

Background on Fire Problem Involving Children and Toylike/Novelty Lighters

- Juvenile fire-setting is a serious challenge.

According to the National Fire Protection Association, “In 2002, children started an estimated 13,900 structure fires that were reported to U.S. fire departments, causing an estimated 210 civilian deaths, 1,250 civilian injuries and \$339 million in direct property damage. The leading cause of fire deaths among preschoolers is child-set fires. Roughly two out of every three child-set fires – and three out of four associated deaths and injuries -- involve matches or lighters.”

However, this is not solely a young-child issue. Data collected in Oregon show that the majority of youth involved with fire are ages eight and above. Oregon data also show an alarming trend starting in 2005 that the preferred ignition source in 70 percent of the incidents was a lighter. This is up from 55 percent in 2002.

A youth intent upon setting fires and harming others needs psychological help and close supervision. But many youths are just curious about fire, and even one small mistake can prove deadly. Homes contain an abundance of products that can serve as fuel for deadly and destructive fires, and an open flame – a birthday candle or a lighter – is a dangerous and destructive ignition source in the hands of a youth.

- Toy-like lighters by design have characteristics that make them appealing and intriguing to adults and children alike. This presents a risk to our youth that is both unacceptable and preventable.

In the U.S., the regulation of lighters falls under the jurisdiction of the U.S. Consumer Product Safety Commission (CPSC). The CPSC has had a child-resistant lighter regulation (16 CFR 1210) in effect since 1994. CPSC staff estimated that by 1998, the child-resistance standard had prevented 3300 fires, 100 deaths, 660 injuries and \$52.5 million in property loss. The regulation does not cover all lighters – it covers only disposable lighters and novelty lighters.

“Disposable lighters” are generally defined as lighters that are not refillable with fuel and having a Customs Valuation or ex-factory price under \$2.25. “Novelty lighters” are defined as lighters that have entertaining audio or visual effects or that depict (via logos, decals, etc.) or resemble in physical form or function articles commonly recognized as appealing to or intended for use by children under 5 years of age (for example, cartoon characters, toy guns, watches, musical instruments, vehicles, animals, and food or beverages). A novelty lighter may operate on any fuel.

Though lighters defined as “novelty lighters” are required to comply with the child resistance standard, fire safety officials believe that this is not enough to keep children from starting fires with toy-like lighters. With the additional attraction of shapes, colors and/or sounds presented by toy-like lighters, a child may work (or play) extra hard to defeat the mechanism. Moreover, though the child-resistance standard is designed to

deter 85% of children under age 5, children age 5 and over are also attracted to toy-like lighters, and older children are more likely to have the additional dexterity to defeat the child-resistant mechanism. In addition to the attractiveness of these products because of their “entertaining audio or visual effects” and other characteristics, they can be more accessible to children than other types of lighters, because their owners often put them out for display rather than locking them in a drawer or cabinet.

Fire officials are only starting to collect statistical data on the prevalence of fires, injuries and deaths from fires started by children using toy-like lighters. Most of the data on these types of fires is anecdotal – but every fire official can tell about events like the tragic one of Sept. 26, 2007, in Russellville, Arkansas, in which two young boys – ages 2 and 15 months – died in a fire they set in their home with a lighter shaped like a motorcycle, where the flame came out of the exhaust pipe.

The European Union (EU) has already recognized the dangers of toy-like lighters and in March of 2007, a ban on novelty lighters went into effect in the EU – at the same time that the EU put child-resistant lighter standards into effect. The EU recognizes that toy-like lighters that appeal to children represent a high risk of misuse.¹ Why doesn't the CPSC follow suit?

In the meantime, fire service personnel have been working with local and state officials in an attempt to protect their own citizens. City ordinances banning toy-like lighters have been introduced and passed in Arkansas and California. Others are working on statewide legislation to ban these products. So far, Maine and Tennessee have laws in place. The fire service has done a very good job of creating public outrage against toy-like lighters, and news media coverage continues to be strong.

The sale of novelty lighters that meet the child-resistance standard is legal, and it is one of several challenges involving the safety of lighters.

¹ http://ec.europa.eu/consumers/safety/prod_legis/prod_legislation_lighters_en.htm