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MYTHBUSTER!

FACTS ABOUT THE “MCDONALD’S COFFEE CASE”

Here are the facts of this widely misreported and misunderstood case:

Stella Liebeck, 79 years old, was sitting in the passenger seat of her grandson’s car holding a cup of McDonald’s coffee. The cup tipped over, pouring scalding hot coffee onto her. She received third-degree burns over 16 percent of her body, necessitating hospitalization for eight days, whirlpool treatment for debridement of her wounds, skin grafting, scarring, and disability for more than two years.

McDonald’s sold its coffee at superheated temperatures, about 180 to 190 degrees Fahrenheit which, if spilled, causes third-degree burns (the skin is burned away down to the muscle/fatty-tissue layer) in two to seven seconds. Such burns result in treatments that cost tens of thousands of dollars, permanent disfigurement, extreme pain and disability of the victim for many months, and in some cases, years

The Shriner’s Burn Institute in Cincinnati had published warnings to the franchise food industry that its members were unnecessarily causing serious scald burns by serving beverages above 130 degrees Fahrenheit.

McDonald’s admitted that it has known about the risk of serious burns from its scalding hot coffee for more than 10 years -- the risk was brought to its attention through numerous other claims and suits, to no avail.

From 1982 to 1992, McDonald’s coffee burned more than 700 people, including children and infants, many receiving severe burns to the genital area, perineum, inner thighs, and buttocks

Despite receiving extensive injuries, Liebeck offered to settle with McDonald’s for only \$20,000 but McDonald’s refused to settle. The jury awarded Liebeck \$200,000 in compensatory damages and \$2.7 million in punitive damages for McDonald’s callous conduct. To put this in perspective, McDonald’s revenue from coffee sales alone is in excess of \$1.3 million a day.

The trial judge reduced the punitive damages to \$480,000. Subsequently, the parties entered a post-verdict settlement. In refusing to grant a new trial in the case, Judge Robert Scott called McDonald’s behavior “callous.”

Following the verdict, the news media documented that coffee temperature at the McDonald’s in Albuquerque, where Liebeck was burned, was lowered to 158 degrees. This will cause third-degree burns in about 60 seconds, rather than in two to seven seconds.

Morgan, *The Recorder*, September 30, 1994.