

CPSC Recall Snapshot



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

January 2014

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

Last month, the CPSC published proposed changes to relax the rules governing disclosure of information to the public about a manufacturer or private labeler. The proposed changes to Section 6(b), which currently contains procedures to protect the confidentiality of information firms submit to the CPSC, include:

- 1) eliminating the requirement that the CPSC provide advanced notice before the disclosure of information where the public could readily identify the manufacturer or private labeler;
- 2) removing the requirement that the Commission provide notice regarding the release of the same information in response to a new FOIA request;
- 3) requiring companies to provide a rationale for the objection to the disclosure of information when it is provided to the Commission rather than when a specific request for the disclosure of the information is made; and
- 4) permitting the disclosure of information designated as “attorney work product” or protected by the attorney-client privilege.

During the Commissioners’ meeting on the proposed changes, Commissioner Buerkle, the lone Republican Commissioner, criticized the proposed changes, noting that 75 percent of FOIA requests received by the Commission come from plaintiffs’ attorneys.

A recent *Law360* article featuring my statements on some of the impacts of the proposed changes to Rule 6(b) can be found on the [Alston & Bird website](#).

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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February 2014

Voluntary Recalls Announced by the CPSC in January 2014

NUMBER OF RECALLS BY PRODUCT CATEGORY

Appliances – 6

Child/Infant – 6

Housewares – 6

Sporting Goods – 6

Furniture – 2

Electronics – 1

Misc. – 1

Tools/Hardware – 1

Vehicles – 1

Yard Equipment – 1

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Dehumidifier Press Release	Appliance	Fire/Burn Hazard	0	350,000 U.S. 2,700 Can.
Smoke Detector System Press Release	Appliance	Failure Hazard	0	610
Fire Control Panel Press Release	Appliance	Failure Hazard	0	2,000
Fan Heater Press Release	Appliance	Fire/Burn Hazard	2	42,500
Home Heating Boiler Press Release	Appliance	Poisoning Hazard	0	26,000 U.S. 310 Can.
Home Heating Boiler Press Release	Appliance	Poisoning Hazard	0	191
Stroller Press Release	Child/Infant	Amputation Hazard	2	216,000 U.S. 8,800 Can.
Pacifier Press Release	Child/Infant	Choking Hazard	0	183,000 U.S. 17,000 Can.
Pacifier Holder Clip Press Release	Child/Infant	Choking Hazard	0	1.25 Million U.S. 150,000 Can.
Bed Press Release	Child/Infant	Laceration Hazard	0 U.S./Can. 1 abroad	3,500
Rattle Press Release	Child/Infant	Choking Hazard	0	1,900
Sports Jersey Kit Press Release	Child/Infant	Laceration/ Choking Hazard	0	62
Coffee Press Press Release	Housewares	Laceration/Burn Hazard	4	28,000
TV Wall Mount Press Release	Housewares	Injury Hazard	0	195,000 U.S. 60 Can. 21,000 Mex.
Flushing System Press Release	Housewares	Impact/Laceration Hazard	0	351,000 U.S. 9,400 Can.
Chandelier Press Release	Housewares	Injury Hazard	0	1,100

PRODUCT	PRODUCT CATEGORY	ALLEGED HAZARD	REPORTED INJURIES	NUMBER OF PRODUCTS
Pool Gate Latch Press Release	Housewares	Failure Hazard	0	2,500
Medicine Cabinet Press Release	Housewares	Injury Hazard	0	14,000
Folding Bicycle Press Release	Sporting Goods	Fall Hazard	3	4,600
Bicycle Brakes Press Release	Sporting Goods	Crash/Injury Hazard	1 U.S. 1 abroad	25,350
Hockey Elbow Pads Press Release	Sporting Goods	Injury Hazard	1	2,100 U.S. 1,600 Can.
Scuba Air Hose Press Release	Sporting Goods	Drowning Hazard	0	1,300
Elliptical Press Release	Sporting Goods	Fire Hazard	0	2,800
Weight Bench Press Release	Sporting Goods	Fall/Injury Hazard	0	234
Science Table Press Release	Furniture	Injury Hazard	0	655
Card Table And Chair Set Press Release	Furniture	Amputation/Fall Hazard	10	73,400
Remote Controlled Helicopter Press Release	Electronics	Crash/Injury Hazard	0	1,980 U.S. 200 Can.
Stage Light Barndoors Press Release	Misc.	Impact Hazard	0	5,500
Flashlight Press Release	Tools/Hardware	Burn Hazard	0	225,000 U.S. 7,000 Can.
Snowmobile Press Release	Vehicles	Fire Hazard	0	264
Lawnmower Press Release	Yard Equipment	Laceration Hazard	0	20,848 U.S. 3,000 Can.

The CPSC did not announce any Civil Penalties in January.

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 jenifer.keenan@alston.com or visit the firm's website at <http://www.alston.com>.

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Editor

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