JHG
FEB 18 1994 31

| 1 Case Number 940114CCC3191 | 2 Investigator ID 8 9 5 3 | 3 Office Code 8 6 0 | EPIDEMIOLOGIC INVESTIGATION REPORT |
|---|---|---|---|
| 4 Accident date 9 3 1 1 2 8 | 5 IDI initiated 9 4 0 2 0 2 | | |

6 Synopsis of Accident or complaint - complainant was boiling sausages in a 1 1/2 quart glass pot on medium heat on a gas range top burner, when after 5 minutes the pot exploded and shattered into 1/4" pieces which shot out around the kitchen in a 5 foot radius. The glass pieces resembled brown crushed ice. The complainant was not injured. She returned the broken glass pieces to the retailer, and the pot has been replaced.

| 7 Location home 1 0 | 8 City Spanish Fork | 9 State U T |
|---|---|---|
| 10a First Product glass cookware 0 4 6 1 | 11a Trade/Brand name/Model/Mfgr Corning Ware Visions Cookware Corning Revere,POBox 1994,Waynesboror,VA 22980 | |
| 10b Second Product | 11b Trade/Brand name/Model/Mfgr | |

| 12 Age of Victim 9 9 9 | 13 Sex 9 | 14 Disposition no injury 0 | 15 Injury diagnosis no injury 7 1 |
|---|---|---|---|
| 16 Body part no injury 9 9 | 17 Respondents complainant 1 | 18 Investigation type telephone 2 | 19 Time spent 0 4 . 0 |
| 20 Attachments none 0 | 21 Case Source hotline 0 7 doc #H3C0035A | 22 Reviewed by 8101 940214 | |

23 Permission to disclose names (Non-NEISS cases only)
___ CPSC may disclose my name
X CPSC may not disclose my name
forged

24 Narrative

25 Regional Director review date

MFR/PRVDR NOTIFIED
X No comments made
___ Comments attached
___ Excisions/Revisions
X Firm has not requested further notice
Am 1/5/95

CPSC Form 182

The following information was obtained through a telephone conversation with the complainant. The product has been returned to the retailer.

PRE-INCIDENT:

The elderly complainant resides alone with her husband.

The complainant purchased the set of glass cookware involved in the incident approximately around November of 1992. She already had another set of this type and brand of cookware, and she had also previously purchased individual pieces of the cookware. She said that she likes this type of cookware because she likes to see her food as it cooks.

The complainant had an incident with the previously purchased similar brand set of cookware, sometime in 1992. The 2 quart size pot from this other set broke in half as she was boiling potatoes. She was not injured. At the time, she returned the broken pot to the retailer for replacement.

She said that the only other problems that she has experienced with this cookware is that it chips. She said that she is very careful with using, handling and storing the cookware, but several pieces have chipped. She continues to use the chipped pieces.

Since purchase, the complainant used the 1 1/2 quart size pot involved in this incident on a daily basis. She said that she generally was the only one to used the pot, however, on occasion her husband used it to cook something. The complainant used it mainly to boil potatoes or rice. She never used high heat, but only medium or low heat. She usually started the cooking process on medium heat, and when the water boiled, she lowered the heat to low. She said that her husband also used only medium or low heat while cooking with these pots.

The complainant states that the carton in which the cookware was packaged tells how to use the product. She said that it explicitly tells the consumer on the box not to use high heat while cooking with this cookware. She does not recall any other instructions, or any type of warning labeling. She said that there was no warranty or owner's manual included inside the carton, to the best of her recollection.

The 1 1/2 quart pot involved in the incident had been stored in an above-the-waist cupboard. She had a smaller pot from the same set stacked in it. She was always careful when storing this cookware.

INCIDENT:

The incident occurred on November 28, 1993. The complainant was in the process of making breakfast. Her husband was in another room. She had the 1 1/2 quart pot on medium heat on the range top, and she was boiling sausages. She had just turned on the gas to a fry pan which contained eggs for scrambling. She went to the toaster, and turned away from the range (which is located on an island in the middle of the kitchen) to push the toaster control down. At this point, after a period of about 5 minutes on the range top on medium heat, the 1 1/2 quart glass pot containing the sausages exploded and the glass pot shattered into 1/4" pieces. The pieces shot out in a 5 foot radius around the kitchen. Glass pieces hit the back of the complainant, but did not penetrate because she was wearing a thick sweatshirt.

POST INCIDENT:

The complainant's husband came running in at the sound of the exploding glass. There were no injuries. Damages were to the pot only. The pot broke into 1/4" sharp pieces which resembled brown crushed ice.

The complainant called the manufacturer at the toll-free number listed on one on the cookware boxes that she still had in her possession. She reported the incident, and she said that the manufacturer's representative didn't seem all that interested, and she has had no further contact with the firm. She then went to the Utah County Seat, and then to the local Better Business Bureau to report the incident. She was told that the incident would be reported to a consumer protection agency. She was waiting to get a response from an interested consumer agency. When she did not hear from one, she put the broken glass pieces in a box and returned it to the retailer sometime in January, 1994. She said that the retailer was surprised that the broken glass pieces had once been a pot, because it now resembled crushed ice and there was no identifying information on it. The retailer replaced the pot with a similar brand and size pot.

PRODUCT IDENTIFICATION:

The product involved is a 1 1/2 quart pot from a set of Corning Visions Cookware. The manufacturer is Corning Revere, P.O. Box 1994, Waynesboro, VA 22980; tel - 800/999-3436. The set of cookware was purchased from [redacted], [redacted] South University, Provo, Utah.

The cookware was composed of glass. The color was a see-through brown. The consumer was not exactly sure what pieces were contained in this particular set since she had previously purchased another set, and she had also purchased individual pieces of cookware. She thinks that the set involved in the incident contained a stew pot, a 3 quart pot, the 1 1/2 quart pot involved in the incident, smaller pots, and possibly a frying pan.

The condition of the other pieces of cookware is that several of the pieces have chipped. The complainant states that this has occurred through normal usage, careful handling and storage.

STANDARDS INFORMATION:

None.

ACCIDENT INVESTIGATION REQUEST FORM

Document Number H 3 C 0035A H 30 0035 N

Date of Incident 11/28/93 Category I.D. SECT15

Follow-Up Requested Hazard Analysis Section 15

Type Follow-Up Requested IDI Telephone Call On-Site as needed

Headquarters Contact Judith Hayes

Assignment Message Perform IDI of incident involving Visions Cookware breakage. Obtain precise description of use of cookware at time of incident & prior to. How was cookware stored? Was it stacked? Obtain precise ID of cookware. If possible collect sample, otherwise obtain photos.

Person(s) to Contact [redacted]
Spanish Fork, UT

Guideline

Requested By J.H.

Task Number 940114CC3191

Assigned to SFOC Date 940114

CPSC Form 324 (2/90)

FC21 JK 15 B-10

FOR OFFICIAL USE ONLY

CONSUMER PRODUCT INCIDENT REPORT

DEC 9 1993

KGW103

| | |
|---|---|
| 1. NAME OF RESPONDENT [redacted] | 2. PHONE NO. (HOME) (WORK) 801-798-[redacted] none |
| 3. STREET ADDRESS [redacted] North Main Street | 4. CITY Spanish Fork / STATE ZIP CODE UT 84660 |

5. DESCRIBE INCIDENT OR HAZARD, INCLUDING DATA ON INJURIES
Food was boiling in pot on range top burner for 4 minutes on medium when pot shattered into 1/4" long sharp pieces resembling crushed ice. Food, water, and glass pieces landed on range top and floor in a 5' radius. Consumer was uninjured.

CPSC Source: Consumer Protection Agency
-cont-

| | | |
|---|---|---|
| 6. DATE OF INCIDENTS 11/28/93 | 7. IF INJURY OR NEAR MISS OBTAIN AGE/SEX 0 Y/N AND DESCRIBE INJURY: none | 8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME none RELATIONSHIP none |
| 9. DESCRIPTION OF PRODUCT 1-1/2 quart glass pot | | 10. BRAND NAME Corning Ware Visions Cookware |
| 11. MFR/DISTRIBUTOR NAME, ADDR. & PHONE Corning Revere P.O. Box 1994 Waynesboro, VA 22980 1-800-999-3436 unknown | | 12. MODEL, SERIAL NUMBERS unknown |
| | | 13. DEALER'S NAME, ADDRESS & PHONE [redacted] unknown Provo, UT 00000 unknown |
| 14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES x NO IF YES, BEFORE OR AFTER THE INCIDENT? after DESCRIBE: damaged: shattered | | 15. PRODUCT PURCHASED NEW x USED DATE PURCHASED 11/92 AGE 1 yr. |
| | | 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: none |
| 17. HAVE YOU CONTACTED THE MANUFACTURER? YES NO x IF NOT, DO YOU PLAN TO CONTACT THEM? YES NO x OTHER? | 18. IS THE PRODUCT STILL AVAILABLE? YES x NO IF NOT, ITS DISPOSITION | 19. MAY WE USE YOUR NAME WITH THIS REPORT? YES x NO |

FOR ADMINISTRATION USE

| | | |
|---|---|---|
| 20. DATE RECEIVED 12/06/93 | 21. RECEIVED BY (NAME & OFFICE) kgw/HL | 22. DOCUMENT NO. H 3C0035A0 |
| 23. FOLLOW-UP ACTION 940114CCC3191 | | 24. PRODUCT CODE(S) |
| 25. DISTRIBUTION | 26. ENDORSER'S NAME & TITLE DLK 12/7/93 | |

CPSC FORM 175 (9/89)

31

13 JAN 1995

+ C495044 6A1 photos

| 1. CASE NUMBER | 2. INVESTIGATOR'S ID | EPIDEMIOLOGIC INVESTIGATION REPORT |
|---|---|---|
| 941109CCC3065 | 8953 | |

| 3. OFFICE CODE | 4. DATE OF ACCIDENT | 5. DATE INITIATED |
|---|---|---|
| 860 | 930227 | 941202 |

6. SYNOPSIS OF ACCIDENT OR COMPLAINT male victim was wiping a 5 quart glass saucepot which he had just removed from the dishwasher, when it slipped out of his hands and hit the enamel kitchen sink. The saucepot exploded, and sent pieces of glass flying around the room. A 3" piece of glass flew into his right forearm, severing the artery, ulnar nerve, and 3 ligaments. The victim's wife, a registered nurse, applied emergency care and drove the victim to the hospital. Surgery was performed. The victim is still experiencing pain, and has limitation of motion in his fingers. The saucepot was see-through heat resistant glass, and is in the possession of the victim's attorney.

| 7. LOCATION(Home,School,etc.) | 8. CITY | 9. STATE |
|---|---|---|
| home 10 | Santa Cruz | California CA |

| 10A. FIRST PRODUCT | 10B. TRADE/BRAND NAME | 10C. MODEL NUMBER |
|---|---|---|
| nonmetal cookware 0461 | Visions Rangetop Cookware | model #V5N |

10D. MANUFACTURER NAME AND ADDRESS

Corning, Inc., Corning, NY

| 11A. SECOND PRODUCT | 11B. TRADE/BRAND NAME | 11C. MODEL NUMBER |
|---|---|---|
| enamel sink 0648 | unknown | |

11D. MANUFACTURER NAME AND ADDRESS

unknown

| 12. AGE OF VICTIM | 13. SEX | 14. DISPOSITION | 15. INJURY DIAGNOSIS |
|---|---|---|---|
| unknown 000 | male 1 | hospitalized 4 | laceration 59 |

| 16. BODY PART(S) INVOLVED | 17. RESPONDENT | 18. TYPE OF INVESTIGATION | 19 TIME SPENT (Operational hours) |
|---|---|---|---|
| forearm 33 | 2nd hand info 3 | telephone 2 | 04.0 |

| 20. CATEGORY ID | 21. CASE SOURCE | 22. SAMPLE COLLECTION NUMBER |
|---|---|---|
| SECT15 | attorney C495046 11 | - - - - - - - - |

23. PERMISSION TO DISCLOSE NAMES (Non Neiss Cases Only) YES: NO: XX

| 24. REVIEW DATE | 25. REVIEW BY | 26. REGIONAL OFFICE DIRECTOR |
|---|---|---|
| 950110 | 8101 | |

27. DISTRIBUTION

O: EPDS cc's: CECA; NYRO; SFRO

MFR/PRVLBR NOTIFIED
No Comments made
Comments attached
Excisions/Revisions
Firm has not requested further notice

15(c)

CPSC FORM 182 (REVISED 03/94)

not sure about oven use. He did not know if the stove was a gas or electric one.

The attorney said that the cookware was stored as recommended by the manufacturer, and that is it was not stacked or nested, but rather each piece of glass cookware was stored single layer in the cupboard.

**INCIDENT:**

The date of the incident was Saturday, February 27, 1993. The exact time is not known. The wife had prepared dinner for the victim, herself, and another couple who they were having over for dinner. The wife had used various pots and pans in the preparation of the meal, including the 5 quart covered glass saucepot. After preparation of the meal, the pots and pans were put in the dishwasher, and washed. The two couples ate dinner. After dinner, the victim got up from the table with his empty plate to put it in the dishwasher. When he opened the dishwasher, he realized that it was full of the recently washed pots and pans. He unloaded the dishwasher. When he took out the 5 quart glass saucepot, he saw a smudge on it. He held the saucepot against his stomach as he proceeded to wipe the smudge off. As he did this he was standing in front of and over the area of the kitchen sink, with the open side of the saucepot facing toward the sink. His right hand was wiping the inside of the saucepot with a cloth. The attorney said that the saucepot had some moisture on it. At this point, the saucepot slipped out of the victim's hands and fell about 2 or more inches, hitting the edge of the enamel sink which overlapped the counter. The victim thinks that the handle part of the pot hit the sink, but he was not absolutely sure. The saucepot exploded, and burst into pieces. A 3" long piece flew into the victim's right forearm. Another piece flew to the victim's left side, a distance of about 6 feet. Another piece flew off to his right side, hit and broke a dinner plate, and landed about 4 feet away from him. Other pieces of glass fell all around the victim. Blood was spurting everywhere from the victim's arm.

POST INCIDENT:

The victim's wife and guests immediately came to the aid of the victim. The wife is a registered nurse, and her male guest is an X-ray technician. The wife applied pressure to the wound, and the guest elevated the victim's arm up in the air. Realizing that the injury was life threatening and that the victim could have bled to death, the wife and guests drove the victim to the hospital rather than wait for an ambulance. The victim had surgery that evening to repair a severed artery, ulnar nerve and three ligaments in his right forearm.

The victim is still in pain. The long term prognosis is that the victim will have limitation of motion in his fingers due to the nerve damage.

PRODUCT IDENTIFICATION:

The product involved in the incident was a Visions brand 5 quart size covered saucepot, model number V5N. The manufacturer is Corning, Inc., located in Corning, NY. The retailer is unknown.

The attorney described the product as composed of see-through amber colored, heat-resistant glass. The product was round shaped with two handles. The interior had a non-stick coating.

The product is marketed for microwave, stove top, and oven use. It is advertised as being dishwasher safe.

The saucepot involved in the incident is in pieces, and the pieces are in the possession of the attorney.

The attorney commented that he tried to purchase an exemplar of the cookware involved in the incident, and he was unable to locate an exact duplicate. He thinks that the product may have been discontinued, and possibly a redesigned version has replaced it.

CA

JPP
cc: file

ACCIDENT INVESTIGATION REQUEST FORM

Document Number C495046A1

Date of Incident 2/27/93 Category I.D. SECT15 1995

Follow-Up Requested Hazard Analysis (Section 15)

Type Follow-Up Requested IDI Telephone Call (On-Site) as needed

Headquarters Contact Judith Hayes

Assignment Message Perform IDI of explosion of Vision cookware. Obtain sample if possible, if not get photos to verify ID of cookware.

Person(s) to Contact [redacted]
re [redacted] Corning
(408) [redacted]
(See Attached)

Guideline

Requested By Judy Hayes

Task Number 941109CCE3065

Assigned to STOU Date 11-14-94

CPSC Form 324 (2/90)

The following information was obtained from a telephone conversation with the victim's attorney. The attorney preferred supplying me with the information, rather than me contacting his client directly. The attorney will discuss with his client whether or not to send me his medical records and the authorization for name release, and may forward that information at a later date. The attorney has a photo of the broken pieces of cookware involved in the incident, along with product brochures which were included with the cookware when it was purchased. He said that he will mail this information, but it has not yet been received. If any of this information is received, it will be forwarded as an addendum upon receipt. The attorney did not want me to examine or photograph the cookware, pending settlement of a claim and potential lawsuit against the manufacturer.

**PRE-INCIDENT:**

The victim involved in the incident was an adult male. He resided with his wife and two children.

The victim and his wife owned a set of glass cookware. The 5 quart covered saucepot of this cookware set was lent out to the victim's sister for preparation of her 1992 Thanksgiving dinner. While the sister was washing it, she dropped it in the sink, it exploded and broke into pieces. The sister was not injured. In December of 1992, the sister purchased a replacement unit, which was the same size and model of the one that she broke. She gave this replacement saucepot to the victim and his wife.

The incident involved this replacement model, which was a 5 quart size covered saucepot composed of a see-through heat resistant glass. It was about 2 months old at the time of the incident.

The victim's wife was the one who used the saucepot for cooking. The husband did not use the cookware. The attorney said that she had used it regularly, however, exact details of usage are unknown. All that he knew was that it had never been used in the microwave. He knows that it was used on the stove top, but he is

21 APR 1995

# FIELD ACTIVITY COVERSHEET

| 1 Region/State | 2 Operation (Check one) | 3 Date |
|---|---|---|
| FOWR/SFO | __ Inspection __ Establishment visit<br>__ Telephone contact XX Investigation<br>XX Other ADDENDUM TO IDI 941109CCC3065 | 4/18/95 |
| | | 4 Number<br>941109CCC3065 |

5 Establishment Corning, Inc.

Corning, NY Telephone

6 Related firm __ Parent __ Headquarters __ Subsidiary __ Other

| 7 Products covered | 8 Other consumer products |
|---|---|
| 4.5 liter Vision sauce pot - #V-5-NS/9607 | |

| 9 Establishment Type | 10 Annual production |
|---|---|
| XX Manufacturer __ Importer<br>__ Wholesaler __ Own label distributor<br>__ Retailer __ Repackager<br>__ Other _____ | Product covered $_____ units _____<br>Other products $_____ units _____ |

| 11 IS business | 12 Samples collected | 13 MIS code | 14 Hours |
|---|---|---|---|
| % received _____<br>% shipped _____ | | 32626 | Activity 1.0<br>Travel 0 |

15 Reason for activity

additional information received from attorney - submitted as addendum

16 Announced __ (Rationale for announced inspection)
Unannounced __

| 17 Employee's Name | Title | Signature date |
|---|---|---|
| Joy Rizzitello, 8953 | Investigator | J Rizzitello 4/18/95 |

18 __ Endorsement __ Remarks __ Summary __ Other _____

The attorney has submitted the following information: Exhibit 1 - letter from attorney which further clarifies the incident scene cookware as a 4.5 liter Visions brand sauce pot #V-5-NS/9607 (discontinued model), and lists victim's medical expense as $23,000. Exhibit 2 - Photos of broken sauce pot, incident scene location, and victim's injuries Exhibit 3 - Product use instructions, and Exhibit 4 - Victim's medical records. Forward all information as an addendum to original report.

0461

0648

| 19 Reviewer's Name | Title | Signature |
|---|---|---|
| James P. DiGrazia | Supervisory Investigator | James P. DiGrazia |

| 20 Review Date | 21 Distribution |
|---|---|
| 4-19-95 | O: EPDS cc's: CECA, NYRO, SFRO cc cc's: LGC |

CPSC FORM 167

# CONSUMER PRODUCT INCIDENT REPORT

| | |
|---|---|
| 1. NAME OF RESPONDENT [redacted] | 2. TELEPHONE NO. (Home) (Work) (408) 295[redacted] (work) |
| 3. STREET ADDRESS [redacted] | 4. CITY San Jose, STATE CA ZIP CODE 95113 |

5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.)

Glass or ceramic sauce pot burst when dropped 1 to 3 inches onto the lip of an enamelled cast iron sink overlapping the counter in the injured party's kitchen.

Injuries include: a transverse lacertation of the proximal forearm going through over half of the flexor muscle mass on the proximal ulnar side of the forearm down to the bone which severed the ulnar nerve, the ulnar artery, the flexor carpi ulnaris, the radialis muscle units, the muscle tendon units of the flexor muscle mass on the proximal ulnar side of the forearm. Residuals include pain in the arm and fingers of the left hand, impaired movement of the left hand and fingers, and scar across the inside of the left mid forearm.

| | | |
|---|---|---|
| 6. DATE OF INCIDENT(S) 2/27/93 | 7. IF INJURY OR NEAR MISS, OBTAIN AGE 43 SEX Male AND DESCRIBE INJURY severed ligaments, nerve and artery | 8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME [redacted] RELATIONSHIP Client |
| 9. DESCRIPTION OF PRODUCT 5 quart saucepot cookware | | 10. BRAND NAME Visions Cookware |
| 11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE Corning Incorporated (formerly Corning Glass Works), Corning, New York, 14831 | | 12. MODEL, SERIAL NO.'S V-5-N 5 Quart Sauce pot |
| | | 13. DEALER'S NAME, ADDRESS & PHONE Orchard Supply Hardware |
| 14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES X NO ____ IF YES, BEFORE OR AFTER THE INCIDENT? After the incident. Changed thickness of rim of pot ~~Describe~~ | | 15. PRODUCT PURCHASED NEW X USED ____ DATE PURCHASED approx. 10/92 AGE ____ |
| | | 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE: Limited warnings against "nesting" bumping, etc. |

| | | |
|---|---|---|
| 17. HAVE YOU CONTACTED THE MANUFACTURER? YES X NO ____ IF NOT, DO YOU PLAN TO CONTACT THEM? YES ____ NO ____ OTHER ____ | 18. IS THE PRODUCT STILL AVAILABLE? YES X NO ____ IF NOT, ITS DISPOSITION Submitted to Corning and returned. | 19. MAY WE USE YOUR NAME WITH THIS REPORT? YES ____ NO X |

FOR ADMINISTRATION USE

| | | |
|---|---|---|
| 20. DATE RECEIVED | 21. RECEIVED BY (Name & Office) | 22. DOCUMENT NO. G495046A1 -94 |
| 23. FOLLOW-UP ACTION 94 11 09 CC 3065 | | 24. PRODUCT CODE(S) |
| 25. DISTRIBUTION | 26. ENDORSER'S NAME & TITLE | |

CPSC FORM 175 (9/89)

I.2
G495046

TC 24

15

EPPA/SPF

C495046

[redacted]

September 27, 1994

OCT 13 1994

TODD STEVENSON
Consumer Product Safety Commission
Freedom of Information Office, Room 502
4330 East West Highway
Washington, D.C. 20207

Re: [redacted] vs. Corning
Our file: [redacted]

p441
p648

Dear Mr. Stevenson:

I am advised you may have information relating to accidents with various products, including glass and/or ceramics.

I represent an individual who sustained serious injury, including the severing of three ligaments, the artery and the ulnar nerve in his right forearm. The product was trademarked "VISIONS RANGETOP COOKWARE" or "VISIONS" or "PYREX" and was manufactured by Corning Glass Works, which I believe is now called, Corning, Incorporated, of Corning, New York.

The incident occurred February 27, 1993 in Santa Cruz, California when the product slipped out of my client's hand and fell 2.5 inches to possibly 4 inches onto the edge of an enamel sink that overlapped the counter. The result was an explosion, bursting, or failure that caused a large (over 3" long) piece to fly into my client's arm, another to fly to his left about 6 feet, and another to fly to his right, hit and break a dinner plate, coming to rest about 4 feet from him. Other pieces fell all around within the area.

Do you have any information that shows something like this happened before? Do you know of any other source of this kind of information?

Do you need anything further from me? If so, please call me immediately.

Yours truly,

[redacted]

WRC:wc

November 1, 1994

JOEL I. FRIEDMAN
Director
U.S. Consumer Product Safety Commission
National Injury Information Clearing House
Rm. 625
Washington, D.C. 20207

Re: Your file: C 495046
[redacted]s. Corning
Our file: [redacted]

Dear Mr. Friedman:

Thank you for your letter enclosing the CPSC form 175 and talking with me regarding the information you can provide me in connection with the above matter.

Enclosed is completed CPSC form 175. If you need more information, let me know.

Please call me when you know what it will cost to obtain the information about reported incidents of injury I am requesting.

Thank you for your help.

Sincerely,

[redacted]

WRC:wc

17 OCT 1994

If you have any changes, additions, or comments you wish to make concerning your attached report, please make them in the space below.

I confirm that the information in the attached report (including any changes, additions, or comments I have made) is accurate to the best of my knowledge and belief.

[redacted] 11-1-94

Signature Date

- [ ] I request that you do not release my name.
- [x] You may release my name to the manufacturer but I request that you not release it to the general public.
- [ ] You may release my name to the manufacturer and to the public.

I.2

C495046

San Jose
Range
Confirmed

Task No: 941109CCC3065

# STATUS OF MISSING DOCUMENT

The purpose of this record is to notify the reader that the following document (s), which is/are missing from this report, will not be collected.

1. medical records, victims of product

2.

3.

The investigator indicates in the report that he/she requested a copy of the above listed document(s), but the document(s) was/were not yet available when the investigation report was completed. The investigator intended to forward the document(s) for attachment to this report when the requested material was obtained.

The investigator has made numerous attempts, since the original request, to collect a copy of the requested document(s) but has not been successful. Because of the problems associated with the collection of this material and our limited instigation resources, no additional efforts will be made to collect the missing document(s) .

We apologize for any inconvenience the missing data may cause you.

Date: 3.20.95

Investigator No: 8953

Regional Office: SFRO

Supervisor No: ~~[illegible]~~ 8101

0441
0448

EXHIBIT Y - VICTIM'S Medical report. 94-1109CCC 3065

[redacted]
Plastic and Reconstructive Surgery
Certified by the American Board of Plastic Surgery
Santa Cruz, [redacted]

September 21, 1994

[redacted]
Attorney at Law
[redacted]
San Jose, CA 95[redacted]

Dear Mr. [redacted]

Re: [redacted]
Your File No [redacted]

Thank you very much for your letter concerning [redacted] As you know, [redacted] sustained a very serious injury when a piece of Corning cookware exploded while he was washing it at his house. I took him to the operating room on February 28, 1993, and repaired multiple structures including his ulnar nerve and ulnar artery in the proximal forearm, the flexor carpi ulnaris, the radialis muscle units, the muscle tendon units of the flexor digitorum profundus to the long and small fingers, and the flexor digitorum superficialis units to the ring and small fingers. The injury was essentially a transverse laceration of the proximal forearm almost down to bone, going through over half of the flexor muscle mass on the proximal ulnar side of the forearm.

Postoperatively he was referred to hand therapy and gradually improved. I have been following him in my office since the date of injury and last examined him in my office on September 13, 1994. It is now eighteen months after his injury and he has had a very good overall return of function, although he continues to be troubled with the symptoms described below.

On examination his scar has healed very nicely. Range of motion of the wrist is full. He has a full fist and full extension of his hand. Grip strength is excellent at 112 lb in the uninjured hand and an average of approximately 85 lb in the injured hand. This is also his nondominant hand so a slight decrease from his right hand would be expected. He was found to have good sensation distally by testing but not quite as good as his normal median nerve innervated fingers in the same hand.

Subjectively it is also decreased. He has some contraction of the muscles which are intrinsic to the hand, but they do not work in concert and do not work reliably or with very good strength. This is fairly typical for a patient with an ulnar nerve injury in whom recovery of these nine separate muscles innervated by the ulnar nerve is sometimes quite spotty and incomplete.

He continues to have mild tingling in the ulnar nerve innervated fingers of the hand, which are the small finger and the ulnar or lateral portion of the ring finger. He has the same tingling sensation in the dorsum of the hand and a portion of the palm. These are all areas supplied by the nerve that was transected. This tingling is relatively constant. It is very similar to the pins-and-needles sensation that one gets in a hand or foot when it is waking up from "being asleep." He also has what is described medically as dysesthesia, which is an abnormal or unpleasant sensation when the area of decreased sensation is touched, stroked, or manipulated. This is not well explained in the medical literature but is extremely common in a nerve injury. He also has quite a bit of cold intolerance. This is a vasospastic phenomenon where the blood vessels to the hand or finger constrict abnormally in response to cold or dilate abnormally in response to heat. It is essentially a misregulation of the nerve control of the vascular system and is also extremely common with nerve injuries as well as from simple direct trauma. Cold intolerance is usually manifest by a finger which turns purple or blue and gets quite aching and sore in the presence of cold. When it is warm it may become very flushed, hot, and throbbing. He also described difficulty doing typing activities. His strength is decreased and he does not have good function of the small muscles in the hand itself which serve to control very fine subtle motor manipulation such as would be required in typing. He finds he makes many errors with his injured hand and his job requires quite a bit of use of the typewriter or keyboard.

I believe that Mr. [redacted] is essentially stable. He may continue to have improvement in the intrinsic muscles in the hand, although I would not expect major improvement. He has done better than most patients with an ulnar nerve injury, but an ulnar nerve injury such as this is extremely debilitating from the standpoint of loss of fine motor control in the hand. These patients have an abnormal posture to their thumb and abnormal use of the fingers of the rest of the hand which cannot be surgically corrected in most patients. In my opinion, these difficulties that he has using his hand will be permanent. He may get slight improvement in his overall sensation, but I think it is likely to stay at

approximately the level it is currently, which is decreased from his normal fingers. I am certain that Mr. will continue to find this injury an ongoing handicap in his work as well as in his recreation. He has had the maximum benefit of surgical therapy, and I do not anticipate any further interventions. He will be left with the residual of this injury on a permanent basis.

I hope that I have answered your questions. If there is anything that I have not addressed directly, please let me know.

Yours sincerely,

RDL/tl

UNITED STATES
GOVERNMENT
MEMORANDUM

CONSUMER PRODUCT SAFETY
COMMISSION
WESTERN REGION

**DATE:** April 19, 1995

**FROM:** James P. DiGrazia
Supervisory Investigator, FOWR

**SUBJECT:** Request for Information From CPSC

**TO:** Office of the Secretary
Attn: Freedom of Information Office

**THRU:**

The attached a letter dated 4/17/95, from [redacted] et.al., San Jose, California, was received in connection with an investigation conducted by SFRO (941109CCC3065). In addition to details on the incident investigated, the letter appears to include a request for information from CPSC. Thus, the letter is being forwarded to OS for appropriate action.

94/109CCC 3065

EXHIBIT 1 - ATTORNEY'S LETTER

[redacted]

April 17, 1995

0461

Joy Rizzitello
Product Safety Investigator
U.S. Consumer Product Safety Commission
600 Harrison Street, Room 245,
San Francisco, CA 94107-1370

Re: [redacted] Corning
Our file: [redacted]

Dear Ms. Rizzitello:

Please excuse the delay in responding to your letter of December 13, 1994. The file with your letter and forms was left with a consultant and just returned.

Enclosed are copies of photos of the glass-ceramic pieces, the bandaged arm that was cut, the kitchen sink where the incident occurred. Also enclosed are a copy of September 21, 1994 report which describes the injury and prognosis and a copy of brochures that came with the product.

Medical expenses are

| | |
|---|---|
| Hospital | $9,548.46 |
| Surgery | 9.870.00 |
| Anesth. | 1,300.00 |
| Physical Therapy | 1,860.80 |
| X-rays | 24.00 |
| Follow up care | 199.50 |
| Emergency care | 120.00 |
| | $22,922.76 |

For your information, the product in question was made by Corning, Incorporated and designated a 4.5 liter Vision sauce pot and given number V-5-NS/9607. It is no longer manufactured, though other Vision cookware is still being made and, as you know, there have been failures of other Vision cookware products.

I am reluctant to allow direct discussions with our client, at least at this time.

If you wish to call and discuss the facts with me, we could do that. It may be that you will not wish to go further since the model causing this injury has been discontinued. However, I suspect

the problem is not limited to the particular model. There are several models of the product (shown in the brochures) that apparently are still being made and sold.

I would be interested to know what the U.S.Consumer Product Safety Commission has determined in any other investigations it has made of Corning, Incorporated's other Vision cookware product failures. Has anything been learned about problems that let to the failures? Were there simply lapses in the manufacturing process or quality control? Is it simply designed inadequately for the intended use? What problems have you found?

Yours truly,

[redacted]

WRC:wc
Encl.