

ALSTON & BIRD LLP

CPSC Recall Snapshot



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

Welcome to the March edition of the Alston & Bird *CPSC Recall Snapshot*. Click [here](#) to view the *Snapshot*. This edition marks the first time that Vehicles were the most-recalled product category for the month. And although children's products are usually the most recalled product category, they were the third category for last month behind Vehicles and Tools/Hardware.

As we have reported in the past, two of the five commissioner spots at the CPSC are currently vacant. The democrat that was nominated by President Obama for one of these open seats in January 2012 was re-nominated in January 2013, but so far, there has been no action on her nomination and the President has yet to nominate someone for the other vacant seat (which by statute, must be filled by a Republican so that there are no more than 3 commissioners of one party). On the heels of these openings, Chairman Tenenbaum announced during her keynote address at the International Consumer Product Health and Safety Organization's annual meeting in Washington, DC that she will not seek re-nomination when her term expires in October. Commissioners may serve for one additional year beyond their term if their seat is not filled, so there is little likelihood that the Commission will be down to two commissioners if the two existing vacancies are not filled by the time Tenenbaum's term expires in October. Nevertheless, these vacancies may bring about a change in the agenda and priorities of the Commission, as up to three new Commissioners could be confirmed in the next 18 months. The *Snapshot* will continue to monitor the nominations to help you stay on top of these big changes on the horizon.

We hope you find the *Snapshot* of last month's recalls a useful tool in keeping up-to-date on the activities of the CPSC. We also invite you to check out our [Products Liability Blog](#), which features important updates on CPSC and products liability issues.

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

Sincerely,

Jenifer Keenan, Esq.
Editor

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March 2013

Voluntary Recalls Announced by the CPSC in February 2013

NUMBER OF RECALLS BY PRODUCT CATEGORY

Vehicles – 5
Appliances – 2

Tools/Hardware – 4
Sporting Goods – 6

Child/Infant – 3
Electronics – 1

Housewares – 3
Furniture – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Golf Cart Press Release	Vehicles	Fire Hazard	0	950
Scooter Press Release	Vehicles	Fall Hazard	3	5,200
Scooter Press Release	Vehicles	Fall Hazard	3	5,500
Snowmobile Press Release	Vehicles	Fire Hazard	0	10,200
Utility Vehicle Press Release	Vehicles	Fire Hazard	0	4,700
Battery Pack Press Release	Tools/Hardware	Fire/Burn Hazard	0	54,200 U.S. 2,200 Can.
Blower Vacuum Press Release	Tools/Hardware	Laceration Hazard	0	241,000 U.S. 13,600 Can.
Blower Vacuum Press Release	Tools/Hardware	Laceration Hazard	0	131,500
Step Stool Press Release	Tools/Hardware	Fall Hazard	0	6,500
Play Yard Sheet Press Release	Child/Infant	Entrapment/Suffocation Hazard	0	1,440
Stroller Press Release	Child/Infant	Strangulation Hazard	0	340
Stuffed Animal Press Release	Child/Infant	Laceration Hazard	0	7,200
Candle Press Release	Housewares	Fire/Burn Hazard	1	40
Christmas Tree Press Release	Housewares	Burn/Shock Hazard	0	700
Canning Jar Lifter Press Release	Housewares	Laceration Hazard	0	22,700 U.S. 3,800 Can.
Oven Press Release	Appliance	Fire Hazard	0	940
Coffeemaker Press Release	Appliance	Fire/Burn Hazard	0	6,000

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Climbing Lanyard Press Release	Sporting Goods	Injury/Death Hazard	0	Not disclosed
Crossbow Press Release	Sporting Goods	Injury Hazard	0	150
Travel Converter Press Release	Electronics	Fire/Burn Hazard	0	20,000
Mattress Press Release	Furniture	Fire Hazard (FFA Violation)	0	810

There were no civil penalties announced by the CPSC in February 2013.

Correction: Last month, we stated that there were no civil penalties announced by the CPSC in January 2013. The following civil penalty was announced by the CPSC in January 2013:

PRODUCT	PRODUCT CATEGORY	BASIS FOR PENALTY	CIVIL PENALTY AMOUNT
Children's Bed Press Release	Child/Infant	Knowing failure to report defect (lid supports on attached toy chest can fail) that poses as an entrapment and strangulation hazard to young children. One death occurred as a result of the defect in November 2007, which the company did not report until March 2008.	\$725,000

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](http://www.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