

ALSTON+BIRD_{LLP}

CPSC Recall Snapshot



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

Welcome to the third edition of the Alston & Bird *CPSC Recall Snapshot*, our monthly newsletter on recalls and civil penalties announced by the CPSC. The *Snapshot* now has links to the CPSC press releases for the recalls and civil penalties summarized within so that you can get more information on these items with just the click of a button.

In addition to announcing the voluntary recalls summarized in the *Snapshot*, the CPSC announced significant changes to the way it notifies manufacturers of complaints about their products. In the past, the CPSC mailed complaints to manufacturers; now, if a manufacturer has registered for the SaferProducts.gov database, it will receive both SaferProducts-eligible reports and reports not eligible for publication on the database electronically via a manufacturer-only tab on the database. The CPSC also announced that it is enhancing the Business Portal of the database so that businesses will eventually be able to add brand names for their products and the time periods during which they sold the products. These enhancements should lead to a reduction of manufacturer misidentification in reports published on the database. The full press release on these enhancements can be found at <http://www.cpsc.gov/cpsc/pub/prerel/prhtml12/12036.html>

We look forward to continuing to bring you the *Snapshot* in 2012. On behalf of everyone on the CPSC team at Alston & Bird, I wish you a happy and prosperous New Year!

Sincerely,

Jenifer Keenan, Esq.
Editor

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to view the
Snapshot

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December 2011

Voluntary Recalls Announced by the CPSC in November 2011

NUMBER OF RECALLS BY PRODUCT CATEGORY				
Child/Infant – 7 Appliances – 2		Electronics – 3 Furniture – 1	Housewares – 3 Vehicle – 1	Sporting Goods – 3
PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Shoes Press Release	Child/Infant	Laceration Hazard	27	45,000
Slippers Press Release	Child/Infant	Choking Hazard	0	160,000
Teddy Bear Swimwear Set Press Release	Child/Infant	Strangulation Hazard	0	19,720 U.S. 1,100 Can.
Jacket Press Release	Child/Infant	Strangulation Hazard (Drawstrings)	0	5,400
Drop-Side Crib Press Release	Child/Infant	Fall/Entrapment Hazard	0	440
Magnetic Sketchboard Press Release	Child/Infant	Choking Hazard	0	95,000 U.S. 4,300 Can.
Plastic Tricycle Press Release	Child/Infant	Laceration Hazard	1	12,000 (9,000 recalled in April 2011)
Rechargeable Battery Press Release	Electronics	Fire Hazard	0	220
iPhone Battery Case Press Release	Electronics	Fire/Burn Hazard	3 (4 minor property damage)	31,000 U.S. 1,000 Can.
iPod Touch Battery Case Press Release	Electronics	Burn Hazard	9	6,118
Wall Light Switch Press Release	Housewares	Electrical Shock Hazard	0	75,000
Glass Vase Press Release	Housewares	Laceration Hazard	4	28,000 U.S. 1,800 Can.

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PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Glass Bowl Press Release	Housewares	Laceration Hazard	0	16,600 U.S. 2,000 Can.
Rock Climbing Cam Press Release	Sporting Goods	Fall Hazard	0	1,280
Helmet Chin Strap Press Release	Sporting Goods	Laceration Hazard	6	541,000
Hunting Knife Set Press Release	Sporting Goods	Laceration Hazard	0	13,000
Refrigerator Press Release	Appliance	Injury Hazard (door detachment)	2	8,000 (5,700 recalled in March 2011)
Tri-Grill/Griddle Press Release	Appliance	Electrical Shock Hazard	4	27,000
Wardrobe Mirror Press Release	Furniture	Laceration Hazard	1	1,700 U.S. 500 Can.
ATV Press Release	Vehicle	Crash Hazard	0	1,384

Default Judgment/Litigation Announced by the CPSC in November 2011

The CPSC did not announce any civil penalties in November. However, as described below, a default judgment and injunction were entered in a case brought by the U.S. Attorney in the Eastern District of New York against a mattress seller for violations of the Consumer Product Safety Act and the Flammable Fabrics Act.

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Mattresses (including sets and pads) Press Release	Furniture	Court ordered recall of mattress failing to comply with federal flammability laws. Firm committed violations even after preliminarily enjoined from selling violative mattresses.	Permanent Injunction. \$1,000/day if fail to comply with order.

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

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