



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

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September 20, 2002

Mr. Larry M. Eils
Senior Director, Technical Services

Mr. Brian B Allen
Director, Government Affairs

National Automatic Merchandising Association
20 North Wacker Drive, Suite 3500
Chicago, IL 60606-3102

Dear Messrs. Eils and Allen:

The staff of the U.S. Consumer Product Safety Commission (CPSC) reviewed your September 13, 2002 letter to CPSC and your September 12, 2002 letter to Underwriters Laboratories Inc. (UL) regarding the CPSC staff proposal for electric vending machines.

The staff welcomes your request to have UL, as the product standards developer for electric vending machines, take under consideration the matter of improved electrocution protection for consumers from these machines. However, for reasons explained herein, the staff is not prepared to withhold submitting our electric vending machine proposal to the National Fire Protection Association for inclusion in the *National Electrical Code*. Both procedures should proceed along parallel paths.

The staff views the need for improved electrocution protection for consumers from electric vending machines to be broader than only having upgraded requirements in the product standards. Given the life expectancy of the machines at 10 or more years, and the likelihood that existing machines will be reconditioned or re-manufactured to extend their life, the CPSC staff seeks changes that go beyond an upgraded product standard. Upgraded product standards will only impact the production of new machines and possibly re-manufactured machines, if the machine re-manufacturer seeks re-certification to the upgraded standard.

As you know, the CPSC staff proposal also addresses providing electrocution protection in the form of ground-fault circuit interrupters (GFCIs) for receptacle outlets that supply power for machines built prior to incorporating electrocution protection as part of the machine itself.

Mr. Larry M. Eils

Page 2

The prospect of additional electrocution incidents in the years ahead associated with older machines warrants this approach.

The CPSC staff respectfully disagrees with comments in your letter to UL with regard to the need for improved electrocution protection. Your letter contains several points that the CPSC staff addressed in previous correspondence to you. The “millions of dollars of additional cost” you cite to provide improved electrocution protection needs to be weighed against the societal benefits of fewer deaths. Other comments in your letter we view as inaccurate; those related to the reliability of shock protection devices and systems, the loss of refrigerated food product, the accessibility of receptacle outlets, and the remark that CPSC does not believe the issue is related to field problems. Regarding this last point, CPSC staff indeed views the issue to be a field problem largely the result of compromised grounding of the machines. The solution to this problem is a combination of product changes for new and re-manufactured machines and installation changes for older machines. The *National Electrical Code*, which includes safety requirements for the construction of appliances as well as the installation of appliances, is an appropriate vehicle to provide greater electrocution protection for consumers from electric vending machines.

Notwithstanding the above, the CPSC staff looks forward to continuing the dialogue with your association as we proceed with this matter. The views expressed in this letter are those of the CPSC staff, and have not been balloted by the Commission.

Sincerely,

William H. King, Jr.

cc: Steve Leva, Underwriters Laboratories Inc.