U.S. CONSUMER PRODUCT SAFETY COMMISSION
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CHAIRMAN INEZ M. TENENBAUM

STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE COMMISSION DECISION TO DENY THE PETITION REQUESTING RULEMAKING TO REQUIRE SAFEGUARDS ON THE GLASS FRONTS OF VENTED GAS FIREPLACES

April 30, 2013

In May 2011, the Consumer Product Safety Commission (CPSC) received a petition requesting that we address the hazards posed by vented gas fireplaces with glass fronts. The petition was prompted by reports of children who suffered serious, and sometimes irreversible, burns when they touched the glass fronts of gas fireplaces.

Fireplaces are regulated by local, state, regional, and national building codes that are based on voluntary standards issued by the American National Standards Institute (ANSI). Unfortunately, in May 2011, the ANSI standards upon which the building codes are based did not contain provisions to protect consumers from burns caused by hot glass on gas fireplaces.

The CPSC has the ability to deny petitions when a voluntary standard is in place that eliminates or reduces an unreasonable risk of injury associated with a product, and it is likely that there will be substantial compliance with that standard. On April 2, 2012, I voted to defer the petition after receiving assurances from manufacturers that they were moving forward to approve robust standards that would address the injuries caused by hot glass fronts on both vented and unvented gas fireplaces. Today, I am pleased to announce that the ANSI members, through hard work and dedication, have created and published a standard to address hazards caused by hot glass fronts of vented gas. I also understand that work is continuing to update and improve the standard for unvented gas fireplaces.

As of December 2012, the ANSI standards governing vented gas fireplaces now contain important safety requirements that are intended to reduce and eliminate the risk of burns that glass-fronted vented gas fireplaces pose. The standard, which is due to become effective in January 2015, will require that vented gas fireplaces whose glass front temperature exceeds 172 ° F must be installed with a protective barrier. The barrier must prevent contact with the glass front, and the barrier itself cannot present a burn hazard.

The CPSC staff has determined that this new standard will significantly reduce the risk of serious injury to consumers, especially the risk to children, which can occur from contact with the hot glass front of vented gas fireplaces. Additionally, because mandatory building codes are based on the ANSI standard, CPSC staff is confident that the industry will comply with the requirements.

Today I express my gratitude and appreciation to the ANSI members and CPSC staff responsible for the new, and much needed, safety standard. Therefore, because the requirements of the law have been met, and agency rulemaking is not necessary to address this hazard, the Commission though our most recent vote has denied the petition that was filed in May 2011.

As mentioned, however, there is still one more hazard that must be addressed. The safety standard that we are announcing today addresses vented gas fireplaces: those that use vent systems to remove combustion products from the dwelling. Unvented gas fireplaces, products in which the combustion products are released directly into the room, are governed by a different ANSI standard, one not addressed by the petition, or in the voluntary standards progress that warranted denial of the petition.

The unvented gas fireplace standard has not been updated to include safety requirements to address contact burns. I am pleased, however, that the ANSI members responsible for the standard for unvented fireplaces have assured us that language will soon be added to address this hazard. I strongly encourage that work to continue and to be completed as soon as possible. I will continue to monitor the related voluntary standards process on unvented fireplaces to ensure that the industry meets their commitment. In the meantime, I extend my appreciation to the ANSI members and CPSC staff who worked diligently to put safety standards in place for vented fireplaces. No child should be exposed to the risk of severe burns associated with this product.