

CPSC Recall Snapshot



A monthly review of consumer product recalls and civil penalties announced by the CPSC

Welcome to the February edition of the Alston & Bird *CPSC Recall Snapshot*.

As mentioned in the introduction to the November *Snapshot*, the CPSC's new regulations on testing of children's products take effect on February 8, 2013. One of the little-known provisions of the new regulations is that manufacturers and importers of children's products must have a written policy against exercising undue influence on third-party testing laboratories. The "undue influence" provisions of the new regulations also require employee training on each company's "no undue influence policy." This is just one example of the many new requirements in the third-party testing regulations for children's products.

It is important for manufacturers and importers of children's products to understand all of the new requirements that will take effect next year. Alston & Bird can assist you in developing the necessary procedures and policies to ensure you comply with all of these new requirements.

We hope you find the *Snapshot* of last month's civil penalties and recalls a useful tool in keeping up-to-date on the activities of the CPSC. As always, we welcome your comments and suggestions for future editions of the *Snapshot*.

Sincerely,

Jenifer Keenan, Esq.
Editor

Click [here](#) to
Subscribe to the
Snapshot

Click [here](#)
to view the
Snapshot



Voluntary Recalls Announced by the CPSC in January 2012

NUMBER OF RECALLS BY PRODUCT CATEGORY

Child/Infant – 7
Appliance – 2

Housewares – 4
Electronics – 2

Sporting Goods – 4
Furniture – 2

Vehicle – 3
Yard Equipment – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Rattle Press Release	Child/Infant	Choking Hazard (also violates federal rattle standards)	0	25,000
Action Figure Press Release	Child/infant	Poisoning Hazard (lead paint)	0	7,000
Bicycle Trailers and Conversion Kits Press Release	Child/Infant	Injury Hazard	0 (24 detachments from bikes)	44,000 trailers 70,000 conversion kits
Bed Frame Press Release	Child/Infant	Entrapment Hazard	0	1,600
Bicycle Helmet Press Release	Child/Infant	Impact Head Injury Hazard (violate CPSC safety standards)	0	30,400
Chairs and Stools Press Release	Child/Infant	Poisoning Hazard (lead paint)	0	1,600 chairs 1,300 stools
High Chair Press Release	Child/Infant	Fall Hazard	3	133,000 U.S. 36,000 Can.
Lunch Box Press Release	Housewares	Poisoning Hazard (freezer gel packs)	0 (2 animal injuries, including 1 death)	248,000
Food Carrier Press Release	Housewares	Poisoning Hazard (freezer gel packs)	0	55,000
Candle and Candleholder Press Release	Housewares	Fire Hazard	0	5,480
Candle Press Release	Housewares	Fire Hazard	0	10,000
Bicycle (previously recalled in Sept. 2011) Press Release	Sporting Goods	Fall Hazard	0	460 (14,200 in original recall)
Bicycle Handlebars Press Release	Sporting Goods	Steering/ Crash Hazard	1	2,000 U.S. 70 Can.
Bicycle Press Release	Sporting Goods	Fall Hazard	0	900

(continued on next page)

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Bicycle Pedal Press Release	Sporting Goods	Fall Hazard	0	2,900
Snowmobile (previously recalled in Dec. 2011) Press Release	Vehicle	Steering/ Crash Hazard	0	19,000
Golf, Service and Utility Vehicles Press Release	Vehicle	Steering/ Crash Hazard	0	1,400
Utility Vehicle Press Release	Vehicle	Fire Hazard	0 (3 vehicle fires)	1,876
Portable Gas Grill Press Release	Appliance	Fire/Burn Hazard	0 (10 grill fires)	4,530
Portable Electric Heater Press Release	Appliance	Burn Hazard	0	19,000
Flashlight and Battery Set Press Release	Electronics	Fire/Burn Hazard	1	41,000
Flashlight Set Press Release	Electronics	Fire/Burn Hazard	2	55,000
Desk Chair Press Release	Furniture	Fall Hazard	0	11,000
Floor Lamp Press Release	Furniture	Electric Shock/ Overheating Hazard	0	43,700
Lawnmower Blades Press Release	Yard Equipment	Laceration Hazard	0	950

Civil Penalties Announced by the CPSC in January 2012

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Battery Pack Press Release	Electronics	Failure to immediately report safety defect (battery packs can overheat) that poses a fire and burn hazard to consumers. Company knew of 22 incidents, including at least two injuries, in September 2007, but did not report until July 2008, after additional incidents had occurred.	\$425,000

Alston & Bird helps companies navigate the CPSC's complex regulations—from testing, to labeling, to recalls—and everything in between. We also help companies monitor and respond to complaints submitted to the CPSC's new consumer complaint database, www.SaferProducts.gov. For additional information or questions about recalls, the SaferProducts.gov database or other CPSC issues, please email cpsc-questions@alston.com or visit the firm's website at <http://www.alston.com>.

Jenifer Keenan, Esq.
Editor

ALSTON + BIRD LLP