

# Audience Questions for Dan Mann and Crystal Ellis from IKEA Conversation with KID on July 16, 2020

## IKEA CONVERSATION

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*Q: I'm a child-proofer in New York. While I agree with this conversation, the reality is that most furniture is susceptible to tipping. Once you pull out a few bottom drawers - once you change the center of gravity, tipping happens. I'm a huge advocate of anchoring furniture, but the bottom line is that furniture design needs to change.*

**Dan Mann:** I agree. That is the bottom line. While anchoring furniture is better than not anchoring furniture, it is the design of furniture, and rigorous real-world dynamic testing that would provide the best possible safety benefit.

**Crystal Ellis:** Exactly. This is why [Parents Against Tip-overs](#) has worked with KID and other consumer advocates to advance the STURDY Act. It has passed the US House and is now in front of the US Senate. STURDY asks for a strong mandatory standard, covering all clothing storage units, that accounts for real world use, dynamic force, carpeting, all in the interest of being tip-over resistant WITHOUT anchoring. The ASTM has been unable to make this standard, over the last two decades, so the CPSC will be tasked with making the standard within a year of enactment.

**Q: Are there “safe” dressers currently for sale or just prototypes? Should all dressers/bookcases/TVs be anchored?**

**Dan Mann:** Some designs are safer than other designs. But it is very difficult for a consumer to tell which makes/models are safer than others. Just looking at weight is not a reliable indicator. And anchoring is not always going to protect against a tip-over. But in an ideal world, all dressers and bookcases would be tip resistant AND anchored. While a strong mandatory standard would be best to prevent or minimize tip-overs, a manufacturer’s compliance with the voluntary ASTM standard is certainly better than nothing. Manufacturers should place a sticker on their furniture to indicate that it meets ASTM minimum standards for safety and stability. Otherwise, consumers will be in the dark about which products have been tested to performance standards and which have not.

**Crystal Ellis:** At this time, Parents Against Tip-overs tells parents that we cannot recommend any dressers on the market, as there is no way for the consumer to be able to tell which ones are “safer” than others. We also strongly believe that furniture meeting the voluntary standard cannot be trusted either, as some of those units have tipped and killed children, including the IKEA 8-drawer Hemnes dresser. This dresser has not been recalled, because it meets the voluntary standard, though it has killed a child and there are multiple videos showing it tipping over on other children. And, because of the lack of transparency from manufacturers and the CPSC due to a secrecy provision in Section 6(b) of the Consumer Product Safety Act, we are not allowed to know about the other voluntary standard meeting dressers that have injured, tipped, or killed children. All furniture must be anchored and checked periodically, because anchors have also been known to fail, even when installed properly.

**Q: What is your best advice for parents aware that there are so many dangerous products, but unsure of how to go about protecting their families (beyond advocating for Congress to act)?**

**Dan Mann:** I really liked Crystal’s response which listed the [KID website](#), signing up for [CPSC recalls](#), and other resources for families to use to help them to determine which products should be avoided.

**Crystal Ellis:** Thank you Dan. Yes. [Sign up for the KID emails](#), the CPSC recall list, check [saferproducts.gov](#) for any public information about products, and I also recommend the Amazon 1 star reviews to identify potential hazards. However, as Dan said during the interview, it is absolutely ridiculous that parents should have to work so hard to get this information to keep their families safe and tends to put parents in the light of blame for potential hazards. This is why we need to support the SHARE Information Act, introduced into the US Congress by U.S. Representative Bobby Rush of Illinois.

**Q: We are IKEA customers- what can we do to effectively express our concerns about this terrible situation in a way that gets their attention?**

**Dan Mann:** You could send correspondence to IKEA’s General Counsel’s office, or post something on social media about this.

**Crystal Ellis:** I second Dan on this. Write to IKEA personally and feel free to post that letter to social media and tag them. Also, spread the word to others. When you hear people talk about IKEA and their policies, advocate in that circle to protect families.

*Q: What fraction of those who are harmed sue for damages and do they impose gag orders (as was the case way back for the portable cribs like the one that Danny Keysar died from and led to the creation of Kids In Danger)?*

**Dan Mann:** Confidentiality provisions are inconsistent with public policy because they result in keeping the public from learning about lawsuits and settlements. However, they are legal if the parties agree to these terms in a settlement agreement. Manufacturers often insist on confidentiality as a term of the settlement. In these cases, we were fortunate enough to have clients who recognized the importance of making other families aware of this public health issue, and who insisted that these settlements not be confidential.

**Crystal Ellis:** Just from a parent perspective, this process of a lawsuit is emotionally and physically exhausting and not a place that any of us want to be. More than anything else, I didn't want to be silenced. However, that said, these manufacturers can be very difficult and aggressive and, though I am heartbroken about the secrecy in many of these lawsuits, I in no way blame these families for doing what they needed to do to move forward. The blame rests ENTIRELY on manufacturers who would even ask them for their silence, after what they did to these families. Again, this is why I advocate for transparency at the government level. FOIA requests shouldn't be pages and pages of redacted information. I continue to insist that selling in the USA is a privilege and should be treated as such. If you act in bad faith with a lack of compliance to standards and lack adequate testing before going to market, or, as in the case of the inclined sleepers, create your own special untested standard to avoid the current standard, and you injure and kill people, you should be appropriately hit with civil penalties and a removal of your product immediately. People in the United States of America believe that if something is being sold to them, that the government has vetted and tested and had some oversight of the product. There should be proof of testing and compliance before it is allowed on the shelf for purchase. This is what Americans believe and expect.

*Q: What steps can be taken to make this information aware to people who live in low-income neighborhoods and are not necessarily aware of the importance of anchoring their furniture. How can this information be further publicized?*

**Crystal Ellis:** Parents Against Tip-overs works on this problem, in conjunction with agencies such as the CPSC and the ASTM, and consumer advocacy groups, like KID, every day. We reach out to moms groups, hospitals, pediatrician offices, DHS, fire stations, local and state and national PTA, news groups...basically anyone who will listen. However, we also realize that prevention of these unsafe products getting on the shelves is the best way to keep these families safe. KID is one of the groups that really works hard to get involved in the standard making processes and regulatory legislation processes, so that less of these products make it into our homes. Industry is a powerful lobby group

and they simply cannot self-regulate against their bottom line. This is one of the key reasons why KID's work is priceless. Retailers also have an important role to play here. They should be selling anchors with furniture and putting up signage in their stores to educate about the importance of anchoring furniture. We encourage everyone to ask and urge retailers to be a part of this important work.

*Q: I remember you talking, Crystal, once about hotel rooms and lack of anchoring. What is being done about that?*

**Crystal Ellis:** I pressure every hotel and airBNB that I visit to do the right thing by anchoring, and I encourage everyone I know to do the same. KID also speaks out about this issue. I also promote state legislation that supports anchoring in public spaces, such as child care, schools, foster care facilities, etc. in the hopes that these private companies will follow their lead. As we are seeing with other products and services, we have a lot of choices about where we spend our money. I spend my money where I see a company culture of caring about their customers. I use social media to call bad actors out and also to praise companies that are stepping up for us. My family has gone on a few road trips and I post video and pictures of good and bad practices and tag the hotel/motel. I hope it makes a change.

*Q: What about families who do not have the privilege of having internet in their homes, and access to these sites? Also considering that these families may purchase furniture from thrift stores, or yard sales. How do we make this knowledge available for them?*

**Crystal Ellis:** Internet and cable access is an ongoing issue. At PAT, we encourage companies to use all the same avenues they used to sell the product, to get the product back out of the marketplace. This is unfortunately also at the will of the company, as the CPSC has no real teeth to enforce an effective recall. We, as well as KID, also call out all of the seller sites, such as Facebook Marketplace, Craigslist, OfferUp, BuyNothing, etc. to patrol for recalled products and take the ads down. Consignment shops are required to be up to date on recalls and these sites should have the same oversight. As smart phones have become more popular and accessible, it is easier to look up items you are going to potentially purchase secondhand, on the go.