A CONSUMER GUIDE FROM HACKETT LAW FIRM

Coffee Burn Legal Recourse Primer

What to do if you've been burned by hot coffee from a fast food chain or similar establishment.



Hackett Law Firm

BURN & PERSONAL INJURY ATTORNEYS · NORTHERN CALIFORNIA

FREE CASE REVIEW

BEFORE YOU BEGIN

What's Inside This Guide

A cup of coffee should never change your life. This short guide explains, in plain language, how serious burn injuries happen, what your rights are, and the exact steps to take if it ever happens to you or someone you love.

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> This guide is for general information only and is not a substitute for personal legal advice. Every case is different — please turn to the last page if you would like to speak with our team about your own situation.

CHAPTER ONE

The Science of Scalding

At what temperature does hot coffee cause third-degree burns?

When you order coffee from a fast-food drive-thru, you expect a hot beverage — not a liquid served at a temperature capable of causing instant, life-altering harm. Commercial establishments routinely brew coffee between **190°F and 200°F**. Brewing at that temperature is normal. **Serving** it that hot is where the danger begins.

How fast does a serious burn happen?

5 sec
for a full-thickness burn at 140°F (60°C)

< 0.5 sec
for a full-thickness burn at 180°F (82°C)

190–200°F
typical brewing temperature at fast-food chains

Detailed burn-depth and tissue-damage benchmarks are published by the **American Burn Association**. Standard medical guidance from the **Mayo Clinic Burn First Aid Guide** explains that full-thickness burns destroy both the outer and inner layers of skin — frequently damaging nerve endings and requiring emergency care, surgical debridement, or skin grafting.

Flavor should never outweigh safety

Industry groups like the National Coffee Association recommend brewing at high heat to maximize flavor. But brewing temperature and *serving* temperature are two very different things. Serving a beverage above 160°F in a flimsy paper cup creates an unreasonable hazard — a standard that commercial thermal-safety protocols, monitored by OSHA, take seriously.

Fast-food chains cannot prioritize the "perfect" flavor profile over consumer safety. Serving coffee above 180°F creates a dangerous condition that frequently supports a legal claim.

CHAPTER TWO

Defective Lids vs. Human Error

How to prove liability in a coffee spill case

After a painful spill, fast-food corporations routinely claim the customer was simply "careless" or "clumsy." A closer look, however, often reveals that a packaging defect or an employee's rushed hand-off was the true cause.

Common points of failure

1. Lids that fail to snap securely over the cup rim under normal hand pressure
2. Defective cup seams that collapse or split open when holding high-temperature liquid
3. Drive-thru staff rushing hand-offs or passing unsealed cups directly to drivers

General product-safety guidance for consumer containers is published by the U.S. Consumer Product Safety Commission (CPSC).

Proving negligence & preserving evidence

To establish liability, an injured customer must show that the restaurant breached its duty of care. The single most important evidence you can preserve is often the simplest: the cup, the lid, your receipt, and any store security footage. Guidance on evaluating these claims is available through the Cornell Law School Legal Information Institute and the American Bar Association Consumer Guide.

Don't assume a spill was "just an accident." A defective lid or a rushed hand-off can shift liability squarely onto the restaurant.

CHAPTER THREE

"Isn't Coffee Supposed to Be Hot?"

Debunking the myths of Liebeck v. McDonald's (1994)

The 1994 McDonald's hot coffee case is one of the most widely misunderstood lawsuits in American history. Pop culture paints it as frivolous. The real trial record tells a very different story.

THE MYTH

"A woman spilled coffee on herself and won millions for no real reason."

THE FACT

Stella Liebeck, age 79, suffered third-degree burns over 16% of her body, requiring 8 days of hospitalization, skin grafts, and two years of treatment.

185°F
temperature of the coffee that spilled onto Ms. Liebeck

700+
prior burn complaints McDonald's received, 1982–1992

8 days
hospitalized, followed by two years of treatment

Evidence at trial showed McDonald's had received more than 700 reports of severe coffee burns in the decade before Ms. Liebeck's injury — and chose not to lower its holding temperature. The jury's award reflected the seriousness of that decision, not a "frivolous" claim. Courts continue to apply these same principles today when weighing severe burn cases against commercial food-service operators.

CHAPTER FOUR

What Evidence to Save Immediately

A simple guide for the first hours and days after a burn

What you do in the minutes and days after a serious burn affects both your recovery and your legal claim. Acting early prevents corporate defense teams from later denying key proof.

1. **Get first aid and emergency documentation**

   Cool the burn with clean, room-temperature water and seek medical care right away. Ask for — and keep — your emergency room paperwork.

2. **Keep the cup, lid, and sleeve**

   Store them exactly as they are. Do not wash, discard, or modify anything.

3. **Photograph everything**

   Take clear photos of your injury, your clothing, and the vehicle or store interior where the spill happened.

4. **File an incident report**

   Notify the manager right away and ask for a copy of the official report for your own records.

> Comprehensive burn-injury classification standards are maintained by the National Center for Biotechnology Information (NCBI). For guidance on tracking your financial losses after an accident, see the Consumer Financial Protection Bureau (CFPB).

CHAPTER FIVE

What Is a Coffee Burn Claim Worth?

Understanding the pieces that make up fair compensation

A fair settlement accounts for both what a burn has already cost you and what it may cost in the future — medically, financially, and personally.

Past & Future Medical Expenses

Hospital stays, specialized burn-center care, skin-graft surgery, physical therapy, and permanent scar-revision procedures.

Lost Earnings & Earning Capacity

Compensation for missed work and any long-term impact on your ability to earn, often measured using U.S. Bureau of Labor Statistics data.

Pain, Suffering & Permanent Disfigurement

Non-economic damages that reflect physical pain, emotional trauma, and lasting scarring.

Every case is different

Settlement value depends heavily on burn severity (second- versus third-degree), scar location, and how clear liability is. Healthcare reimbursement liens must also be handled correctly, according to standards set by the Centers for Medicare & Medicaid Services (CMS). An experienced burn attorney helps make sure nothing is left on the table.

WE'RE HERE TO HELP

Talk to a Burn Injury Attorney Today

If you or someone you love has been seriously burned by hot coffee or another beverage, you do not have to face the insurance company alone. Your first conversation with us costs nothing.

Request Your Free Case Review

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