



## PATRICK TESTIN

### STATE SENATOR

DATE: February 8, 2024  
RE: **Testimony on Senate Bill 925**  
TO: Senate Committee on Shared Revenue, Elections, and Consumer Protection  
FROM: Senator Patrick Testin

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Thank you Chairman Knodl and Committee Members for the opportunity to testify on Senate Bill 925.

The production and trafficking of counterfeit goods poses a significant health and safety threat to consumers while also impacting the economic growth of legitimate businesses and consumers through lost revenue, downtime, and replacement costs.

Today, with the rise of online purchasing, these dangerous knock-off lighters are cheaper and easier than ever to purchase. More than 300 million imported lighters entered the U.S. in 2017 alone and 70% of lighter models tested in the U.S. failed ASTM International Safety Standards.

China and other countries have imported counterfeit unsafe pocket and utility lighters into the United States for decades. These unregulated items have led to thousands of injuries, billions of dollars in damages, enormous health care costs, and unfortunately, death. By simply defining what an "unsafe lighter" is we can vastly reduce the unnecessary damages and injuries incurred every year as well as reduce the strain on our hospitals and first responders.

Studies continue to prove that upheld safety standards for lighters reduce health care costs by over \$1 billion, reduce hospital grade injuries by 84% and reduce burn injuries by 74%. Passing this bill will add no additional strain to businesses while reducing intellectual property theft from China and reducing the enormous burden of unnecessary hospital bills and damages.

Counterfeit products not only attack the name and value of a known business, but, in many cases, can cause harmful, and sometimes fatal, consequences for the unsuspecting buyer.

Thank you for your consideration of Senate Bill 925 and I am happy to take any questions.



# TODD NOVAK

(608) 237-9151

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Rep.Novak@legis.wi.gov

STATE REPRESENTATIVE • 51<sup>ST</sup> ASSEMBLY DISTRICT

P.O. Box 8953

Madison, WI 53708-8953

DATE: Thursday, February 8th, 2024  
RE: Testimony on Senate Bill 925  
TO: Senate Committee on Shared Revenue, Elections and Consumer Protection  
FROM: State Representative Todd Novak

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Thank you Chairman Knodl and members of the Senate Committee on Shared Revenue, Elections and Consumer Protection for holding this public hearing on Senate Bill 925 (SB 925), relating to the sale of counterfeit lighters and unsafe lighters.

I authored this bill with Senator Patrick Testin after learning about a disturbing trend in the rise of injuries particularly in children and counterfeit lighters. Particularly with unregulated, counterfeit, and unsafe lighters with ties to foreign countries.

Today, with the rise of online purchasing, these dangerous knock-off lighters are cheaper and easier than ever to purchase. More than 300 million imported lighters entered the U.S. in 2017 alone and 70% of lighter models tested in the U.S. failed ASTM International Safety Standards.

China and other countries have imported counterfeit unsafe pocket and utility lighters into the United States for decades. These unregulated items have led to thousands of injuries, billions of dollars in damages, enormous health care costs, and unfortunately, death. By simply defining what an "unsafe lighter" is we can vastly reduce the unnecessary damages and injuries incurred every year as well as reduce the strain on our hospitals and first responders.

SB 925 defines an "unsafe lighter" and prohibits their sale while adding no additional punishment or fees onto retailers. The bill will add no additional strain on local retailers as the bill does not include a penalty for retailers that possess and/or sale these unsafe lighters.

The bill does however send a clear message that Wisconsin will not tolerate intellectual property theft as well as the continued invasion of these unsafe lighters in Wisconsin retail marketplaces.

I am proud of the extensive list of supporters this bill has garnered, including Wisconsin retailer associations, as well as several law enforcement associations illustrating the strong support for consumer safety and protecting existing patent laws.

Thank you for your consideration of Senate Bill 925.



# Professional Fire Fighters Wisconsin Charitable Foundation

## TESTIMONY IN SUPPORT OF 2023 SENATE BILL 925 Relating to the sale of counterfeit lighters and unsafe lighters

Good morning, my name is Katie Strother. I am the Program Coordinator for the Professional Fire Fighters of Wisconsin Charitable Foundation (PFFWCF).

The PFFWCF is a self-supporting public charity that serves as a champion for burn survivors fire fighters, and safe communities throughout Wisconsin through education, risk mitigation, and programming and services.

The organization we now operate started 36 years ago in the City of Milwaukee. Where within a 15-day period, 3 fires took the lives of 20 people, including 17 kids. Our organization is dedicated to supporting burn survivors and preventing fires and burns.

Because of modern furnishings, fuel load, modern construction, and building materials, fires today are faster, hotter, and deadlier than ever before. Flashover, the point where everything in a room is ignited, is reached 5 time faster today than 30 years ago. Fires are not only more dangerous, but children have more access to devices that are more likely to start an accidental fire if not operated properly. For these reasons, we are in support of any regulation that will make it harder for kids to start or play with fires.

Lithium-ion batteries are increasingly found in devices and systems that the public and first responders use or interact with daily. While these batteries provide an effective and efficient source of power, the likelihood of them overheating, catching on fire, and even leading to explosions increases when they are damaged or improperly used, charged, or stored\*\*\*. While electronic lighters our not yet covered in the ASTM International standards covered in this legislation, we will soon need to address the safety concerns associated with them. As well as the need for regulation.

For the past 29 years, we have held our annual Summer Camp for Burn Injured Youth. Burn Camp is a free week-long summer camp, where 50-100 kids with life changing burn injuries come to have fun and heal emotionally – without having to worry about the world around them.

After attending Burn Camp myself as a counselor, I can't imagine the pain and hardships these kids have to go through. Burns are the most painful thing a person can experience. Seeing kids with burns covering 60, 70, 80% of their body is not easy. Especially now, knowing what treatments are involved, the cost of healthcare, and knowing the cause of a vast majority of these burns were preventable.

Looking back at the causes of burns listed on the camper applications of the 1,000+ kids that have attended Burn Camp over the last 29 years. We have at-least 10-15 kids each year with burns caused by playing with fire and at-least 3-5 kids each year with burns caused by playing with lighters specifically. Please support this legislation and help us create a fire-safe and burn-free Wisconsin.

Thank you,

Katie Strother, Program Coordinator  
Professional Fire Fighters of Wisconsin Charitable Foundation, Inc.

# Professional Fire Fighters Wisconsin Charitable Foundation



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\*\* *deadlier than ever before...* <https://www.usfa.fema.gov/statistics/states/wisconsin.html>

\*\*\* From NFPA: <https://www.nfpa.org/education-and-research/home-fire-safety/lithium-ion-batteries>

The organization was first organized in 1914 in the City of Milwaukee. It was then a 15-day period of the year that the firemen, including 17 men, had organized a union to represent their interests and to provide fire and life insurance.

Because of various hardships, including the loss of jobs and the loss of homes, the firemen and their families were in a desperate situation. They were looking for a way to help themselves and their families. They were looking for a way to help themselves and their families. They were looking for a way to help themselves and their families.

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Thank you

Mr. Chairman and members of the Committee – Thank you for allowing us to testify on this matter of life and property saving legislation.

My name is Gerald Minor – I am a fulltime Chief of the Pittsville Fire Co, which is in Wood County – the actual geographic center of Wisconsin. My district encompasses portions of the 69<sup>th</sup> and 70<sup>th</sup>. Assembly as well as portions of the 23<sup>rd</sup> and 24<sup>th</sup> Senate districts.

We are a primarily rural fire and EMS operation not unlike the majority of the over 850 fire departments in this State.

One of the many jobs the fire service handles every day besides the response to emergencies, is mandated on- going fire prevention duties. SB 925 falls into our “wheelhouse” – the fire and EMS agencies in this State are well versed at dealing with fires related to lighters – most of the time they also involve children – often with tragic results.

Data from the NFPA (National Fire Protection Association) (ref document Richard Campbell page3 & 4) has shown time and time again that lighters are most of the time (over 50%) involved with “fire play.” Causing millions of dollars in property damage as well as the cause of significant injuries and death. While a lighter is not a toy – we know they fall into young hands, a “counterfeit” or non-safety lighter makes it even easier for a child to use them. Lighters are tools and need to be managed and manufactured with the same safety

standard we would apply to any power tool. SB 925 will make the unsafe lighter not accessible to all in this State.

A standard provides that a piece of equipment has been tested to an acceptable method or degree. Today regulatory standards are everywhere our food, our vehicles, our buildings are just some of the items that must meet some safety standard. Countries that do not manufacture to a standard, because of cost, materials etc. endanger the rest of the world – this is the case with a “counterfeit” lighter. We realize no one wants to see more regulations, but as firefighters coming from the side of the workforce that deals with hazards every day – we need them.

In Wisconsin our data collection, direct from the Fire Service which all departments are required to report, has also shown the lighter is consistently the # 1 device used by ages 1-18 years of age from years 2009 to 2014. New data from 2021 reflects little to no change to these numbers.

The damage from one fire may encompass one home or one entire block, one acre or thousands of acres – causing millions of dollars in damage, millions of dollars in medical treatment and life changing devastation. This affects all of us, whether it be in our community, our district, as well as our insurance carriers, we all pay for this.

During my 46-year tenure in the fire service, the last 15 years I have had a personal stake in this mission, by coming to this building and retelling the same story over and over again, to

only allow safe lighters in this State. To make it more difficult for unsafe lighters to be present. We can't "fireproof" parents as much as we try, parenting is out of our hands. Many of you are parents and grandparents like me, I can't imagine any of you not childproofing your house to protect all of those that enter. However, we in the fire service respond to hundreds of calls to homes where all the tools are in place to create devastation, where smoke detectors are not present or not maintained and where tools that can start fires are available to all ages.

An emergency services risk manager by the name of Gordon Graham continually reminds us with this phrase.

“IF IT’S PREDICTABLE – ITS PREVENTABLE”.

SB 925 has identified the problem – it's up to all of us to make this happen.

Thank you for your time and for supporting Wisconsin's fire service.

Chief Gerald Minor – Pittsville Fire Company

Vice President Wood Co Chiefs Association

## Tally - Fire Module

Report Period: 1/1/20 to 12/31/20

Coded Field: Heat Source

Code	Description	Frequency		EXPs	Civilian Deaths		Civilian Injuries		Fire Fighter Deaths		Fire Fighter Injuries		Property Loss		Contents Loss	
		#	%		#	%	#	%	#	%	#	%	#	%	#	%
00	Heat source: other	380	4.1%	2	0	0.0%	5	4.0%	0	0.0%	5	4.6%	6,264,306	4.0%	3,240,920	4.0%
10	Heat from powered equipment, other	723	7.8%	2	0	0.0%	12	9.5%	0	0.0%	2	1.8%	7,185,445	4.6%	4,736,459	5.8%
11	Spark, ember or flame from operating equipment	387	4.2%	0	3	5.3%	5	4.0%	0	0.0%	10	9.2%	6,281,244	4.0%	5,172,898	6.3%
12	Radiated, conducted heat from operating equipment	715	7.7%	0	1	1.8%	20	15.9%	0	0.0%	5	4.6%	6,881,486	4.4%	3,212,181	3.9%
13	Arcing	476	5.2%	1	1	1.8%	3	2.4%	0	0.0%	9	8.3%	7,030,969	4.5%	2,923,241	3.6%
40	Hot or smoldering object, other	396	4.3%	0	0	0.0%	1	0.8%	0	0.0%	2	1.8%	4,931,918	3.1%	2,287,209	2.8%
41	Heat, spark from friction	159	1.7%	0	0	0.0%	0	0.0%	0	0.0%	5	4.6%	3,137,630	2.0%	572,624	0.7%
42	Molten, hot material	42	0.5%	0	0	0.0%	1	0.8%	0	0.0%	3	2.8%	986,947	0.6%	746,398	0.9%
43	Hot ember or ash	583	6.3%	9	1	1.8%	8	6.3%	0	0.0%	1	0.9%	7,567,072	4.8%	3,262,627	4.0%
50	Explosive, fireworks, other	9	0.1%	1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	60,000	0.0%	4,000	0.0%
51	Munitions	3	0.0%	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%	325,000	0.2%	233,000	0.3%
54	Fireworks	53	0.6%	1	0	0.0%	1	0.8%	0	0.0%	0	0.0%	625,522	0.4%	151,225	0.2%
55	Model and amateur rockets	1	0.0%	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
56	Incendiary device	18	0.2%	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%	370,000	0.2%	53,000	0.1%
60	Heat from other open flame or smoking materials	145	1.6%	4	0	0.0%	2	1.6%	0	0.0%	0	0.0%	1,549,645	1.0%	363,250	0.4%
61	Cigarette	186	2.0%	1	5	8.8%	9	7.1%	0	0.0%	5	4.6%	2,169,322	1.4%	807,115	1.0%
62	Pipe or cigar	9	0.1%	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%	154,501	0.1%	80,010	0.1%
63	Heat from undetermined smoking material	34	0.4%	0	0	0.0%	0	0.0%	0	0.0%	2	1.8%	373,326	0.2%	27,211	0.0%
64	Match	95	1.0%	0	0	0.0%	1	0.8%	0	0.0%	0	0.0%	9,560	0.0%	2,610	0.0%
65	Cigarette lighter	132	1.4%	0	0	0.0%	9	7.1%	0	0.0%	2	1.8%	1,671,502	1.1%	751,422	0.9%
66	Candle	42	0.5%	0	0	0.0%	2	1.6%	0	0.0%	1	0.9%	1,194,881	0.8%	370,437	0.5%





Total Loss	
#	%
9,505,226	4.0%
11,921,904	5.0%
11,454,142	4.8%
10,093,667	4.2%
9,954,210	4.2%
7,219,127	3.0%
3,710,254	1.6%
1,733,345	0.7%
10,829,699	4.5%
64,000	0.0%
558,000	0.2%
776,747	0.3%
0	0.0%
423,000	0.2%
1,912,895	0.8%
2,976,437	1.2%
234,511	0.1%
400,537	0.2%
12,170	0.0%
2,422,924	1.0%
1,565,318	0.7%

0	0.0%
53,001	0.0%
537,152	0.2%
15,200	0.0%
118,000	0.0%
1,418,125	0.6%
1,302,600	0.5%
150,000	0.1%
2,050,315	0.9%
1,965,310	0.8%
2,171,334	0.9%
626,255	0.3%
433,200	0.2%
458,100	0.2%
139,155,864	58.4%
<b>238,222,569</b>	<b>100.0%</b>



**BADGER FIREFIGHTERS ASSOCIATION,  
P.O. BOX 362; ALLENTON, WI 53002**

5 February 2024

**TO:** Senate Committee on Shared Revenue, Elections and Consumer Protections

**REFERENCE:** SB 925

On behalf of the firefighters and EMTs of the Badger Firefighters Association, I urge you to consider voting in favor of this important legislation (SB 925; Prohibition of sell or offer Counterfeit Lighters or Unsafe Lighters). The membership departments (34) support this bill as we feel it will make a significant attempt to reduce fires and injuries due to fires.

Our mission as firefighters is to teach the public of the many hazards of playing with fire to prevent life changing injuries or accidents where the loss of a home or other structure could occur is hindered by allowing counterfeit or unsafe lighters be accessible and sold.

These devices are designed to attract people to purchase or take, especially children are attracted. These uniquely designed lighters may be a device that plays music, flashing lights, or looks like a toy, musical instrument, etc. These are created to have people [kids] to purchase.

Every month we read reports individuals have started a fire and were injured or even killed because of playing with fire. These incidents occur due to the easy access to instruments of fire.

We restrict the sale of smoking items [cigars, cigarettes]. We are asking that we create a law that prohibits the sale of counterfeit or unsafe lighters that do not comply with ASTM International standard F400-20 or with ASTM International standard F2201-20. This legislation would prohibit the sale of these dangerous items in the State of Wisconsin.

Thank you for your consideration of holding a hearing on this legislation, SB 925 and trust that you will provide the leadership in moving this forward to the floor of the Assembly for a vote.

Sincerely,

A handwritten signature in black ink that reads "Ronald J. Naab".

Ronald J. Naab  
Secretary  
Badger Firefighters Association  
262-716-7292  
[Badgerf.a.secretary@gmail.com](mailto:Badgerf.a.secretary@gmail.com)

Encl. Pictures of Counterfeit Lighters



# WOOD COUNTY FIRE CHIEFS ASSOCIATION

8670 County Road A Marshfield, WI 54449

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January 22, 2024

To: Committee on Shared Revenue, Elections and Consumer Protections

Re: Letter of Support for SB 925, relating to the sale of counterfeit lighters and unsafe lighters

On behalf of the Chiefs, Firefighters and EMTs of the Wood County Fire Chief's Association, I urge you to consider voting in favor of this important legislation (SB-925, relating to the sale of counterfeit lighters and unsafe lighters). Our mission as first responders is to protect and teach those we serve of the many hazards in our world. One hazard that is of great concern of our Association is the possession of items that can cause fires, leading to life-changing injuries or accidents. The loss of a home or other structures could occur by allowing counterfeit or unsafe lighters to be accessible and sold. These devices are designed to attract people to purchase, especially minors. These uniquely designed lighters may be a device that plays music, has flashing lights, or looks like a toy, musical instrument, etc. Every month we read reports where individuals have started a fire and were injured or even killed because of playing with fire. These incidents are enhanced due to the easy access to instruments that can cause fires. Some of these instruments are found to be counterfeit or unsafe lighters that can be used to ignite a cigarette, cigar or pipe that don't comply with ASTM F400- 20, Standard Safety Specifications for Lighters. Some other items that have been counterfeited over the years include utility, grill, or fireplace lighters. Our state restricts the sale of smoking items [cigars, cigarettes], yet we don't restrict the sale of counterfeit or unsafe lighters. We are asking that you create a Wisconsin State Law that prohibits the offer of a free sample, or the sale of these lighters deemed counterfeit or unsafe to minors and adults. Thank you for holding a hearing on this legislation, SB-925, and I trust that you will provide the leadership in moving this forward to the floor of the Senate for a vote.

Respectfully,

Chief Robert Piatt  
President  
Wood County Fire Chief's Association

**STEVENS POINT**  
1701 FRANKLIN STREET  
715-344-1833



**FIRE DEPARTMENT**  
STEVENS POINT, WI 54481  
FAX: 715-346-1599

**Jb D. Moody**  
FIRE CHIEF

January 22, 2024

To: Senate Committee on Shared Revenue, Elections and Consumer Protections

From: Jb D. Moody  
Fire Chief / President  
Stevens Point Fire Department / North Central Fire Chiefs Association

Subject: Senate Bill 925

I'm writing this letter as the President of the North Central Fire Chiefs Association which supports preventing fires and burns through training, education, and risk reduction.

Because of modern furnishings, fuel loads, construction, and building materials, fires today are burning faster, hotter, more toxic, and deadlier than ever before.

Lithium-ion batteries are increasingly found in devices and systems that the public and first responders use or interact with daily. While these batteries provide an effective and efficient source of power, the likelihood of them overheating, catching on fire, and even leading to explosions increases when they are damaged or improperly used, charged, or stored. While electronic lighters are not yet addressed in the ASTM International standards covered in this legislation, we believe addressing the needed safety concerns associated with them and the need for regulation should be now.

Thank you for your consideration and support of Senate Bill 925.

Professionally,

A handwritten signature in black ink, appearing to read "Jb D. Moody", written over a horizontal line.

Jb D. Moody  
Fire Chief  
Stevens Point Fire Department