



ALSTON & BIRD

CPSC RECALL SNAPSHOT

A MONTHLY REVIEW OF CONSUMER PRODUCT RECALLS
AND CIVIL PENALTIES ANNOUNCED BY THE CPSC

April 2018

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

In March, the CPSC approved the largest civil penalty in CPSC history. The \$27.25 million civil penalty, which was approved by a 4–0 vote, settled charges that a company failed to immediately report that two models of off-road vehicles contained defects or created an unreasonable risk of serious injury. By the time the report was made to CPSC staff, the company had received reports of 150 fires in one model, including one that resulted in the death of a 15-year-old passenger, 11 reports of burn injuries, and a fire that consumed 10 acres of land. And as for the second model, it had gone through two design changes between the first 30 reported fires and five subsequent fires, and it has been involved in two separate recalls.

While this civil penalty marks the first of 2018, it singlehandedly surpasses the aggregate of all the civil penalties in 2017. In fact, the civil penalty is larger than the aggregate of the civil penalties in each year since 2013, except for 2016 which saw a total of \$37.3 million in civil penalties. More information about this record-breaking civil penalty may be found [here](#).

Click [here](#) to subscribe to the *Snapshot*. For additional information or questions about CPSC issues, please email us at: jenifer.keenan@alston.com and brad.strickland@alston.com.

Sincerely,

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Voluntary Recalls Announced by the CPSC in March 2018

NUMBER OF RECALLS BY PRODUCT CATEGORY

Housewares – 7
Yard Equipment – 3

Child/Infant – 6
Electronics – 2

Appliance – 6
Vehicle – 1

Sporting Goods – 3
Miscellaneous – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Multicooker Press Release	Housewares	Fire Hazard	0	104,000
Garbage Disposal Switch Press Release	Housewares	Fire Hazard	0	1.4 million U.S. 28 Can.
Menorah Press Release	Housewares	Fire/Burn Hazard	0	1,800
Wi-Fi Switch Press Release	Housewares	Fire Hazard	0	24,000 U.S. 6,000 Can.
Smoke Alarm Press Release	Housewares	Failure Hazard	0	452,000 U.S. 40,000 Can.
Electric Blanket Press Release	Housewares	Fire/Burn Hazard	1	1,650
Halogen Lightbulb Press Release	Housewares	Laceration/Fire Hazard	2	2.5 million
Highchair Press Release	Child/Infant	Fall Hazard	0	36,000 U.S. 3,200 Can.
Jeans Press Release	Child/Infant	Laceration Hazard	5	30,000
Bacitracin Ointment Press Release	Child/Infant	Closure Hazard	0	500,000
Electric Wagon Press Release	Child/Infant	Injury Hazard	0	5,000

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Children's Tent Press Release	Child/Infant	Laceration Hazard	2	84,000
Pacifier & Teether Holder Press Release	Child/Infant	Choking Hazard	0	590,000 U.S. 10,500 Can.
Hot Tub/Swim Spa Press Release	Appliance	Fire Hazard	0	550 U.S. 630 Can.
PTAC Press Release	Appliance	Fire/Burn Hazard	1	534,000 U.S. 3,400 Can.
Modular Blower Press Release	Appliance	Fire Hazard	0	1,650 U.S. 80 Can.
Wall Heater Press Release	Appliance	Burn Hazard	0	35,000 U.S. 700 Can.
Rooftop HVAC Press Release	Appliance	Fire Hazard	0	530
Beverage Dispenser Press Release	Appliance	Burn Hazard	1	11,000
Cycling Brake Pad Press Release	Sporting Goods	Fall Hazard	0	750
Bicycle Helmet Press Release	Sporting Goods	Head Injury Hazard	0	650 U.S. 550 Can.
Cross Trainer Press Release	Sporting Goods	Fall Hazard	1	570
Mosquito Trap Press Release	Yard Equipment	Injury Hazard	0	28,000
Riding Mower Press Release	Yard Equipment	Injury Hazard	0	18,000 U.S. 300 Can.
Log Splitter Wedge Press Release	Yard Equipment	Impact Injury Hazard	0	5,100 U.S. 40 Can.
Power Bank Press Release	Electronics	Fire/Burn Hazard	1	260,000
Battery Charger/Hand Warmer Press Release	Electronics	Fire/Burn Hazard	0	12,700
Motorcycle Press Release	Vehicle	Crash Hazard	0	160
Residential Elevator Press Release	Miscellaneous	Impact Hazard	0	3,700

Civil Penalties Announced by the CPSC in March 2018

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Off-Road Vehicle Press Release	Vehicle	<p>Knowing failure to report a defect or an unreasonable risk of serious injury with two off-road vehicle models.</p> <p>The failure to report began after the company received information that the off-road vehicles could catch fire while being driven. By the time the company reported the defect or risk, it had received reports of 150 fires, including one that resulted in the death of a 15-year-old passenger, 11 reports of burn injuries, and a fire that consumed 10 acres of land in one model, and five fires in the other.</p>	\$27.25 million

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 consumer complaint database, www.SaferProducts.gov. For additional information or questions about recalls, the SaferProducts.gov database or other CPSC issues, please email jenifer.keenan@alston.com or visit the firm's website at www.alston.com.

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