

~~CPSA 6001 CLEAR~~ 01/31/12  
~~NO MFRS PRIVACY~~  
~~PRODUCTS IDENTIFIED~~  
EXCEPTED BY: PETITION  
RULEMAKING ADMIN. PROC. DG  
WITH PORTIONS REMOVED

**U.S. Consumer Product Safety Commission**  
**LOG OF MEETING**

**SUBJECT: Meeting with Hearth, Patio and Barbecue Association**

**DATE OF MEETING: January 24, 2012**

**LOG ENTRY SOURCE: Dottie Lee**

**DATE OF LOG ENTRY: January 25, 2012**

**LOCATION: Room 724, CPSC Headquarters**

**CPSC ATTENDEE(S):**

**Chairman Inez Tenenbaum**  
**Matt Howsare, Chief of Staff and Chief Legal Counsel to the Chairman**  
**Jen Feinberg, Office of the Chairman**  
**Dottie Lee, Office of the Chairman**  
**Scott Wolfson, Director, Office of Communications**  
**Christopher Day, Director, Office of Legislative Affairs**  
**Jay Howell, Deputy Executive Director-Safety Operations**  
**Barbara Little, Attorney**  
**Patricia Adair, Director**  
**Ronald Jordan, Mechanical Engineer**  
**Jenilee Keefe-Singer, Confessional Liason**

**NON-CPSC ATTENDEE(S):**

**From Hearth, Patio and Barbecue Association: Tom Stroud, Allan Cagnoli, Jack Goldman and Leslie Wheeler**  
**Chuck Levin, Mintz Levin**  
**Sean Naron, Consumer Federation of America**  
**Sean Oberle, Product Safety Letter**

**Rick Schmitt, Fairwarning.org**

**SUMMARY OF MEETING: Representatives from the Hearth, Patio and Barbecue Association (HPBA) requested to meet with Chairman Tenenbaum and staff to discuss the issue of reducing risks of injury from hot glass doors on gas fireplaces, the recent CSA/ANSI standards revisions, and the industry's enhanced communications and education outreach program.**

**HPBA detailed the new proposed standards which includes a mandatory, third-party tested barrier for glass fronts of gas fireplaces that must be included with each shipment. The new standard also includes a labeling change reflecting the installation requirement of the barrier. Additionally, building codes would be updated to reflect the mandatory installation of the barrier for the gas fireplaces to be compliant. The industry is aiming for an effective date of December 2013.**

**All new products manufactured after the effective date of the new standard will come with custom-fitted barriers. For after-market products, custom barriers may not be available.**

**HPBA is working to increase their education and communication campaigns to raise awareness about the risks of hot glass fronts of gas vented fireplaces, and also to spread the message about the new safety standards. HPBA is working to update brochures, engage in social media and online parenting groups, collaborate with CPSC, and utilize other means of communication as part of their education campaign.**

**(PowerPoint slides by HPBA included)**

**Consumer Product Safety Commission**  
Meeting with the Commissioners  
Fireplace Glass Front Safety Program

Hearth, Patio & Barbecue Association  
January 24, 2012

**Hearth, Patio & Barbecue Association**

Jack Goldman, President & CEO  
Allan Cagnoli, Director of Government Affairs  
Tom Stroud, Senior Manager Codes & Standards  
Leslie Wheeler, Director of Communications  
Charles Samuels, Mintz Levin (Counsel)



## HPBA and the Fireplace Industry

- Scope, Industry and Activities
- Evolution of Gas Hearth Products
- Fireplace Manufacturers

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## Scope, Industry, and Activities

- HPBA represents manufacturers, distributors, retailers
- 2,300 members in U.S. and Canada
- Major Programs:
  - Government Affairs
  - Trade Show
  - Codes & Standards
  - Promotion
  - Statistics
  - Education (Certification)

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## History & Evolution of Gas Hearth Products

- First developed in late '50s and early '60s
- Safety Standard approved in 1964
- In the '80s, flames became more realistic looking
- By the '90s, wide variety of products available

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## Companies in the Gas Hearth Industry

- Approximately 35 manufacturers
- Generally small, private
- Vast majority of production occurs in the U.S. and then Canada
- Market is U.S. and Canada
- Sales
  - 2005: 2,141,165 gas appliance shipments
  - 2010: 650,911 gas appliance shipments

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## CSA-ANSI Standards Revision

- Existing Standards
- Establishment of Working Group and Accelerated Efforts
- Substance of Proposed New Standard
- Adoption Procedures/Effective Dates
- Likelihood of Effectiveness of Standard to Prevent Injuries



## Existing Standards

- ANSI Z21.50-2007 American National Standard/CSA Standard for Vented Gas Fireplaces
- ANSI Z21.88-2009 American National Standard/CSA Standard for Vented Gas Fireplace Heaters



## Establishment of CSA Working Group

- CSA Working Group created to rewrite standards for better burn protection.
- Members: Manufacturers, utilities, advocates, test labs, CPSC
- Extremely aggressive schedule of meetings held:
  - November 16, 2010
  - March 3, 2011
  - May 17, 2011
  - August 3-4, 2011
  - September 7-8, 2011
  - October 25-26, 2011
  - December 13, 2011

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## CSA Working Group

- Discussion held on making shipment of products with barriers mandatory or optional
  - Mandatory: Product comes with barrier that commercial installer must attach (although can be subsequently removed by consumer)
  - Optional: Certified barriers would be available and consumer/builder/installer choice to install or not

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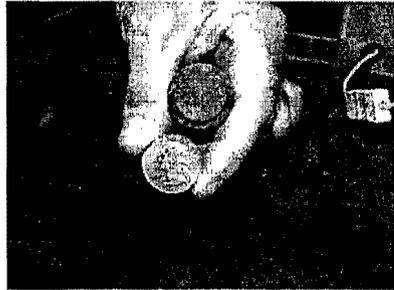
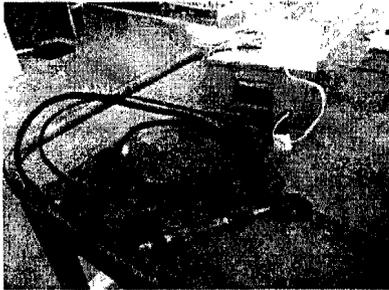
## Substance of Proposed New Standard

- **Mandatory Barrier Requirement:** A third party certified protective barrier intended to prevent contact with glass must be shipped with each new unit and attached upon installation.
- **Labeling Change**
  - Adds language to the permanently mounted instruction plate:
    - "A barrier designed to reduce the burn hazard from the glass viewing area is provided with this appliance and shall be installed."

## Performance Test for the Barrier

- **The barrier must:**
  - Cover glass viewing area
  - Be used if the glass exceeds 172° F
  - Pass Thermesthesiometer burn potential test
  - Maintain its shape under force
  - Maintain its position under force
  - Not allow for finger penetration on the top, side, or bottom (using a UL Articulated Finger Probe test)

## Thermesthesiometer



"The outside surface of the barrier at the hottest point(s) identified above shall be measured using a Thermesthesiometer,\* or the prescribed Calculational Procedure, Method A, in the ASTM Practice for Determination of Skin Contact Temperature from Heated Surfaces Using a Mathematical Model and Thermesthesiometer, ASTM C1057." \* See National Bureau of Standards Technical Note 816 - Engineering and Construction Manual for an Instrument to Make Burn Hazard Measurements in Consumer Products.

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### UL Articulated Finger Probe – Model ULP04



The UL Articulated Finger Probe is a standard articulated finger as required by Underwriters Laboratories in many of their standards. This new version probe is machined of plastic.

 Ergonomics Inc.  
PO Box 984, Southampton, PA 18966

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Phone: 800-862-0102, 215-357-5124  
Fax: 215-364-7582  
E-Mail: [info@ergonomicsusa.com](mailto:info@ergonomicsusa.com)  
Website: [www.ergonomicsusa.com](http://www.ergonomicsusa.com)

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## Adoption Procedures/Effective Dates

- February 22, 2012: Review and comment period ends
- March 14: TAG meeting to discuss comments
- March 16: Draft minutes sent out
- April 16: General distribution minutes sent out
- April 16: Z21/83 TC & CSA TC ballots issued
- April 16-May 31: BSR-8 public review
- June 1-June 29: BSR-9 ANSI approval
- July 2012: Publication of final standard; all newly and recertified models must comply
- December 2013: Cease manufacture of non-compliant models



## High Likelihood of Standard's Efficacy

- Very confident in a high level of compliance with standard
- Adopted (on December 13, 2011) by group representing vast majority of manufacturers.
- Will be incorporated into mandatory building codes for new residential and commercial construction.
  - ICC family of codes: ICC, IBC, IRC, IFGC, IECC, IGCC, IMC, ICC 700 (NAHB Green Building Code)
  - Targets for requirement awareness campaign
  - Specialty retailers/contractors/builders
  - The public
- Liability implications of non-compliance



## 2007 Glass Safety Campaign

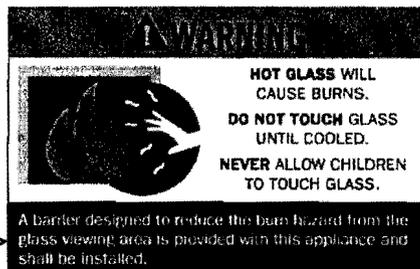
- Dr. Cindy Verchere (a pediatrician from the British Columbia Children's Hospital in Vancouver, B.C.) contacted HPBA's Canadian affiliate and expressed her concerns about the apparent increase in pediatric burns from gas fireplace glass.
- Industry task force was formed to work on a web microsite and safety brochure.
- HPBA took the lead and developed a consumer brochure, a universal warning symbol, and website.
- HPBA distributed copies of the brochure to the membership as well as pediatric offices and safety organizations.
- Campaign/message got some coverage and penetration, but not widespread.



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## Revised Safety Symbol

In December 2011, as part of a major overhaul of the glass front section of the standard, CSA revised standard for Z21.88 2009 and Z21.50b2009 to include warnings and an updated universal symbol.



New language from revised standard



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## Glass Safety Education Campaign

### Campaign Goals

- Raise awareness in all audiences of the potential for burns from a fireplace glass front
  
- Inform consumers and industry of new standards for new fireplaces and the need to use the new barriers that will be provided
  
- Inform consumers with existing fireplaces what actions they can take to improve safety

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## Glass Safety Education Campaign

- Industry Education
  
  
- Consumer Education

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## Industry Education

### Target Audience

- Hearth manufacturers
- Retailers
- Code groups
- Installers
- Contractors
- Service technicians

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## Consumer Education

### Target Audience

- Homeowners purchasing a new glass-fronted fireplace
- Homeowners with existing glass-fronted fireplaces
- Parents and child-care providers who may encounter a glass-fronted fireplace
- Safety, medical, insurance and child organizations to help carry the message

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## Glass Safety Education Campaign

### Campaign Message

- Fireplace glass fronts can become extremely hot when in operation or when cooling down (when flame is not present)
- Screens and/or barriers are recommended if there are children or other at-risk people in the home
- New fireplace units will come with built-in screens which should remain in place
- There are more and more aftermarket products available for existing units
- Keep fireplace remotes and switches out of reach of children
- Follow the manufacturer's instruction for the safe use and maintenance of the fireplace



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## Glass Safety Education Campaign

### Campaign Materials May Include:

- HPBA Glass Safety brochure
- Safety fact sheet and FAQs
- Posters
- Press releases
- Video

**Note:** Downloadable materials can be customized for industry and third-party use in their business/information campaigns



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## Glass Safety Education Campaign

### Glass Front Safety Website

- Central resource for consumers, industry and partner groups for information and materials
- Education information for target audiences
- Instructional videos and other materials for download
- Testimonials
- Retailer locator for screens and barriers
- Social networks
- Newsroom



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## Glass Safety Education Campaign

### Campaign Outreach

- Media Relations
- Social media networks
- Third-party outreach



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## Glass Safety Education Campaign

### Media Outreach

- Fall outreach campaign to trade and consumer publications (beginning of heating season)
- Radio media tour
- Advertising in social media platforms
- Possible radio public service announcements



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## Glass Safety Education Campaign

### Social media outreach

- Blogger outreach
  - Primary targets: home, safety, parenting
- Online parenting community groups
- Facebook engagement



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## Glass Safety Education Campaign

### Third-Party Outreach

- Tie into existing information/education campaigns on child/fire safety ( safety, child, parenting, hospitals, state and local government safety agencies, insurance companies, CPSC, as well as industry trade groups, etc.)
- Provide briefings, expertise, and materials that can be customized



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## CPSC Collaboration/Assistance

- Mandatory standards – driven by industry – will be finalized later this year.
- HPBA and related trade groups can inform industry and code groups on new standard and need for action
- Consumer campaign needs credible partners and larger platform to get out the word
- Opportunities for HPBA and CPSC collaboration:
  - HPBA is a small trade association; we need to partner with other groups to be effective.
  - Can HPBA and CPSC work together on media outreach (joint press announcements) and tie into existing CPSC education programs? Other ideas?
  - CPSC assign staff to work with HPBA for successful program.



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## Questions ?

**HPBA Contact Information:**

Jack Goldman: [goldman@hpba.org](mailto:goldman@hpba.org)

Leslie Wheeler: [wheeler@hpba.org](mailto:wheeler@hpba.org)

Tom Stroud: [stroud@hpba.org](mailto:stroud@hpba.org)

Allan Cagnoli: [cagnoli@hpba.org](mailto:cagnoli@hpba.org)

1901 North Moore Street, Suite 600

Arlington, VA 22209 USA

Phone: (703) 522-0086

Fax: (703) 522-0548

Web Site: [www.hpba.org](http://www.hpba.org)

