

US Subsidiary of Chinese Company Sued Over 'Fire Risk' Lithium Batteries

In December, the company had withdrawn about 63,000 units after reports about overheating and fires.

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A recalled SKIL 40V 5Ah battery, model BY8708-00. U.S. Consumer Product Safety Commission



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Power tools manufacturer Chervon North America is facing a class-action lawsuit from a customer citing the safety risk posed by a battery he purchased, which was later part of a nationwide recall initiated by the company.

On Dec. 19, the Illinois-based company, a subsidiary of Nanjing, China-based Chervon (China) Trading Co., Ltd., [recalled](#) about 63,000 units of “SKIL 40V 5.0Ah” lithium-ion batteries from the U.S. market.

It warned that the China-manufactured batteries could “overheat, posing fire and burn hazards.” On Jan. 3, Anthony Desparrois, a Chicago resident, filed a [lawsuit](#) against Chervon North America in the U.S. District Court for the Northern District of Illinois.

“The product is defective because each individual lithium-ion battery can overheat and catch on fire. Despite this known fire risk, defendant represented that the products are safe and effective for their intended use,” the complaint stated.

“Plaintiff purchased the product, while lacking the knowledge that product could catch fire, thus causing serious harm to those who use such products.”

It argued that the plaintiff and class members would not have bought the product had they known about the “true nature” of the product overheating and burning people who used it.

The company acknowledged in the recall notice, published by the U.S. Consumer Product Safety Commission, that before withdrawing the product, it had received 100 thermal incident reports that involved the batteries “overheating, melting, smoking and fire.” This included 49 reports of property damage and eight instances of minor burns and/or smoke inhalation.

The complaint stated that other manufacturers produce and sell batteries using production methods that do not cause the products to catch fire, which was evidence that “the fire risk inherent with defendant’s products is demonstrably avoidable.”

The lawsuit alleged 10 claims against Chervon North America, including unjust enrichment, breach of express warranty, fraudulent concealment, strict liability-design defect, and negligent failure to warn. Desparrois is seeking compensation for himself and the class members while demanding a trial by jury.

The Epoch Times reached out to Chervon North America for comment but did not hear back by time of publication.

In the Dec. 19 recall notice, Chervon asked all consumers who bought the batteries to “immediately stop” using them. The company also offered free replacements and refunds. The recalled products were sold between October 2019 and December 2024.

Battery Recalls and Dangers

Multiple other lithium battery recalls have occurred over the past months. On Dec. 5, 2024, around 69,000 units of Anker Soundcore and PowerConf Bluetooth speakers were [recalled](#), citing the risk of lithium batteries overheating and posing a fire hazard.

The product, sold by Hong Kong-based Anker Innovations Limited, was distributed via Amazon between March 2023 and October 2023. The item was manufactured in China.

Earlier in February, California-based Snap [withdrew](#) lithium-ion batteries that were sold for its Pixy flying cameras, warning about overheating risks. Roughly 71,000 units were recalled, with the company offering refunds.

Snap received four reports of batteries overheating and bulging, which resulted in one battery fire incident and one injury. These items were also manufactured in China.

Fires triggered by lithium batteries are highly dangerous compared with other sources.

Lithium batteries “undergo a series of explosions, releasing highly toxic gasses and projecting flaming cells that can travel great distances, increasing the likelihood that the fire will spread,” Daniel Flynn, chief fire marshal of the New York City Fire Department, [warned](#) Congress during testimony last year.

“These fires instantly create severely dangerous conditions, rendering escape for anyone nearby significantly challenging.”

The National Fire Protection Association [advises](#) people to stop charging a battery when it is full. Any repairs on the item must be done only by qualified professionals, it said.

While using charging equipment, the charger must be compatible, the group said, with the safest choice being the charger supplied with the device.

“Stop using your device if the battery shows signs of damage, such as an unusual odor, excessive heat, popping sounds, swelling, or change in color,” the association stated.

Regarding disposal, the association stated: “Lithium-ion batteries and the devices that contain them should not go in household garbage or recycling bins. They can cause fires during transport or at landfills and recyclers. Instead, lithium-ion batteries should be taken to separate recycling or household hazardous waste collection points.”

Stores that sell lithium batteries in large numbers often have a recycling program where batteries can be returned, it said.

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