

Peloton Recalls Popular Treadmill after Six-Year-old's Death

High-end exercise machines implicated in one fatality and more than 70 injuries to children and pets on or near the equipment. by Nadia El-Yaouti

DALLAS, TEXAS, UNITED STATES, May 19, 2021 /EINPresswire.com/ -- Popular exercise brand Peloton dominated the fitness world throughout the pandemic and redefined how people worked out. Their popular internet-connected bikes and treadmills drew a cult-like following that propelled the brand into the national spotlight. Peloton is finding itself in the spotlight yet again as the brand has issued a recall on its \$4,295 Tread+ and \$2,495 Peloton Tread. The recall comes after mounting safety concerns and the death of a six-year-old.



T Nguyen, Dallas Personal Injury Lawyer

The safety of Peloton treadmills was called into question earlier this year after small children and pets began suffering injuries. There are now over 70 incidents of children and pets getting injured, with one six-year-old suffering a fatal injury.

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It's possible Peloton could face lawsuits from the parents of children injured by their products, even if the injuries occur after the recall has been announced. T Nguyen, a personal injury and products liability attorney at the [Turley Law Firm in Dallas, Texas](#), explains that injury victims can sue even after a recall notice has been issued, especially if the victim (or the parent or guardian in the case of an

injured child) was not aware of the recall or the recall notice was insufficient to remove the product from use.

"Recall notices only alert consumers about a potential danger of a product," says attorney Nguyen. "Filing a lawsuit for strict liability against the manufacturer for a product defect is viable when a product has been purchased and is in use."

There have been manufacturer issues where the screens have fallen off the equipment as well, but more concerning has been the warning issued by the U.S. Consumer Product Safety Commission (CPSC) in April. In the warning, CPSC explained to the public the dangers of the popular Tread+.

They state, "CPSC staff believes the Peloton Tread+ poses serious risks to children for abrasions, fractures, and death. In light of multiple reports of children becoming entrapped, pinned, and pulled under the rear roller of the product, CPSC urges consumers with children at home to stop using the product immediately."

In the statement, CPSC shared a video of an incident in which a young boy was pulled under the treadmill while it was on. Joe Martyak with the CPSC explained, "The young girl [in the video] is 4 years old. The little boy is 2 years old. And you see in an instant how he is sucked underneath the treadmill with the ball that he's holding onto. This is a treadmill that weighs over 400 pounds."

Peloton quickly responded to the CPSC's early warning stating that the "company is troubled by the Consumer Product Safety Commission's unilateral press release about the Peloton Tread+ because it is inaccurate and misleading."

The agency warned that the product posed a serious risk and even death for children and pets. But Peloton persisted in a statement that explained, "There is no reason to stop using the Tread+, as long as all warnings and safety instructions are followed." The statement added, "Peloton's co-founder and CEO John Foley sent an urgent reminder directly to Tread+ Members to follow the critical warnings and safety instructions that accompany the Tread+, which state that children, pets, and objects should be kept clear of the Tread+ at all times. Members were also reminded to remove the Safety Key and store it out of the reach of children when an adult is not using the Tread+."

Peloton announced the recall of its Tread+ and Tread treadmills on Wednesday along with an apology for not cooperating with the CPSC earlier. Following the announcement, Peloton stock dropped from \$97 a share to \$80 a share, erasing nearly \$4 Billion in value. The recall affects roughly 125,000 units.

As part of the recall, Peloton CEO John Foley issued a statement that explained, "I want to be clear, Peloton made a mistake in our initial response to the Consumer Product Safety Commission's request that we recall the Tread+." He added, "We should have engaged more productively with them from the outset. For that, I apologize."

The active chairman of CPSC, Robert Adler, explained that the recall was the "result of weeks of

intense negotiation and effort, culminating in a cooperative agreement that I believe serves the best interests of Peloton and of consumers."

The CPSC has stated that "a 6-year-old child recently died after being pulled under the rear of the treadmill." No additional information was released regarding the child's death. Depending on the law of the state where the fatality occurred, the parents or other family members might be able to bring a "wrongful death" lawsuit against the company for negligence or product liability. Attorney Nguyen of the Turley Law Firm says that in Texas, for instance, only parents can file a wrongful death lawsuit for the death of a minor child. "The parents would have to prove the wrongful conduct and legal responsibility of the company for the six-year-old's death," Nguyen explains. "The parents would have to show their emotional trauma and loss of love and companionship by the death of their child."

Users who own the Tread+ or Peloton Tread have been told to stop using their machines. Individuals who own the Tread+ can return it to the company for a full refund as well.

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