3, 2006 accompanied by an electrical engineer retained by Grinnell; an engineer representing Nexgrill, a mechanical engineer retained by the propane cylinder's supplier and an insurance adjuster.

According to Grinnell's investigation report, at the time of the fire, the grill had been located on a deck near the exterior west wall of the Dunns' home. There was no fire, heat or smoke damage on the exterior south, east and north sides of the home. The exterior west side, however, "received a severe amount of fire and heat damage." Other heat producing devices located on the outside of the home and in the garage, basement, and kitchen/dining area were eliminated as possible causes of the fire. Grinnell's report stated "the burn patterns exhibited to the grill, structure, and deck along with the fire movement and intensity patterns all indicate that the fire originated in the bottom cabinet located beneath the burners of the grill" and concluded that "the fire was most probably caused from fugitive [liquid propane] gas escaping from the grill [s] fuel delivery system located in the lower or bottom cabinet of the grill." The electrical engineer retained by Grinnell agreed with this conclusion that the fire originated from inside the grill.

During the October 3rd investigation, Nexgrill's engineer observed that all of the grill's burner control valves were in the "off" position, the propane tank was empty, and the tank had a pressure relief valve. Grinnell's experts theorized that the pressure relief valve was triggered during the fire and released a substantial amount of propane gas, which contributed to the magnitude of fire damage to the exterior west wall of the home and its deck. Agreeing with Grinnell's experts, Nexgrill determined that the fire originated inside the lower compartment of the grill. During their observations, it was hypothesized that "it [was] probable that the pressure relief valve in the cylinder's service valve operated during the fire," and "the release of propane from the cylinder's pressure relief valve contributed to the magnitude of the fire damage to the west exterior wall and wood deck of the structure.

... at the time of the fire, the grill had been located on a deck near the exterior west wall ..."

The Dunns retained the services of Grinnell's engineer to "perform additional analysis and testing and to render professional opinions regarding what role, if any, the Jenn-Air grill had in the cause of the fire." The model of Jenn-Air grill the Dunns had used was no longer available in retail stores, so a used grill was purchased (test grill) to perform certain tests. According to the Dunns expert, the test grills' original owner stated that "the test grill was in its original configuration and no repairs had been made, other than normal cleaning, since it was purchased." The Dunns expert stated in his affidavit that the testing was done "to establish certain scientific principles: (1) to determine whether or not the propane hose can deteriorate sufficiently to leak when in contact with the grease tray during grill operation; (2) to determine if probable leaking from the deteriorated hose can be ignited by the operating burner; (3) to determine if a propane hose fire in the cabinet can be sustained after the burner controls are turned off; (4) to determine if a propane hose fire in the cabinet is readily detectable from outside the grill with the grill lid open and the cabinet door closed; (5) to document the operating characteristics of the grill's propane distributing system; (6) to determine the consumption rate of the propane hose as a result of the ignited leak.

While installing a propane tank in the test grill's cabinet (in the position indicated on the sliding tray that supports the tank located in the very bottom of the grill), Grinnell's expert observed that on the test grill, the propane hose between the regulator and the manifold that connects the two devices could come into contact with the grease tray as the propane tank was pushed into its stowed position within the grill cabinet, and that the grill had no retainer clip or other device to prevent the hose from coming into contact with the grease tray. He attributed the hose's tendency to ride up and touch the grease tray to a "slight curl" in the hose that occurred when the regulator, to which the hose is attached, was attached to the tank. He fired up the burners and measured the temperature of the grease tray (located beneath the burners but above the propane tank, regulator and hoses). He observed some melting of the regulator's hose where it was touching the grease tray. Based on safety concerns, Grinnell's expert removed the propane tank from the grill, leaving the regulator and its hose assembly in the cabinet. He attached an extension hose between the removed propane tank and the regulator's intake connector and then intentionally placed the hose connecting the regulator with the manifold up against the grease tray by using a nylon tie-down to secure the hose to an existing metal horizontal "barrier bar" located within the cabinet. Grinnell's expert explained that because he had removed the propane tank, he secured the propane tank hose to the horizontal bar barrier at the location consistent with where it would have been if the propane regulator were attached to a properly oriented and stowed propane tank and that the propane hose as secured by the tie-down was in a position consistent with where it would have naturally come into contact with the grease tray as a result of the sliding the propane tank to the indicated stowed position within the grill cabinet.

During his testing, the Grinnell expert determined that the grease tray could reach temperatures sufficient to melt and breach the propane hose while food was being cooked on the grill. When the hose was breached while in contact with the grease tray, the operating burners ignited the escaping propane, starting a fire. According to the Grinnell expert, "[t]he fire that existed at the location of the hose breach within the cabinet was not readily detectable from the exterior of the grill with the cabinet door closed" and the "fire continued until the service valve of the propane tank was closed."

The report stated that it took approximately 20 minutes for the fire to start, and he stopped the test once the fire started.

Several months after the first test, the Grinnell expert conducted a second round of testing in response to tests conducted on behalf of Nexgrill that challenged the Grinnell expert's initial test and to reconfirm what he had observed during his test. In the second test, the compromised hose from the first test was used, and he allowed the test to run for an additional amount of time. The Grinnell expert testified that he effectively recreated the conditions of the first test but instead of ending the test after approximately 20 minutes, he allowed the hose fire to continue burning. According to his report on the second test, the propane that escaped from the hose was ignited within a minute by the burners above, and was allowed to burn for approximately 50 minutes. The hose burned back toward the regulator and was being consumed by the fire. The Grinnell expert reported that "[t]he [second] test was stopped before any visible exterior damage to the regulator occurred. The second test continued to support his theory that the fire was the result of the deterioration of the rubber propane hose caused by contact with the heated grease tray.

Nexgrill filed a motion to exclude the Grinnell expert's evidence. The district court granted that motion, finding that the experiment was done to recreate the fire at the Dunn's residence to determine the cause of the fire, not to test scientific principles. The district court also held that the test was not substantially similar to what occurred at the Dunn residence because the regulator hose was rerouted and was secured in place with a tie-down. The court also noted the difference in timelines between the second test and the fire at the Dunn's home. The grill stopped being used at 7:00 PM and the fire was not detected until 9:42 PM. The district court noted that the Grinnell expert's test showed that "the regulator hose on the [test] grill nearly engulfed in flames after just 50 minutes of testing. Following the exclusion of the evidence, Nexgrill filed a motion for summary judgment. The district court granted this motion, finding that the Dunn's could not prove a product defect.

The Dunsns appealed both the exclusion of the Grinnell expert evidence and the grant of the Nexgrill's motion for summary judgment.

For a full published copy of this decision, please refer to our website www.whitemorefire.com.



Spring Fire Safety Tips

Spring is here once again, here are some easy fire safety tips that will help ensure a fire free entrance to this summer.

Smoke detector batteries should be checked, and replaced if necessary

Smoke detector units should be cleared of dust.

Fire extinguishers should be checked and recharged if necessary.

Barbeque gas grills (including gas hoses) and propane tanks should be inspected prior to use.

Fuels for lawn and garden equipment should be stored in approved containers.

Never burn yard waste or trash. This very dangerous and may be illegal.

The outdoor cookout season will be in full swing soon that Spring is here. Remember to clean your grill, shut off all valves and control knobs after use and ensure that you grill is in excellent working order before you enjoy that steak this year.

Whitemore Fire Consultant's, Inc. IA/NEIASIU Seminar

Please be sure and stop by our booth at the upcoming Iowa-Nebraska IASIU Training Seminar in Council Bluffs, Iowa May 2nd—May 4th. We are very excited to be a part of this important training seminar and look forward to seeing many familiar faces and introducing our services to those that may not have had the opportunity to work with us in the past.



The committee organizing this event has worked hard to provide excellent educational opportunities as well as ensuring plenty of casual networking receptions for the vendors to introduce their services.

Welcome Spring!

I'm sure that I am not alone when we all breath a collective sigh of relief that Spring may be here. This has been a long, cold winter, one that we all will remember for years to come with many devastating fires. Here's to the "reward" for living in the north country!



National Fire Protection Association
The authority on fire, electrical, and building safety

*Based upon information provided by NFPA Safety Information at their website:

nfpa.org

Fail Safe Protections & The Law , by E. Curtis Roeder, Esq.>>>

When I realized that I wanted to return to Property Law after a brief hiatus, I also recognized that I would have to reacquaint myself with some of the basics of fire ignition, protection, and some of the ramifications associated with them. This article presents an overview of safety devices, fail safes and other preventative measures associated with electrical cords, arc protection and related systems. I also look at the general approach the law may take to these devices.



E. Curtis Roeder, Esq

One of the basic and long-standing safety precautions involves grounding. The first lightning rod was believed to be invented by Benjamin Franklin in approximately 1752. A simple metallic rod was grounded with the other point of the rod providing an attractive conductor into the atmosphere. A short drive through

the Minnesota and Wisconsin countryside would reveal numerous barns that are still equipped with these types of rods, placed on barns so that they reach like steeples into the sky. The fact that many of these barns are still standing is a testimony to the fact that Mr. Franklin's original design is still quite functional.

An important consideration is that the height of the building predetermines the angle of the air terminal. The National Fire Protection Association ("NFPA"), Section 780, divides structures into two classes. Class One are structures of a height of up to seventy-five feet. Class Two contains all buildings which are higher. Without delving into the various calculations and specifications that are

underscored by the standard, generally speaking, the cross-sectional area, or its circumference, required for conductor in Class Two Service is twice that of those used in Class One. The reason for the different thickness in the conductors is related to the additional height. Any substantial increased length or height of the conduct will necessitate a wider cross-section of the conductor itself, because of the amount of current and additional distance it carries.

In the presence of electrical installations, electronic equipment and the like, additional protection is typically appropriate. This can be accomplished through various forms of lightning arrestors. The most common are spark gaps, gas discharge tubes, and varistors. An excellent discussion of these devices is provided by V. Babrauska, "Ignition Handbook", (Fire Science Publishers 2003), chapter. 12.

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News About Us >>>



Congratulations to Brian P. Haag, CFI for his recent election to the Minnesota Chapter of the International Association of Arson Investigations, 2nd Vice President. Brian has been active in the Minnesota Chapter for many years. We extend our congratulations to Brian for representing our investigative industry so well.

Members of the Whitemore Fire Consultants, Inc. investigation team attended the 2011 Minnesota Chapter of the International Association of Arson Investigations Annual Seminar and Meeting held in St. Cloud, March 21—23, 2011. Once again, the Minnesota Chapter put on a great program with many presentations to assist us in our investigation efforts. Thank you to all who worked so hard to provide such a quality program.



Fire Safe Protections & The Law (Continued)

Other devices involve the application of standards generated by the International Electric Code ("IEC") See *Babrauskas as supra*, chapter 12.

There is a wealth of material and resulting designs on flame and spark arrestors. For example, flame arrestors are based upon the principal that flame cannot propagate through a small tube, cavity or opening. This notion has been expanded to the use of wire gauze and perforated surfaces. Wire mesh flame arrestors have been tested and found satisfactory with many highly flammable substances. Flame arrestors can also be made by passing the gas stream through a body of water or other liquid, since flame will not pass through the bubbles generated.

Testing of flame arrestors in the United States is typically done according to Underwriters Labs ("UL") 525. The standard includes a Continuous Flame test, which helps examine the flashback potential from the flame region, into the un-ignited gas supply.

There are also spark arresting devices, commonly associated with combustion engines. The various forces of friction generated by large vehicles such as tractors, locomotives and the like will often generate sparks. For example, even modern locomotives have been associated with the ignition of large fires where the vegetation is not successfully cleared from the tracks, remains dry, or otherwise presents an opportunity for fire ignition and spread. Spark arrestors fall roughly into two types of designs, screens and cyclones. While screens are limited to a few particles or sparks, cyclones function by creating a swirl flow and using centrifugal force to deposit the articles away from the fuel source and into a receptacle. *Babrauskas, supra*, chapter 12.

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Another category of safety devices includes potential uses of electrical equipment in atmospheres or environments where explosions or flammable conditions can occur. This may include grain bins, with high levels of grain dust which have been documented for many years as being a potential source of explosions. It also includes mining applications where the environment is full of coal dust, also an explosive material when ignited by uncontrolled electricity. Standards and classes have been developed and published by the NEC, UL and the International Electric Code ("IEC"). The classes are rated in categories ranging from class one, division one, which includes flammable gas mixtures under normal operating conditions, to class

three, division two which includes easily ignitable fibers that are stored or handled. See *IEC*, Article 505 as cited *V. Babrauskas*, chapters 12 and 14.

There is a further delineation by groups, which separate the various substances from Group A, including acetylene all the way through Group G, which relate to combustible dusts. This group includes combustible metal (Group E) dusts, carbon or charcoal (Group F) dusts, and other gasses and vapors.

The research undertaken to contain or minimize the dangers associated with these atmospheres or environments is quite extensive, and beyond the scope of this newsletter. However, some of the general designs for dealing with these locations bear mention. For example, heavily reinforced and leak proof enclosures are often designed to keep out dust, metallic dusts or coal dusts. This offers protection from entry of the dust inside the casing or to damage that might occur from a fire explosion on the exterior to the unit located inside the casing. Many of these designs presume that an explosion may occur inside the device itself but it is designed to prevent communication to the external environment, obviously an appropriate design anticipates that seams, connections and similar mechanical details be protected and leak proof.

Expanded notions of this concept include tight fitting joints, thicker walls and redundancies which will obviously vary with the application and the type of fuel, as well as the fuel accumulation. Careful precaution must be taken to avoid small leakages of vapors to a location where it can accumulate.

Sometimes the best way to avoid explosions or fires associated with electrical equipment includes the use of pressurized enclosures. Basically, these designs create a constant, clean source of air to purge the electrical equipment of any accumulation of the fuels that may ignite by its normal operation. This concept has been expanded to include sealed devices, encapsulation with extremely low gas permeability and actually immersing the contacts in oil which can separate an arc from a flammable exposure.

Fail Safe Protections & The Law >>>, by E. Curtis Roeder, Esq.

Specific details are available in FPA 496, IEC 60079 and specific designs associated, for example, with mining applications, military applications and other specialized applications. As most of us understand, many of the consumer products and industrial machinery are all rated depending upon the applicable codes, their anticipated use and the length of time associated with wear and tear.

One specific item that is often viewed as a culprit is the presence of branch circuit wiring through a metal conduit. Although there can be an arc from an interior wire strand to the metal conduit, research has shown that this is not typically the cause or origin of a fire. Oftentimes, the insulation on the wire will fail when the exterior of the conduit itself is heated by a fire from another source. Once the insulation is compromised, either a single strand or a portion of the wire can arc against the metal conduit. The size and strength of the arc will depend on the amount of the power flowing through the circuit wiring, the thickness of the strand and for most arc events, a very quick event that will lead to high heat generation and compromise the metal conduit, fuse the strand to the conduit and/or short out.

Safety devices to detect these types of arcs vary from monitoring for radial frequency noise induced by the arc, spark or arc detectors and associated alarms or electronic microprocessors that detect an increase in currents. Complications with false shut-downs, compromise of the electronic systems and associated backup systems are also often considered. In a residential situation, the conduit will not likely have such detective systems as reported above, which are typically associated with industrial or manufacturing applications. The metal conduit, assuming that it is properly installed and not abused, should provide ample protection of the strands and the branch circuit on the interior of the conduit.

However, as recent events have shown, certain types of conduit themselves become targets of lightening and electrical events, resulting in the conduit becoming part of Benjamin Franklin's metallic rod, without the control of a grounding device.

This in turn may result in an arc or ignition of nearby combustible items.

From the perspective of the lawyer viewing safety projection systems, once there has been a failure identified or a causal relationship between one of these systems and its failure, toward a resulting fire, is multi-faceted. As always, the elimination of other potential contributing factors is paramount to good fire science and good evidentiary practice in the courtroom.

In addition, manufacturers have often raised as a defense that the device or system in which a safety vice is incorporated has exceeded its "useful life". While I am prepared to concede this point for the purpose of discussion, the rhetorical question that must always be asked, and perhaps by a jury, is simple: if it has indeed reached the end of its useful life, why must it burst into flame and cause a destructive result with fire or transmittal of large amounts of electricity where they are unwanted?

Another common scenario is that the designer or installer of these devices may allege or conclude that the failure of the system is as a result of improper maintenance or even abuse of the system or its components. While abuse of equipment is admittedly common (who hasn't slapped the side of a television set or taken a hammer to an engine in frustration?), skillful discovery and legal analysis, with appropriate expert advice and testing may result in the conclusion that it is "reasonable" to expect a certain amount of abuse will exist with a component, given the environment within it which it is placed.

Environmental degradation over time associated with the elements, water, sand, grit and things of that nature should be considered. Indeed, the law would consider them "foreseeable". Again, a good design should anticipate the environment and use patterns.

Ultimately, an experienced litigator combined with the expertise of the appropriate origin and cause investigator, electrical engineer, metallurgist and related fields can provide an opportunity for those parties that have sustained property damage or personal injury from a fire or

an electrical fault event. Conversely, that same team can provide great benefit to manufacturers, installers, monitoring services and the employer or end user of many of these devices in the field. I have had many clients over the years question the expense of integrating these professions in litigation, and often, my answer is a variation on the same theme – you can't afford not to have the appropriate expertise.

Curt Roeder, Esq. is a Partner at the law firm of Hellmuth & Johnson, PLLC, located in Edina, Minnesota. Mr. Roeder has more than twenty-three years in defending clients and their insurers from claims associated with fire losses. In addition, he has represented home owners and commercial interests together with their insurers, in seeking redress from manufacturers, installers and end users of various devices. He can be contacted at the firm's website, www.hjlawfirm.com or by telephone at (952) 941-4005. Special appreciation is extended to Whitmore Fire Consultants, Inc. for the opportunity to write this article.

Welcome Henry!!!!

Welcome Henry Alexander Jadin, born to Stacy and Alex Jadin on April 6, 2011 @ 10:53 PM. Proud grandparents are Bob & Pam Whitmore and Uncle Brian Whitmore.



Recalls



American Suzuki Motor Corp. Recalls KingQuad ATVs

The U.S. Consumer Product Safety Commission, in cooperation with Suzuki Manufacturing of America Corporation announced a voluntary recall of the Suzuki KingQuad ATV's. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Approximately 29,000 units were distributed by American Suzuki Motor Corporation of Brea, California, Montgomery Motors, Ltd. of Honolulu, Hawaii, Suzuki del Caribe, Inc. of Rios Piedras, Puerto Rico and were manufactured in the United States. The units were sold at Suzuki ATV dealers nationwide from July 2007 through February 2011 for between \$6,600 and \$9,500.

American Suzuki has received 19 reports of fuel leaking from the recalled ATV's. No injuries have been reported. Some KingQuad ATV's plastic fuel tanks were improperly manufactured and can develop a fuel leak, posing a fire hazard.

This recall is for the following Suzuki KingQuad models: all 2008 to 2010 LT-A450-X models, all 2009 to 2010 LT-A500X models, all 2008 to 2010 LT-A750X models and 2011 LT-A500X and LT-A750X models manufactured before December 11, 2010. The words "Suzuki KingQuad" are on the left and right sides of the fuel tank housing. Model numbers are on the left and right lower side panels above the footrests.

Consumers should immediately stop using these vehicles and contact a local Suzuki ATV dealer to schedule an appointment for a free repair. Consumers with 2011 LT-A500X and LT-A750X models should call their Suzuki ATV dealer to determine if their ATV is subject to this recall. Consumers with recalled ATVs are being sent a notice directly from Suzuki.

For more information, contact Suzuki at (800)444-5077 between 8:30 am and 4:45 pm PT Monday through Friday or visit the firm's website at www.suzukicycles.com.



Pier 1 Imports Recalls Golden Tea Lights

The U.S. Consumer Product Safety Commission, in cooperation with Pier 1 Imports of Fort Worth, Texas has voluntarily recalled the Golden Tea lights product sold with ornament tea light holders. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Approximately 400,000 tea lights were sold in the United States and Canada and were manufactured in China. The tea lights were sold exclusively at Pier 1 Imports stores from September 2010 through January 2011 for between \$2 and \$8.

The firm has received four reports of high flames. In one of these incidents, the consumer suffered minor burns. The flame from the tea lights can burn with a high flame, posing a fire hazard. This recall involves all tea lights in golden tin cups sold in sets of five with the Red Ornament Tea Light Holder (SKU 2473959) or the White Ornament Tea Light Holder (SKU 2473961). The SKU number is found on the packaging.

Consumers should immediately stop using the recalled tea lights and return to the nearest Pier 1 Imports store to receive new tea lights.

For additional information, contact Pier 1 Imports at (800)245-4595 between 8:00 am and 7:00 pm CT Monday-Friday or visit the firm's website at www.pier1.com.

More Recalls



Lasko Products, Inc. Recalls Box Fans

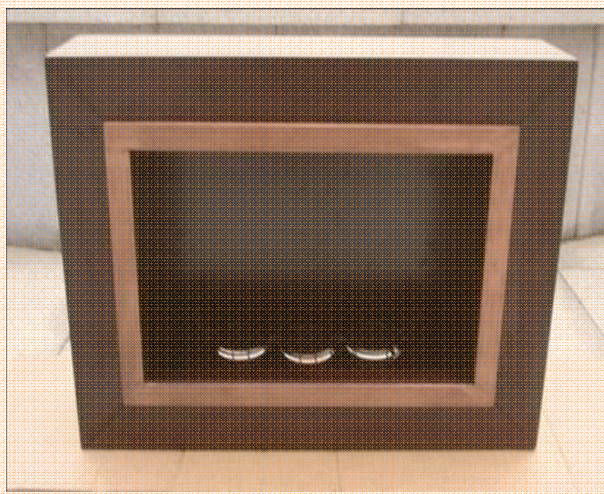
The U.S. Consumer Product Safety Commission in cooperation with Lasko Products, Inc. of West Chester, PA has recalled box fans due to fire hazard. Consumers should stop using the recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Approximately 4.8 million fans were sold nationwide from July 2002 through December 2005 for between \$12 and \$25. The fans were sold via mass merchandisers and were manufactured in the United States. An electrical failure in the fan's motor poses a fire hazard to consumers.

Lasko has received seven reports of fires associated with motor failures, including two house fires and one barn fire, resulting in extensive property damage. No injuries have been reported.

This recall involves Lasko box fans with model numbers 3720, 3723, and 3733 and Galaxy box fans with model number 4733 and have date "2002-03" or "2003-04" stamped on the bottom of the metal frame. "Lasko" or "Galaxy" is printed on the front of the fan. The model number is either stamped or printed on the bottom of the fans.

Consumers should immediately stop using the recalled fans and contact Lasko to receive a free fused plug safety adapter. For more information contact Lasko toll free at (877)445-1314 or visit the firm's website at www.laskoproducts.com.



Southern Enterprise Recalls Wall Mount Fireplaces

The U.S. Consumer Product Safety Commission, in cooperation with Southern Enterprises, Inc. of Coppell, Texas announced a voluntary recall of the Colin Cowie Gel-Fuel Wood Fireplaces. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Approximately 6,000 units were sold through the Home Shopping Network between October and November 2010 for approximately \$250 and were manufactured in China.

SEI has received reports of 21 incidents of the product detaching from the wall and falling and/or fire. Two reports of personal injuries, including a knee injury and broken toes. Heat from the operating unit causes the plastic mounting screws to deform causing the unit to fall from the wall, posing a fall and fire hazard.

This recall involves the Colin Cowie dual-positioning, wood wall-mount, gel-fuel fireplace with item No. 955-0745. The wooden wall mount fireplace has an espresso-colored finish with copper, silver or antique gold finished metal trim. It may be hung in a horizontal or vertical position. This recall involves units manufactured in July 2010. Lot number SEI/07/001 can be found on a label on the rear of the unit in the upper right corner when horizontal.

Consumers should immediately stop using the recalled product and call SEI (Southern Enterprise Inc.) for a corrective retrofit kit that will be sent free of charge. For additional information, contact SEI at (877)858-4959 between 9:00 am and 5:00 pm CT Monday-Friday or visit the firm's website at www.seidal.com/retrofit.



Camp Nod Lantern Nightlights Recalled

The U.S. Consumer Product Safety Commission, in cooperation with The Land of Nod of Northbrook, Illinois has voluntarily recalled the "Camp Nod" lantern nightlights. Consumers should stop using recalled products immediately unless otherwise instructed. It is illegal to resell or attempt to resell a recalled consumer product.

Approximately 9,700 nightlights were sold exclusively at the Land of Nod stores in Illinois and Washington and through the Land of Nod catalog and website from September 2004 through October 2010 for about \$30 to \$35. The nightlights were manufactured in China.

The firm has received 16 reports of incidents, including one report of minor shock to a woman and her son, and one report of minor property damage to a wall, bed and blanket near the lantern's power source. This recall involves "Camp Nod" electric lanterns and nightlights. The red or blue cylindrical-shaped metal lanterns have a glass bulb cover. The lantern nightlights measure about 9 3/4" in height and 4" in diameter. The lanterns have either a barbell tag on the cord that includes item number 060341-RE (red) or 0603041-BL (blue), or a tag affixed to the underside of the lantern that includes the words "The Land of Nod."

Consumers should immediately stop using the nightlight and return it to The Land of Nod to receive a merchandise credit for the purchase price.

For additional information, contact The Land of Nod at (800)933-9904 between 8:30 am and 5:00 pm CT Monday-Friday, or visit the firm's website at www.landofnod.com or email the firm at recall@landofnod.com.

final thoughts...

It's Spring . . . Be sure and check your smoke and carbon monoxide detector batteries. "Spring" forward to a safe new season.

WHITEMORE
FIRE CONSULTANTS, INC.



Upcoming Events>>>

IA/NE IASIU Seminar

Be sure and stop by our booth at the IA/NE IASIU conference & seminar in Council Bluffs, Iowa May 2—4, 2011.

Harrah's Casino & Hotel.

We look forward to seeing you!



It's EASY . . . Go to our website:
www.whitemorefire.com

Click on "Submit a Loss" tab . . .

Answer the questions on the form, press "submit" and you will receive an electronic confirmation of receipt of your loss as well as a response from the on-call representative.

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