



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

Todd A. Stevenson  
Secretary  
Office of the Secretary

Tel: 301-504-6836  
Fax: 301-504-0127  
Email: [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov)

December 3, 2004

David H. Baker, Esq.  
General Counsel  
Lighter Association, Inc.  
1920 N Street, N.W.  
Washington, D.C. 20036-1601

Dear Mr. Baker:

This letter is to inform you that the Commission has voted to grant the petition submitted by the Lighter Association, Inc. which requested a mandatory standard for cigarette lighters, Petition CP 02-1. The Commission's vote was 2-0, and Commissioner Moore filed a statement explaining his vote. A copy of the press release announcing the Commission's decision to grant the petition and a copy of Commissioner Moore's statement are enclosed.

Sincerely,

Todd A. Stevenson  
Secretary

# NEWS from CPSC

## U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE  
RELEASE  
December 1, 2004  
Release # 05-059

CPSC Consumer Hotline: (800) 638-2772  
CPSC Media Contacts: Eric Criss, (301) 504-7908 and Ken Giles,  
(301) 504-7052

### CPSC Votes to Start Development of Mandatory Standard for Cigarette Lighters

WASHINGTON, D.C. – The U.S. Consumer Product Safety Commission (CPSC) voted unanimously (2-0) yesterday to start development of a mandatory safety standard for cigarette lighters. The mandatory standard could be based on the current voluntary "Standard Consumer Safety Specification for Lighters" (ASTM F-400) to prevent mechanical malfunction of lighters.

"Reducing fire deaths is one of our top priorities," said CPSC Chairman Hal Stratton. "A mandatory standard for cigarette lighters – along with standards for the flammability of mattresses and upholstered furniture – would help reduce fires, deaths, and injuries."

There are approximately one billion cigarette lighters sold in the U.S. annually. About 400 million of those are imported from China. From 1997 through 2002, CPSC estimated that 3,015 people went to hospital emergency rooms for injuries resulting from malfunctioning lighters. Most of these injuries involved thermal burns to the face, hands, and fingers. For the same time period, CPSC received 256 incident reports related to cigarette lighter malfunctions and failures; 65 percent of these cigarette lighter failures resulted in fires, leading to 3 deaths and 6 serious injuries.

The voluntary standard for lighters addresses the risk of fire, death, and injury associated with mechanical malfunction of lighters. A mandatory standard would apply to imported as well as domestically-manufactured products.

"Fires are a leading cause of consumer product related deaths," said Chairman Stratton. "By developing fire safety standards for mattresses, upholstered furniture, and cigarette lighters, CPSC can help save many lives while maintaining reasonable cost to consumers and manufacturers."

CPSC Commissioner Thomas Moore said he voted to grant the petition because it would allow additional fact-finding about deaths and injuries and about industry compliance, which would help determine whether federal regulation is warranted in this area.

CPSC already has a mandatory standard for child-resistant cigarette lighters which addresses the hazard of children under 5 years of age starting fires with lighters. That standard for child-resistance applies to imported as well as domestically-manufactured disposable and novelty lighters.

Fire deaths associated with children playing with lighters dropped dramatically since the mandatory standard for child-resistance became effective in July 1994 – from 230 in 1994 to 130 in 1998. Children under age 5 accounted for 170 of the deaths in 1994 and 40 of the deaths in 1998. In 1994, there were 10,400 residential fires associated with children playing with lighters. By 1998, that number declined to 5,500 fires.

Even lighters with child-resistant mechanisms are not child-proof, so all lighters should always be kept out of the

reach of children.



**KEEP LIGHTERS AWAY  
FROM YOUNG CHILDREN**

---

Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at [www.cpsc.gov/talk.html](http://www.cpsc.gov/talk.html). To join a CPSC email subscription list, please go to [www.cpsc.gov/cpsclist.asp](http://www.cpsc.gov/cpsclist.asp). Consumers can obtain this release and recall information at CPSC's Web site at [www.cpsc.gov](http://www.cpsc.gov).



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

STATEMENT OF THE HONORABLE THOMAS H. MOORE  
ON THE CIGARETTE LIGHTER PETITION, CP 02-1  
November 30, 2004

I am voting to grant this petition to allow for additional fact finding. I view an Advance Notice of Proposed Rulemaking as an opportunity to gather more data on an issue that may or may not merit further rulemaking proceedings. In this case I do have doubts, based on the staff's current analysis, that promulgating a final rule in this area would be the best use of government resources. However, continuing to gather data on whether lighters that fail to comply with the ASTM standard constitute a big enough hazard to justify a federal rulemaking proceeding, is warranted

Given the major resource-intensive flammability projects that the Commission is working on at the moment, I would not like to see any significant staff time or agency money devoted to a cigarette lighter proceeding until those major flammability projects are closer to completion. And, unless additional death and injury data changes the hazard analysis picture substantially, it will be hard to argue with our technical staff's assessment that lighters do not appear to present an unreasonable risk of injury.

I raised a question at the public briefing on the resource implications of a monitoring program to verify conformance with the voluntary standard. Staff has not had an opportunity to respond, given the press of other work, but I would like to have that information as part of the ANPR process.

As with our other pending rulemakings in the flammability area, enforcement will be crucial to making a federal regulation successful. Nearly a billion lighters enter the U.S. market every year, and a growing number of them are imports. Due to the U.S. Customs and Border Protection's emphasis on homeland security, it has limited ability to help us interdict violative products. Therefore, at some point we may have to ask ourselves if lighters that fail to meet a voluntary standard, but which do not present a significant hazard to the American public, are what we want Customs to be spending its time helping us stop at the borders.