

3. Despite Defendant Tristar's claims of "safety," it designed, manufactured, marketed, imported, distributed and sold, both directly and through third-party retailers, a product that suffers from serious and dangerous defects. Said defects cause significant risk of bodily harm and injury to its consumers.

4. Specifically, said defects manifest themselves when, despite Defendant Tristar's statements and "Safety Features," the lid of the Pressure Cooker is removable with built-up pressure, heat and steam still inside the unit. When the lid is removed under such circumstances, the pressure trapped within the unit causes the scalding hot contents to be projected from the unit and into the surrounding area, including onto the unsuspecting consumers, their families and other bystanders. The Plaintiff in this case was able to remove the lid while the Pressure Cooker retained pressure, causing her serious and substantial bodily injuries and damages, including, but not limited to, first and second-degree scald burns to her right forearm and hand.

5. Defendant Tristar knew or should have known of these defects but has nevertheless put profit ahead of safety by continuing to sell its Pressure Cookers to consumers, failing to warn said consumers of the serious risks posed by the defects, and failing to recall the dangerously defective Pressure Cookers regardless of the risk of significant injuries to Plaintiff and consumers like her.

6. Defendant Tristar ignored and/or concealed its knowledge of these defects in its Pressure Cookers from the Plaintiff in this case, as well as the public in general, in order to continue generating a profit from the sale of said Pressure Cookers, demonstrating a callous, reckless, willful, depraved indifference to health, safety and welfare of Plaintiff and consumers like her.

7. As a direct and proximate result of Defendant Tristar's conduct, the Plaintiff in this case incurred significant and painful bodily injuries, physical pain, mental anguish, and diminished enjoyment of life.

PLAINTIFF LEILA STOEBNER

8. Plaintiff Leila Stoebner is a resident and citizen of the city of Bastrop, County of Bastrop, State of Texas, and was born on February 22, 1966.

9. On or about December 20, 2016, Plaintiff purchased a new Pressure Cooker, Model No. PPC-780P.

10. On or about May 23, 2018, Plaintiff suffered serious and substantial burn injuries as the direct and proximate result of the Pressure Cooker's lid being able to be rotated and opened while the Pressure Cooker was still under pressure, during the normal, directed use of the Pressure Cooker, allowing its scalding hot contents to be forcefully ejected from the Pressure Cooker and onto Plaintiff. The incident occurred as a result of the failure of the Pressure Cooker's supposed "Built-In Safety Features," which purport to keep the consumer safe while using the Pressure Cooker. In addition, the incident occurred as the result of Defendant Tristar's failure to redesign the Pressure Cooker, despite the existence of economical, safer alternative designs.

DEFENDANT TRISTAR INNOVATIVE PRODUCTS, INC.

11. Defendant Tristar designs, manufacturers, markets, imports, distributes and sells a variety of consumer products including Pressure Cookers, the Jack LaLanne Power Juicer,² the Genie Bra,³ and Copper Chef Cookware⁴, amongst others.

² <https://www.tristarproductsinc.com/product> (last accessed February 20, 2019).

³ *Id.*

⁴ *Id.*

12. Defendant Tristar accredits its great successes “on our established brands, proven international and domestic distribution channels, media power in more than 100 countries, and the best team in the industry” resulting in sales that have exceeded “over *\$1 billion dollars.*”⁵

13. Prior to April 30, 2018, Defendant Tristar was known as ‘Tristar Products, Inc.’, and was a Pennsylvania Corporation with its registered place of business at 2620 Westview Drive, Wyomissing, Berks County, Pennsylvania 19610, and its principal place of business located at 492 U.S. 46, Fairfield, New Jersey 07004.

14. As of April 30, 2018, Defendant Tristar became “Tristar Innovative Products, Inc.” and is now a Florida Corporation with its principal place of business at 1293 North University Drive, #322 City of Coral Springs, Broward County, Florida 33071, and its principal place of business located at 492 U.S. 46, Fairfield, New Jersey 07004.

JURISDICTION AND VENUE

15. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 and the action is therefore proper in this Court.

16. Venue is proper pursuant to 28 U.S.C. §§ 1391(b) and is therefore proper in this court.

17. The amount in controversy exceeds the sum of seventy-five thousand (\$75,000.00) dollars, exclusive of interest and costs.

FACTUAL BACKGROUND

18. Defendant Tristar is engaged in the business of designing, manufacturing, warranting, marketing, importing, distributing and selling the Pressure Cookers at issue in this litigation.

⁵<https://www.tristarproductsinc.com/product-marketing-invention-services-about-us>.(last accessed February 20, 2019).

19. Defendant Tristar aggressively markets, advertises and sells its Pressure Cookers as “state of the art kitchen science,”⁶ allowing consumers to cook “wholesome, sit down, family-style meal[s] with just the push of a button;”⁷ “in a fraction of the time”⁸ as other kitchen appliances; and that “[t]here’s no safer way to cook.”⁹

20. Additionally, in the section of its website titled the “Power Pressure Cooker XL vs. The Competition,” Defendant Tristar emphasizes the “Built-In Safety Features” as one of the characteristics that helped the Pressure Cooker become “The Best Electronic Power Cooker On The Market.”¹⁰

21. To further propagate its message, Defendant Tristar has, and continues to utilize numerous media outlets including, but not limited to, television infomercials, social media websites such as YouTube, third-party retailers, and professional chef endorsements. For example, the following can be found on Defendant Tristar’s Power Pressure Cooker XL website¹¹ from “culinary expert,” Eric Theiss, who is featured in many of Defendant Tristar’s YouTube videos, as well as its television infomercial:

“I have seriously never seen a cook tool so easy, so versatile, so affordable that anyone can make quality, delicious meals, perfectly cooked from the very first time! The Perfect Cooker is the one pot that does it all!”¹²

22. In one YouTube video, Mr. Theiss states that “when your Pressure Cooker is up to pressure, the lid locks on. I couldn’t get this lid open if I wanted to. There’s no way you’re

⁶ https://www.youtube.com/watch?v=hN13lrMs_S4 at 1:34-1:35 (last accessed February 20, 2019).

⁷ *Id.* at 9:04 - 9:08.

⁸ *Id.* at 9:08 – 9:10.

⁹ <https://www.youtube.com/watch?v=kCESkfSSROk> at 2:54 (last accessed February 20, 2019).

¹⁰ <http://www.powerpressurecooker.com/comparison.php> (last accessed February 20, 2019).

¹¹ http://www.powerpressurecooker.com/?gclid=Cj0KEQjw4cLKBRCZmNTvyovvj-4BEiQAl_sgQvo_7hhyOkL0DOfmJ0ZaW4G7brJ22YwsEEHAaros9zUaAqMb8P8HAQ (last accessed February 20, 2019).

¹² <http://www.powerpressurecooker.com/about.php> (last accessed February 20, 2019).

gonna open it. So, it's loaded with safety features, you guys. So, if you've never used a pressure cooker before, this is one of the safest ones you can get."¹³ Later in the video, when Mr. Theiss is releasing the pressure from the Pressure Cooker, he states that "even if I wanted to," he couldn't open the lid "because the pressure is still inside."¹⁴ The Pressure Cooker "knows" when the pressure has fully released and will unlock "automatically."

23. During the ordinary and routine operation of the Pressure Cooker, the unit generates heat and steam to cook; utilizing temperatures up to 248 degrees Fahrenheit (120 degrees Celsius), which is intended to create "a more sterile and healthier environment when compared to traditional cooking methods".¹⁵

24. According to the Owner's Manual¹⁶ accompanying each individual unit sold, the Pressure Cookers purport to have "Built-In Safety Features," misleading the consumer into believing that the Pressure Cookers are reasonably safe for their normal, intended use. Said "Safety Features" include, but are not limited to, the following:

- Lid Safety Device: Prevents pressure build-up if lid is not closed properly and prevents lid from opening until all pressure is released.
- Pressure and Temperature Sensor Controls: Maintain even heat and pressure by automatically activating or deactivating the power supply.
- "Back-up" Safety Release Valve: Should the Temperature/Pressure Sensor device malfunction, causing pressure to build beyond maximum setting, the "Back-Up" will automatically "kick in" and release the built-up pressure.
- "Clog Resistant" Feature: Prevents food from blocking the steam release port.

¹³ <https://www.youtube.com/watch?v=UsYE9e4nQLs&feature=youtu.be> (last accessed February 20, 2019).

¹⁴ *Id.*

¹⁵ Power Pressure Cooker XL, Model No. PPC-780P Owner's Manual at pg. 2.

¹⁶ Attached hereto and incorporated by reference as Exhibit A is the aforementioned Owner's Manual for the subject Power Pressure Cooker XL, Model No. PPC-780P.

- “Spring-Loaded” Safety Pressure Release: Should all safety features listed above fail, this “spring-loaded” device located beneath the heating element will automatically lower the Inner Pot, causing it to separate automatically from the Rubber Gasket. This will enable the steam and pressure to automatically escape around the pot Lid, avoiding a dangerous situation.
- Temperature “Cut-Off” Device: Should the unit malfunction and cause the internal temperature to rise beyond the “Safe” limit, this device will cut-off the power supply and will not automatically reset.¹⁷

25. In addition to the “Built-In Safety Features” listed in the manual, in Defendant Tristar’s “Frequently Asked Questions” YouTube video,¹⁸ Defendant Tristar states that lid of the Pressure Cookers “should only come off if there [is] no pressure inside.”¹⁹ Specifically:

- “People worry that the lid might come off. It won’t.” (1:02)
- “The lid on the Power Pressure Cooker XL can only come off if there’s no pressure left inside the pot. And remember, if there is pressure present inside the pot, the lid will stay securely closed so you don’t have to worry.” (1:02)
- “Once your meal is finished, the unit will depressurize and automatically stop cooking and switch to the Keep Warm mode. There’s no safer way to cook.” (2:54)

26. By reason of the forgoing acts or omissions, the above-named Plaintiff and/or her family purchased their Pressure Cooker with the reasonable expectation that it was properly designed and manufactured, free from defects of any kind, and that it was safe for its intended, foreseeable use of cooking.

27. Plaintiff used her Pressure Cooker for its intended purpose of preparing meals for themselves and their families and did so in a manner that was reasonable and foreseeable by Defendant Tristar.

¹⁷ Power Pressure Cooker XL, Model No. PPC-780P Owner’s Manual at pg. 3.

¹⁸ <https://www.youtube.com/watch?v=kCESkfSSROk> (last accessed February 20, 2019).

¹⁹ Power Pressure Cooker XL, Model No. PPC-780P Owner’s Manual at pg. 8.

28. However, the aforementioned “Safety Features” of the Pressure Cooker was defectively designed and manufactured by Defendant Tristar in that it failed to properly function as to prevent the lid from being removed with normal force while the unit remained pressurized, despite the appearance that all the pressure had been released, during the ordinary, foreseeable and proper use of cooking food with the product; placing the Plaintiff, her family, and similar consumers in danger while using the Pressure Cookers.

29. Defendant Tristar’s Pressure Cookers possess defects that makes them unreasonably dangerous for their intended use by consumers because the lid be rotated and opened while the unit remains pressurized.

30. Further, Defendant Tristar’s representations about “safety” are not just misleading, they are flatly wrong, and put innocent consumers like Plaintiff directly in harm’s way.

31. Economic, safer alternative designs were available that could have prevented the Pressure Cooker’s lid from being rotated and opened while pressurized. Examples of such designs include, but are not limited to, the following examples:

- a. Designing the Pressure Cooker with a longer locking pin that could be gripped between user’s thumb and the forefinger, in combination with changing the base unit locking lug ramp angle on the locking lug adjacent the locking pin from 45-degrees to 90-degrees;
- b. Designing a lid shield with fewer holes for steam passage, and with those holes positioned as far away as possible from the manual release and floating valves to reduce the likelihood of clogging; and,
- c. Designing the holes in the lid shield to direct any contents away from the valve.

32. Defendant Tristar knew or should have known that its Pressure Cookers possessed defects that pose a serious safety risk to Plaintiff and the public. Nevertheless, Defendant Tristar

continues to ignore and/or conceal its knowledge of the Pressure Cooker's defects from the general public and continues to generate a substantial profit from the sale of its Pressure Cookers, demonstrating a callous, reckless, willful, depraved indifference to health, safety and welfare of Plaintiff and consumers like them. For example:

- a. The Consumer Products Safety Commission has received several reports²⁰ of other similar incidents stemming from the failure of the Power Pressure Cooker XL and other Power Cooker models²¹ with the same supposed "Built-In Safety Features," and design defects such as the following:
 - i. October 30, 2014: ("After hearing the loud boom [I] checked the cooker saw the mess it created and the lid was detached from the cooker sitting upside down on the pot.")
 - ii. March 20, 2015: ("My "Power Pressure cooker" exploded with fire hot chicken soup in it, covering my entire kitchen, hitting m[e] in the head with a piece of chicken, and burning my arm. My 7 year old child and his friend had just came through the the [sic] kitchen not seconds before this happened. The [explosion] did damage to my walls and cabinets, and had anyone been standing closer to it, it could have killed or seriously injured my family and my son[‘s] friend.")
 - iii. November 5, 2015: ("I purchased a power pressure cooker that said it had a built-in safety feature[.] I did as the instructions said as far as my 1st use. Cook[ed] some water for 15 mins. After that it was ready for use[.] I cooked some collard greens and after I released all the pressure, I turned the handle...and it exploded all over and my husband and I got burned. I will never again in [my] life recommend this product to anyone! It is not safe at all!!!")
 - iv. November 10, 2015: ("[O]n October 4, 2015 the pressure cooker had a bad malfunction[.] [T]he lid released when it was not suppose[d] to...I went to opened the pressure cooker and it exploded...I looked at my arm saw my skin coming off then I knew we had to go to the hospital.")
 - v. January 20, 2016: ("Person was using a Tristar Products, Inc. ("Tristar") Model # PC-TR16 Serial # CA0148623 pressure cooker for the first time. The top of the cooker came off unexpectedly and the contents exploded out of the cooker.")

²⁰ The date listed is the date the report of injury was sent to Tristar.

²¹ Defendant Tristar's other Power Cooker models (PC-WAL1 and PC-TR16) and Power Pressure Cooker XL models (PCXL-PRO6, PPC-770-1, PPC-770, PPC-780 and PPC-790) have experienced numerous, similar occurrences like those alleged by the Plaintiff herein.

- vi. March 8, 2016: (“I was preparing dinner for my family using the Power Pressure Cooker XL. I had selected the soup option and set the timer for 25 minutes. When the timer went off notifying me that the cooking was complete, I turned the pressure release valve allowing the pressure to escape. I let this action continued [sic] for over 15 minutes until the valve dropped and no other pressure released. I then went to turn the lid to remove when the pressure from the cooker exploded causing hot scalding soup to erupt all over my kitchen and myself. I received second degree burns on my left hand and right breast. My doctor prescribed Silvadene to help with the healing process and deter infection, but will be going for a would check to ensure it is healing properly.”)
- vii. April 14, 2016: (“Consumer was cooking with the pressure cooker, then released the pressure valve. Then [later] came to open it and the lid blew off and contents exploded all over consumer’s body. Product was supposed to stay locked until all pressure was released, which it did not”)
- viii. April 19, 2016: (“Consumer was cooking pea soup in pressure pot XL. Consumer walked into the room where the pea soup was cooking and the pressure pot lid exploded all over consumer.”)
- ix. August 17, 2016: (“Went to open pressure cooker. Turned the valve to release the pressure and it did not release. [I] attempt[ed] to repeat this step with no change. Went to turn the lid and open the cooker. Pressure cooker contents burst and burned me.”)
- x. November 10, 2016: (“We were using a Tristar Pressure Cooker last night when 10 minutes into the cook time we heard a loud pop and a steaming sound. We went into the kitchen to see that it had popped its seal and was unlocked with steam coming out. We quickly unplugged it and turned the pressure release button. We didn't open it until it was finished steaming and then open it. We didn't use it again.”)
- xi. April 7, 2017: (“Pressure cooker malfunction resulting in injury. At approximately 5:50 pm, I was cooking dinner in the Power Cooker Plus (Tristar) pressure cooker. I have used it many times and I am very familiar with pressure cooker usage. When the meal was done, I manually released the pressure using the valve. Believing the pressure to be fully released, I attempted to turn the lid. The lid is advertised as a safety lid that should not turn if there is any pressure. However, the lid did turn and, as it did, the scalding hot contents of the pot erupted and shot out of the pressure cooker.”)
- xii. June 9, 2017: (“My wife was cooking dinner using Tristar power pressure cooker xl. The product indicated it was done and all directions were

followed to release pressure. While releasing cover the contents exploded all over leaving my wife with second and third degree burns on her hands, arms, chest and stomach.”)

- xiii. November 1, 2017: (“While using a Power Cooker Pressure Cooker as called for by the instructions the top exploded off and I received substantial second degree burns to my arm and chest. As a result of my injuries[,] I have suffered scarring and had to receive medical care and have incurred medical bills.”)
 - xiv. February 14, 2018: (“My client was using the Tristar Power Pressure cooker to cook a roast. The cooker exploded and she sustained severe burns to her face, shoulders, neck and breasts. She was rushed to the emergency room and immediately admitted to the hospital.”)
 - xv. April 11, 2018: (“I was cooking stuffed peppers in the Power Pressure Cooker XL. The level of liquid was well below the recommended max level. After it finished cooking, I released the steam vent. When I did, hot sauce was spewing all over my kitchen counter, cabinets and floor. Luckily I had a few kitchen towels close by to put on top of the valve to contain the spraying hot liquid and avoided a serious burn. However the clean up was awful and I have not used the unit since.”)
- b. Several lawsuits have been filed in District Courts throughout the United States alleging failure of the Power Pressure Cooker XL and Power Cooker models with the same supposed “Built-In Safety Features” and design defects. Specifically, see the following:
- i. *Ninfa Vasquez and Jose Vasquez v. Tristar Products, Inc.* (Filed in the Southern District of Texas Brownsville Division, June 12, 2016.) (“Mrs. Vasquez used the cooker for the first time on August 2, 2014 and followed all instructions enclosed with the cooker. She intended to prepare pinto beans for her family’s dinner that evening. Approximately two hours after unplugging the cooker, suddenly and without warning, the lid blew off of the cooker, and the pinto beans burst out of the cooker onto Mrs. Vasquez, resulting in extensive and severe burns to her body.”) Plf. Compl. ¶ 10.
 - ii. *Serguei Tchernykh & Liliya Bekteva v. Bed Bath & Beyond, Inc. v. Tristar Products, Inc.* (Filed in the Southern District of Florida Miami Division, June 24, 2015.) (“As a result of a malfunction of the subject Pressure Cooker [on September 30, 2015], Plaintiff sustained severe burns.”) Plf. Compl. ¶ 7.
 - iii. *Ana R. Frias, Individually and on behalf of her infant child, Annel Frias v. Tristar Products, Inc.* (Filed in the Western District of Texas San Antonio Division, January 29, 2016.) (“At around 11:30 AM [on December 22, 2015] when Ana Frias attempted to remove the lid from the subject

pressure cooker, the subject pressure cooker exploded, causing scalding hot liquid and steam to fly up and out of the pressure cooker, and onto the Plaintiff, Ana Frias and infant Annel Frias.”) Plf. Compl. ¶ 5.

- iv. *Tonia Kaye Carroll & Kerry Dale Carroll v. Tristar Products, Inc.* (Filed in the Middle District of Tennessee Columbia Division, February 17, 2016.) (“On or about March 18, 2015 Plaintiff Tonia Carroll was seriously injured during normal and ordinary use of the product when the Power Cooker exploded as the result of a malfunctioning lid. Specifically, and because of its defect and in conflict with the representations contained in the instruction manual, the lid was not prevented from opening while the unit was under pressure.”) Plf. Compl. ¶ 7.
- v. *Melaniee Landrum v. Tristar Products, Inc.* (Filed in the Eastern District of Michigan Southern Division, March 24, 2016.) (“On or about May 12, 2014, Plaintiff was cooking food in the Defendant’s Power Cooker. Per the instructions, after the Power Cooker light indicated the food was cooked, Plaintiff repeatedly slid the pressure release lever to release any remaining pressure. After waiting approximately fifteen more minutes, Plaintiff again slid the pressure release lever back and forth. As Plaintiff opened the unit, the food suddenly exploded out of the unit, spraying all over the kitchen walls and ceiling, and causing serious burn injuries to Plaintiff as described below.”) Plf. Compl. ¶¶ 14, 15.
- vi. *Ayesha Mack, individually, and as Next Friend of DM, a minor v. Tristar Products, Inc.* (Filed in the Eastern District of Michigan Southern Division, March 30, 2016.) (“On or about October 4, 2015, Plaintiff was cooking roasted potatoes in the Defendant’s Power Cooker. Per the instructions, after the Power Cooker light indicated the food was cooked, Plaintiff repeatedly slid the pressure release lever to release any remaining pressure and fully opened the valve. After waiting several more minutes, Plaintiff looked at the pressure relief valve and saw no steam coming out of the valve. Suddenly, as Plaintiff opened the unit, the food exploded out of the unit, spraying all over the kitchen walls and ceiling, and causing serious burn injuries to Plaintiff and her five-year-old daughter, DM...”) Plf. Compl. ¶¶ 14, 15.
- vii. *Kenya Allen & Loren Allen v. Tristar Products, Inc.* (Filed in the Northern District of Georgia Atlanta Division, August 18, 2016.) (“At approximately 7:30 p.m. on March 26, 2016, Mrs. Allen was using the subject pressure cooker to prepare a meal for her family that was coming into town the following day for an Easter holiday celebration. However, with no active inputs by Plaintiff or anyone else, the subject pressure cooker exploded on the stovetop in the Plaintiff’ kitchen during this ordinary use, with the top of the pressure cooker blowing off the remainder of the product, causing scalding hot liquid, contents and steam

to fly up and out of the pressure cooker, and onto Mrs. Allen, who was standing nearby in the kitchen innocently speaking with her sister on the telephone and not engaging the cooker.”) Plf. Compl. ¶ 8.

- viii. *DLP, a minor child by and through April Presnell, his mother, custodial parent, and next friend, v. Tristar Products, Inc.* (Filed in the Northern District of Georgia Gainseville Division, November 8, 2016.) (“At approximately 7:00 p.m. on July 24, 2016, Ms. Payne was using the subject pressure cooker to prepare a meal for her family as well as for DLP. However, even after unplugging the pressure cooker and allowing it to sit for over one hour, the subject pressure cooker exploded on the countertop in Ms. Payne’s kitchen during this ordinary use, with the top of the pressure cooker blowing off the remainder of the product, causing scalding hot liquid, contents and steam to fly up and out of the pressure cooker, and onto DLP, who was standing nearby in the kitchen and not engaging the cooker.”) Plf. Compl. ¶ 7.
- ix. *Lori Haines v. Tristar Products, Inc.* (Filed in the Southern District of Texas Brownsville Division, December 22, 2016.) (“Ms. Haines used the cooker on January 13, 2015 and followed all instructions enclosed with the cooker. She intended to prepare stew for her family’s dinner that evening. She first cooked the meat for the stew for twenty minutes in the cooker. She then opened the cooker and added vegetables and started the cook cycle again. After she finished the second cook cycle, she and her son released steam from the cooker and she held the cooker while her son began to open the lid. As he started to open the lid, it burst open, spraying her with the scalding hot contents and resulting in extensive and severe burns to her arm, chest, and stomach.”) Plf. Compl. ¶ 12.
- x. *Jeremy Marcotte v. Tristar Products, Inc.* (Filed in the Western District of Louisiana Lafayette Division, February 27, 2017.) (“On or about May 19, 2016 suddenly and without warning, the lid blew off of the cooker, and the contents burst out of the cooker onto Mr. Marcotte, resulting in extensive and severe burns to his body.”) Plf. Compl. ¶ 8.
- xi. *Carolyn Johnson and Jessie Mayberry v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, Pro QC International, LTD., Zhongshan Jinguang Household Appliance Manufacture Co., LTD., Zhongshan Jincheng Electric Appliance Co., LTD., XYZ Corporations 1-5; Does 1-5*, (Filed in the Direct of New Jersey Newark Division, July 24, 2017.) (“On or about July 25, 2016, Plaintiff Carolyn Johnson and Jessie Mayberry, were using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiff.”) Plf. Compl. ¶¶ 23, 24.

- xii. *Beth Morales v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, Pro QC International, LTD., Zhongshan Jinguang Household Appliance Manufacture Co., LTD., Zhongshan Jincheng Electric Appliance Co., LTD., XYZ Corporations 1-5; Does 1-5*, (Filed in the Southern District of Florida, August 11, 2017.) (“On or about October 30, 2016, Plaintiff was using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiff.”) Plf. Compl. ¶¶ 23, 24.
- xiii. *Jeni Chaney and Brian Burnett v. Tristar Products, Inc., et. al.* (Filed in the United States District Court for the Middle District of Florida, Tampa Division, September 22, 2017.) (“On or about November 26, 2016, Plaintiffs, Jeni Chaney and Brian Brunet, were using the Pressure Cooker while in Pasco County and followed all enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiffs.”) Plf. Compl., ¶¶ 27, 28.
- xiv. *Catherine Komertz and Scott Miller v. Tristar Products, Inc., et. al.* (Filed in the United States District Court for the Middle District of Florida, Tampa Division, September 22, 2017.) (“On or about April 22, 2017, Plaintiffs Catherine Komertz and Scott Miller, were using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiffs.”) Plf. Compl., ¶¶ 27, 28.
- xv. *Elizabeth Pina v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, Pro QVC International, LTD., Zhongshan Jinguang Household Appliance Manufacture Co., LTD., Zhongshan Jincheng Electric Appliance Co., LTD., XYZ Corporations 1-5; Does 1-5*, (Filed in New Jersey District Court, September 26, 2017.) (“On or about October 10, 2015, Plaintiff, ELIZABETH PINA, was using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto Plaintiff.”) Plf. Compl. ¶¶ 23, 24.
- xvi. *Fabian Marroquin v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, Pro QVC International, LTD., Zhongshan Jinguang Household Appliance Manufacture Co., LTD., and Zhongshan Jincheng Electric Appliance Co., LTD.* (Filed in New Jersey District Court, March

1, 2018.) (“ On or about March 7, 2016, Plaintiff FABIAN MARROQUIN, was using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiff.”) Plf. Compl. ¶¶ 20, 21.

- xvii. *Lester Prater v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, Pro QVC International, LTD., Zhongshan Jinguang Household Appliance Manufacture Co., LTD., and Zhongshan Jincheng Electric Appliance Co., LTD., Ningbo NDL Electric Appliances Co., LTD, and Zhongshan Yalesi Electric Co., LTD.* (Filed in New Jersey District Court, April 19, 2018.) (“On or about April 24, 2017, Plaintiff LESTER PRATER, was using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While using the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and steam to fly out of the Pressure Cooker and onto the Plaintiff.”) Plf. Compl. ¶¶ 26, 27.

c. The same is true for state courts around the country:

- i. *Angela Strickland and Mack Edwards v. Tristar Products, Inc.*, (Filed in the State Court of Chatham County, State of Georgia, January 11, 2016, notice of removal filed in the Southern District of Georgia, February 10, 2016.) (“While the Power Cooker XL was operating, it exploded in front of Plaintiff, causing them serious injuries. As a result of their burns, Plaintiff were transported to the Joseph M. Still Burn Center in Augusta, Georgia where they both underwent skin grafts and have endured significant mental and physical pain and suffering.”) Plf. Compl., ¶¶ 15, 16.
- ii. *Samantha Williams v. Tristar Products, Inc.*, (Filed in the Superior Court of Lanier County, State of Georgia, February 27, 2017, notice of removal filed in the Middle District of Georgia, April 20, 2017.) (On or about February 14, 2017, Plaintiff “approached the subject pressure cooker and lightly pressed the cancel button when suddenly and without warning, the subject pressure cooker exploded on the countertop during this ordinary use, with the top of the subject pressure cooker blowing off the remainder of the product, causing the scalding hot beef stew to fly up and out of the subject pressure cooker and onto [her].” As a result, Plaintiff claims that she “suffered severely painful and disfiguring second-degree burns, scalding her neck all the way down to her chest to above the belly button, both breasts, and her entire right arm from her shoulder down to the wrist,” and that she “was experiencing such excruciating pain that the medical personnel [that subsequently treated Plaintiff] had to put her under

anesthesia to continue with their assessment and treatment of the burns.”). Plf. Compl., ¶¶ 13-16.

- iii. *Lyndsay Moyer and Ryan Moyer v. Wal-Mart Stores East, LP, et. al.* (Filed in the Philadelphia Court of Common Pleas, March 10, 2017) (On or about March 30, 2015 “Ryan then turned the lid of the Pressure Cooker in reasonable and normal manner to open it, freely and without force. Immediately upon opening the lid the Pressure Cooker exploded sending its scalding hot liquid contents all over Lyndsay including her entire chest and neck and both arms and hands.”) Plf. Compl., ¶ 24.
- iv. *Nushon Scales v. Tristar Products, Inc., and Wal-Mart Stores, Inc.*, (Filed in the Superior Court of Connecticut at Bridgeport, State of Connecticut April 6, 2017, notice of removal filed in Connecticut District Court, May 9, 2017.) (“On or about April 9, 2015, the Plaintiff was using said Pressure Cooker to cook vegetables when it suddenly and without warning exploded, spraying the Plaintiff with stem, hot liquid and/or cooking debris causing the injuries and damages herein after set forth.”) Plf. Compl., ¶ 10.
- v. *Sandra Pulgarin v. Tristar Products, Inc. Zhongshan USTA Electric Appliance Co., LTD, and Does 1 to 100, inclusive* (Filed in the Superior Court of California, Los Angeles County Central District, April 26, 2017, notice of removal filed in California Central District Court, July 6, 2017.) (“[O]n or about May 11, 2015...Plaintiff was burned, bruised, and suffered physical injury...The product that caused the [incident] – a Power Pressure Cooker XL, model number PCXL-PRO6...Plaintiff’s injuries were caused when the [subject product] suddenly released stem and superheated air and food from the body of the [subject product], burning her.”) Plf. Compl., ¶ 1.
- vi. *Maria Bownes v. Tristar Products, Inc., Zhongshan USATA Electric Appliance Co. LTD, and Pro QC International, LTD.* (Filed in the Superior Court of New Jersey Law Divisions for Essex County, State of New Jersey May 8, 2017, notice of removal filed in New Jersey District Court, May 24, 2017.) (“On or about May 30, 2016, Plaintiff [Maria Bownes], was using the Pressure Cooker and followed all instructions enclosed with the Pressure Cooker. While suing the Pressure Cooker to prepare a meal, it suddenly and without warning exploded, causing scalding hot liquid, contents, and stem to fly out of the Pressure Cooker and onto the Plaintiff.”) Plf. Compl., ¶¶ 16,17.
- vii. *Latosha Galloway, an individual v. Tristar Products, Inc., a Pennsylvania corporation; and Bed Bath & Beyond, Inc., d/b/a BBB, a New York Corporation* (Filed in the Superior Court of the State of Washington for King County, May 30, 2017, notice of removal filed in the Western

District of Washington, June 29, 2017.) (“On or about February 12, 2017, Latosha Galloway was in her home and decided to use the subject Pressure Cooker to prepare beef stew for her family. Ms Galloway placed beef into the Subject Pressure Cooker, locked the lid, and set it to cook for approximately forty minutes. Ms. Galloway was using the Subject Pressure Cooker in a normal foreseeable fashion and in accordance with its intended purpose. After a few minutes, Ms. Galloway heard a strange steaming noise emitting from the Subject Pressure Cooker, which she had never heard before. She approached the Subject Pressure Cooker and noticed stem being released from an odd place on the Subject Pressure Cooker. Ms. Galloway unplugged the Subject Pressure Cooker, and waited a minute, watching the Subject Pressure Cooker. After a minute, Ms. Galloway slightly tapped the lid’s handle to see whether the lid was still locked into the secure position; it was not...Ms. Galloway quickly moved the handle back to the locked position, when suddenly and without warning, the Subject Pressure Cooker exploded on the countertop during ordinary use, with the top of the Subject Pressure Cooker blowing off the remainder of the product, causing the scalding ho beef, water, and steam to fly up and out of the Subject Pressure Cooker and onto Ms. Galloway.”) Plf. Compl., ¶ 15.

- viii. *Amanda Olano v. Tristar Products, Inc.* (Filed in the Eighteenth Judicial District Court for the Parish of Iberville, State of Louisiana, November 30, 2016, notice of removal filed in the Middle District of Louisiana, June 5, 2017.) (“Plaintiff suffered ‘severe and debilitating bodily injuries including first, second and third degree burns to her left hand and arm that have required medical treatment’ and claims she has’ suffered disfigurement and scarring to her left hand and arm’. Plaintiff seeks to recover for past, present and future damages of ‘physical pain and suffering, mental pain, anguish and distress, loss of enjoyment of life, embarrassment, loss of income, disability...medical expenses’ and further seeks damages for ‘impairment of future earning capacity.’”) Def. Mot. Rmvl., ¶ 14.
- ix. *Wendy Soto v. Tristar Products, Inc., a Corporation, Costco Whole Corporation, a Corporation, Costco Wholesale Membership, Inc., a Corporation; and Does 1-100, inclusive* (Filed in the Superior Court of the State of California, County of Santa Barbara, July 21, 2017, notice of removal filed in California Central District Court, August 29, 2017.) (“Plaintiff’s Complaint alleges liability for injuries allegedly suffered as a result of a Tristar Power Pressure Cooker XL malfunction.”) Def. Mot. Rmvl., ¶ 3; Plf. Compl., ¶ 8.
- x. *Tawndra L. Heath, an individual v. Tristar Products, Inc., a Pennsylvania Corporation; DOE Individuals 1-10; and ROE [sic] Corporations 11-20* (Filed in Nevada District County, Clark County, October 12, 2017, notice

of removal filed in United States District Court, District of Nevada, November 15, 2017) (“As a result of a malfunction of the Pressure Cooker, Plaintiff sustained severe burns.”) Plf. Compl., ¶ 10.

xi. *Jen Starr v. Tristar Products, Inc. and Walmart, Inc.* (Filed in the the Fifth Judicial District Court In and For Washington County, State of Utah on December 29, 2017, notice of removal filed in the United State District Court for the District of Utah, Southern Region of the Central Division April 4, 2018”) (“When Starr went to open the lid, the contents erupted and the scalding hot food went all over Starr’s chest, arms, abdomen, and kitchen.”) Plf. Second Amd. Compl., ¶ 31.

d. A class action lawsuit was filed on May 10, 2016 in the in the Northern District of Ohio Eastern Division alleging similar incidents, failures and defects. The case of *Kenneth Chapman, Jessica Vennel, and Jason Jackson, on behalf of themselves and all other similar situated v. Tristar Products, Inc.* (1:16-cv-1114) went to trial by jury on Monday, July 10, 2017, with the Honorable Judge James Gwin presiding. The matter settled prior to the jury returning a verdict.

33. As a direct and proximate result of Defendant Tristar’s intentional concealment of such defects, its failure to warn consumers of such defects, its negligent misrepresentations, its failure to remove a product with such defects from the stream of commerce, and its negligent design of such products, Plaintiff purchased and used an unreasonably dangerous Pressure Cooker, which resulted in significant and painful bodily injuries upon Plaintiff’s simple removal of the lid of her Pressure Cooker.

34. Consequently, the Plaintiff in this case seeks compensatory damages resulting from the use of Defendant Tristar’s Pressure Cooker as described above, which has caused the Plaintiff to suffer from serious bodily injuries, physical pain, mental anguish, diminished enjoyment of life, and other damages.

CLAIMS FOR RELIEF

COUNT I STRICT LIABILITY

35. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

36. At the time of Plaintiff's injuries, Defendant Tristar's Pressure Cookers were defective and unreasonably dangerous for use by foreseeable consumers, including Plaintiff.

37. Defendant Tristar's Pressure Cookers were in the same or substantially similar condition as when they left the possession of Defendant Tristar.

38. Plaintiff did not misuse or materially alter their respective Pressure Cookers.

39. The Pressure Cookers did not perform as safely as an ordinary consumer would have expected them to perform when used in a reasonably foreseeable way.

40. Further, a reasonable person would conclude that the possibility and seriousness of harm outweighs the burden or cost of making the Pressure Cookers safe. Specifically:

- a. The Pressure Cookers designed, manufactured, sold, and supplied by Defendant Tristar were defectively designed and placed into the stream of commerce in a defective and unreasonably dangerous condition for consumers;
- b. The seriousness of the potential burn injuries resulting from the product drastically outweighs any benefit that could be derived from its normal, intended use;
- c. Defendant Tristar failed to properly market, design, manufacture, distribute, supply, and sell the Pressure Cookers, despite having extensive knowledge that the aforementioned injuries could and did occur;
- d. Defendant Tristar failed to warn and place adequate warnings and instructions on the Pressure Cookers;
- e. Defendant Tristar failed to adequately test the Pressure Cookers; and
- f. Defendant Tristar failed to market an economically feasible alternative design, despite the existence of the aforementioned economical, safer alternatives, that could have prevented the Plaintiff's injuries and damages.

41. Defendant Tristar's actions and omissions were the direct and proximate cause of the Plaintiff's injuries and damages.

42. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure

Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT II
NEGLIGENCE

43. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

44. Defendant Tristar has a duty of reasonable care to design, manufacture, market, and sell non-defective Pressure Cookers that are reasonably safe for their intended uses by consumers, such as Plaintiff and her family.

45. Defendant Tristar failed to exercise ordinary care in the manufacture, sale, warnings, quality assurance, quality control, distribution, advertising, promotion, sale and marketing of its Pressure Cookers in that Defendant Tristar knew or should have known that said Pressure Cookers created a high risk of unreasonable harm to the Plaintiff and consumers alike.

46. Defendant Tristar was negligent in the design, manufacture, advertising, warning, marketing and sale of its Pressure Cookers in that, among other things, it:

- a. Failed to use due care in designing and manufacturing the Pressure Cookers to avoid the aforementioned risks to individuals;
- b. Placed an unsafe product into the stream of commerce;
- c. Aggressively over-promoted and marketed its Pressure Cookers through television, social media, and other advertising outlets; and

d. Were otherwise careless or negligent.

47. Despite the fact that Defendant Tristar knew or should have known that consumers were able to remove the lid while the Pressure Cookers were still pressurized, Defendant Tristar continued to market (and continues to do so) its Pressure Cookers to the general public.

48. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT III
NEGLIGENT DESIGN DEFECT

49. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

50. Defendant Tristar is the manufacturer, seller, distributor, marketer, and supplier of the subject Pressure Cookers, which was negligently designed.

51. Defendant Tristar failed to exercise reasonable care in designing, developing, manufacturing, inspecting, testing, packaging, selling, distributing, labeling, marketing, and promoting its Pressure Cookers, which were defective and presented an unreasonable risk of harm to consumers, such as the Plaintiff.

52. As a result, the subject Pressure Cookers, including Plaintiff's Pressure Cooker, contain defects in their design which renders them unreasonably dangerous to consumers, such as the Plaintiff, when used as intended or as reasonably foreseeable to Defendant Tristar. The defect in the design allows consumers such as Plaintiff to open the lid while the unit remains pressurized, despite the appearance that all the pressure has been released from the unit, and causes an unreasonable increased risk of injury, including, but not limited to, first, second and third-degree scald burns.

53. Plaintiff in this case used her Pressure Cooker in a reasonably foreseeable manner and did so as substantially intended by Defendant Tristar.

54. The subject Pressure Cooker was not materially altered or modified after being manufactured by Defendant Tristar and before being used by Plaintiff.

55. The design defects allowing the lid to open while the unit was still pressurized directly rendered the Pressure Cookers defective and were the direct and proximate result of Defendant Tristar's negligence and failure to use reasonable care in designing, testing, manufacturing, and promoting the Pressure Cookers.

56. As a direct and proximate result of Defendant Tristar's negligent design of its Pressure Cookers, the Plaintiff in this case suffered injuries and damages described herein.

57. Despite the fact that Defendant Tristar knew or should have known that the Plaintiff and consumers like her were able to remove the lid while the Pressure Cookers were still pressurized, Defendant Tristar continued to market its Pressure Cookers to the general public (and continues to do so).

58. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure

Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, despite the existence of economically feasible, safer alternative designs, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT IV
NEGLIGENT FAILURE TO WARN

59. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully herein.

60. At the time in which the Pressure Cooker was purchased, up through the time Plaintiff was injured, Defendant Tristar knew or had reason to know that its Pressure Cookers were dangerous and created an unreasonable risk of harm to consumers.

61. Defendant Tristar had a duty to exercise reasonable care to warn consumers of the dangerous conditions or the facts that made its Pressure Cookers likely to be dangerous.

62. As a direct and proximate result of Defendant Tristar's negligent failure to warn of the dangers of its Pressure Cookers, the Plaintiff in this case suffered injuries and damages described herein.

63. Despite the fact that Defendant Tristar knew or should have known that consumers were able to remove the lid while the Pressure Cookers were still pressurized, Defendant Tristar continued to market its Pressure Cookers to the general public (and continues to do so).

64. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT V
BREACH OF EXPRESS WARRANTY

65. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

66. Defendant Tristar expressly warranted that its Pressure Cookers were safe and effective to members of the consuming public, including Plaintiff. Moreover, Defendant Tristar expressly warranted that the lid of the Pressure Cooker could not be removed while the unit remained pressurized. Specifically:

- a. People worry that the lid might come off. It won't." (1:02)
- b. "The lid on the Power Pressure Cooker XL can only come off if there's no pressure left inside the pot. And remember, if there is pressure present inside the pot, the lid will stay securely closed so you don't have to worry." (1:02)
- c. "Once your meal is finished, the unit will depressurize and automatically stop cooking and switch to the Keep Warm mode. There's no safer way to cook." (2:54)²²

²² <https://www.youtube.com/watch?v=kCESkfSSROk> (last accessed February 20, 2019).

67. Members of the consuming public, including consumers such as the Plaintiff were the intended third-party beneficiaries of the warranty.

68. Defendant Tristar marketed, promoted and sold its Pressure Cookers as a safe product, complete with “Built-In Safety Features” including, but not limited to, the following:

- a. Lid Safety Device: Prevents pressure build-up if lid is not closed properly and prevents lid from opening until all pressure is released.
- b. Pressure and Temperature Sensor Controls: Maintain even heat and pressure by automatically activating or deactivating the power supply.
- c. “Back-up” Safety Release Valve: Should the Temperature/Pressure Sensor device malfunction, causing pressure to build beyond maximum setting, the “Back-Up” will automatically “kick in” and release the built-up pressure.
- d. “Clog Resistant” Feature: Prevents food from blocking the steam release port.
- e. “Spring-Loaded” Safety Pressure Release: Should all safety features listed above fail, this “spring-loaded” device located beneath the heating element will automatically lower the Inner Pot, causing it to separate automatically from the Rubber Gasket. This will enable the steam and pressure to automatically escape around the pot Lid, avoiding a dangerous situation.
- f. Temperature “Cut-Off” Device: Should the unit malfunction and cause the internal temperature to rise beyond the “Safe” limit, this device will cut-off the power supply and will not automatically reset.²³

69. Defendant Tristar’s Pressure Cookers do not conform to these express representations because the lid can be removed using normal force while the units remain pressurized, despite the appearance the pressure has been released, making it is not safe for use by consumers.

70. Defendant Tristar breached its express warranty in one or more of the following ways:

- a. The Pressure Cookers as designed, manufactured, sold and/or supplied by the Defendant Tristar, were defectively designed and placed in to the stream of

²³ Power Pressure Cooker XL, Model No. PPC-780P Owner’s Manual at pg. 3.

commerce by Defendant Tristar in a defective and unreasonably dangerous condition;

- b. Defendant Tristar failed to warn and/or place adequate warnings and instructions on its Pressure Cookers;
- c. Defendant Tristar failed to adequately test its Pressure Cookers; and,
- d. Defendant Tristar failed to provide timely and adequate post-marketing warnings and instructions after they knew the risk of injury from its Pressure Cookers.

71. The Plaintiff in this case purchased the Pressure Cooker with the reasonable expectation that it was properly designed and manufactured, free from defects of any kind, and that it was safe for its intended, foreseeable use of cooking.

72. Plaintiff's injuries were the direct and proximate result of Defendants' breach of their express warranty.

73. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT VI
BREACH OF IMPLIED WARRANTY OF FITNESS
FOR A PARTICULAR PURPOSE

74. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

75. Defendant Tristar manufactured, supplied, and sold its Pressure Cookers with an implied warranty that they were fit for the particular purpose of cooking quickly, efficiently and safely.

76. Members of the consuming public, including consumers such as the Plaintiff, were the intended third-party beneficiaries of the warranty.

77. Defendant Tristar's Pressure Cookers were not fit for the particular purpose as a safe means of cooking, due to the unreasonable risks of bodily injury associated with their use.

78. The Plaintiff in this case reasonably relied on Defendant Tristar's representations that its Pressure Cookers were a quick, effective and safe means of cooking.

79. Defendant Tristar's breach of the implied warranty of fitness for a particular purpose was the direct and proximate cause of Plaintiff's injuries and damages.

80. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT VII
BREACH OF IMPLIED WARRANTY OF MERCHANTABILITY

81. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

82. At the time Defendant Tristar marketed, distributed and sold its Pressure Cookers to the Plaintiff in this case, Defendant Tristar warranted that its Pressure Cookers were merchantable and fit for the ordinary purposes for which they were intended.

83. Members of the consuming public, including consumers such as the Plaintiff, were intended third-party beneficiaries of the warranty.

84. Defendant Tristar's Pressure Cookers were not merchantable and fit for its ordinary purpose, because they had the propensity to lead to the serious personal injuries as described herein in this Complaint.

85. Plaintiff purchased her Pressure Cooker with the reasonable expectation that it was properly designed and manufactured, free from defects of any kind, and that they were safe for its intended, foreseeable use of cooking.

86. Defendant Tristar's breach of implied warranty of merchantability was the direct and proximate cause of Plaintiff's injury and damages.

87. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT VIII
NEGLIGENT MISREPRESENTATION

88. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

89. At the time in which the Pressure Cooker was purchased, up through and during the period in which it was used, Defendant Tristar misrepresented that its Pressure Cookers were a safe method of cooking.

90. Upon information and belief, Defendant Tristar also failed to disclose material facts regarding the safety and efficacy of its Pressure Cookers, including information regarding their propensity to cause personal injuries.

91. Defendant Tristar had a duty to provide Plaintiff and other consumers with true and accurate information and warnings of any known dangers of the Pressure Cookers it marketed, distributed and sold.

92. Defendant Tristar knew or should have known, based on prior experience, numerous Consumer Product Safety Commission reports, and a growing number of lawsuits around the country, that its representations regarding its Pressure Cookers were false, and that it had a duty to disclose the dangers associated with the Pressure Cookers.

93. Defendant Tristar made the representations and failed to disclose the material facts with the intent to induce consumers, including the Plaintiff, to act in reliance by purchasing and using its Pressure Cookers.

94. Plaintiff justifiably relied on Defendant Tristar's representations and nondisclosures by purchasing and using its Pressure Cooker.

95. Defendant Tristar's misrepresentations and omissions regarding the safety and efficacy of its Pressure Cookers was the direct and proximate cause of the Plaintiff's injuries and damages.

96. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT IX
FRAUDULENT CONCEALMENT

97. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

98. At the time in which the Pressure Cooker was purchased, up through and during the period in which it was used, Defendant Tristar fraudulently suppressed material information regarding the safety and efficacy of its Pressure Cookers, including information regarding the risk of the lid to suddenly, unexpectedly and prematurely come off while the Pressure Cooker while they remained pressurized. Plaintiff believes that the fraudulent misrepresentation

described herein was intentional to maintain and support the sales volume of its Pressure Cookers.

99. At the time Defendant Tristar concealed the fact that its Pressure Cookers were not safe for use by consumers, Defendant Tristar was under a duty to communicate this information to the Plaintiff, her family, and the general public in such a manner that they could appreciate the risks and defects associated with its Pressure Cookers.

100. Plaintiff relied upon the Defendant Tristar's outrageous untruths regarding the safety of its Pressure Cookers.

101. Defendant Tristar did not provide Plaintiff with the information necessary for her to make an adequate, informed decision whether to purchase one of its Pressure Cookers.

102. Defendant Tristar Pressure Cookers improperly over-marketed and advertised its Pressure Cookers as "safe." Said advertisements and promotions contained material misrepresentations as to the safety and efficacy of its Pressure Cookers, which Defendant Tristar knew to be false, for the purpose of fraudulently inducing consumers, such as the Plaintiff, to purchase its Pressure Cookers.

103. Plaintiff relied on these material misrepresentations when deciding to purchase and use their Pressure Cooker.

104. Had Plaintiff been aware of the hazards associated with Defendant Tristar's Pressure Cookers, he would not have purchased or used her Pressure Cooker.

105. Upon information and belief, Plaintiff avers that Defendant Tristar actively and fraudulently concealed information in Defendant Tristar's exclusive possession regarding the risk hazards associated with the premature removal of its Pressure Cookers lids with the purpose of preventing consumers, such as the Plaintiff in this case, from discovering these hazards.

106. As a direct and proximate result of Defendants Tristar's malicious and intentional concealment of this material information from Plaintiff and her family, Defendant Tristar caused or contributed, directly and proximately, to Plaintiff's injuries and damages.

107. Defendant Tristar's conduct, as described above, was extreme and outrageous. Defendant Tristar risked the safety and well-being of the consumers and users of its Pressure Cookers, including the Plaintiff to this action, with the knowledge of the safety and efficacy problems and suppressed this knowledge from the public. Defendant Tristar made conscious decisions not to redesign, warn or inform the unsuspecting consuming public. Defendant Tristar's outrageous conduct warrants an award of punitive damages.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT X
VIOLATION OF PENNSYLVANIA UNFAIR TRADE PRACTICES AND CONSUMER
PROTECTION LAW
73 PA. CONS. STAT. § 201-1, et seq.

108. Plaintiff incorporates by reference each preceding and succeeding paragraph as though set forth fully at length herein.

109. Pursuant to the Unfair Trade and Consumer Protection Law ("UTPCPL") "unfair or deceptive acts or practices" include:

- a. Causing likelihood of confusion or of misunderstanding as to the source, sponsorship, approval, or certification of goods or services;
- b. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;

- c. Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;
...

110. The UTPCPL provides for a private cause of action for any person “who purchases or leases goods or services primarily for personal, family or household purposes and thereby suffers any ascertainable loss of money or property, real or personal, as a result of the use or employment by any person of a method, act or practice declared unlawful.”

111. Defendant Tristar warranted and represented that its Pressure Cookers were safe and free of defects in materials and workmanship and that they possessed “Built-In Safety Features,” including a “Lid Safety Device.”

112. Defendant Tristar’s warranty and representations that its Pressure Cookers were safe and free from defects, including that they possessed “Built-In Safety Features,” would influence a reasonable consumer’s decision whether to purchase the Pressure Cookers.

113. Defendant Tristar’s failure to warn of its Pressure Cookers defects was a material omission that would influence a reasonable consumer’s decision whether to purchase its Pressure Cookers.

114. Plaintiff was aware of Tristar’s representations regarding the characteristics, qualities, and standards of the Pressure Cooker due to the representations contained in the Owner’s Manual and other promotional materials relating to the Pressure Cookers.

115. Plaintiff relied on the truth of Defendant Tristar’s warranties and representations concerning the Pressure Cookers, and he suffered personal and property damages as result of this reliance.

116. Had Plaintiff been adequately warned concerning the likelihood that the Pressure Cooker’s lids could be removed while pressurized, they would have taken steps to avoid

damages by not purchasing this product. As a result of these violations of consumer protection laws, the Plaintiff in this case has incurred and will incur: serious physical injury, pain, suffering, loss of income, loss of opportunity, loss of family and social relationships, and medical and hospital expenses and other expense related to the diagnosis and treatment thereof, for which Defendant Tristar is liable.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

COUNT XI
PUNITIVE DAMAGES

117. Plaintiff incorporates by reference each of the allegations set forth in this Complaint as though fully set forth herein.

118. The acts, conduct, and omissions of Defendant Tristar, as alleged throughout this Complaint, were willful and malicious. It is unconscionable and outrageous that Defendant Tristar would risk the health, safety, and well-being of consumers, including the Plaintiff in this case. Despite its knowledge that the lid could be prematurely removed while the unit remained pressurized, Defendant Tristar made conscious decisions not to redesign, despite the existence of an economically feasible, safer alternative design, label, warn or inform the unsuspecting consuming public about the dangers associated with the use of its Pressure Cookers. Defendant Tristar's outrageous conduct rises to the level necessary that Plaintiff should be awarded punitive damages to deter Defendant Tristar from this type of outrageous conduct in the future, as well as to discourage other Defendants from placing profits above the safety of consumers in the United States of America.

119. Prior to and during the manufacturing, sale, and distribution of its Pressure Cookers, Defendant Tristar knew that said Pressure Cookers were in a defective condition as previously described herein and knew that those who purchased and used its Pressure Cookers, including Plaintiff, could experience severe physical, mental, and emotional injuries.

120. Further, Defendant Tristar knew that its Pressure Cookers presented a substantial and unreasonable risk of harm to the public, including Plaintiff, and as such, Defendant Tristar unreasonably subjected consumers of said Pressure Cookers to risk of serious and permanent injury from their use.

121. Despite their knowledge, Defendant Tristar, for the purpose of enhancing its profits, knowingly and deliberately failed to remedy the known defects in its Pressure Cookers, and failed to warn the public, including Plaintiff, of the extreme risk of injury occasioned by said defects inherent in them. Defendant Tristar intentionally proceeded with the manufacturing, sale, and distribution and marketing of its Pressure Cookers knowing these actions would expose consumers, such as the Plaintiff, to serious danger in order to advance its pecuniary interest and monetary profits.

122. Defendant Tristar's conduct was despicable and so contemptible that it would be looked down upon and despised by ordinary decent people and was carried on by Defendant Tristar with willful and conscious disregard for the safety of the Plaintiff, her family, and consumers like them, entitling the Plaintiff to punitive damages.

123. by choice of law principles regardless of whether arising under statute and/or common law.

WHEREFORE, Plaintiff demands judgment against Defendant Tristar for compensatory, treble, and punitive damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper.

JURY TRIAL DEMANDED

Plaintiff demands that all issues of fact of this case be tried to a properly impaneled jury to the extent permitted under the law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against the Defendant Tristar for damages, including exemplary damages if applicable, to which they entitled by law, as well as all costs of this action, interest and attorneys' fees, to the full extent of the law, whether arising under the common law and/or statutory law, including:

- a. judgment for Plaintiff and against Defendant Tristar;
- b. damages to compensate Plaintiff for her injuries, economic losses and pain and suffering sustained as a result of the use of the Defendant Tristar's Pressure Cookers;
- c. pre and post judgment interest at the lawful rate;
- d. exemplary, punitive, and treble damages on all applicable Counts as permitted by the law;
- e. a trial by jury on all issues of the case;
- f. an award of attorneys' fees; and
- g. for any other relief as this Court may deem equitable and just, or that may be available under the law of another forum to the extent the law of another forum is applied, including but not limited to all reliefs prayed for in this Complaint and in the foregoing Prayer for Relief.

Respectfully submitted,

Date: 2/21/2019



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EXHIBIT A
Power Pressure Cooker XL, Model No.
PPC-780P Owner's Manual

Power Cooker™ PLUS



Owner's Manual Bonus Canning Guide Included

For Model #PPC780P

IMPORTANT: Do Not Use This Pressure Cooker
Until You Have Read This Entire Manual Thoroughly.

Warranty information inside.



Congratulations...

You are about to discover what so many other food lovers have known for years. Simply, that meals prepared properly with the pressure cooking method taste better and cook faster than foods prepared using conventional stovetop methods.

For decades, our culinary design division has created some of the most useful and popular kitchen appliances for worldwide use.

The **Power Cooker PLUS™** is the latest in our distinguished line.

We have tested and perfected the right combination of metals, cooking surfaces and digital technology guaranteed to help you get mealtime raves from the whole family. Once familiar with the “one-touch” pre-set system, you’ll find that many of your favorite family recipes can be cooked perfectly in a fraction of the time.

The sealed cooking chamber builds up heat and pressure. The result ... more flavor stays locked within the food and less energy is wasted in a shorter cooking time. The “sealed” cooking process eliminates messy stovetop spills while “trapping” heat, making for cooler kitchens and easier cleanups.

The **Power Cooker PLUS™** will provide you many years of delicious family meals and memories around the dinner table... but before you begin it is very important that you read this entire manual making certain that you are totally familiar with its operation and precautions.

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Important Safeguards

When using electrical appliances, basic safety precautions should always be followed including the following:

- Read and follow all instructions carefully.
- This appliance is not intended for use by persons with reduced physical, sensory or mental capabilities, or lack of experience and knowledge, unless they are under the supervision of a responsible person or have been given proper instruction in using the appliance. This appliance is not intended for use by children.
- Always be sure the float valve is on correctly before use. Incorrect assembly may prevent the cooker from building pressure or allow steam to come out from the sides of the lid (See page 7 for assembly).
- Do not touch hot surfaces. Use handles or knobs.
- To protect against electric shock do not immerse or rinse cords or plugs in water or other liquid.
- This appliance should never be operated by children and special care should be taken when the unit is in use in their presence.
- Unplug from outlet when not in use and before cleaning. Allow to cool before putting on or taking off parts.
- Do not operate any appliance with a damaged cord or plug or after the appliance malfunctions or has been damaged in any manner. Return appliance to the nearest authorized service facility for examination, repair or adjustment.
- Do not use any attachments or utensils that were not recommended or supplied by the manufacturer. The use of attachments not recommended for use by the manufacturer may cause serious hazardous situations including personal injury.
- Do not use outdoors.
- Do not let cord hang over edge of table or counter, or touch hot surfaces.
- Do not place on or near a hot gas or electric burner, or in a heated oven.
- Extreme caution must be used when moving an appliance containing hot oil or other hot liquids.
- Always attach plug to appliance first, then plug cord into the wall outlet. To disconnect, set any control to "Off", then remove plug from wall outlet.
- Do not use appliance for anything other than its intended use.
- This appliance cooks under pressure. Improper use may result in scalding injury. Make certain unit is properly closed before operating. See Instructions For Use.
- Never fill the unit above the MAX LINE in the Inner Pot (Illustration #2, page 4). When using foods that expand during cooking such as rice or dried beans, follow the recipe for "pressure cooking" those products, and as a rule of thumb, do not fill the unit above the "halfway" point. Overfilling may cause clogging, allowing excess pressure to develop. See Instructions For Use.
- Be aware that certain foods, such as applesauce, cranberries, pearl barley, oatmeal or other cereals, split peas, noodles, macaroni, rhubarb, and spaghetti, can foam, froth, sputter, and clog the pressure release device (steam vent). Recipes using these items must be followed carefully to avoid problems.
- Always check the pressure release devices for clogs before use.
- Do not open the Power Cooker PLUS until the unit has cooled and all internal pressure has been released. If the unit is difficult to open, this indicates that the cooker is still pressurized – do not force it open. Any pressure in the cooker can be hazardous. See Instructions For Use.
- Do not use this pressure cooker for pressure frying with oil.
- This appliance has been designed for use with a 3 prong, grounded, 120V electrical outlet only. Do not use any other electrical outlet.
- The Power Cooker PLUS generates extreme heat and steam in its operation. All necessary precautions must be taken to avoid fire, burns and other personal injury during its operation.
- When in operation the Power Cooker PLUS requires sufficient air space on all sides including top and bottom. Never operate the unit near any flammable materials such as dish towels, paper towels, curtains, paper plates, etc.
- Always plug the electrical cord directly into the wall outlet. Never use this unit with an extension cord of any kind.
- Anyone who has not fully read and understood all operating and safety instructions contained in this manual is not qualified to operate or clean this appliance.
- If this unit falls or accidentally becomes immersed in water, unplug it from the wall outlet immediately. Do not reach into the water!
- Do not operate this appliance on an unstable surface.
- If this appliance begins to malfunction during use, immediately unplug the cord. Do not use or attempt to repair a malfunctioning appliance!
- NEVER FORCE OPEN the Power Cooker PLUS. If you need to open the Power Cooker PLUS, press the "KEEP WARM/CANCEL" button and using tongs or a kitchen tool carefully rotate the Pressure Valve to the OPEN position (fig. 4, page 4) to fully release the building pressure inside the cooker. Make sure that all the steam has dissipated from the cooker. Carefully turn the handle clockwise to open. Always open the lid away from you to avoid skin contact with any remaining heat or steam.
- CAUTION: TO REDUCE RISK OF ELECTRIC SHOCK, COOK ONLY IN THE REMOVABLE CONTAINER. Do not immerse the housing or base in water. Before use, clean the bottom of the Inner Pot and the surface of the heater plate... insert the Inner Pot, turning it slightly clockwise and counterclockwise until you are sure it is sitting correctly on the heater plate. Failure to do so will prevent proper operation and may cause damage to the unit.
- CAUTION: HOT SURFACES. This appliance generates heat and escaping steam during use. Proper precautions must be taken to prevent the risk of personal injury, fires, and damage to property.
- When moving the pressure cooker, use the carry handles and not the lid handle.

SAVE THESE INSTRUCTIONS - FOR HOUSEHOLD USE ONLY.

Important Safeguards (continued)

SHORT CORD INSTRUCTIONS

A short power-supply cord is provided to reduce the risk resulting from becoming entangled in or tripping over a longer cord. Do not use an extension cord with this product.

ELECTRIC POWER

If the electrical circuit is overloaded with other appliances, your appliance may not operate properly. It should be operated on a dedicated electrical circuit.

NOTE: This product must be grounded. If it should malfunction or break down, grounding provides a path of least resistance for electric current to reduce the risk of electric shock. This product is equipped with a cord having an equipment grounding conductor and a grounding plug. The plug must be plugged into an appropriate outlet that is properly installed and grounded in accordance with all local codes and ordinances.

**SAVE THESE INSTRUCTIONS.
FOR HOUSEHOLD USE ONLY.**

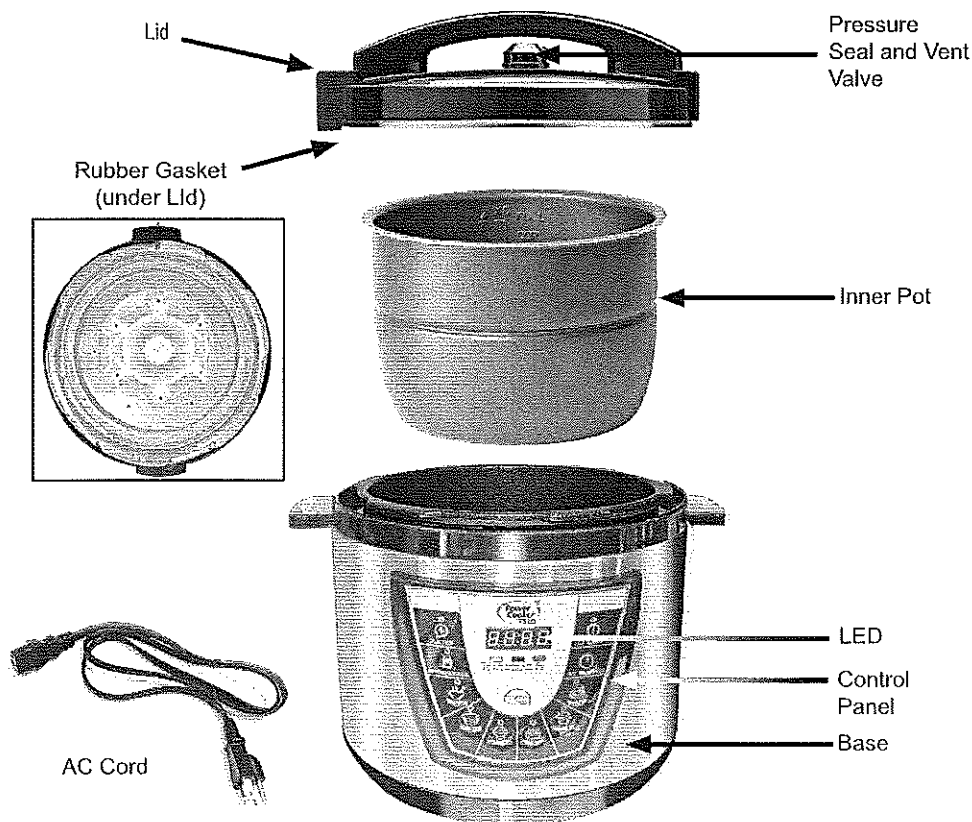
SPECIAL FEATURES

- The Digital Display on your Power Cooker PLUS offers a wide range of choices including Low Temp Cooking, Stewing, Steaming and much more.
 - Cooking Time and Pressure Levels may be adjusted to suit any recipe or personal preference. At the completion of the cooking cycle, the unit will automatically shift to the KEEP WARM mode.
 - Digital Pressure Cooking utilizes temperatures up to 248° F (120° C) creating a more sterile and healthier environment when compared to traditional cooking methods.
 - The Pressure Vent feature allows you to lower pressure quickly and completely. To do so, carefully rotate the Pressure Valve to the Vent position using tongs or another kitchen tool. Never use bare hands.
- CAUTION:** During this process protect your skin from any contact with escaping steam.
- The STEAM mode heats cooking liquid in the Inner Pot to a boil in a matter of minutes, for steaming and cooking an endless variety of foods.
 - The KEEP WARM mode holds and keeps cooked food warm for an extended period of time. Foods kept at KEEP WARM mode for periods beyond 4 hours may lose their good flavor and texture.

Built-In Safety Features

1. Lid Safety Device: Prevents pressure build-up if lid is not closed properly and prevents lid from opening until all pressure is released.
2. Pressure and Temperature Sensor Controls: Maintain even heat and pressure by automatically activating or deactivating the power supply.
3. "Back-up" Safety Release Valve: Should the Temperature/Pressure Sensor device malfunction, causing pressure to build beyond maximum setting, the "Back-Up" will automatically "kick in" and release the built up pressure.
4. "Clog Resistant" Feature: Prevents food from blocking the steam release port.
5. "Spring-Loaded" Safety Pressure Release: Should all safety features listed above fail, this "spring-loaded" device located beneath the heating element will automatically lower the Inner Pot, causing it to separate automatically from the Rubber Gasket. This will enable the steam and pressure to automatically escape around the pot Lid, avoiding a dangerous situation.
6. Temperature "Cut-Off" Device: Should the unit malfunction and cause the internal temperature to rise beyond the "Safe" limit, this device will cut-off the power supply and will not automatically reset.

Power Cooker PLUS PARTS & ACCESSORIES



Accessories

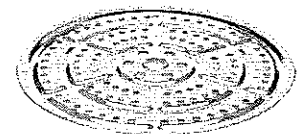


Measuring Cup



Ladle

Condensation Collector



Steamer Tray

IMPORTANT: Your Power Cooker PLUS™ has been shipped with the components shown above. Check everything carefully before use. If any part is missing or damaged do not use this product and contact shipper using the customer service number located on the back cover of the owner's manual.

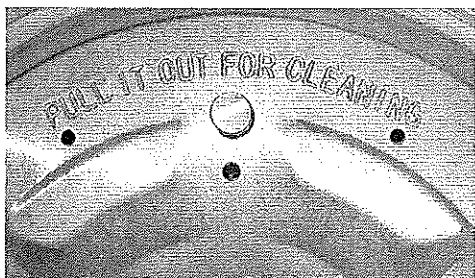
General Operating Instructions

BEFORE THE FIRST USE

Before using the Power Cooker PLUS for the first time, wash the Inner Pot, the Lid and the Rubber Gasket (pictured below # 1) with warm soapy water. Rinse with clean water and dry thoroughly.

To ensure correct fitting of the Rubber Gasket, fill the Inner Pot (pictured below #2) with water about 2/3 full, place the Lid on the cooker (Pictured below #3), then Rotate the Pressure Valve to the Lock position and run on CANNING mode for 10 minutes. When the cycle is complete, using tongs or another kitchen tool, carefully rotate the Pressure Valve to the Open position (Pictured below #4) allowing all pressure to escape. Let the appliance cool to room temperature. Pour out the water. Rinse and towel dry the Inner Pot. The Power Cooker PLUS is now ready for use.

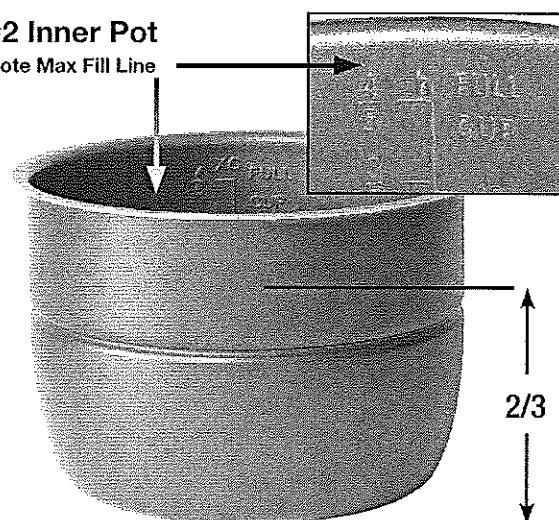
#1 Lid (underside) Rubber Gasket



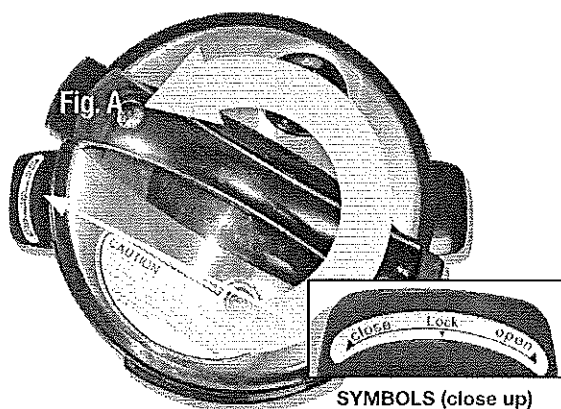
For proper cleaning the Rubber Gasket should be removed. Using the Pull Tab located beneath the Lid, remove the Pot Lid Liner that holds the Gasket. After cleaning, re-attach Gasket to Lid Liner and snap back in place.

#2 Inner Pot

Note Max Fill Line



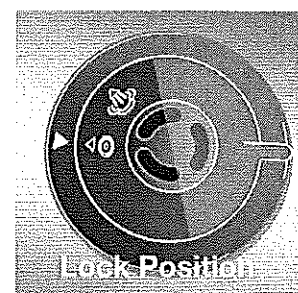
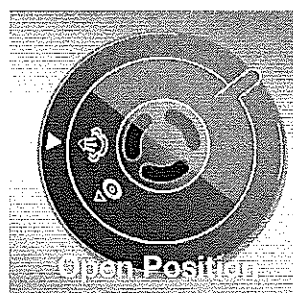
#3 Placing The Lid On The Cooker



Place Inner Pot into the unit. Never load Inner Pot above the MAX line. Rotate the Inner Pot to make certain that it is seated properly.

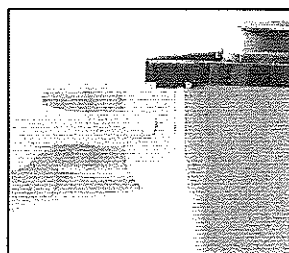
Place Lid on Cooker with Handle and Recessed Valve (Fig. A) pointed to the "10:00 o'clock" position. Rotate Lid counter-clockwise until you feel a click.

HOT LID WARNING: Use black composite handle only when opening lid. The stainless steel parts become very hot and could burn your hands.



#4 Pressure Valve

WARNING: Avoid serious injury... Never use your hand to set the Pressure Valve in the Open Position after any cooking process. Use tongs or some other kitchen tool.



Condensation Collector

The Condensation Collector easily picks up any moisture that may drip off when using your Power Cooker PLUS. Simply align and push the collector into the channels on the back of the cooker. Empty and clean after each use.

- Never load Inner Pot above the MAX line. Rotate the Inner Pot to make certain that it is seated properly on the Heating Plate.
- Always be certain the Pressure Valve is free floating and clear of any obstructions.
- Attach the AC Cord to the base of the unit then plug the AC Cord into a dedicated 120V wall outlet.
- Steam and pressure must be released completely from the Cooker before the Lid will open. To do this, carefully follow the instructions on the previous page.

CAUTION: During this process protect your skin by avoiding any contact with escaping steam or the stainless steel portion of the Pot Lid.

- Press down gently on Lid and turn clockwise until Lid meets resistance... lift carefully and place aside. Avoid personal injury resulting from hot unit surfaces and dripping liquids.

Note: The “cook times” shown in the recipe booklet do not include the additional time needed to pressurize the unit before cooking begins. Full pressurization could take up to 17 minutes.

CARE AND CLEANING

CLEANING THE SAFETY DEVICES: In addition to the gasket, the other safety devices on the Power Cooker PLUS must also be cleaned after each use.

THE PRESSURE VALVE: To remove the Pressure Valve, simply pull up and valve will release from its spring lock mechanism. Apply mild detergent and wash it under warm running water. After cleaning, check to see that the interior spring-loaded part moves freely by pressing down on it. Put the Pressure Valve back in place by pushing it down onto the spring-loaded mechanism. This appliance requires little maintenance. It contains no user serviceable parts. Do not try to repair it yourself. Contact customer service for qualified repair information.

TO CLEAN: After use, unplug unit and allow to cool completely before cleaning. The Power Cooker PLUS must be cleaned thoroughly after each use in order to avoid staining caused by a build-up of food or cooking residue.

DO NOT POUR COLD WATER INTO A HOT Power Cooker PLUS.

Note: To ensure safe operation of this Power Cooker PLUS, strictly follow the cleaning and maintenance instructions after each use, should a tiny bit of food (such as a grain of rice or pea shell) remain in the unit, it could prevent the safety devices from operating during subsequent use.

IMPORTANT: Always remove the Pressure Valve and clean the opening with pin to remove any blockage that might have occurred during the cooking process. This must be done after each use. The removable cooking pot and Lid are immersible for cleaning. Rinse cooking pot and Lid under hot running water. Use only a mild liquid detergent and a soft cloth, sponge or nylon scrubber for cleaning. Do not use abrasive powders, bicarbonate of soda or bleach. Do not use scouring pads.

WIPE BASE AFTER EACH USE WITH A SOFT, DAMP CLOTH OR SPONGE, MAKING SURE ALL FOOD RESIDUE IS REMOVED.

DO NOT IMMERSE BASE IN WATER

When cleaning the Lid, the Rubber Gasket (page 4, Illustration #1) must be removed and washed separately with a sponge or soft cloth and warm, soapy water.

- Unplug and let the Power Cooker PLUS cool to room temperature before cleaning.
- Wash the removable pot with warm, soapy water and clean with a soft cloth or sponge. Rinse off with clean water and towel dry.
- The Rubber Gasket must always be properly positioned on the underside of the Lid. Check periodically to make sure that it is clean, flexible and not torn. If damaged, do not use this unit.
- Wipe the mirror finished outer Housing with a damp soft cloth or sponge (glass cleaner gives housing a brilliant lustre).
- Never use harsh chemical detergents, scouring pads or powders on any of the parts or components.
- Always check that the Pressure Valve and Float Valve are in good working order and debris free.

General Operating Instructions

DIGITAL CONTROL PANEL



The Power Cooker PLUS has seven basic cooking modes that may be used alone or in combination to produce an infinite variety of results.

WHEN THE UNIT IS FIRST PLUGGED IN, 0000 will appear on the LED Display. When a cooking process is selected the default time will be displayed for 5 seconds in the LED window. Then a rotating effect will appear on the screen to signify it is building pressure. Once pressure is built, the rotating effect will end and the display will begin counting down the time. When the process is completed, the unit will beep and enter KEEP WARM mode until cancelled.

COOK TIME SELECTOR BUTTON: When a specific cooking program is selected, the unit will display the default time in the LED window and the "Food:Quick" indicator below the LED window will light. Should your recipe or personal taste require "Medium" or "Well" results, you may select those options by pushing the Cook Time Selector button. In addition, the Cook Time Selector Button may be used when cooking Rice to select the perfect program for White, Brown or Wild varieties.

NOTE: You may override pre-programmed time by selecting the Time Adjustment button.

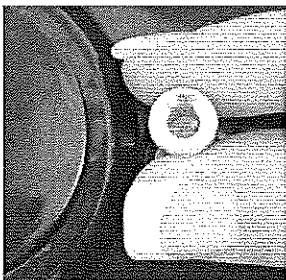
IMPORTANT: Any function can be stopped immediately by selecting the CANCEL button.

PROGRAM SETTINGS

Program Buttons	Default Time	Quick- Med-Well Select Button	Cook Time Adjust Range	Temperature		Pressure	
				° C	° F	kPa	PSI
Delay Timer	N / A	N / A	0-24 hrs				
Canning / Preserving	10 mins	10-45-120 mins	10-120 mins	116	241	82.7	12
Soup / Stew	10 mins	10-30-60 mins	10-60 mins	109	228	50	7.2
Slow Cook	2 hrs	2-6-12 hrs	2-12 hrs	79-93	174-199	<30	<4.3
Rice / Risotto	6 mins	6-18-25 mins	6-25 mins	109	228	50	7.2
Beans / Lentils	5 mins	5-15-30 mins	5-30 mins	109	228	50	7.2
Fish / Veg. / Steam	2 mins	2-4-10 mins	2-10 mins	109	228	50	7.2
Meat / Chicken	15 mins	15-40-60 mins	15-60 mins	109	228	50	7.2
Time Adjustment	10 mins	N / A	10-120 mins				
Cancel / Keep Warm	N / A	N / A	N / A				

IMPORTANT INFORMATION

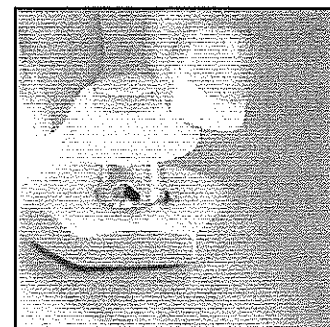
If there is steam coming out the sides and the Pressure Valve on top of the Lid is in the Lock position, then the Lid has not sealed. This sometimes happens when the unit is new. If the gasket is in place try pushing down on the Lid. This should seal the Lid and the steam should stop coming out. It is also important to be sure the Float Valve is assembled correctly. Incorrect assembly may cause steam to come out the sides or prevent pressure from building. The Float Valve should be able to move up and down freely only stopping when the silicon gasket meets the Lid. It is however normal for condensation to appear in the condensation collector. See illustration below for assembly.



1. Hold the head of the Float Valve and insert the fluted end into the hole in the Lid of the unit with a pencil or any other slim tool. Push and hold the head of the Float Valve tightly in place and reverse the Lid to the underside.



3. Place the silicon gasket onto the fluted end of the Float Valve so it sits in the groove.



4. The Float Valve should be able to move up and down freely only stopping when the silicon gasket meets the Lid.

General Operating Instructions

PRESSURE COOKING CHARTS

Meats	Liquid / Cups	Approximate Minutes
Beef/Veal, roast or brisket	3-4	35-40
Beef Meatloaf, 2 lbs	1	10-15
Beef, Corned	4	50-60
Pork, roast	1	40-45
Pork, ribs, 2 lbs.	3	20
Leg of Lamb	2-4	35-40
Chicken, whole, 2-3 lbs.	3-4	20
Chicken, pieces, 2-3 lbs.	3-4	15-20
Cornish Hens, two	1	15
Meat/Poultry Soup/Stock	4-6	15-20

Seafood / Fish	Liquid / Cups	Approximate Minutes
Clams	1	2-3
Lobster, 1 1/2 - 2 lbs.	1	2-3
Shrimp	1	1-2
Fish, Soup or Stock	1-4	5-6

Vegetables	Liquid / Cups	Approximate Minutes
Asparagus, thin whole	1	1-2
Beans, fava	1	4
Beans, green	1	2-3
Beans, lima	1	2
Beets, medium	1	10
Broccoli, pieces	1	2
Brussel sprouts, whole	1	4
Carrots, 1-inch pieces	1	4
Corn, on-the-cob	1	3
Pearl Onions, whole	1	2
Potatoes, 1 1/2" chunks	1	6
Potatoes, whole, medium	1	10-11
Squash, acorn, halved	1	7
Squash, summer, zucchini	1	4

NOTE: All pressure cooking modes require the addition of liquid in some form (water, stock, etc.). Unless you are familiar with the pressure cooking process, follow recipes carefully for liquid addition suggestions. Never fill inner pot above MAX line. Always use Pressure Valve to lower pressure quickly.

UNIT SPECIFICATIONS

Model Number	Supply Power	Rated Power	Capacity of Inner Pot	Working Pressure	Safety Working Pressure
PPC78QP	AC 120V 60HZ	1300W	8QT	0-80 kPa	80-90 kPa

FREQUENTLY ASKED QUESTIONS

- DOES THE Power Cooker PLUS HAVE LEAD IN IT?**
No!
- WHAT TYPE OF STEEL IS THE UNIT MADE OF?**
Stainless Steel
- HOW DO YOU ASSEMBLE/DISASSEMBLE THE UNIT?**
See Diagram on page 3 of this manual.
- WHY WOULD THE LID COME OFF WHEN IT SHOULDN'T?**
It should only come off if there was no pressure inside.
- WHAT IS THE DEFAULT TIME?**
Each cooking mode has a default time that appears as soon as you select that desired mode button. Before the Default Time "minute count down" clock begins, the unit must first reach the proper pressure and/or temperature for that mode.
- HOW LONG DOES IT TAKE FOR THE UNIT TO REACH FULL PRESSURE AND FOR THE COOK TIME CLOCK TO START A COUNT DOWN?**
Up to 17 minutes.
- CAN YOU CHANGE THE COOK TIME SO THAT IT IS MORE THAN THE DEFAULT SETTING?**
Yes! SEE CHART ON PAGE 7.
- CAN YOU LEAVE THE UNIT ON WHILE NOT AT HOME?**
Yes!
- CAN YOU PUT FROZEN FOODS IN WITHOUT DEFROSTING?**
Yes, remember to add an extra 10 minutes for frozen meats.

Pressure Canning Guide

Great Food Anytime...

The canning process will enable you to prepare and preserve all of your family's favorites including fresh and cooked fruits, vegetables, meats, jams and jellies. Canning is a great way to bring "out of season" foods to the table economically. You can buy in bulk now at low prices and preserve for the future when items are scarce and more costly.

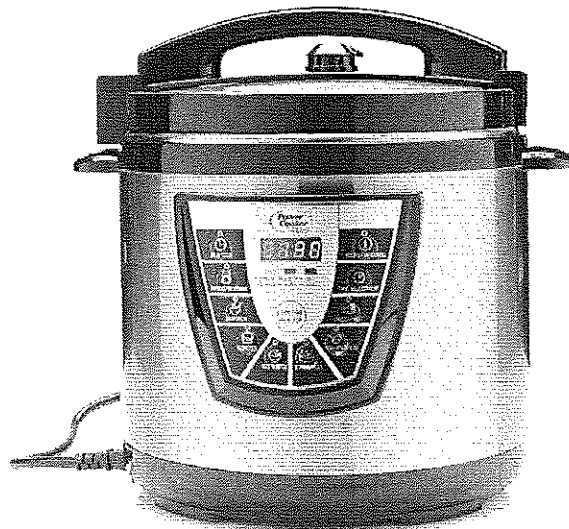
NOTE: It is important that you read this guide carefully following all steps to ensure that the food has been processed to preserve its nutritional value and is safe for consumption by your family. Improper canning can lead to serious health consequences.

Pressure Canning

The Pressure Canning process can be used for all foods and particularly for those containing little acid. These include vegetables, meats and seafood.

When canning there is no room for experimentation. Altering cooking time, ingredients and temperatures can be dangerous and risky. Using the exact time, temperature and method specified in the recipe will protect the food from harmful bacteria, molds and enzymes. Adding too much time to a recipe will destroy nutrients and flavor.

Food enzymes can promote the growth of molds and yeasts, which in turn will cause food to spoil. These agents can be destroyed by achieving a temperature of 212° with steam canning methods however other contaminants may develop such as salmonella, staphylococcus aureus, and clostridium botulinum, the cause of botulism. Killing these harmful bacteria requires a temperature of 240° provided only by the Pressure Canning process.



Pressure Canning Guide

Food Acidity

The lower the acid content in the food, the greater the potential for spoilage and contamination. Many foods such as fruits are high in acid where as others such as meats, dairy products and sea foods have low acid levels. (see charts below)

Proper Pressure Canning minimizes the possibility of spoilage and contamination.

Examples of High Acid Foods		Examples of Low Acid Foods	
Apples	Oranges	Asparagus	Mushrooms
Applesauce	Peaches	Beans	Okra
Apricots	Pears	Beets	Peas
Berries	Pickled Beets	Carrots	Potatoes
Cherries	Pineapple	Corn	Seafood
Cranberries	Plums	Hominy	Spinach
Fruit Juices	Rhubarb	Meat	Winter Squash

Raw Packing and Hot Packing

Fresh foods contain air. The shelf life of canned food depends on how much air has been removed during the canning process. The more air removed, the longer the shelf life.

Raw Packing is the process of canning fresh but unheated foods. The process causes foods such as fresh fruit to float in their jars. Raw packed foods tend to lose color over time. Raw packing may be preferable in some recipes.

Hot Packing is the process of canning foods that have been pre-cooked prior to packing them in their jars. This reduces the air in the food.

Regardless of the method used, all liquids added to the foods should always be heated to a boiling point. This will remove excess air, shrink the foods, prevent floating and create a tighter seal.

IMPORTANT INFORMATION

Altitude and Pressure Canning

The temperature at which water will boil can vary depending upon your location in regards to sea level. The Power Cooker PLUS will operate properly up to a maximum altitude of 2,000 ft. above sea level. Do not use this unit for pressure canning above an altitude of 2,000 ft.

Processing Time and Pressure

The chart below demonstrates proper processing time and pressure for various foods using your Power Cooker PLUS. The CANNING button sets the pressure. A kPa setting of 80 is equal to 11.6 lbs. PSI. At up to 2,000 ft. above sea level, the Power Cooker PLUS with a kPa 80 setting will produce sufficient pressure and heat to safely process all foods for canning.

Food Item	Packing Conditions		Set Pressure to 80 kPa
	Style of Pack	Jar Size	Minutes
Asparagus	Hot & Raw	Pints	30
Beans (green)	Hot & Raw	Pints	20
Beans (lima, pinto, butter or soy)	Hot & Raw	Pints	40
Beets	Hot	Pints	30
Carrots	Hot & Raw	Pints	25
Corn, whole-kernel	Hot & Raw	Pints	55
Greens	Hot	Pints	70
Okra	Hot	Pints	25
Peas, Green or English	Hot & Raw	Pints	40
Potatoes, white	Hot	Pints	35
Meat Strips, Cubes, or Chunks	Hot or Raw	Pints	75
Ground or Chopped Meat	Hot or Raw	Pints	75
Poultry, without bones	Hot or Raw	Pints	75
Poultry, with bones	Hot or Raw	Pints	65

For processing times and methods for additional low acid foods, please refer to the National Center for Home Food Preservation (<http://www.uga.edu/nchfp/>): or your local county extension agent.

Safe Canning Tips

- Do not use over-ripe fruit. Bad quality degrades with storage.
- Do not add more low-acid ingredients (onions, celery, peppers, garlic) than specified in the recipe. This may result in an unsafe product.
- Don't over-season with spices. Spices tend to be high in bacteria making canned goods unsafe.
- Do not add butter or fat. Fats do not store well and may increase the rate of spoilage.
- Thickeners – never use flour, starch, pasta, rice or barley. Use only USDA recommended Clear Jel®.
- DO add acid (lemon juice, vinegar or citric acid) especially to tomato products when directed in the recipe. If necessary, you can balance the tart taste by adding sugar.

Pressure Canning Guide

Getting Started

Your Power Cooker PLUS is designed to accommodate 4 - 16 oz. (1 pint) wide mouth jars per canning session. We suggest you use jars with self-sealing lids.

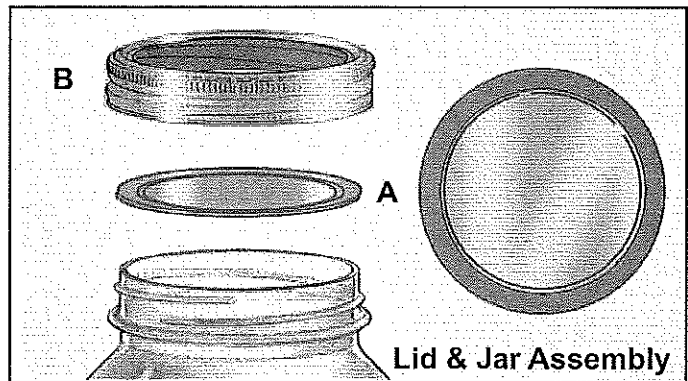
Jar Cleaning

Always wash empty jars in hot water with detergent by hand or in dishwasher. Rinse thoroughly. Scale or hard-water films on jars are easily removed by soaking jars several hours in a solution containing 1 cup of vinegar (5 percent acidity) per gallon of water.

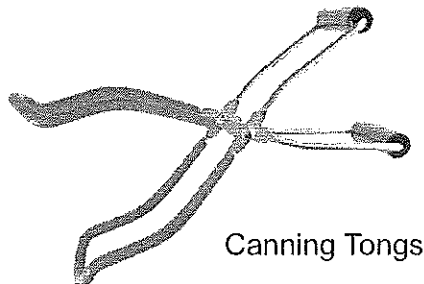
Lid Preparation

The self-sealing lid (A) consists of a flat metal lid held in place during processing by a metal screw band (B). When jars are processed, the lid gasket softens to form an airtight seal with the jar. To ensure a good seal, carefully follow the manufacturer's directions in preparing lids for use. Examine all metal lids carefully.

Do not use old, dented, or deformed lids, or lids with gaps or other defects in the sealing gasket.



Additional Accessories You May Need



Canning Tongs



16oz. Canning Jars



Wire Canning Rack

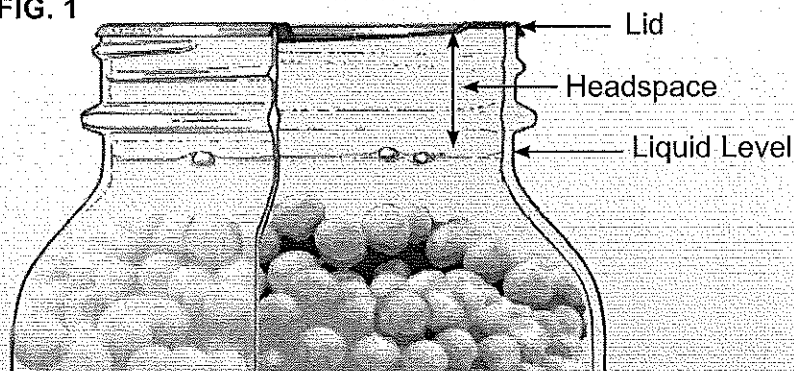
The Power Cooker PLUS Pressure Canning Process

To begin, select a recipe that has been pre-tested and approved for pressure canning. Though ingredients vary, generally speaking you will be processing the food as demonstrated in this guide.

1. Select a pre-tested pressure canning recipe. Choosing only the freshest ingredients, prepare the food as instructed. Vegetables and fruits should be at their peak of fresh-picked ripeness.

2. Fill 16 oz. clean canning jars to the level shown in FIG.1. Any liquid should not exceed the level shown in FIG.1, so that there remains a headspace at the top of approximately 1 inch.

FIG. 1



3. Using a flexible nonporous spatula gently press between the food and the jar to remove any trapped air bubbles as in FIG.2.

4. Place a clean lid on top of the jar and then add a screw band. Turn clockwise and hand tighten in place as in FIG.3.

NOTE: Never retighten lids after processing jars. As jars cool, the contents contract, pulling the self-sealing lid firmly against the jar to form a high vacuum.

If screw bands are too loose, liquid may escape from jars during processing, and seals may fail.

If screw bands are too tight, air cannot vent during processing, and food will discolor during storage. Over tightening also may cause lids to buckle and jars to break, especially with raw-packed, pressure-processed food. Screw bands are not needed on stored jars. They should be removed after jars are cooled.

When removed, washed, dried, and stored, screw bands may be used many times. If left on stored jars, they become difficult to remove, often rust, and may not work properly again.

FIG. 2

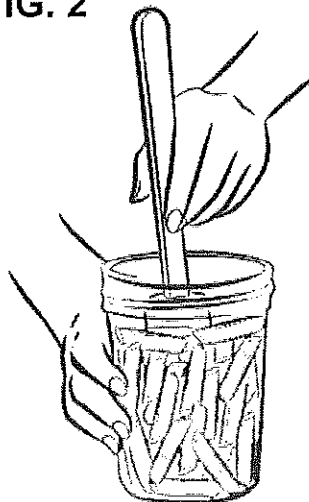
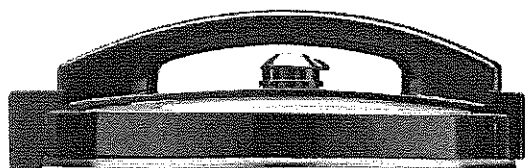


FIG. 3

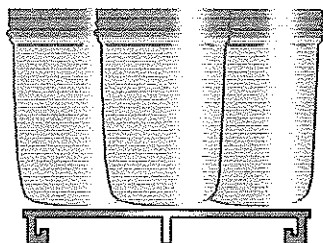


Pressure Canning Guide

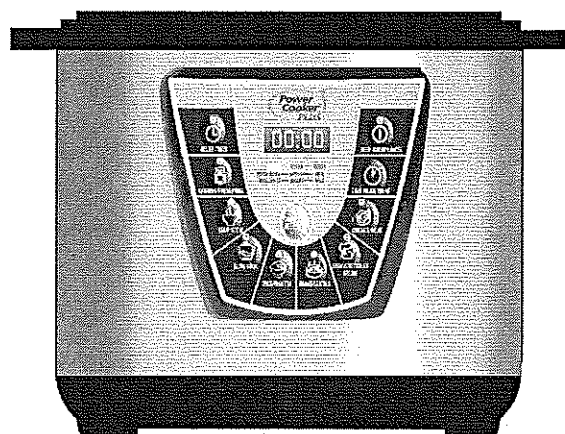
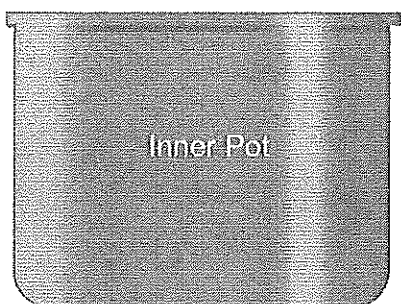
Lid



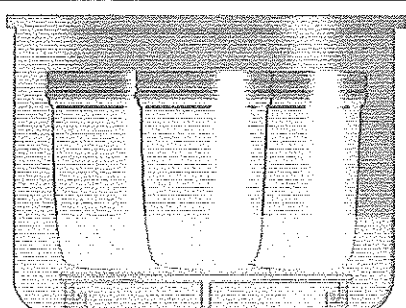
Jars and Rack



Inner Pot



Base



Inner Pot Hot Water Level

5. Place the Inner Pot in the base unit. Then put the Wire Rack in the bottom of the Inner Pot. Place Filled, sealed Jars on Rack. Unit will hold up to 4-16 oz. jars (maximum).

6. Pour hot water over the jars and into the Inner Pot until the water level reaches 1/4 of the way up the sides of the jars. For 4-16 oz. jars this would be about 6 cups of water. When processing fewer jars, more water would be needed.

7. After reading the Owner's Manual, put the lid on the base and lock in place. Plug the unit into the wall outlet.

8. Select the Canning/Preserving button. The Unit will default to the Canning program automatically setting the pressure at 80 kPa. Now you will need to set the Cook Time as per your recipe.

9. When the canning process is complete, select the Cancel button. Unplug the unit and Set the Pressure Valve to the Open position. Once all the steam has escaped, Carefully remove the lid.

10. Using Canning Tongs, remove the hot jars and place them on a heat resistant surface and allow to cool to room temperature.

11. When jars are thoroughly cool, remove the Screw Bands. The lids should be tightly sealed to the jars and when pressed in the center they should not have any "give" or springing motion. If they do, you can not safely store this food for future use. It must be reprocessed immediately or refrigerated and used within a few days.

12. Place the finished jars on shelves in a cool, clean, dry atmosphere. Properly processed food will last for months and seasons. Jars, lids and screw bands are reusable. Check all carefully for damage before reuse.

IMPORTANT: The Power Cooker PLUS when used as a pressure canning device does not have an effective operating capacity for more than 2,000 ft. above sea level.



Manufacturer's Limited Warranty

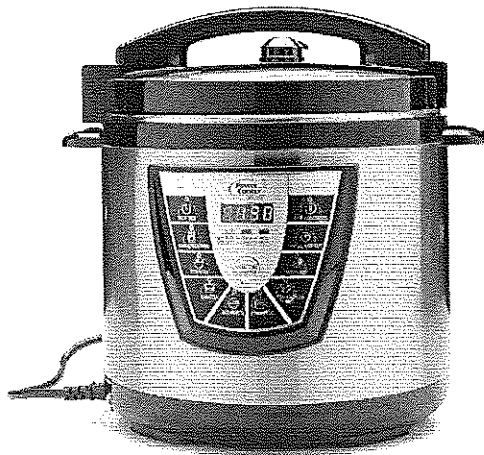
The manufacturer warrants that your Power Cooker PLUS™ is free of defects in materials and workmanship and will, at its option, repair or replace any defective Power Cooker PLUS™ that is returned to it. All parts and components of the Power Cooker PLUS™ are warranted for 60 days from the original date of purchase. This warranty is valid only in accordance with the conditions set forth below:

1. Normal wear and tear are not covered by this warranty. This warranty applies to consumer use only, and is void when the product is used in a commercial or institutional setting.
2. The warranty extends only to the original consumer purchaser and is not transferable. In addition, proof of purchase must be demonstrated. This warranty is void if the product has been subject to accident, misuse, abuse, improper maintenance or repair, or unauthorized modification.
3. This limited warranty is the only written or express warranty given by the manufacturer. Any implied warranty of merchantability or fitness for a particular purpose on this product is limited in duration to the duration of this warranty. Some states do not allow limitations on how long an implied warranty lasts, so the above limitation may not apply to you.
4. Repair or replacement of the product (or, if repair or replacement is not feasible, a refund of the purchase price) is the exclusive remedy of the consumer under this warranty. The manufacturer shall not be liable for any incidental or consequential damages for breach of this warranty or any implied warranty on this product. Some states do not allow the exclusion or limitation of incidental or consequential damages, so the above limitation or exclusion may not apply to you.
5. This warranty gives you specific legal rights, and you may also have other rights which vary from state to state.

Procedure for Warranty Repairs or Replacement:

If warranty service is necessary, the original purchaser must pack the product securely and send it postage paid with a description of the defect, proof of purchase, and a check or money order for \$24.99 to cover return postage and handling to the following address:

Power Cooker PLUS™, P.O. Box 3007, Wallingford, CT 06492.

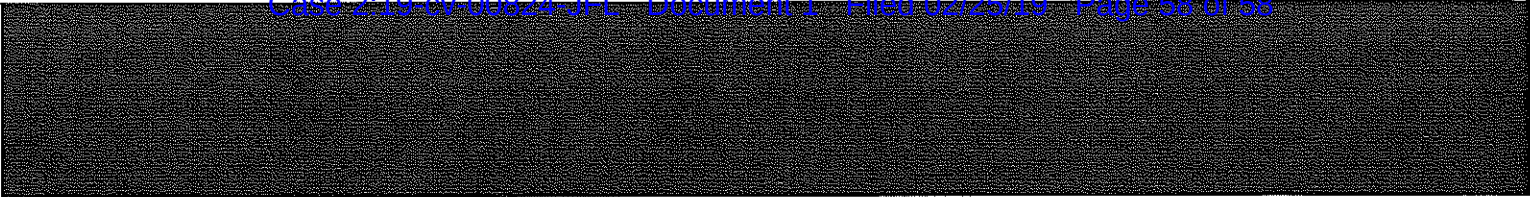


We are very proud of the design and quality of our



This product has been manufactured to the highest standards. Should you have any problem, our friendly customer service staff is here to help you.

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