

UL Self-Certification Program Raises Safety Questions

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A fire resulting in the death of a 9-year-old boy allegedly caused by a window air-conditioner led plaintiff's lawyers to uncover a little-known Underwriters Laboratory (UL) program that allows companies to certify they meet UL standards without UL testing.

The Goldstar brand air conditioner at issue in the case was certified by LG under UL's self-certification program known as "Total Certification Program" or TCP. LG claimed the air conditioner complied with UL 484, the standard for room air conditions. But plaintiff's testing found plastic components were excessively flammable and did not meet the standard and that UL did no testing to confirm compliance.

UL acknowledged that at least 10 other companies also perform their own certifications under TCP but declined to reveal their names. The non-profit testing and certification organization indicated 209 product types were involved in the program in 2004. UL markets TCP as "a means for clients to reduce the concept to market time line for products by integrating the product certification process with the design, development and manufacturing processes." UL says it supervises the program and requires a minimum of four on-site inspections per year.

"LG never produced UL certification tests performed on the air conditioner nor did the company perform any flammability assessments on the product until more than a year after it went into production" said plaintiff's attorney Roger Braugh.

The case ended in a \$34 million verdict in November 2004. Braugh has recently file suit against UL and LG's component part suppliers.

(Ibarra V. LG Electronics, District Court, Hidalgo Co. TX, C-1077-03-F; Plaintiff's represented by Craig Sico and Roger Braugh, Sico, White & Braugh, Corpus Christi, TX)